

PARADOXES
OF HAWAIIAN
SOVEREIGNTY



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Land, Sex, and the Colonial Politics of State Nationalism

> J. KĒHAULANI KAUANUI

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He aliʻi ka ʻāina; he kauā ke kanaka.
The land is the chief, the people its servants.
—adapted from MARY KAWENA PUKUI,
'Ōlelo No'eau: Hawaiian Proverbs
and Poetical Sayings

ABBREVIATIONS / ix

INTRODUCTION / 1
Contradictory Sovereignty

PREFACE / xi

one / 43

ACKNOWLEDGMENTS / xv

Contested Indigeneity: Between Kingdom and "Tribe"

TWO / 76
Properties of Land:
That Which Feeds

CONTENTS

THREE / 113

NOTES / 203

Gender, Marriage, and Coverture:

A New Proprietary Relationship

GLOSSARY OF HAWAIIAN

WORDS AND PHRASES / 235

FOUR / 153

"Savage" Sexualities

BIBLIOGRAPHY / 237

conclusion / 194

Decolonial Challenges

to the Legacies of Occupation and Settler Colonialism

INDEX / 263



ABBREVIATIONS

ABCFM American Board of Commissioners for Foreign Missions

ANPRM Advance Notice of Proposed Rule Making

DLNR Department of Land and Natural Resources

DOI Department of the Interior

DOMA Defense of Marriage Act

GMO genetically modified organism

NGO nongovernmental organization

NHGE Native Hawaiian governing entity

PLDC Public Land Development Corporation

Office of Hawaiian Affairs

UN United Nations

ОНА

UNPFII United Nations Permanent Forum on Indigenous Issues

USPACOM United States Pacific Command

WGIP Working Group on Indigenous Populations (later

 $changed \ to \ Working \ Group \ on \ Indigenous \ Peoples)$



The Hawaiian kiss is the honi, the nose press. In Studies of Savages and Sex (1929), British anthropologist Ernest Crawley devoted a chapter to "the nature and history of the kiss," claiming that "kissing is a universal expression in the social life of the higher civilizations of the feelings of affection, love (sexual, parental, and filial), and veneration." In its refined form, "kissing supplies a case, in the higher levels of physiological psychology, of the meeting and interaction of the two complementary primal impulses, hunger and love." According to Crawley, "The European kiss consists essentially in the application of the lips to some part of the face, head, or body, or to the lips of the other person. Normally, there is no conscious olfactory element, and any tactile use of the nose is absolutely unknown. It is thus a distinct species and to describe it as having evolved from the savage form is erroneous." He contrasted the "civilized kiss" with the forms of what he terms the "savage kiss." The olfactory form "occasionally includes mutual contact with the nose, as among the Maoris, Society, and Sandwich Islanders, the Tongans, the Eskimo, and most of the Malayan peoples." Sandwich Islands, of course, was the name given to the Hawaiian Islands by James Cook in the late eighteenth century in honor of John Montagu, fourth earl of Sandwich, who was then first lord of the admiralty. Crawley considered these groups to be "the lower and semi-civilized races"—a step above groups with "the typical primitive kiss," which he suggested is "made with contact of nose and cheek."1

This logic of civilizational hierarchies is not simply something that has long passed. *American Anthropologist*, the journal of the American Anthropological Association, published an essay as recently as 2015 questioning whether the "romantic-sexual" kiss is a "near human universal" but found that it was present in a minority of cultures sampled. As a result of their study, the researchers argue that "there is a strong correlation between the frequency of the romantic-sexual kiss and a society's relative social complexity: the more socially complex the culture, the higher frequency of romantic-sexual kissing."²

