Kōkua Aku, Kōkua Mai

Chiefs, Missionaries, and Five Transformations of the Hawaiian Kingdom

EDITED BY THOMAS A. WOODS

Hawaiian Mission Children's Society
Hawaiian Mission Houses Historic Site and Archives

Kōkua Aku, Kōkua Mai: Chiefs, Missionaries, and Five Transformations of the Hawaiian Kingdom
Published in 2018 by Hawaiian Mission Children's Society • Honolulu, Hawai'i

Distributed by
Hawaiian Mission Houses Historic Site and Archives
553 South King Street
Honolulu, Hawaii 96813
808-447-3910
www.missionhouses.org

Copyright © 2018 Hawaiian Mission Children's Society

Edited by Thomas A. Woods
Designed by Steve Biel Design
Printed in Canada

FIGURE LIST FOR FACING PAGES: Title page: *View of the Bay of Kaawaloa* [Kealakekua Bay]. Engraved by Kepohoni, Lahainaluna, 1843. (HMHA/HMCS) • Page 5: Timoteo Ha'alilio and William Richards, Paris, c. 1843. (HMHA/HMCS) • Page 6: Kamehameha I. Engraved by Kepohoni, Lahainaluna, 1840. (HMHA/HMCS) • Page 8: *Kaluaaha, Molokai* (detail). Unknown artist and engraver, Lahainaluna, c. 1838–1840. (HMHA/HMCS) • Page 22: Mr. Mariner in the "Costume of the Tonga Islands" (detail). See Figure 5. • Page 54: Rev. Alexander preaching at Pīla'a (detail). See Figure 3. • Page 90: Kalanimoku, engraving from a painting by Louis Choris. (HMHA/HMCS) • Page 114: Heart and head engraving from Dr. Gerrit P. Judd, *Anatomia*, 1838, Plate 18. • Page 142: Kamehameha III, photograph by Hugo Stangenwald, c. 1853. (HMHA/HMCS)

ISBN: 978-0-692-18268-0

Library of Congress Control Number: 2018959042

Charting a New Course for the Ship of State: Hawai'i Becomes a Constitutional Monarchy

THOMAS A. WOODS, M. PUAKEA NOGELMEIER, AND DAVID KEANU SAI

The Hawaiian *ali'i* (chiefs) and their Hawaiian advisors developed the pathbreaking 1839 Declaration of Rights and 1840 Constitution with instruction and guidance from William Richards, a former Sandwich Islands Mission (SIM) missionary, and his associates from SIM, a mission sponsored by the American Board of Commisioners for Foreign Missions (ABCFM). Richards was the mapmaker, but the *ali'i* were the captains who made the crucial decisions about what direction to sail the ship of state. Historian Sally Engle Merry described the situation succinctly, "The *mō'i* [king] and *ali'i* were engaged in a search for sovereignty in Euro-American terms. In order to maintain their independence in an era of imperialism, they created a nation that would be recognized as sovereign by other civilized nations."[1]

Beginning with Kamehameha I, Hawaiian *ali'i* had been keenly aware of the vulnerability of Hawai'i to Western imperialist powers. He and his chiefs knew that the sheer numbers and military might of the Western powers could not be resisted by Hawaiian defenses. As a result, Kamehameha I began looking for ways to protect his Hawai'i Island Kingdom from Western powers even before he had succeeded in uniting the Hawaiian Islands.

Captain George Vancouver was a British Royal Navy officer who had visited Hawai'i as a junior officer with Captain James Cook in 1778 and 1779. In 1792, 1793, and 1794, he again visited the Hawaiian Islands while commanding a British exploration expedition.[2] Based on his interaction with Hawai'i Island *ali'i* during his visits in the 1790s, Capt. Vancouver understood that they were apprehensive about a possible military confrontation ending with subjugation to one of the Western military powers. In previous conversations with Capt. Vancouver, Kamehameha and the chiefs had recounted visits

with four commercial nations of the civilized world; and had been given to understand, that several others similar in knowledge and in power existed in those distant regions from whence these had come. This information, as may reasonably be expected, suggested the apprehension, that the period was not very remote when they might be compelled to submit to the authority of some one of these superior powers; and under that impression, they did not hesitate to prefer the English, who had been their first and constant visitors.[3]

In order to gain protection from unscrupulous Western traders and naval powers and avoid forced subjugation, Kamehameha "ceded" Hawai'i Island to the British Empire during Capt. Vancouver's 1894 visit. Kamehameha described his reasons for the cession in a speech he gave at the start of the cession ceremony. According to Vancouver,

Tamaahmaah opened the business in a speech, which he delivered with great moderation and equal firmness. He explained the reasons . . . that had induced him to offer the island to the protection of Great Britain; and recounted the numerous advantages that himself, the chiefs, and the people, were likely to derive by the surrender they were about to make. He enumerated the several nations that since Captain Cook's discovery of these islands had occasionally resorted hither, each of which was too powerful for them to resist; and as these visitors had come more frequently to their shores, and their numbers seemed to increase, he considered that the inhabitants would be liable to more ill treatment, and still greater impositions than they had yet endured, unless they could be protected against such wrongs by some one of the civilized powers. . . . [A]t present they were completely independent, under no sort of engagement whatever, and were free to make choice of that state which in their opinion was most likely by its attention to their security and interests, to answer the purpose for which the proposed surrender was intended. For his own part he did not hesitate to declare the preference he entertained for the king of Great Britain, to whom he was ready to acknowledge his submission.[4]

It is likely, though, that the two parties had different concepts of the meaning of the "cession" of Hawai'i Island to Great Britain. In concluding the agreement with Capt. Vancouver, Kamehameha intended to seek shelter under the protective umbrella of the British Empire. Kamehameha and his allied chiefs, including Ka'iana, Kalanimoku, and Ke'eaumoku, made it clear in speeches at the cession ceremony that their purpose was protection from foreign powers. Some of the chiefs also hoped that England would provide ships and arms to help unite all the Hawaiian Islands under Kamehameha, even though Vancouver had spent considerable time and energy suggesting plans to ensure future peace between Hawai'i Island and the other island kingdoms of the archipelago, offering himself as a negotiator and protector of the peace process.

The chiefs clearly intended a protectorate status, but yet they expressed themselves as subjects of Great Britain. In every speech of the chiefs, "their religion, government, and domestic economy was noticed; and it was clearly understood, that no interference was to take place in either, that Tamaahmaah, the chiefs and priests, were to continue as usual . . . with the same authority as before in their respective stations, and that no alteration in those particulars was in any degree thought of or intended."[5] Once these conditions were fully

> discussed, and thoroughly understood on both sides, the king . . . and the whole party [of chiefs] declared their consent by saying, that they were no longer *Tanata no Owhyhee*, (i.e.) the people of Owhyhee; but *Tanata no Britannee*, (i.e.) the people of Britain. This was instantly made known to the surrounding crowd in their numerous canoes about the vessels, and the same expressions were cheerfully repeated throughout the attending multitude.[6]

After the agreement, several officers immediately went ashore and displayed the "British colours, and took possession of the island in His Majesty's name, in conformity to the inclinations and desire of Tamaahmaah and his subjects."[7] Both of Vancouver's ships fired a salute, and a copper plate with an inscription was placed "in a very conspicuous place at the royal residence." The inscription read,

> On the 25th of february [*sic*], 1794, *Tamaahmaah* king of Owhyhee, in council with the principal chiefs of the island assemhled on board His Brittanic Majesty's sloop Discovery in Karakakooa bay, and in the presence of George Vancouver, commander of said sloop . . . after due consideration, unanimously ceded the said island of Owhyhee to His Brittannic Majesty, and acknowledged themselves to be subjects of Great Britain.[8]

Vancouver left a letter containing similar language about the cession for Kamehameha to prove to foreigners that Hawai'i Island was part of the British Empire.[9]

According to James Jackson Jarves, the founder and editor of the *Polynesian* newspaper from 1840 to 1848, before Vancouver departed, he promised to return, "accompanied by missionaries to teach them a better religion, and artisans to aid them in civilization. . . . His plan appears to have been, to have Christianized and civilized them."[10] Jarves wrote that in his eagerness to claim the cession, Capt. Vancouver probably overstated the terms of the agreement. "The English evidently exceeded the right granted them" when they planted their flag and took formal possession of Hawai'i Island.[11] Later communication between Great Britain and Kamehameha I and Kamehameha II makes it clear that in later years, the relationship was seen by both Hawai'i and Great Britain as an alliance.[12] Yet *ali'i* continued to anticipate advice and assistance from Great Britain regarding religion and a legal framework for the next several decades.

Kamehameha conquered the Kingdom of Maui (which had included O'ahu since 1783) in 1795, and brought the Kingdom of Kaua'i under its suzerainty in 1810, allowing King Kaumuali'i to continue to rule Kaua'i as a vassal state. In his letter to the British king dated March 3, 1810, Kamehameha, who was aware of Great Britain's many wars at the time, continued to worry about Hawai'i's vulnerability.[13] He wrote, "Should any of the powers which you are at War with molest me I shall expect your protection, and . . . I would thank you to make ours a neutral port as I have no means of defence." To emphasize the relationship of Hawai'i to Great Britain and to increase his self-defence capabilities, Kamehameha added, "I am in particular need of some Bunting [,] having no English Colours also some brass Guns to defend the Islands in case of Attack from *your* Enemies."[14] [emphasis added] In the same letter, he asked for British assistance to begin Western-style trading, requesting a "Register & seal with my Name on it" to register some small ships he had built in hopes of trading taro for furs in the Northwest, and he emphasized Hawai'i's needs: "being very poor at these Islands any thing which you may think useful to me I beg you will send by the earliest opportunity."[15]

In his follow-up letter dated August 6 of the same year, Kamehameha continued to seek some defensive advantage from his alliance with Great Britain. He stated that as "king of the Sandwich Islands, wishing to render every assistance to the ships of his most sacred Majesty's subjects who visit these seas, have sent a letter by Captain Spence, ship *Duke of Portland*, to his Majesty, since which Timoree [Kaumuali'i], King of Atooi [Kaua'i] has delivered his island up, and we are now in possession of the whole of the Sandwich Islands. We, as subjects to his most sacred Majesty, wish to have a seal and arms sent from Britain, so as there may be no molestation to our ships or vessels in those seas, or any hindrance whatever."[16]

After Kamehameha I's success in war and aggressive diplomacy, the archipelago was consolidated for the first time as the Kingdom of the Sandwich Islands under King Kamehameha I. In an apparent effort to begin incorporating parts of the English governance system into the Hawaiian system, Kamehameha designated Kalaimoku (Kalanimoku) as his prime minister (*kuhina nui*), a position that functioned similarly to Britain's prime minister. Foreigners had come to refer to Kalaimoku as "Billy Pitt" after King George III's Prime Minister William Pitt the Younger. The English custom of appointing governors over former kingdoms or territories acquired by the Crown was also adopted by the new Hawaiian Kingdom when Kamehameha appointed governors to preside over the former kingdoms of Hawai'i, Maui, and O'ahu. The governors served as viceroys over the lands of the former kingdoms "with legislative and other powers almost as extensive as those kings whose places they took."[17]

Kamehameha I died on May 8, 1819. His son Liholiho succeeded him as King Kamehameha II. After Kamehameha's passing, the kingdom experienced a radical change in its governance. At the insistence of Keōpūolani, the mother of Liholiho, and Ka'ahumanu, the favorite wife who Kamehameha had named Liholiho's *kuhina nui*, Liholiho overthrew the *'ai kapu* system.