A NOTORIOUSLY LENGTHY and winding highway is often referred to in Hawaiian legends and songs (and now travel guides) as "the long road to Hāna"—a 52-mile highway from Kahului along the eastern shore of the Hawaiian island of Maui. Part of the route was built in the late nineteenth century for sugar-plantation workers commuting from Pā'ia to Hāna. Hence it is an undeniable part of the physical alteration of the island to accommodate capitalist expansion through a monocrop industry—a commercial thoroughfare marking the modern transformation of Hawai'i's economy. An earlier, lesser-known history of labor and penal law is tied to the highway: those who built it were convicted of adultery and punished by high chief Hoapili with a sentence to "work the road." In 1843 the Reverend H. T. Cheever—a missionary traveling through the Pacific—admired the road to Hāna. He noted: "Yet it is a way not devoid of interest and novelty, especially that part of it which runs to Kahikinui and Kaupo; for it is a road built by the crime of adultery, some years ago, when the laws relating to that and other crimes were first enacted." He explained that it ran almost like a railroad "for fifteen or twenty miles" and was built from blackened lava "made by convicts, without sledge-hammers, crow-bars or any other instrument, but the human hands and their stone. . . . It is altogether the noblest and best Hawaiian work I have anywhere seen." It is clear that one aspect of modernization in the islands was physically bound to the biopolitical discipline of Kanaka sexuality by the state (the Hawaiian Kingdom), especially as adultery itself was a relatively new concept in Hawai'i at the time (and the pre-Christian system allowed for multiple partners and bisexual intimacy). Western notions of marriage as a socially or ritually recognized union between two spouses bound by a legal contract establishing rights and obligations involving them, their children, and their in-laws did not exist.

IN AN 1855 SPEECH, King Kamehameha IV described the reign of his late brother, the former Hawaiian monarch. He wrote:

The age of Kamehameha III was that of progress and of liberty—of schools and of civilization. He gave us a Constitution and fixed laws; he secured the people in the title to their lands, and removed the last chain of oppression. He gave them a voice in his councils and in the making of the laws by which they are governed. He was a great national benefactor, and has left the impress of his mild and amiable disposition on the age for which he was born.⁵

In addition to constitutional government, a series of legal changes was introduced during Kamehameha III's reign—all in the quest to secure modern recognition of Hawaiian sovereignty in the form of progress toward being a "civilized" nation. Among other actions, he privatized and commodified the communal land system, regulated and disciplined a range of Hawaiian sexual practices, imposed Christian marriage as the only legally sanctioned framework for any sexual relationships, and subordinated women through coverture, a legal doctrine whereby, upon marriage, a woman's legal rights and obligations were subsumed by those of her husband. Yet in his lifetime Kamehameha III had several sexual partners, including an *aikāne* relationship (a close friendship that may include a sexual dimension) with a man named Kaomi, a *moepi'o* relationship (a sexually intimate union between high-ranking siblings known as a rank-preserving strategy) with his sister Nāhi'ena'ena, and extramarital sexual affairs with select women.



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INTRODUCTION CONTRADICTORY SOVEREIGNTY

Our responses to the interrogatories that are posed by Interior are all no. And the reason why is because we are capable of being self-governing. But we are not capable of expressing our right to self-determination because federal policy limits this. We are not Indians. We will never be Indians and the federal Indian policy is inappropriate for our peoples.... You can braid my hair and stick feathers in it, but I will never be an Indian. I will always be a Hawaiian. Aloha.

The above testimony was delivered by Hawaiian political leader Mililani Trask on behalf of Ka Lāhui, a group known as a "Native Initiative for Sovereignty," before the U.S. Department of Interior (DOI) panel held in Hilo on July 2, 2014. The session was one of fifteen public meetings held in the Hawaiian Islands that summer "to consider reestablishing a government-to-government relationship between the United States and the Native Hawaiian community." Trask was responding to a set of questions on whether the DOI should facilitate a process of forming a "Native Hawaiian governing entity" that would ostensibly be similar to federally recognized tribal nations. Trask answered all of these questions with a categorical "no" but did so by drawing on problematic invocations of Native Americans.

Trask's comments to the DOI are emblematic of the anti-Indigenous kingdom discourse that situates Hawaiians in opposition to "Indians" and

speaks volumes about the complex political terrain that this book tackles. Her assertion "You can braid my hair and stick feathers in it, but I will never be an Indian" is an oppositional response to the federally driven proposal to recognize Hawaiians within U.S. domestic policy on tribal nations. She implies that the federal recognition scheme might attempt to "convert" her by appearance as part of a new federal policy, but that the sovereignty of the Hawaiian people stands apart—a durable political difference coded through stereotypical appearances. Trask unfortunately glosses the political status of the then 573 Native governing entities currently recognized by the U.S. government through a hairstyle and accessories, evoking braids and feathers—popular visual markers of what symbolizes an "Indian" (a socially constructed term that Europeans imposed on the Indigenous Peoples of the Western Hemisphere, who had their own respective and diverse Indigenous kinship systems and polities). 4 She also refers to a "nation to nation" relationship as something that Hawaiians would like to see, yet that is also how the U.S. government describes its arrangement with Indian tribes. But she specifies that this should happen only when both nations are given a seat at the table—indirectly pointing to the unilateral nature of the federal procedure as evinced by the Department of the Interior meetings. 5 Here she suggests that the limits imposed on self-determination for tribal nations are "inappropriate" for the Hawaiian people, but in doing so she implies that they are appropriate for Indians. Moreover, her argument seems to hinge on Hawaiian competency in contrast to the supposedly less competent tribal nations as the premise for her declaration "We are not Indians."

The vast majority of those who testified at the public meetings opposed the federally driven effort in light of the existence of the Hawaiian Kingdom, established by 1810 and recognized as an independent state by the major powers of the world starting in 1843 until the U.S. government backed an illegal overthrow of the monarchy in 1893. Today the project of restoring the Hawaiian Kingdom—or insisting that it still exists now—is in competition with the U.S. government's attempt to confine Native Hawaiian governance to internal Indigenous self-determination within the bounds of federal law. Although the battle over legal paths to regenerate some form of Hawaiian self-determination may seem moot given the machinations and dominance of the U.S. nation-state, this development has acutely unsettled the Kanaka Maoli (Native Hawaiian) political world, bringing to the surface deep conflict over Hawaiian national identity.

This book focuses on the effects of Christianization and the introduction of the Anglo-American legal system in relation to land, gender, and

sexuality in the Hawaiian context in the early to mid-nineteenth century and the consequences of that transformation for contemporary sovereignty politics. It explores the ways in which Hawai'i is comprehended (and alternately apprehended) within conflicting paradigms for acknowledging its status as other than simply part of the regular domestic jurisdiction of the United States, specifically as an occupied state of its own, a "tribal" entity awaiting U.S. recognition, and the territory of an Indigenous People. This book engages the ways in which Hawai'i has been situated within these various (and often incommensurate) frameworks and traces the limited passages available to Kanaka Maoli in order to try to realize prior history and contemporary assertions of self-determination. Paradoxes of Hawaiian Sovereignty specifically seeks to demonstrate how white American notions of property title, state sovereignty, and normative gender relations and sexuality become intimately imbricated in aspirations for Hawaiian liberation and in mobilizing available categories for acknowledging Kanaka distinctiveness—hence the word "paradoxes" in the title of this book.

Trask's rhetorical attempt to contrast Kanaka Maoli with Indian tribes is reminiscent of similar attitudes a decade earlier that revealed a stance of political superiority. For example, I was struck by an exchange in 2004 among several prominent Kanaka Maoli men who self-identify as Hawaiian Kingdom nationals (rather than U.S. citizens). The discussion took place on an online Hawaiian sovereignty forum. One man rhetorically asked a series of questions: "Which of the Native Americans have had treaties worldwide and consuls throughout the world? How many were involved with blanket international affairs or recognized any country's independence? How many were recognized as peers with other recognized nations throughout the world, including the United States? How many of them had treaties of friendship and commerce with the rest of the world nations?" 6

In response, another chimed in: "We had a King that was accepted in world courts and entertained by Heads of State throughout the world.... We were a worldwide recognized nation, were any of the Native Americans in the same league?" Here the reference point is a male monarch, although the last ruler of the Hawaiian Kingdom was Queen Lili'uokalani. As though Hawaiians were the first nonwhite people to have international relationships with Europeans, yet another boasted that "Hawai'i was not a tribe of people when it joined up with world nations. We were a most favored, friendly, neutral Independent nation." This thread conveys a political perspective that is now commonplace among those who support deoccupation and fully renewed recognition of the kingdom.