Samuel Kamakau explained that traditionally, "Free eating followed the death of the ruling chief," but "after the period of mourning was over the new ruler placed the land under a new

tabu following old lines."[18] According to Kamakau, the overthrow of the religion was warranted in response to changing times, and "In this case Kamehameha II merely continued the practice of free eating."[19] The repudiation of the eating *kapu* set in motion a chain of events that culminated in the order to destroy all religious temples and idols throughout the realm. The chiefs and priests had long maintained a balance of power in governance, so the overthrow of the religion not only created a political vacuum to be filled with more chiefly edicts, but furthermore, it threw into question the organization and stratification of Hawaiian society that religion had dictated for centuries. Historian Yuri Mykkänen has pointed out that the abolition of the religion also "allowed people more flexibility in their dealings with the increasing numbers of foreigners."[20]

About six months later, in May 1820, the First Company of missionaries from the American Board of Commissioners for Foreign Missions (ABCFM) arrived in Hawai'i. The ABCFM was formed by Congregationalists and Presbyterians in 1812 to spread Christianity around the world. The American mission movement was the product of a combination of the republicanism of the American Revolution and the religious evolution during the Second Great Awakening. The Second Great Awakening was characterized by a rising wave of religious self-examination that criticized an increasing secularism and emphasis on individual financial success at the expense of religious feeling and community welfare. Rather than focusing on the older Calvinist fundamentalism of predetermined grace for a select few, one of the main thrusts of this religious awakening reinforced individualism through its revision of Calvinism by emphasizing "moral free agency, the individual's decision for salvation, and personal regeneration."[21] Historian Steven Watts has summed up the cultural moment in this way:

> By the first decades of the nineteenth century . . . Jeffersonian moralists and ministers were welding Protestant and republican values—godly industriousness, virtue, individual independence—to a secularized character ethic molded by a rapidly liberalizing society. Hard work and material comfort, Christian morality and steady habits, willful energy and sensual restraint—all began to congeal into a creed of bourgeois virtues that became the cultural foundation for middle-class America in the nineteenth century.[22]

When the ABCFM missionaries arrived with this background and learned that the *'ai kapu* had been abrogated, they believed it to be caused by divine intervention.[23] But they were met with understandable apprehension. According to Manley Hopkins, when it was discovered that these were not "the religious instructors whom the King and chiefs expected from England . . . there was much opposition to their landing; and it was only on the assurance of the English settler, John Young, that these missionaries came to preach the same religion as those whom they expected, that they were permitted to come on shore."[24]

Kamehameha II granted the missionaries permission for a one-year residency, which he later extended. Over the next four years, the missionaries worked with Hawaiians to develop a written Hawaiian language, provide instruction on the *palapala*, or reading and writing, and

during the process, also teach the Christian religion. By order of Kamehameha II, initially, the missionaries largely limited their instruction to the chiefly class. The missionaries recognized that if they "could not win the chiefs they had little chance of success with the common people,"[25] because the "condition of the common people was that of subjection to the chiefs."[26] The chiefs would decide whether and when the missionaries would have access to the common people, a mainstay of authority that was not diminished by the overthrow of the religion.

While having some initial reservations, the *aliʻi* soon seemed to welcome the missionaries and viewed them as useful teachers of particular skills and knowledge and sought ways the newcomers could help the Kingdom. For example, even before the missionaries landed in Kailua, Kona, to meet Kamehameha II, in April 1820, Kalanimoku and four Hawaiian chiefesses boarded the *Thaddeus*. The Hawaiian women were fascinated with the missionary women's dresses, and they immediately wanted to have similar clothing sewn for themselves. The Hawaiians provided the fabric, and after observing the Sabbath, the missionary women began to teach a sewing lesson. Lucy Thurston described the event:

> Monday morning, April 3d, the first sewing circle was formed that the sun ever looked down upon in this Hawaiian realm. Kalakua, queen dowager, was directress. She requested all the seven white ladies to take seats with them on mats, on the deck of the Thaddeus [*sic*]. Mrs. Holman and Mrs. Ruggles were executive officers, to ply the scissors and prepare the work. . . . The four native women of distinction were furnished with calico patchwork to sew,—a new employment to them.
>
> The dress was made in the fashion of 1819.[27]

According to Lucy Thurston, the chiefesses were "Kalakua, with a sister queen . . . and [t]wo wives of Kalanimoku followed." While they were not all identified, Thurston provided hints, and the sewing students probably included some of the most powerful women in Hawaiʻi: Kalakua (Kaheiheimālie, named), widow of Kamehameha I and now wife of Kamehameha II, possibly Kaʻahumanu (not named, but a sister of Kalakua and former wife of Kamehameha I), and possibly Kiliwehi and Likelike (neither named), both wives of Kalanimoku.

Sewing became very important to some female Hawaiian *aliʻi*, such as Kapiʻolani of Kona, wife of Nāihe, Kamehameha I's orator. She became a particular supporter of the missionaries and an excellent seamstress. Her enthusiasm for sewing was described by Samuel Kamakau:

> A sewing basket was always near her left hand and she took her work along with her wherever she went, even to the homes of the missionaries. Ka-piʻo-lani was known as a woman who wasted no time. While at home she frequently sewed or sought other pursuits of the missionary women. When she rode on horseback at Kailua or in the upland of Kuapehu where the missionaries lived, she used only the sidesaddle with her sewing basket on her left arm.[28]

Leading *ali'i* also found the missionaries to be "*pono*" and valued their teachings on reading, writing, and Christianity. Kalanimoku wrote to Hiram Bingham on October 28, 1826: "Here is my message to all of you, our missionary teachers. I am telling you that I do not see your wrongdoing. If I should see you to be wrong, I would tell you all. No, you should all just be good. Give us literacy and we will teach it; and give us the word of God, and we will heed it."[29]

Some chiefs, like Kuakini, became excited about new economic opportunities suggested by some missionaries, such as textile factories. Even though Kuakini's factory in Kailua was short-lived, the experience introduced new ideas that fascinated the chiefs. Several smaller factories were attempted by chiefs elsewhere in the Islands.[30] Some *ali'i* even tried their hand at large agricultural endeavors, including sugar plantations.



FIGURE 1
William Richards, Portrait
(Hawaiian Historical Society)

William Richards, an ABCFM missionary, became an important resource for the chiefs when he arrived among the Second Company in 1823. He and his wife, Clarissa, were stationed at Lahaina one month after their arrival in Honolulu. Richards became the religious teacher for Keōpūolani and was with her when she died at Lahaina, Maui, on September 16, 1823, a few months after his arrival. He was present at her bedside as she was baptized by William Ellis. She was the first *ali'i* to be baptized after the ABCFM missionaries arrived. (Kalanimoku and Boki had both been baptized in 1819 by a Catholic priest aboard the French frigate *L' Uranie*, under command of Captain de Freycinet.)

The death of Keōpūolani initiated a new chapter in Hawaiian history. Only a few months after Keōpūolani's death, in November 1823, Liholiho sailed to England, apparently to seek English reassurance of continued protection from international aggression and advice on governance in the form of laws from King George IV of England. The latter was an expectation somewhat different from the pact between Kamehameha I and Vancouver in which all internal affairs would be left to the local rulers. Liholiho had attended Keōpūolani at her death bed, and according to Samuel Kamakau, before he left Maui, he

> addressed a gathering of chiefs and commoners . . . on the subject of his desire to visit England. He said, "Where are you, Chiefs! I am about to sail to a foreign land and I place my younger brother Kauikeaouli to be your chief [during my absence]. I go, and if I return I return; if not, then you are to have my younger brother as your king," and to Kau-i-ke-aouli he said, "Live in peace with the chiefs; those lands which belong to me are yours, the lands given to the chiefs shall be theirs." Then he and some of the chiefs went on board an English whaler under [American] Captain Starbuck and sailed for Oahu [and then on to England].[31]

Liholiho's company departed O'ahu on November 27, 1823.

After Kamehameha II departed the Islands, on December 21, 1823, Kaʻahumanu, as *kuhina nui* and regent, formally declared Christianity to be the new religion of the country, by requiring strict observance of the Sabbath.[32] On April 13, 1824, Kaʻahumanu met with the Chiefs in council in Honolulu "to make known their decision to extend the teaching of *palapala* and the word of God to the common people."[33] On June 22, 1824, she proclaimed by crier a set of laws prohibiting murder, theft of any description, boxing or fighting among the people, work or play on the Sabbath, and added that, "when schools are established, all the people shall learn the *palapala* [reading and writing]."[34]

As Kaʻahumanu was quickly changing the Kingdom under her regency, Liholiho and his favorite wife (and sister) Kamāmalu tragically died while waiting to see King George IV. Since there is no record of Liholiho expressing his true reasons for visiting England, his motives are somewhat unclear, but it is likely he sought to reaffirm the special protectorate relationship with Great Britain and to gain advice in establishing laws acceptable to the Western powers. He ambiguously addressed Keʻeaumoku in 1824 about his goals for the trip:

Aroha ino oukou, e nowae makou.
Aite ke Rii, lovaa maika pono nui
Hoi aku makou Aroha
Iolani

Translated by Awaiaulu, the letter said, "Intense regards to you all. We will remain until we see the king. Once we obtain that which will be of great benefit, we will return. Regards, Iolani."[35]

Some contemporary explanations from Sandwich Islands Mission representatives and some testimony from *aliʻi* who survived the voyage with Liholiho are available, and these comments confirm that he sought guidance in creating Western-style laws and continued Kamehameha I's request for protection from the imperialist naval forces now in constant contact with Hawaiʻi. According to Englishman William Ellis of the London Missionary Society, Liholiho sought a renewal of the commitment given by Vancouver to Kamehameha I that England would protect Hawaiʻi against foreign intervention, and he wanted to inquire about Western laws and customs of commerce that could be introduced into the Kingdom:

> The motives by which he was induced to undertake a voyage so long and hazardous were highly commendable. They were,—a desire to see, for himself, countries of which he had heard such various and interesting accounts—a wish to have a personal interview with his majesty the king of Great Britain, or the chief members of the British government, for the purpose of confirming the cession of the Sandwich Islands, and placing himself and his dominions under British protection. It was also his intention to make himself acquainted with the tenor and forms of administering justice in the courts of law—the principles of commerce—and other subjects, important to the welfare of the islands.[36]

Missionary Hiram Bingham's later recollection of Liholiho's motives for the visit are similar. George IV finally did grant an audience to the surviving members of Liholiho's delegation, and, according to Bingham, this is what occurred:

> George IV., in an audience granted them at Windsor Castle, received them with courtesy, counselled them to respect the missionaries, and encouraged them to regulate their own affairs, and to expect his protection, should any power attempt to dispossess them, or do them injustice.
>
> The honorable Mr. Canning being requested by Boki to give him a code of laws for the islands, modestly replied, that the chiefs of the islands could frame their own laws better than he.[37]

Kekūanāoʻa, a member of the Hawaiian delegation that accompanied Liholiho, later wrote about his recollection of the answer they received from King George. The answer verified the main points of Bingham's description of Liholiho's motives for going to England: "This is what we heard of the charge of King George—'Return to Kauikeaouli and tell him that *I will protect his country*. To any evil from abroad I will attend; but the evils within the country are not my concern, but the evils from without.'" [Signed] Mataio Kekuanaoa"[38] [Emphasis in original]

Lord Byron returned the bodies of Liholiho and Kamāmalu to Honolulu on May 6, 1825. Boki reported to Kalanimoku and Kaʻahumanu shortly after they arrived on the issue of Christianity and the American missionaries. Liholiho and other chiefs had worried that King George might object if they welcomed American missionaries. They received their answer: the missionaries were "sent to enlighten them and do them good," and the news further enhanced the developing relationship with the American missionaries and heightened the role of *palapala* and Christianity in the Kingdom.[39]

A month after arriving on Oʻahu and shortly after the funeral for the king and queen, "On the 6th of June [1825] the assembled chiefs of the nation held a council at which Lord Byron, Mr. Charlton, and the missionaries were present."[40] The *aliʻi* were still seeking advice about appropriate laws and, according to Bingham, asked Lord Byron for suggestions:

> Lord Byron put into the hands of the chiefs a paper in English, without date or signature, containing several hints on the principles of government, which he wished them to consider at their leisure, and which has sometimes been referred to as Lord Byron's advice, as follows;—
>
> 1. That the king is the head of the people.
> 2. That the chiefs should swear allegiance to the king.
> 3. That the lands which belong to the chiefs shall not be taken from them, but descend to their legitimate children, except in cases of rebellion, in which case all their property shall go to the king.