In follow-up emails, these same individuals problematically generalized the hundreds of different U.S. federally recognized Native governing entities by citing their limited political status as domestic dependent nations as evidence of American "brainwashing" and "colonized mentalities" among tribal nations. These remarks revealed a dire lack of knowledge about the historical significance of federal recognition for tribes, the context of the Indian Reorganization Act of 1934 (and Indigenous resistance to it), and the fact that tribal nations that held treaties with numerous European governments were recognized as independent. The doctrine of "domestic dependent sovereignty" to subordinate tribal sovereignty within the confines of U.S. rule was not crafted until the U.S. Supreme Court ruled in Cherokee Nation v. Georgia (1831). Attitudes such as those found in the online forum imply that Hawaiians were historically "more civilized" than other Indigenous Peoples and therefore "more advanced" historically and today. These political sentiments naturalize Native Americans' limited political status based on chauvinistic (mis)understandings of what constitutes a "tribe" as somehow inherently domestic and dependent.

David Chang traces Kanaka (dis)identification with American Indians to the early nineteenth through the early twentieth centuries. He demonstrates that what Hawaiians read about and wrote about American Indian peoples in nineteenth-century newspapers reveals a series of overlapping shifts in the representation of Indians that can be considered three distinct phases. In a first phase, American Christian missionaries taught Kanaka that "the Indian" was a model of all things that Hawaiians must not be, portraying Indians as a negative model (ignorant and savage). He documents a shift in Hawaiian-language newspapers by the 1850s that reflects direct social contact between Kanaka Maoli and American Indians because of Hawaiians' work in the fur trade, the gold rush, and other areas of labor. These representations were increasingly sympathetic and coincided with Kanaka control of an independent press by the 1860s. Still, Indians remained a negative model for Kanaka, but in a new way. For Hawaiians, "American Indians represented an outcome that Kanaka who were engaged in the defense of their national sovereignty hoped to avoid." The third phase followed the U.S.-backed overthrow of the Hawaiian Kingdom and 1898 annexation. As Chang shows, the next shift "moved Indians from being 'what we must not become' to 'what we have now become like." In other words, Kanaka increasingly saw a likeness between their situation and that of American Indian peoples.

Because dispossession was the undesirable shared experience behind this identification of Kānaka with Indians, naming Kānaka as being like Indians was both politically potent and inherently unstable. . . . American Indians had functioned as a negative referent for Kānaka through the nineteenth century—from the 1820s when missionaries held Indians up as a model of how not to live, to later in the century when aloha 'āina (patriots) declared that Kānaka were like Indians when they were dispossessed. Kānaka could, therefore, identify with Indians, but the connotations of this identification were frequently negative. It could spur Kānaka to resist colonization, but it could also encourage them to declare themselves to be different from Indians, who were the very sign of the colonized.⁷

This form of signification is precisely what I want to examine in the context of Hawaiian political battles regarding independence versus federal recognition.

In *The Transit of Empire: Indigenous Critiques of Colonialism*, Jodi Byrd tracks how "Indianness" has propagated U.S. conceptions of empire, where the figure of the Indian functions as transit—a trajectory of movement. She argues that the contemporary U.S. empire expands itself through a transferable "Indianness" that facilitates acquisitions of lands, territories, and resources. Byrd makes the losses of Native Americans visible—and therefore grievable (rather than merely lamentable)—while insisting that the colonization of Indigenous nations is the necessary starting point from which to reimagine a decolonial future that centers Indigenous agency.

Byrd also challenges Hawaiians' dominant perceptions (or articulations in these cases) for their resonance with pervasive white settler disavowals by critically examining how this transit of empire has played out in the Hawaiian sovereignty context: "Many Hawaiian activists, especially kingdom sovereignty nationalists, focus on understanding the Hawaiian archipelago as the site of exceptionalism within the trajectory of US empire-building. Hawai'i is in this view a militarily occupied territory logically outside the bounds of American control, while American Indian nations are naturalized as wholly belonging to and within the colonizing logics of the United States." Byrd's analysis of "paradigmatic 'Indianness'" helps to situate Hawaiian Kingdom nationalists' disavowals of indigeneity in a deeper genealogy of "civilized"/modern nation-making that has required Hawaiian elites to fight the "savagery" within. Additionally, I would add, many are politically invested in tracing just how well Hawaiians adapted to Westernization

as evidence of the capability for self-governance and are fixated on this particular narration of Hawaiian history and a state-centered legacy.

The political contest made visible by the DOI meetings emerged from a federal drive lasting more than a decade to contain the Hawaiian sovereignty claim via proposed congressional legislation, the Native Hawaiian Government Reorganization Act. The bill was arguably one of the most controversial U.S. legislative proposals regarding Native Hawaiians since the 1959 Hawaii State Admissions Act, popularly known as "the Akaka bill" because U.S. senator Daniel Akaka (D-HI) introduced it. Beginning in the 106th U.S. Congress in 2000 and continuing through early 2012, the senator purportedly sponsored this bill to secure the recognition of Native Hawaiians as an Indigenous People who have a "special relationship" with the United States and thus a right to internal self-determination.9 Although promoted as legislation that would offer parity for Native Hawaiians in relation to federally recognized tribal nations, the bill proposed something quite different given the provisions spelled out for the state government vis-à-vis the federal government and a Native Hawaiian governing entity (NHGE). This is because the state would maintain civic and criminal jurisdiction over citizen-members of the proposed NHGE-meaning less selfgovernance than for most federally recognized tribes. 10 Although Akaka's proposed legislation was widely supported across Hawai'i and the continental United States among Native Hawaiians and liberal allies, kingdom nationalists and other independence advocates opposed this legislation in any form—and now continue to resist federal recognition by other means (including the proposed Department of Interior process) while asserting that the Hawaiian Kingdom still exists under international law.

As many contemporary kingdom nationalists view anything less than independent statehood as "backward," I address this political sentiment in relation to the limited status that states impose on Indigenous Peoples worldwide regarding their self-determination within the bounds of the existing states that encompass them. In the Hawaiian context, the focus of some of these nationalists has been misdirected at tribal nations rather than at the federal government. I suggest that this distancing and logic entails the feminization of indigeneity, which is relegated to what is seen as characteristically "female" by Western norms. Here some nationalists tend to render Indigenous Peoples feminine in relation to masculinist states. In this configuration, Western nations are seen and treated as rational, strong, worldly, independent, and active, while Indigenous Peoples occupy the supposedly female role as savage, weak, domestic, dependent, and passive—and are

treated as such. Ironically, these notions of what is considered female are Western: women were not viewed or treated as fragile, helpless, or submissive in precolonial Hawaiian society.

As my previous work documents, the current state-driven push for federal recognition is problematic for outstanding Hawaiian sovereignty claims because the kingdom, previously recognized as an independent state, provides Kanaka Maoli and others with a rare legal genealogy. 11 As a result, many of those affiliated with kingdom restoration initiatives have by and large disregarded the bill, seeing its potential effect on the kingdom as irrelevant because it emanates from the United States, understood simply as an illegal foreign occupying force. This position is clearly articulated by Keanu Sai, chair of the Council of Regency, who currently serves as (selfdesignated) acting minister of the interior. Sai's welcome letter on the website hawaiiankingdom.org asserts that the Hawaiian Kingdom government is "presently operating within the occupied State of the Hawaiian Islands" and further notes: "Since the Spanish-American War, 1898, our Nation has been under prolonged occupation by the United States of America." Other kingdom nationalist political entities include the Reinstated Hawaiian Government, led by Henry Noa, who identifies himself as the prime minister; Ke Aupuni O Hawai'i Nei, which claims to be the revived Kingdom of Hawai'i, with Leon Siu serving as foreign minister and Kealoha Aiu serving as minister of the interior; Mahealani Asing Kahau, queen of Aupuni o ko Hawai'i Pae 'Āina; and Akahi Nui, with James Akahi as king of the Kingdom of Hawai'i on Maui, to name some of them. 12 While it is unclear how great the political following of each one is in terms of constituents, it is clear that their combined stance constitutes a marked shift within the independence movement.¹³

Kingdom nationalists tend to reject the United Nations (UN) protocols for decolonization as well as Indigenous rights as remedies for the Hawaiian case, instead focusing on the Law of Occupation. A special committee guides the UN decolonization process with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. This entity was established in 1961 by the General Assembly with the purpose of monitoring the implementation of that declaration. With regard to Indigenous rights, the UN General Assembly passed the Declaration on the Rights of Indigenous Peoples in 2007 after decades of activism and the drafting process. Rather than taking up either of these two approaches for the Hawaiian case, kingdom nationalists tend to rely on the Hague Regulations of 1899 and 1907, international treaties negotiated at

the First and Second Peace Conferences at the Hague. These were among the first formal statements of the laws of war and war crimes in the nascent body of secular international law. Given that the United States purportedly annexed Hawai'i in 1898, before these statements were negotiated, those who cite them apply them retroactively. In this logic Hawai'i is merely occupied by the United States; kingdom nationalists argue that Hawai'i was never colonized: therefore decolonization is an inappropriate political strategy. Because the Hawaiian nation afforded citizenship to people who were not Kanaka Maoli—and because of its status as an independent state—kingdom nationalists tend to distance themselves from Indigenous rights discourse as well.