4. That the chiefs shall let out their lands to the people to cultivate, that they may maintain themselves out of that cultivation, but under the chiefs' authority.

5. That a tax shall be paid to the king.

6. That a port duty shall be laid on all foreign vessels.

7. That no man's life shall be forfeited but by the consent of the king in council with twelve chiefs, or the regent in time being for the king.

8. That the king or regency grant [have power to grant?] pardon at all times.

9. That the people shall be free and not bound to one chief.[41] [bracketed comments in original]

On December 4, 1825, six Hawaiian chiefs were baptized into the Christian Church. Kalanimoku had been baptized by a Catholic priest in 1819 during Captain Freycinet's visit on the French ship *L' Uranie*. Instead of being baptized again himself, which would have been inappropriate, he demonstrated his dedication to Christianity by presenting for baptism his son, Leleiohoku II, by Keohokālole (mother of Lili'uokalani, Kalākaua, and Likelike, among others). Adult Hawaiian *ali'i* who were baptized were (with their baptismal names) Elizabeth Ka'ahumanu (*kuhina nui*), Lydia Opi'ia (Nāmāhāna Opi'ia, sister of Ka'ahumanu), Deborah Kapule, (former queen of Kaua'i) Aaron Keali'iahonui (son of Kaua'i King Kaumuali'i), Gideon La'anui (paramount chief of Waialua, O'ahu). Simeon Ka'iu, (husband of Opi'ia) and Richard Kala'aia'ulu (a Cornwall Mission School graduate) were also baptized at this time.[42]

Shortly after the December baptism ceremony, Kalanimoku and Ka'ahumanu proposed adopting the Ten Commandments as a basis for new Kingdom laws. Apparently, Hiram Bingham had encouraged the idea. The proposal failed when the eleven-year-old King Kamehameha III declined to approve the newly proposed laws due to opposition from Boki and fear of the common people's reaction.[43] Baptisms continued, and the chiefs' dedication to Christianity grew, as it became the Kingdom's new religion after the baptisms of leading *ali'i*.[44]

Although the missionaries' influence on the chiefs continued to increase, they were constrained from recommending laws based on their directions from the ABCFM to refrain from political involvement, and the chiefs continued to seek British advice on establishing laws after the departure of Lord Byron. Levi Chamberlain notes in his Journal for December 7, 1827, that the chiefs had agreed to establish several new laws:

> The Chiefs have this day agreed to the establishment of a law relating to murder, theft, adultery or whoredom, selling spirituous liquors & gambling. These five things are prohibited. The first is punishable with death—the second by imprisonment, the third by a fine, the fourth & fifth imprisonment or confinement in irons. To these enactments the king has affixed his signature & sent them to us for publication.[45]

These became the first printed laws—other than a law in 1825 that regulated the port of Honolulu. They were certainly the first printed penal code.[46] While the 1827 laws were similar in part to laws proclaimed by Ka'ahumanu in 1824, these were broader and the 1824 laws had no specific designated penalties. As printed, the 1827 laws were as follows:

> Proclamation of the law.
> We proclaim these laws to all people of foreign lands and of this land. Hear ye all and keep and obey them, both foreigners and natives.
>
> I. We forbid murder. Let no foreigner or native commit murder here. Whoever be guilty of murder shall die.
>
> II. We forbid theft. Whoever steals shall be put in irons.
>
> III. We forbid fornication. Whoever is guilty shall be put in irons.
>
> IV. We forbid the selling of rum here. Whoever shall sell rum shall be imprisoned.
>
> V. We forbid prostitution. Whoever shall commit fornication shall be fined.
>
> VI. We forbid gambling. Whoever gambles shall be imprisoned.[47]

In spite of the fact that these laws were adopted and printed, they were not all initially enforced. The chiefs adopted these laws in spite of opposition from the foreign population and loud threats if they proceeded to establish the laws. The British and American consuls, among others, "threatened the king, and endeavored to persuade him that the regent and chiefs had no authority to make any laws, and that even the king himself could not make laws applicable to foreigners."[48] British Consul Charlton led the charge of the opposition, saying that the "islands had been ceded to his government and that the king could not enact laws without the concurrence of Great Britain, and threatened the vengeance of his country if the king did so."[49]

Confusion followed. Even though the chiefs voted to adopt the laws, Charlton had persuaded Boki that he should resist their implementation, and Boki told Ka'ahumanu that King George may not approve. Ka'ahumanu called a council of chiefs to discuss the issue. At the meeting, she proposed that the chiefs create a "full code of laws," translate them into English and then have Kuakini bring them to England for King George to accept what pleased him and delete what didn't. After an apparently contentious discussion between Boki and Ka'ahumanu, an important conversation followed that indicated the chiefs were aware that giving another nation authority over their laws endangered their sovereignty. According to Chamberlain, the following conversation took place, with Ka'ahumanu asking Boki,

> What did the king of England tell you did he say send your laws to me before you establish them? Boki answered no he left it with us. Adams [Kuakini] here called the attention of the chiefs & requested them to listen to him a moment & hear what he

had to say. He said I can read & little English & I can understand some and I know perhaps some things which you do not. I know when the chiefs of any nation send to England to establish laws for them they make them fixed & firm if they give laws they send men to cause them to be obeyed—If England gives us laws she will send men to see that they are executed—Our harbors will be filled with ships of war and our vessels can not go out and come in without their permission—we shall forever be their servants we shall no more be able to do as we please. Kaahumanu replied this has long been my opinion. Naihe said let us look thoroughly at this subject Hoapili declared himself to be of a mind with Kaahumanu and Boki said uoki [be done] & the meeting broke up. [punctuation in original][50]

Finally, on December 14, the first three laws were proclaimed to be enforced within three months, and the three against rum, prostitution, and gambling were declared to be for education and possible later enforcement.[51]

During the 1830s, the *ali'i* experienced escalating problems with foreigners, particularly with Richard Charlton, the English consul, and with the French over the expulsion of Catholic priests. As the need became more urgent to develop a comprehensive and consistently applied set of laws for the entire Kingdom to fend off the pressures from foreign governments, the American Protestant missionaries also became more aggressive in their desire to assist the Kingdom in developing a new governmental system, which they thought would strengthen the Kingdom's economy and empower the Kingdom to avoid entanglements with threatening foreigners.

At their 1836 Sandwich Islands Mission General Meeting on O'ahu, the Mission began discussing ways they could help the chiefs change their system of governance and develop a system of laws to protect the Islands from foreign pressures. As noted earlier, this kind of political activity was prohibited by their instructions from the ABCFM, but the Mission initiated a campaign to convince the ABCFM that such activity was necessary. In a letter dated August 21, 1836, William Richards described to Levi Chamberlain a meeting he had with the chiefs:

I have had a full and free discussion with the king and chiefs on the subject of internal improvement and they all appear gratified with our proposals and have signed the within letter.

They inquired particularly what would be necessary for them to do when the teachers should arrive, and I told them "to furnish good land for the cultivation of the various articles and allow men to cultivate it, and allow water privileges, roads, &c.; and that all the avails obtained by their hoolimalima would belong to the company, but that the company would manufacture cotton belonging to chiefs and people at such a lay as they could afford.[52]

It is somewhat unclear if the *ali'i* understood that the implementation of these plans could completely change the Kingdom. The serious nature of this proposal and the plans that Richards and other missionaries were formulating are indicated by the last sentence in this letter:

> There was a full explanation of the plan according to our conversation, except that the final end viz to undermine and subvert their present system was not alluded to; though I think that even the king perceives it will end theirs.[53]

The letter from the *ali'i* was actually dated two days after Richards wrote to Chamberlain, saying that the chiefs had already signed the following letter addressed to "our friends in America," or the ABCFM:

Lahaina Augake 23. 1836
Aloha oukou e ko makou makamaka
ma Amerika.

Eia ko makou manao no ka hooponopono ana i na aina o Hawaii nei. E haawi mai oukou i mau kumu hou e like me na kumu e noho la ma ko oukou aina ma Amerika.

Eia na kumu a makou e manao nei,

He Kamana
He Tela
He mea hoonoho hale
He mea hana kamaa
He mea hana kaa
He mea hana pepa
He mea hana kepau pai palapala

He mau mea mahi ai i ike i ke kanu a me ka malama huluhulu, a me ke kilika, a me ka puhi ko.

He mau mea hana lole, a me na kaa e pono ai ke hana a nui.

He kumu ao i na 'lii ma na mea o ka aina, e like me ka hana ana ma na aina naauao.

A ina he mea e kekahi e pono ai ia mau hana, oia kekahi. Ina e ae mai oukou, a hoouna mai i keia mau kumu, alaila, e hoomalu no makou ia lakou ke hiki mai, a e haawi no makou i mea e hiki ai ka lakou oihana, a e kokua no hoi makou mamuli o iu mau hana e pono ai

Na Kauikeaouli
Nahienaena
Na Hoapili kane
Na Malia Hoapili
Gov Adams Kuakini

Na Kaahumanu 2
Kekauluohi
Paki
Liliha
Aikanaka
Leleiohoku
Kekuanaoa
Kanaina
Kekauonohi
Keliiahonui

Awaiaulu translated this letter as follows:

Lahaina, August 23, 1836
Regards to you, our friends in America,

Here is our hope for the improvement of the lands here in Hawaii. Give us more instructors like those you have in your land, America. These are the kinds of instructors we are considering:

A carpenter
A tailor
A house builder
A cobbler
A wheelwright
A paper maker
A maker of lead printing type
Farmers who know the planting and care of cotton and silk, and sugar refining.
A maker of fabric, and carts suitable for heavy work.
A teacher for the chiefs in matters of land, comparable to what is done in enlightened lands.