Despite the disavowal of colonialism by kingdom nationalists, it is precisely Western European and U.S. settler colonialism that creates both the conditions for kingdom nationalism to articulate itself in the modern Western terms of nation, manhood, law, developmental temporality, and historicism and the settings within which that form of nationalism may inadvertently obscure its own reproduction of settler colonial logics in relation to its representation of indigeneity. In other words, the organization of the kingdom nationalist discourse is evidence of the very settler coloniality that it denies. This mythology ignores a range of historical and social conditions, including Hawaiians' historical loss of language and everyday cultural practices as white American culture became hegemonic. This history of dispossession has dealt a severe blow to the collective sense of Indigenous well-being that continues into the present. Settler colonialism is an oppressive structure that Kanaka Maoli still endure today. This form of subjugation includes ongoing institutional racism, military expansion, Indigenous criminalization, homelessness, disproportionately high incarceration rates, low life expectancy, high mortality, high suicide rates, and other forms of structural violence. It leads to the constant unearthing of burials, the desecration of sacred sites, economically compelled outmigration, and many more outrages, not least of which is the ongoing process of illegal land expropriation from which these issues arguably stem.¹⁷

Patrick Wolfe's concept and theory of settler colonialism is apt here. He contrasts settler colonialism with franchise colonialism and—through comparative work focused on Australia, Israel-Palestine, and the United States—shows how settler colonialism is premised on the logic of elimination of Indigenous Peoples. As Wolfe notes, because settler colonialism "destroys to replace," it is "inherently eliminatory but not invariably genocidal." He is careful to point out that settler colonialism is not simply a form

of genocide because there are cases of genocide without settler colonialism and because "elimination refers to more than the summary liquidation of peoples, though it includes that." Hence he suggests that "structural genocide" avoids the question of degree and enables an understanding of the relationships among spatial removal, mass killings, and biocultural assimilation. In other words, the logic of elimination of the Native is also about the elimination of the Native as Native. Because settler colonialism is a landcentered project entailing permanent settlement, as Wolfe puts it, "invasion is a structure not an event."18

Wolfe also argues that as a land-centered project the operations of settler colonialism "are not dependent on the presence or absence of formal state institutions or functionaries."19 Hawai'i offers numerous examples of social transformation that were settler colonial in nature, long before the U.S.-backed overthrow in 1893 or purported U.S. annexation in 1898, which took root under the authority of the Hawaiian Kingdom. As the Hawaiian case shows, the structural condition of settler colonialism cannot simply be remedied by deoccupation.²⁰ Setting legal definitions aside momentarily, settler colonialism is itself a form of occupation.²¹

The state-centered Hawaiian nationalist challenges to U.S. domination entail a problematic and profound disavowal of indigeneity that goes hand in hand with an exceptionalist argument that Kanaka Maoli never endured colonialism prior to the 1893 overthrow due to the legacy of an independent nation. Furthermore, some claim that the Hawaiian people are not Indigenous simply because of that history, because they assert the ongoing existence of the kingdom.²² They maintain that the category is by definition complicit with legal notions of political dependency vis-à-vis both federal laws (U.S. policy on federally recognized tribes) and the limited rights of Indigenous Peoples as delineated on the United Nations Declaration on the Rights of Indigenous Peoples adopted by the General Assembly in 2007. The Hawaiian case is particularly instructive in showing both the possibilities and limitations of Indigenous practices within and against the U.S. empire. I strive to make sense of Hawai'i as a unique legal case, but without exceptionalizing it. Legally it may be extraordinary, but this is true only if we exclude the structures and formations of settler colonialism from the picture. Unlike occupation and franchise colonialism, settler colonialism is still not regarded as unlawful.