And if there are other things appropriate for those endeavors, those as well. If you agree and send these teachers, we will protect them when they arrive, provide the necessities to make their professions viable and give our support to these needed endeavors.

The letter was signed by Kauikeaouli, (King Kamehameha III) and most of the leading *ali'i* of the time: Nāhi'ena'ena, Hoapilikāne, Malia Hoapili, Gov. Adams Kuakini, Ka'ahumanu II, Kekāuluohi, Pākī, Liliha, 'Aikanaka, Leleiōhoku, Kekūanāō'a, Kana'ina, Kekau'ōnohi, and Keli'iahonui.[54]

On behalf of the Mission, Hiram Bingham provided Richards with his written instructions on November 6, 1836, shortly before his departure. Although the assignment was to encourage

support for missions throughout the world, the main thrust of the assignment was to convince the ABCFM of the necessity for a major increase in support to the SIM, to provide advisors with expertise in agriculture and manufacturing, and to begin a process of modernizing and reorganizing the Kingdom's economy and government on a Western model:

> You are by a very unanimous vote of the genl. Meeting [*sic*] after careful deliberation appointed, & requested to accept an agency for the mission, concerning which you will allow us to give you a few hints of instruction, to [unclear word] you in the performance of this important trust to the satisfaction of yourself, your associates, & our common Master. . . .
>
> It being the general conviction of the mission that Christian philanthropy requires a great increase of attention in the agriculture, manufactures, commerce, government & c [*sic*] of the Sandwich Islands, & that philanthropists may now may [*sic*] very properly be invited to engage personally, in the business of cultivating the arts, & improving the political economy of the Islands on the principles of benevolence, either directly connected with our mission or otherwise, *especially as the rulers have opened the way for it by direct application for such* [emphasis added] and, you will lay our memorial & that of the chiefs on this subject before the Board, & other philanthropists, & do what shall seem advisable to procure the adoption of early and efficient measures to aid our cause, & benefit this nation in this respect, *with a view to its permanence, & prosperity.*[55] [Emphasis added]

It is important to note that the SIM's instructions to Richards stated that its goal in encouraging change was to preserve the "nation" and increase its prosperity, which was in accord with what the chiefs were seeking ever since Kamehameha I made his pact with Vancouver.

In a letter addressed to "Brother and Sister Chapman," dated from Maui on November 8, 1836, Richard Armstrong described Richards's mission and again emphasized that the Mission's motive was to protect the Kingdom from unscrupulous Westerners and help it modernize while protecting the Hawaiian people and nation—by changing the way the government currently operated:

> There is a wide field of usefulness here for a man well acquainted with the subject of law, political economy &c, withal truly devoted to Christ. He wd [*sic*] be of essential benefit to the chiefs in their management of affairs & might be the means of overturning the present wretched state of administration of govt under which we now live.

Armstrong continues, ominously telling the Chapmans that ship captains have been pressuring the chiefs about affairs of government, but confirming that the Mission's intent was to "save this nation."

> There have been several ships of war here lately, both American & English. . . . The officers of the Peacock had several formal interviews with the chiefs on matters of government & other affairs connected with the interests of foreigners. . . .
>
> The foreigners are very anxious to get lands from the chiefs by lease, that subject has been up. I suppose it will not be long before the chiefs will be compelled to yield to the importunities of foreigners & indeed it matters not how soon provided they are men of good character—honest men. The part of Br. R.'s business will be to lay this subject before the public & draw forth some new exertions to save this nation.[56]

Unfortunately, just as the SIM hoped for a major influx of support, the 1837 Panic struck the United States and donations to the ABCFM began to shrink dramatically. A little more than a month after Richards arrived in the United States to ask for more support, on June 23, 1837, the ABCFM sent out a "Circular Letter to the Missionaries on Curtailing their Expenditures," reporting that the parent organization was short $45,000 and all missions had to cut expenses and reduce their budgets. The SIM was advised it had to cut its budget by $5,600, a hefty sum in 1837 and the largest cut asked of any mission.[57]

While the Mission awaited the results of Richards's assignment, they continued searching for potential ways to comply with the requests from the *ali'i* for a teacher to help them understand the principles of Western government and create appropriate laws. Lorrin Andrews was proposed as a teacher. In his journal entry for August 3, 1837, Levi Chamberlain wrote about the first concrete proposal to appoint a teacher for the *ali'i* in the specific field of "the science of Political economy and law":

> Mr. Brinsmade [P. A. Brinsmade of Ladd & Co.] wrote me a note this morning requesting me to meet him at the house of Kinau to interpret for him some thoughts which he wished to lay before the king and chiefs. I complied with his request; but he was not able to meet the King. Kinau, Auhea, Liliha & Paki were present. He proposed that the Chiefs should institute a School for the instruction of the King & Chiefs in the science of Political economy and law. They thought well of the proposition; and Mr. Andrews was proposed as a teacher. They seemed also disposed to give him a written invitation to become their teacher. Many remarks were made to them on the subject of their being enlightened on points of civil policy, and the laws of nations that they might know how to meet public officers and how to advocate their own cause & maintain their own rights. What was said to them was received with much apparent satisfaction; but what effect it will have is not certain.[58]

Andrews was intrigued by the idea of a class for the *ali'i* designed to teach them to "advocate their own cause & maintain their own rights," and asked to meet with Honolulu Mission Station

members on August 18 to discuss it. Levi Chamberlain's journal is again the best source describing the meeting:

> By request of Mr. Andrews the brethren of the station met this evening at my house to converse on the subject of an application of the Chiefs to him to become their teacher, to be supported by them. They are desirous to have regular instruction imparted to them on political economy & jurisprudence and on all subjects connected with government. . . . [W]e voted that we advise Mr. Andrews to comply with the request of the chiefs to become their teacher.[59]

Even though the chiefs had agreed that he teach a class for them and the Mission had voted to allow him to become the chiefs' teacher, Andrews hesitated for unknown reasons. Writing in his journal after attending a dinner in Lahaina in September with Andrews, Reuben Tinker, the Baldwins, and the McDonalds, Tinker noted, "Mr. Andrews has been excusing himself for not becoming a teacher for the chiefs at Honolulu according to his previous engagement."[60]

On the same day that the missionaries met to discuss and approve Andrews as a political economy teacher for the chiefs, the Lahainaluna-educated David Malo wrote a letter to Kīnaʻu and Kekūanāoʻa. Malo who was serving as a trusted advisor to the *aliʻi* and probably as a bridge between the missionaries and Hawaiian *aliʻi*, recognized the urgency of the Hawaiian situation. It is unclear whether Malo was present during the Mission meeting at Chamberlain's house. His letter on August 18, 1837, about the need to protect the Kingdom against the Western powers helps illuminate the discussions occurring within the Hawaiian hierarchy and anticipates the class on political economy which William Richards would soon be hired to teach. He wrote,

> I have been thinking that you ought to hold frequent meetings with all the chiefs . . . to seek for that which will be of the greatest benefit to this country: you must not think that this is anything like olden times, that you are the only chiefs and can leave things as they are. . . . This is the reason. If a big wave comes in, large fishes will come from the dark Ocean which you never saw before, and when they see the small fishes they will eat them up; such also is the case with large animals, they will prey on the smaller ones. The ships of the white man have come, and smart people have arrived from the great countries which you have never seen before, they know our people are few in number and living in a small country; they will eat us up, such has always been the case with large countries, the small ones have been gobbled up. . . . God has made known to us through the mouths of the men of the man-of-war things that will lead us to prepare ourselves. . . . Therefore get your servant ready who will help you when you need him.[61]

Meanwhile, in the United States, Richards attended the ABCFM Board meeting on September 13–15, 1837, in Newark, New Jersey. The ABCFM completely rejected the Sandwich



FIGURE 2
David (Davida) Malo, portrait a lithograph by Alfred Thomas Agate, artist of the Wilkes Expedition, from Charles Pickering, *Races of Man* (1848).

Islands Mission's resolutions to provide additional advice and assistance to the Hawaiian *ali'i* beyond teaching Christianity and the ability to read the Bible.[62]

Having placed their children and attended to business with the ABCFM, Clarissa and William Richards departed and arrived back in Hawai'i aboard the *Suffolk* on March 26, 1838.[63] When he arrived back in the Sandwich Islands, Richards found the Islands in crisis. James F. B. Marshall, appointed by Kamehameha III in 1843 after the British seizure of the Islands as "envoy extraordinary and minister plenipotentiary" to carry the king's message to Great Britain, later reflected on the urgency of proactive change at that time: "From 1838 till 1843 the Hawaiian Islands were a bone of contention. Intrigues were constantly set on foot by agents and subjects

of France and England, having for their object the subversion of the native government and the seizure of the islands."[64] Two days after the arrival of Richards, the missionaries stationed on O'ahu met at Bingham's house, and Richards delivered his disappointing news.[65]

In the midst of the engulfing threats, the Mission recognized the urgency, and the ABCFM response did not cool the ardor of the SIM missionaries to do something more to help the *ali'i* cope with threats. Since the ABCFM declined to send a teacher on political economy and since Lorrin Andrews had not acted to accept responsibility to teach the chiefs, both the chiefs and missionaries turned to William Richards. On June 5, 1838, Juliette Cooke wrote to her brother Harley, discussing the issues:

> The King and Chiefs are very anxious that one of the Missionaries should be devoted to the business of teaching them the science of Government. We have no Gen. meeting this year on account of funds, but a meeting of delegates chosen from the different Islands who met at Lahaina are now in session and will probably consider the formal petition presented by Gov. with regard to such a teacher. The gentleman requested by the King is Mr. Richards, the one who lately paid a visit to the United States.[66]

As Juliette Cooke suggested in her letter, the usual General Meeting held annually in Honolulu, which all members of the Sandwich Islands Mission were encouraged to attend, was not held due to the shortage of funds. Instead, each island sent delegates to a meeting at Lahaina. The major topic of discussion, of course, was the ABCFM's dismissive response to their urgent resolutions. They did not seem deterred. They had passed a similar set of resolutions in 1837 while Richards was still in the United States, and at this meeting, they passed them again. They also addressed the issue of a teacher for the *ali'i*:

> Teacher for the Chiefs
>
> 1st. Resolved, That we consider the business of instructing the chiefs of sufficient importance to claim the immediate and entire services of a person qualified for the office.
>
> 2nd. That whereas a letter has been received from the king and chiefs of the Sandwich Islands, requesting Mr. Richards to become their teacher, we approve the choice made by the king and chiefs, and leave it entirely with Mr. Richards to accept or reject the appointment, as may seem to him to be duty.[67]

The Mission went further and passed a resolution that expressed what they viewed as their duty to Hawai'i. Interestingly, it departed from their instructions to narrowly focus on the Bible and education, but demonstrated the conflict inherent in their additional instructions to encourage the spread of Western civilization. While the ABCFM felt that this goal would be accomplished as a result of conversion to Christianity, the SIM believed it would take more

directed education and effort to allow the Kingdom to survive the onslaught of demands from imperialist nations and demanding foreigners. At the same meeting, they passed the following resolution, which expressed the Mission's reasoning and their purpose for supporting the seminar-style classes for the *ali'i* that William Richards would soon begin teaching. This resolution again emphasized that the intent of the Mission was "improving rather than revolutionizing the government" and supporting its "hereditary rulers," but the sixth and seventh paragraphs show that their vision was to rebuild Hawai'i for Native Hawaiians on a New England model, while not "condemning artificial wants, ancient or modern."

7. Duties of the Mission to Rulers and Subjects as such.

1st. Resolved, That though the system of government in the Sandwich Islands has, since the commencement of the reign of Rihoriho, been greatly improved through the influence of Christianity and the introduction of written and printed laws, and the salutary agency of Christian chiefs has proved a great blessing to the people, still, the system is so very imperfect for the management of the affairs of a civilized and virtuous nation, as to render it of great importance, that correct views of the rights and duties of rulers and subjects and of the principles of jurisprudence and political economy, should be held up before the king and the members of the national council.

2nd. Resolved, That it is the duty of missionaries to teach the doctrine that rulers should be just, ruling in the fear of God, seeking the best good of their nation, demanding no more of subjects as such, than the various ends of the government may justly require; and if church members among them violate the commands of God, they should be admonished with the same faithfulness and tenderness as their dependants [*sic*].

3rd. Resolved, That rulers in power are so by the providence of God, and in an important sense by the will or consent of the people, and ought not to resign or shrink from the cares and responsibilities of their office; therefore teachers of religion ought carefully to guard the subjects against contempt for the authority of their rulers, or any evasion or resistance of government orders, unless they plainly set at defiance the commands of God.

4th. Resolved, That the resources of the nation are at its own disposal for its defence [*sic*], improvement and perfection, and subjects ought to be taught to feel that a portion of their time and services, their property and earnings may rightfully be required by the sovereign or national council, for the support of government, in all its branches and departments, and that it is a Christian duty to render honor, obedience, fear, custom and tribute to whom they are due, as taught in the 13th of

Romans, and that the sin of disloyalty which tends to confusion, anarchy and ruin, deserves reproof as really and as promptly as that of injustice on the part of rulers or any other violation of the commands of God.

5th. Resolved, That while rulers should he allowed to do what they will with their own, or with what they have a right to demand, we ought to encourage the security of the right of subjects also to do what they will with their own, provided they render to Cesar [*sic*] his due.

6th. Resolved, That rulers ought to be prompted to direct their efforts to the promotion of general intelligence and virtue as a grand means of removing the existing evils of the system, gradually defining and limiting by equitable laws the rights and duties of all classes, that thus by improving rather than revolutionizing the government, its administration may become more abundantly salutary, and the hereditary rulers receive no detriment but corresponding advantage.

7th. Resolved, That to remove the improvidence and imbecility of the people, and promote the industry, wealth and happiness of the nation, it is the duty of the mission to urge mainly the motives to loyalty, patriotism, social kindness and general benevolence; but while on the one hand he should not condemn their artificial wants, ancient or modern, because they depend on fancy, or a taste not refined; he should on the other endeavor to encourage and multiply such as will enlist their energies, call forth ingenuity, enterprise and patient industry, and give scope for enlarged plans of profitable exertion, which, if well directed, would clothe the population in beautiful cottons, fine linen and silk, and their arable fields with rich and various productions suited to the climate; would adorn the land with numerous comfortable, substantial habitations, made pleasant by elegant furniture, cabinets, and libraries; with permanent and well endowed [*sic*] school houses and seminaries; large, commodious and durable churches, and their seas and harbors with ships owned by natives, sufficient to export to other countries annually the surplus products of their soil, which may at no very distant period amount to millions.[68]

The minutes also noted that several chiefs visited the meeting. While the minutes don't provide a complete list of those who attended or what they talked about, the highest ranking *ali'i* in the Kingdom did attend: "King, Kinau, Auhea, Hoapili and others."[69] John Papa 'Ī'ī confirmed the chiefs' request for Richards to teach the class: "At the missionary conference in Lahaina in 1838 Richards had been asked by the king and Kinau to teach the chiefs political science, and this request brought about his release by the Hawaiian Missionary Society."[70]



FIGURE 3
Thomas Hopu, portrait by Samuel F. B. Morse, an engraving of 1822. (HMHA/HMCS)

It is noted in the minutes that Richards accepted his appointment after meeting with the chiefs:

> Mr. Richards' acceptance of the choice of the Chiefs. Mr. Richards reported the result of an interview with the chiefs on the subject of a teacher, in which they confirmed their choice of him to act towards them in that capacity; and he signified his acceptance of their choice, to act for one year, with the express understanding that he be at liberty to decline acting on public occasions, and going to Oahu to act as interpreter in national affairs, except as any other missionary might be called upon to act in the case.[71]

Another Native Hawaiian advisor (in addition to Malo), who had served a major role in interpreting for the missionaries for the several years after their arrival and teaching the *palapala* and Christianity to the chiefs, urged the *ali'i* to alter their system of government and adopt an economic model based on private property and individual effort and laws that would reduce the "oppressive" and "burdensome" situation of the common people. Thomas Hopu, friend of 'Ōpūkaha'ia, the Hawaiian who inspired the mission to Hawai'i, and graduate of the Cornwall Mission School, was one of the Native Hawaiians who accompanied the First Company of missionaries to Hawai'i in 1820. He wrote a long and revealing letter to Kamehameha III during the 1838 Mission delegate meeting that expressed many of the Mission's reasons for Richards's class and the results the Mission hoped it would produce. The letter, translated below by Yuri Mykkänen, prefigures many of the issues that were later addressed in William Richards's chiefs' lecture book, *No Ke Kalaiaina*, and Richards's class itself.

> If all the tasks of the land were put together [and given] for the people and if everybody went to do his own [private] work, the land and the government [*aupuni*] would benefit and be in just order. Therefore the land of the chief and all the people will become prosperous. Let the chiefs not think that the wealth would be gone. Certainly not, that is truly an ignorant thought. The idea comes from the Devil, not from learning. [It is] from indifference. If the working people are not satisfied with the burdensome laws and all the oppressive work, the government [*aupuni*] will be embarrassed [lit. yellowish color will rise upon the cheeks of the government, signifying blushing]. Do not think of overburdening the common people lest their number will end from fleeing away and they will abandon the government [*aupuni*] and the land and they will go to other governments [*aupuni ē aku*] of the earth. Listen my beloved chief as

the common people cry under the burdens and the weariness of having no property, everything in their hands will go to another. They are really the oxen and mules in the oppressive work for all the chiefs in this realm. God in Heaven has taken notice of the crying of the weary people and the very oppressive labor in [or on?] their neck [i. e. heavy load on their backs]. Isn't this a very great work for God? Isn't this the millstone on the necks of the Pharaoh's people, drowned in the sea of Hell? Yes indeed. Doesn't this sin concern us? Wouldn't it become a millstone on our necks, and we shall be drowned under the Pacific Ocean?

This sin indeed pertains to us here. Because of it God can capsize these islands into the sea of Hell, and [we shall] completely disappear into the darkness of eternal death. . . . Let us shut our eyes from paying attention to the foreign money. . . . Here are indeed the truly correct, agreeable, and right laws for the high chief's government in these islands. The high chief who has the government and all the other chiefs [should] enrich everybody else [the common people], too. For them [the common people] are all the good duties of the earth, the dirty work and the improper work if done by the chiefs are not for the chiefs or the chief who has the government [*aupuni*]. Upright, correct, and mild conduct without overburdening the native government [*aupuni kanaka* refers to the totality of indigenous people as opposed to foreigners] is the high chief's duty, to truly restore all the people to [their] work.[72] [Bracketed comments except for [or on?] are from Mykkänen.]

So Malo had earlier urged the chiefs to acquire a teacher on political economy and described the perils they faced if they did not, then Hopu scolded the chiefs for the way they were burdening the Hawaiian people and also described some of the changes he thought were needed in the Kingdom, and then the chiefs themselves requested that Richards teach them about political economy, but yet we have no direct statements from Kaʻahumanu II (Kīnaʻu, the *kuhina nui*) or Kamehameha III. It is clear, though, that King Kamehameha III and high chiefs, such as Kīnaʻu and Kekāuluohi were aware of the general outlines of the proposed class, and eager for the assistance. One of the few extant references to the class by an *aliʻi* is a letter Kamehameha III wrote to Kīnaʻu about the arrangements with Richards:

My dear Kaahumanu, [Kīnaʻu, also known as Kaʻahumanu II]

I wish to explain to you and Auhea about our teacher. Mr. Richards told me that the salary would be $600.00 a year, he does not know about the year after. I told him I must let Oahu know of it and he consented, so I am letting you know about this. You must therefore think over the proposition and I will inform him of your intentions.

I am sending Punahele to come immediately. Remember me to Auhea. When is she, Kekuanaoa and John Ii coming back? Please send the map.

By Kamehameha III[73]

So William Richards, with no training in law, economics, or government, though very well educated for his time, became the chiefs' teacher in political economy.

Within a week of his appointment, Richards had begun working with the *ali'i*, and he wrote to Rufus Anderson, Secretary of the Prudential Committee of the ABCFM, telling him what he was doing and tendering his resignation from the Mission, though hoping he could remain within the Mission as he worked for the *ali'i*. As it turned out, the ABCFM accepted his resignation because they did not feel his actions were consistent with the instructions to the Mission.

In the long and informative letter to Anderson, written on August 1, 1838, and quoted below, Richards explains the process he used to teach the class. He also describes why and how he began writing *No Ke Kalaiaina*, the work that became the textbook for the class. He finished a section at a time, and then lectured from that portion to the *ali'i*, a familiar approach to many teachers even today, who stay one day ahead of their students in their preparation. It is also clear from this letter that in addition to wanting the Kingdom to persevere, Richards and the Mission also wanted the Kingdom to become more economically successful so that the people could independently support schools and churches to replace declining support from the ABCFM. This is what he told Anderson:

> [B]efore the mission can be fully supported by the nation, the chiefs and the people must have more instruction on the means of Production. This subject or rather the general subject of Political Economy is every day increasing in importance, and the time has arrived when the rulers of the Nation must have instruction on that subject. There is but one feeling in the Mission in relation to it. How to provide that instruction has at length become a diseratum in our minds.
>
> The king & chiefs are fully impressed with a sense of the importance of this subject and have said much to us about it. They awaited my return with anxiety & when they found their request sent by me to the U.S.A. was not complied with they immediate[ly] requested me to become their teacher, and offered to support me if I would do it. Indeed it was suggested to me by the brethren on my arrival that they were designing to do it. When the request was made, I laid the subject before the brethren and their views were alike. They considered the subject of vast importance and wished to see a man devoted to it, but did not consider it as embraced directly in the objects of the Board. They therefore left me to my own discretion. After considering the subject thoroughly with the king & chiefs, I at length accepted the appointment and now act as "chaplain teacher and translator" for the king. He has engaged to give me six hundred dollars a year, but I am not to be removed from Lahaina. I continue to preach three times a week, but do not act as the pastor of the church. I consider the king & those directly connected with him as my special charge. I completed my agreement with the king on the 3rd of July, and immediately commenced translating Wayland's Political Economy, or rather compiling a work on Political Economy of which Wayland's is the basis. I prepare the work in the form of Lectures & spend two hours every day with

the king & chiefs in reading these lectures and in conversation on practical subjects naturally introduced by the lectures. They also expect from me free suggestions on every subject connected with government and on their duties as rulers of the nation and in all important cases I am to be not only translator, but must act as interpreter for the king. These things you will perceive do now, and will continue to occupy all my time except on the Sabbath and that limited proportion devoted to preparation for the pulpit. It has been considerably trying to my feelings to turn aside in so great a degree from what is the more common and appropriate business of the missionary. But I am satisfied that the spiritual as well as the temporal good of the nation requires it, or at least require[s], that some one should be devoted to the business in which I am now engaged. The nation can not long exist without it. The people can not support the gospel without it. There can not be a nation of consistent Christians without industry, and for the encouragement of that there must be plans laid. . . .