This book problematizes the ways in which the positing of the Hawaiian Kingdom as simply needing to be restored (through deoccupation) works to demean and diminish Hawaiian indigeneity. I also demonstrate how dominant articulations of kingdom nationalism rely on treating Hawaiian history in the nineteenth century before the "Bayonet Constitution" of 1887 (or sometimes everything before the 1893 U.S.-backed overthrow) as strictly emerging from the history of the kingdom as an independent state, ignoring the increasing pressure on the Hawaiian government to remake itself (and the desire of Hawaiian elites to remake themselves) in ways conducive to being acknowledged as civilized within the Family of Nations. The rejection of indigeneity as a frame in the present, then, continues this implicit civilizational imperative, replaying the legacy of seeking to disown aspects of Hawaiian history, culture, and identity deemed "savage" and to assert a properly heteropatriarchal nation-statehood that will allow Hawaii and Hawaiians to be seen as rightful rulers of themselves. That project also works through the various conceptual, political, and ethical implications of articulating these various forms of national identity and Indigenous Peoplehood.

While the main intervention of this work is in respect to rethinking the status of the Hawaiian Kingdom and indigeneity for envisioning Hawaiian decolonization, liberation, and self-determination, I engage with feminist and queer studies analytics to interrogate heteropatriarchy and heteronormativity within the broader projects of normalization and civilization because of my focus on colonial modernity in relation to land, gender, and sexuality. For example, the consequence of private property is related to questions of gender and sexual propriety. The sovereignty and recognition of the Hawaiian Kingdom were predicated on the logic of capitalism that intersected with a colonial sovereignty—the necessary condition for the modern state. Christian conversion was central to this process as, among other things, it imposed a framework regarding gender and patriarchy with particular consequences for anything outside of a Western form of heterosexual monogamy. These Christian mores fit within the global forces of capitalist imperialism.

IN THE REMAINDER of this introductory chapter, I offer several sections to ground the broader project. The first gives an overview of the Hawaiian Kingdom as it emerged as an independent state in the early nineteenth century. The second section examines the ways in which some kingdom nationalists disavow a colonial past when it comes to affirming the sovereignty of the kingdom as independent. The third section explains what I mean by "paradoxes" of the contemporary Hawaiian political claims with

regard to the many contradictions that arise while asserting statist claims that often seem in tension with Indigenous ones. The fourth section sets forth my argument regarding the ways in which Hawaiian elites advanced a forms of colonial biopolitics in the early to mid-nineteenth century as a way to regulate the population vis-à-vis new state power geared toward protecting its sovereignty in the face of constant Western imperialist threats. The fifth section is a critical look at how the politics of the concept of sovereignty is taken up in Native studies—including pre-European modes glossed as such, Westphalian origins of European sovereignty imposed globally, and the domestic dependent form structured by the U.S. government. The sixth section details my varied methodological approaches, guiding paradigms, and epistemological interventions. I end with an overview of the chapters that follow.

The Emergence of the Hawaiian Kingdom

Precolonial Hawaiian society was a hierarchical class society based on both ascribed and achieved status. The main classes that constituted the Hawaiian social order were the chiefly class, the *ali'i*, and the common people, known as *maka'āinana*, with *kaukauali'i* (lesser chiefs) serving as a buffer in this successive hierarchy. Samuel Kamakau lists eleven different gradations of chiefs within Hawaiian society. He also mentions in-between classes such as the *ali'i maka'āinana* chiefs in the countryside living as ordinary people, without the attendant restrictions of the chiefly class. The social order was and continues to be based on principles of bilateral descent, in which descent groups are formed by people who claim each other by connections made through both their maternal and paternal lines. According to Jocelyn Linnekin, "since rank was bilaterally determined, descent could be traced upward in a myriad of ways, the details varying contextually depending on what was advantageous in a given situation." Since rank was advantageous in a given situation."

As Lilikalā Kame'eleihiwa explains, the role of the ali'i was to serve as mediators between the divine and the human, as Kanaka Maoli worshipped thousands of gods and demigods. ²⁶ They also determined the correct uses of the 'āina. The ali'i were a floating class, tenuously related to the people on the land and dependent on them for support. ²⁷ Today many Hawaiians refer to the maka'āinana as the people who were the "eyes of the land," as in maka (eye) 'āina (land), while E. S. Craighill Handy and Mary Kawena Pukui gloss the term as people "belonging to the land" (ma-ka-'āina-na). ²⁸