You therefore perceive the reasons why I am pursuing this new course. The king & chiefs fixed their eyes on me while I was in America and my brethren to some extent did the same. The prospect of actually effecting something for the good of the nation is at present flattering. If this course is not successful, we know not what can be done. I have been thus particular in order that you may see whether I am violating the principles of the Board on the instructions given to their missionaries.[74]

Richards described the same process in a letter to Levi Chamberlain, written on July 10, 1838, only a few days after he began working with the *ali'i*, showing how quickly things began developing. It is clear that Richards envisioned the *ali'i* as the leading entrepreneurs and facilitators of a new Hawaiian economy, and since Chamberlain was the business agent for the Mission, near the start of his class, Richards questioned him about possible commercial ventures the *ali'i* might pursue and whether he thought them profitable:

I wish you could ascertain as near as you can what may be relied upon as the price of sugar by quantity at these Islands, also cotton, if any [word unclear] calculation can be made. What amount of capital have Ladd and Co. expended at Koloa? What are the great obstacles or the principal obstacles in the way of chiefs taking up a quantity of land and engaging extensively in the manufacture of sugar?

Would it not be economical for the King to lend money to Capt. of ships, take berth, and appoint Mr. Hunnewell as his agent in America to ship goods at his order, and establish a store or stores at such places as Lahaina & Kailua.

Must not such business be taught or learned by experience, even though they might be exposed to losses at the commencement?[75]

In a report to the Sandwich Islands Mission in 1839, after his first year in government service, Richards covered the same ground but added some additional useful information:

> As soon as the arrangements were completed, I commenced the compilation and translation of a work on political economy, following the general plan of Wayland, but consulting Lay, [This name has been consistently written as Lay by historians interpreting Richards's handwriting, but it is is undoubtedly not Lay, but Jean Baptiste Say, author of *A Treatise on Political Economy or The Production Distribution and Consumption of Wealth*"—famous for concern of economic education for the masses, and law of the markets, which became known as Say's law, and first to coin the word "entrepreneur."] Newman and others, and translating considerable portions from the 1st mentioned work. I also met [the] king & chiefs daily when other public business did not prevent, and as fast as I could prepare matter read it to them in the form of lectures. I endeavored to make the lectures as familiar as possible, by repeating them, drawing the chiefs into free conversation on the subject of the lecture. They uniformly manifested a becoming interest in the school thus conducted, and took an active part in the discussion of the various topics introduced in the lectures.
>
> The Lectures themselves were mere outlines of general principles of political economy, which of course could not have been understood except by full illustration drawn from Hawaiian custom and Hawaiian circumstances. In these illustrations I endeavored as much as possible to draw their minds to the defects in the Hawaiian government, and Hawaiian practices, and often contrasted them with the government and practices of enlighted [*sic*] nations. The conversation frequently took so wide a range that there was abundant opportunity to refer to any and to every fault of the present system of government. But when the faults of the present system were pointed out & the chiefs felt them & pressed me with the question, "pehea la e pono ai," I have often felt that it is much easier to point out the defects of an old system than it is to devise a new one, suitable to take its place.[76]

One of the pressing issues in his lectures to the *ali'i* was the issue of private property, which was causing a great deal of trouble for the Kingdom because of demands made by foreigners. Historian Ralph Kuykendall sums up the problem:

> The question uppermost in the minds of the chiefs and to which Richards had to give immediate attention was that relating to the land and fixed property in the possession of foreigners and the privilege claimed by the foreigners of transferring these things from one to another. The subject . . . had first been brought home to the chiefs in 1836. While they had been compelled to recede a little from the extreme position taken by them at the outset, they were still determined that full title to land should not be

granted to foreigners. This is clearly brought out in a document drafted by them several months before Richards returned from the United States. . . .

Shortly after he entered the service of the king, a project of a general law relating to foreigners was drawn up, dealing with such subjects as property rights and taxation of foreigners and the conditions under which foreigners might marry Hawaiian women. This document asserted the official view that all the land, including that occupied by foreigners, belonged to the king, but it promised that no foreigner should be deprived of his land until after he had occupied it for ten years. "And if any houselot [*sic*] of a foreigner is taken away, the Governor shall reimburse him for the house built by him thereon." This project, however, was not enacted into law.[77]

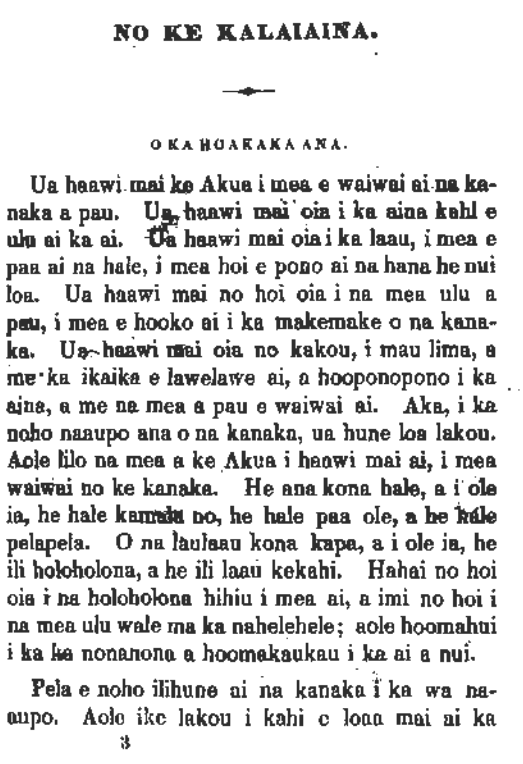
In a December 3, 1838, letter to Chamberlain, Richards described his current views on private property, especially property owned by foreigners:

Dear Brother Chamberlain

With most of the general principles laid down in your letter I am perfectly agreed. This government must pursue a mild or moderate course. Such course should be pursued that foreigners should prefer to hold lands by lease. It is desirable that landed property now in their hands should be diminished in value. The gov. must eventually have possession of lots now in their hands. In case of difficulty the advantage will be on the side of power &c. But after all the *quo modo* [Latin for in what manner] is the the [*sic*] thing we wish to know. I should by no means think it best to publish any thing [*sic*] till we hear from the treaty, were it not that there at present so frequent transfer of land that it seems improper for government to be silent—I think I will now wait a little while, perhaps until I visit Oahu.—

Yours truly William Richards[78]

In *No Ke Kalaiaina*, the book Richards wrote for the *ali'i* while he taught his class and from which he lectured, he combined Christianity with concepts of liberal republicanism, similar to the way in which Francis Wayland combined both traditions in his two books *Elements of Moral Science* and *Elements of Political Economy*. Nothing in *No Ke Kalaiaina*, however, challenged the idea of monarchy. Richards supported the continued rule by the king and chiefs at the head of a constitutional monarchy. After the arrival and rapid rise in influence of Western-trained attorney John Ricord, just five years after the first constitution was proclaimed in 1840, controversies began to swirl about governmental reorganization. In response to concerns expressed about his own position on the reorganization of the executive branch, Richards wrote to Rev. Dwight Baldwin on Maui in 1845, defending his support of the monarchy: "I as a Sandwich Islander, am root, body, and branch, a Monarchist."[79]



NO KE KALAIAINA.

O KA HOAKAKA ANA.

Ua haawi mai ke Akua i mea e waiwai ai na kanaka a pau. Ua haawi mai oia i ka aina kahi e ulu ai ka ai. Ua haawi mai oia i ka laau, i mea e paa ai na hale, i mea hoi e pono ai na hana he nui loa. Ua haawi mai no hoi oia i na mea ulu a pau, i mea e hooko ai i ka makemake o na kanaka. Ua haawi mai oia no kakou, i mau lima, a me ka ikaika e lawelawe ai, a hooponopono i ka aina, a me na mea a pau e waiwai ai. Aka, i ka noho naaupo ana o na kanaka, ua hune loa lakou. Aole lilo na mea a ke Akua i haawi mai ai, i mea waiwai no ke kanaka. He ana kona hale, a i ole ia, he hale kamaa no, he hale paa ole, a he hale pelapela. O na laulaau kona kapa, a i ole ia, he ili holoholona, a he ili laau kekahi. Hahai no hoi oia i na holoholona hihiu i mea ai, a imi no hoi i na mea ulu wale ma ka nahelehele; aole hoomahui i ka ka nonanona a hoomakaukau i ka ai a nui.

Pela e noho ilihune ai na kanaka i ka wa naaupo. Aole ike lakou i kahi e loaa mai ai ka

3

FIGURE 4
No Ke Kalaiaina, first page (page 17) of the book Richards wrote for his seminar for the chiefs, beginning in July 1838. (HMHA/HMCS)

At the same time that he supported the monarchy, though, Richards believed in broad individual rights, liberty, protections against unfair taxation, and equality before the law for commoners and chiefs alike. Previewing ideas that later formed the basis of the principles expressed in the 1839 Hawaiian Declaration of Rights and then in a more detailed form in the 1840 Constitution, Richards wrote in *No Ke Kalaiaina* that

> Certain rights pertain to every person. Some are from God, and others from himself. Here are some of the rights equally granted by God to all men and chiefs of all lands: life, the limbs of the body, to live without being restrained or obstructed, light, air, drinking water, the production of his hands and that which his thoughts have organized. . . . One cannot tell another, ["]you cannot drink the water, you must work for me, or that thing you made is mine.["] These things are hallowed. Each person's is his own, and he who denies it denies something obvious; he has denied God's word.[80]

In *No Ke Kalaiaina* and his lectures, Richards ascribed the lack of motivation among common Hawaiians and subsequent poverty in the Kingdom to the chiefly governance system, the lack of private property, the near absence of a market (or capitalist) economic system, and no guaranteed rights to personal liberty or property for the common Hawaiian. Richards compared Hawai'i to England prior to the Magna Carta, and he said that it was the king's act in granting the Magna Carta, guaranteeing liberty and property rights to the people, that subsequently helped make Britain a great nation:

> At this time, working people are not afraid of robbery, they do not fear thievery, and they do not fear rascals. They only fear such a person has is the fear of his property being taken by the landlords. That is what makes his hands feeble at his work. If only the laws and the actions of the chiefs and their appointed managers who make wealth safe were just, which is the reason God appointed them as chiefs, in order that wealth, and people as well, would be safe. In this land, those who should be the protectors

of wealth have become the takers of wealth. People do not strive at working, nor will there be much wealth in the land, until that wrong is ended.

Some chiefs think that if that action is ended, then the great wealth of the chiefs will be gone and their rule as chiefs will be ended. That thought comes from ignorance. In the lands where the common folk are rich, the chiefs are rich as well. And in those lands, the words of the chiefs are empowered. All around the world, there is no rich chief whose rule is like that here in Hawai'i. Previously, they lived that way in Britain, but it was a time of no wealth. The land was in no way safe, and there was frequent warfare. Then in one war, certain chiefs worked to draft a statement called the Magna Carta. That was the beginning of the good that is maintained now in Britain. From there came great wealth and prosperity for the nation. The king signed his name on that document and it is a foundation for all the laws of Britain.[81]

The suggestion here, of course, is that the chiefs should provide the same guarantees to the common people of Hawai'i as Britain did with the Magna Carta.

Samuel Kamakau later described why the king and chiefs had chosen Richards to teach them. He emphasized the trust Richards had gained while teaching the Maui chiefs in the 1820s and 1830s.

When Mr. Richards returned from a visit to the United States his place as minister at Lahaina had been filled by Dr. Baldwin, and Mr. Richards had been withdrawn. Hoapili therefore requested that Mr. Richards become instructor for the king and his court, since he had been a father to the chiefs of the royal family at Lahaina and to those of all Maui, and had carried them through their troubles. William Richards had been sent to Hawaii as a minister of the Puritan faith. He became Queen Ke-opu-o-lani's minister, and expounded to the chiefs and prominent persons of Lahaina the meaning of the Scriptures and of the ten commandments of God. And he explained how the law was a thing to bring good government and peace to the land for both chiefs and commoners, and how the chiefs should stop laying burdens upon the poor. The older men such as Hoa-pili, Kalai-koa, Pikanele, Pua'a Ka-'ohana, Daniel 'I'i, David Malo, One-'oa, and others gathered to learn of Mr. Richards. When Ka-'ahu-manu lived among the Maui chiefs the most prominent people became famous for their discussion of the laws by which land should be governed, and Ka-'ahu-manu thought highly of the Maui chiefs. They were not influenced by the hope of gain or favor; they did not discriminate between the chief and the lowliest citizen; the law must punish all alike. . . . It was thus that Mr. Richards had taught the chiefs of Maui, "The power of the law must be alike over rich and poor; in order to govern peacefully the law must have power over all alike"; and these few words had given him such a reputation for

fairness and effectiveness that the king now chose Mr. Richards as minister and instructor in the affairs of government. . . .

Whatever else he undertook he never ceased teaching the principles of government to the king.[82] [punctuation as in original]

It is clear that William Richards's book *No Ke Kalaiaina* and associated seminar for the *aliʻi* had a significant impact on the future course of the Kingdom and led to the Declaration of Rights and Constitution of 1840. According to Ralph Kuykendall, "From the time of the appointment of Richards, the course of internal improvements went straight on to the declaration of rights (1839) and the constitution of 1840."[83] In his *Inventing Politics*, Yuri Mykkänen extensively documents this transition in Hawaiian governance and ascribes the development of the constitutional monarchy to "discussions" that "sprang up . . . at Richards' school."[84]

But Richards was only the mapmaker for the changes that began in the Kingdom in 1839. It was Hawaiians who made the changes. Samuel Kamakau, Richards, and others have identified several leading Native Hawaiians who were not chiefs, but who participated in writing the 1839 Declaration of Rights and laws and the 1840 Constitution. Among the most gifted Native Hawaiians of the age, these individuals were also very likely participants in the *No Ke Kalaiaina* seminar. The "Translator" of the 1842 translation of the 1840 constitution, (could be either William Richards or Gerrit Judd), noted that "Several of the original [1839] laws were written by David Malo; some by John Iʻi; nearly all the laws on the subject of taxation were written by Boaz Mahune and the first drafts of some were made by Timothy Keaweiwi, Daniel Iʻi, and others."[85]

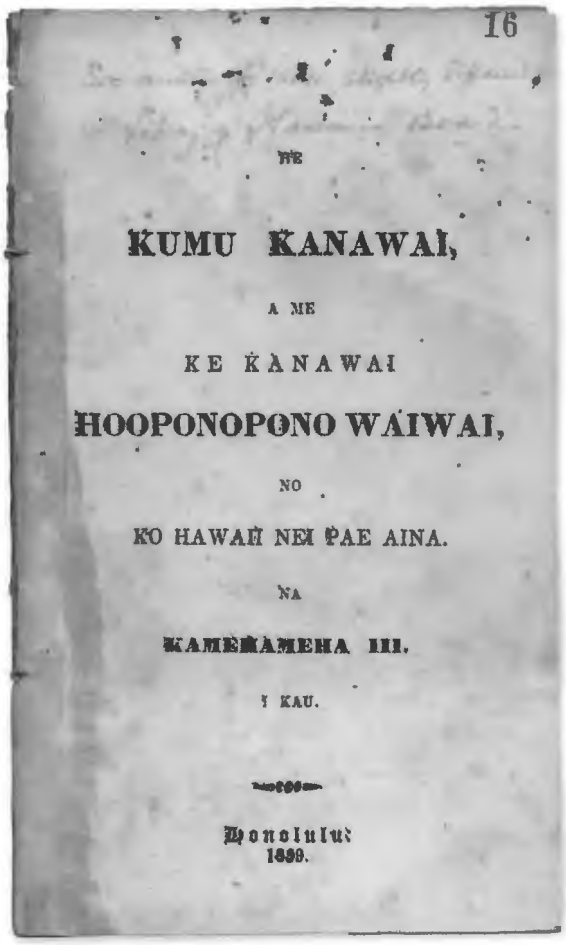
Malo and Mahune were both graduates of the first class at Lahainaluna Seminary in 1835. Malo was already a highly trusted advisor to the *aliʻi*, whose advice was sought for some of the most difficult issues. Both Daniel ʻIʻī and Malo earlier had assisted Ulumaheihei Hoapili in creating laws for Maui, and Malo was integrally involved in working with Richards to translate portions of the *Bible* into Hawaiian before Richards began his lectures in 1838.[86] In 1848 Daniel ʻIʻī became a licensed preacher.[87] John Papa ʻIʻī was closely related to members of the royal court. He had been a trusted aid to the *aliʻi* since he was a child, and in 1839 he was entrusted as the *kahu* of the young chiefs at the Chiefs' Children's School.[88] Less is known about Timothy Keaweiwi, but he was elected to the House of Representatives in 1853.[89]

In the process of crediting Richards for the constitution, Kamakau identified Boaz Mahune and Jonah Kapena as important contributors: "It was William Richards who drew up the constitution, and the king selected Boas [*sic*] Mahune to represent him and Jonah Kapena to represent Kīnaʻu in drawing it up."[90] The anonymous correspondent—this was probably William Richards—who commented on the formation of the Declaration of Rights in the July 1839 *Hawaiian Spectator* discussed the formation of the laws that appeared with the Declaration of Rights: "The laws of which we speak bear the date of June 7th, 1839, and are printed in a pamphlet of duodecimo form, containing twenty-four pages. They were written by a graduate of the seminary at the direction of the king, but without any definite instructions as to what he should write.

In the first instance he wrote about one-third of the present quantity of matter." The king and chiefs edited the drafts several times before the documents were accepted and approved. Unfortunately, we do not know the name of this Lahainaluna graduate, but it is likely the writer referred to one or more of the individuals mentioned earlier.[91]

The 1839 Hawaiian Declaration of Rights fulfilled Richards's suggestion to create a "Hawaiian Magna Carta" that would become the foundation of all future laws. It was immediately followed by a code of civil and tax laws, a law requiring school attendance with school supervisors to monitor success, and an independent judiciary. The 1840 Constitution was modeled on the values and ideas presented by Richards in his seminar, blending the chiefship into a constitutional monarchy with a house of nobles (the traditional chiefly council), a house containing representatives selected from among the common people for the first time, and a separate judiciary. The vote was restricted to those who could read and write, and teachers were not required to pay taxes. The chiefs encouraged road building and experimentation with sugar and other crops, and some even attempted to model entrepreneurship by starting plantations of their own. Many of these elements—and many more—evolved from *No Ke Kalaiaina* and the seminar taught by William Richards.

According to Kamakau, the laws composing the "constitution" had been made before Kīna'u died. It is probable, though, that he was referring to the 1839 Declaration of Rights, sometimes called the 1839 Constitution and laws. He expressed some reluctance by the chiefs to grant rights to the people, fearing they would lose status.


16

KUMU KANAWAI,

A ME

KE KANAWAI

HOOPONOPONO WAIWAI,

NO

KO HAWAII NEI PAE AINA.

NA

KAMEHAMEHA III.

I KAU.

Honolulu:
1839.

FIGURE 5
Ke Kumu Kanawai a me ke Kanawai Hooponopono Waiwai . . . na Kamehameha III, 1839 or *The Fundamental Law, and Laws Regulating Property of the Hawaiian Islands,* the 1839 Declaration of Rights and Laws (Hawaiian Historical Society)

> The chiefs objected to placing the new constitution over the kingdom, seeing that little by little the chiefs would lose their dignity and become no more than commoners. Kamehameha III protected his chiefs and paid from the treasury those who were members of the privy council. The laws drawing up the new constitution were made just before the death of Elizabeth Kina'u, and the reason why they were passed was because the old chiefs were dead, those who had refused absolutely to approve the new laws except in the matter of protection from crime and keeping the peace among the people.[92]

The fear about loss of chiefly status and power must have been prevalent among the *ali'i*, because Thomas Hopu felt the need to specifically rebut it in his 1838 letter to Kamehameha III and then Richards did the same in *No Ke Kalaiaina*.



FIGURE 6
Kamehameha III (Public Domain, original at Bishop Museum)

After the 1839 Declaration of Rights and laws and the Laplace incident that culminated the long-standing dispute involving the expulsion of Catholic priests from O'ahu, the foreign community expressed concern about the role of the missionaries in forming the Declaration and early laws. The expulsion of Catholic missionaries in the early 1830s continued to roil the foreign community. They had not been convinced by Ka'ahumanu's justification for her expulsion order at the time, which she said was based on her belief that Catholic "worship is like that which we have forsaken."[93]

At the time of the Catholic explulsion, the high chiefs were in agreement that only the Protestant Christian religion should be taught in the Kingdom, because that is what they had based their *aupuni* (authority and government) on, just as Kamehameha I had based his on a state religion he asserted. Anyone opposing the state religion during Kamehameha I's reign would have been put to death. On January 8, 1831, Kauikeaouli, Ka'ahumanu, Kaikio'ewa, Hoapili, Nāihe, and Kuakini all signed a letter demanding the departure of Catholic priests because their religion was different from the religion accepted by them and because they had not requested permission to reside and evangelize:

> Heed this, all of you, O priests from France, These are our thoughts regarding your expulsion. Leave at once from this land. You shall not stay here in the Hawaiian archipelago because your doctrine opposes and is different from that which we observe. And because you have clearly presented your ministry to the people here in Hawaii, some of our people have converted through you. We are encouraging people with the doctrine that we maintain; the doctrine we clearly understand to be proper is the doctrine we most desire. When you arrived here, we did not invite you to stay, you just took up residence and for that we are expelling you. We have seen ample evidence of your impropriety. For that we are expelling you. Be gone, all of you.[94]

Merchants and many others blamed the ABCFM missionaries for the expulsion of the Catholic priests and Kingdom laws that were viewed as oppressive and overly restrictive. In response to these complaints, on October 26, 1839, United States Agent for Commerce and Seamen P. A. Brinsmade made a formal inquiry of King Kamehameha III, asking whether "American citizens residing in the Sandwich Islands as missionaries under the patronage of an Incorporated Institution of the United States . . . exerted a controling [*sic*] influence upon the framer of the laws of this country."[95]

The chiefs insisted that they had never relinquished Hawaiian governance to the missionaries. Two days later, Kamehameha III responded:

I have received your letter asking questions respecting the American missionaries, supposed by some to regulate the acts of my government under me; I, together with the chiefs under me, now clearly declare to you, that we do not see any thing in which your questions are applicable to the American missionaries. From the time the missionaries first arrived, they have asked liberty to dwell in these islands. Communicating instructions in letters, and delivering the word of God has been their business.

They were hesitatingly permitted to remain by the chief of that time, because they were said to be about to take away the country. We exercised forbearance, however, and protected all the missionaries, and as they frequently arrived in this country, we permitted them to remain in this kingdom because they asked it, and when we saw the excellence of their labors, then some of the chiefs and people turned to them in order to be instructed in letters, for those things were in our opinion really true. . . . But that thing which you speak to me of, that they act with us, or overrrule our acts, we deny it, it is not so. [96]

He concluded his response with a tongue and cheek comment that only a king could remark and still be taken seriously. Kamehameha III wrote, "We think that perhaps these are their real crimes:—Their teaching us knowledge. Their living with us, and some times translating between us and foreigners. Their not taking the sword into their hand, and saying to us with power, stop, punish not the worshippers in the Romish religion."[97]

It was true that the Hawaiian government had discriminated against Catholicism, but this was due to the fact that traditionally, rulers had proclaimed the gods the common people would worship. This was a crucial part of traditional governance, and it was considered a direct threat to current authority when not obeyed.[98] Kamehameha III proclaimed the "Edict of Religious Toleration" on June 17, 1839, but to dispel the international censure surrounding religious tolerance once and for all, Article II of the 1840 Constitution included a section guaranteeing freedom of religion: "All men of every religion shall be protected in worshiping Jehovah, and serving Him, according to their own understanding."[99]

The 1840 Constitution was decreed on October 8, 1840, a year and four months after the Declaration of Rights had been proclaimed on June 7, 1839.[100] With a few exceptions, the constitution was largely a restatement of the existing organization of the Hawaiian government, but in a format acceptable to Western powers.[101] A significant portion of the new constitution was instructional, explaining in some detail why a new approach was justified, rather than simply forming a basis for future laws. Ralph Kuykendall described the general contents of the 1840 Constitution:

A slightly amended version of the declaration of rights served as a preamble. The constitution proper opened with a statement of certain principles to be observed

in the making and enforcement of laws: no law should be enacted which was at variance with the word of God; there should be complete freedom in the matter of religion; every innocent person who was injured by another should have redress, and all who committed crimes should be punished; no man should be punished without a lawful trial; no one should sit as judge or juror in his own case or in the case of one especially connected with him. An exposition was given of "the principles on which the present dynasty is founded," and this was followed by a statement of the prerogatives, powers, and duties of the king and the kuhina nui, who together wielded the supreme executive authority. It was provided that there should be four governors, who should have general charge, each in his particular place and subject to the king and kuhina-nui, of all matters of government which were not by law assigned to other officials. The law making power was lodged in a legislative body composed of two branches: the council of chiefs, including the king and kuhina-nui (which afterwards came to be called, in English, the house of nobles); and a representative body to be chosen by the people. It was provided that the two houses might sit separately or together and that new laws must have the approval of a majority of each house and be signed by the king and the kuhina-nui. The next section for the constitution dealt with the tax officers; they were to be appointed by the king and the kuhina-nui, and not only assessed and collected the taxes, but also served as judges in all cases arising under the tax laws and in cases between land agents and between landlords and their tenants. From their decisions an appeal might be taken to the governor and from the governor to the supreme court. The inferior or district judges on the several islands were to be appointed by the governors; it was their business to hear and decide all cases arising under the laws except those within the jurisdiction of the tax officers; from the decisions of these inferior judges an appeal might be taken to the supreme court. The supreme court was composed of the king, the kuhina-nui, and four other judges appointed by the lower branch of the legislature; this court had only appellate jurisdiction. The constitution could be amended by the legislature after a year's notice had been given of any proposed change.[102]

The urgency of adopting a constitution and laws on a Western model to help regulate relationships within the Kingdom and between the Kingdom and the powerful Western nations was emphasized when the French frigate *L'Artemise*, commanded by Captain Laplace, sailed into Honolulu harbor on July 9, 1839, almost one month to the day after Kamehameha III and the chiefs proclaimed the Declaration of Rights and laws on June 7, 1839. The Laplace incident demonstrated how vulnerable the Hawaiian Kingdom was to foreign naval powers who could bully the entire nation, demanding tolerance and land for Catholic priests, French privileges, and a $20,000 indemnity, and disregarding the recently enacted laws of the Hawaiian Kingdom.[103]

At the same time that the Declaration of Rights and the Constitution had provided some increased safety for the Kingdom on the international stage, though, it is not surprising that the changes in the Hawaiian polity represented by the Declaration of Rights and 1840 Constitution caused anxiety and uncertainty among the *maka'āinana* (common people). Their traditional world had been changing for decades: increased contact with Western influences in the late eighteenth century, the Kamehameha wars, and Kamehameha's death followed by the abrogation of the *kapu* system in 1819, population decline due to Western diseases, and the introduction of the *palapala* (reading and writing) and Christianity, rapidly changing economics and their traditional way of life, in general. There is little available evidence for any immediate response, but confusion and debate among the *maka'āinana* apparently began soon after the announcement of the new governmental organization and gradually grew. Their concerns expressed about the new tax laws were significant enough that the 1842 legislative session produced a new section addressed to "Burdens of the Lower Class," intended to revise the tax law. The content of the revision, ("Chapter LVI. Burdens of the Lower Classes") though, consisted mostly of an argument justifying the laws by comparing in detail previous unfair and burdensome taxation practices and the improvements wrought by the new laws. Far from sympathizing with their grievances, the new law chastised the *maka'āinana* for their complaints, and suggested that the solution to any problem was for the *maka'āinana* to work harder.[104]

Formal petitions from the people to Kamehameha III became fairly common by 1845. The complaints focused on a concern that Westerners had become too influential with the chiefs, too many Westerners were included in the government, the traditional links between the *maka'āinana* and the *ali'i* were being lost, and a fear that the land would eventually be owned by foreigners.[105]

As part of this petition movement, Samuel Kamakau wrote a long letter to King Kamehameha III, dated July 22, 1845, presenting a dialogue between himself and "old people" of Maui. It is unclear whether he has truly been appointed as the spokesperson for the "old people" or whether his letter is a form of Socratic dialogue. In any case, the dialogue centers on the problem of foreigners in government and presents both sides of the argument. The old people defend the old system of good, native government and question why Kamehameha III appointed primarily foreigners to run the government. They warned of eventual loss of Hawaiian control. Kamakau defends the use of foreigners because

> Who of us knows enough to translate the laws of Great Britain into the language of Hawaii. . . . Therefore I disapprove of the people's protest against foreign officials since it is the desire of the rulers of Great Britain, France, and the United States of America to educate our government in their way of governing. . . . These rulers believe that the Hawaiian group has a government prepared to administer laws like other governments and hence it is that they allow Hawaii to remain independent. We ought therefore not to object to foreign officials if we cannot find chiefs of Hawaii learned enough for the office.

The old people countered,

> The laws of those governments will not do for our government. Those are good laws for them, our laws are for us and are good laws for us, which we have made ourselves. We are not slaves to serve them. . . . Kamehameha was not taught in the school, but his name was famous for good government. . . . Entertaining foreigners therefore is the beginning which will lead to the government's coming into the hands of the foreigner, and the Hawaiian people becoming their servants to work for them.[106]

Kamehameha III responded to Kamakau in August. Describing his quandary, the king gently explained that

> I desire all the good things of the past to remain . . . and to unite with them what is good under these new conditions in which we live. That is why I have appointed foreign officials, not out of contempt for the ancient wisdom of the land, but because my native helpers do not understand the laws of the great countries who are working with us. . . . I earnestly desire to give places to the commoners and to the chiefs as they are able to do the work connected with the office. . . . The people who have learned the new ways I have retained. . . . And as soon as the young chiefs are sufficiently trained I hope to give them the places. . . . I have therefore refused the letters of appeal to dismiss the foreign advisers.[107]

The 1840 Constitution did not meet with universal approval among foreigners, either, and some unhappy foreigners continued to stir the pot, arguing that American missionaries had exerted undue influence on the Hawaiian government, in spite of Kamehameha III's 1839 assurance that it was not the case. These controversies continued and swirled around the 1843 takeover of the Islands by Captain Lord George Paulet in the HMS *Carysfort* incident that later delayed and complicated the recognition of the independence of the Islands.

In spite of these concerns, the 1840 Constitution and laws had a transformative impact on the major Western powers' perception of the government of Hawai'i. The efforts of Sandwich Islands ambassadors Sir George Simpson, Timoteo Ha'alilio and William Richards were crowned with success as the United States assured the ambassadors of "full recognition" of independence on December 29, 1842.[108] John Quincy Adams, chair of the Committee on Foreign Affairs, later communicated the Committee's report that stated the Islands were now under the "blessings of the Christian Gospel; united under one balanced government; rallied to the fold of civilization by a written language and constitution, providing security for the rights of persons, property, and mind, and invested with all the elements of right and power which can entitle them to be acknowledged by their brethren of the human race as a separate and independent community."[109]

On November 28, 1843, Great Britain and France simultaneously recognized the independence of the Sandwich Islands in a joint document of recognition, in which both countries stated that "taking into consideration the existence in the Sandwich Islands of a Government providing for the regularity of its relations with foreign nations, have thought it right to engage reciprocally to consider the Sandwich Islands as an independent state, and never to take possession, either directly, or under the title of Protectorate, or under any other form, of any part of the territory of which they are composed."[110] This recognition also officially ended the supposed cession or protectorate status with Great Britain that Kamehameha I had negotiated with Vancouver in 1794. Richards and Haʻalilio also received a letter from the Belgian government on March 26, 1844, stating that King Leopold of Belgium recognized the sovereignty of Hawaiʻi.[111]

Richards and Haʻalilio remained in Europe after recognition, seeking new commercial treaties. They were unable to meet again with French Foreign Minister Guizot and subsequently met with Monsieur Èmile Desages, Undersecretary of State for Foreign Affairs, Director of Political Affairs, on January 30. Desages told Richards that he and Haʻalilio should return home as their mission had been achieved. There was no need to wait for a new trade agreement, which he said, was a "small thing." According to Richards, Desages told him that "the very great thing is the independence of the Nation, which has just been acknowledged,—and that now we must be treated as an independent nation—that formerly we were without the pale of international law,—now we are within it. . . . [We] may rest assured . . . that we shall receive the treatment due to an independent state." Desages continued, and though Richards could not speak fluent French, his interpreter translated what Richards could not understand, and Richards recorded bits of quotation and summary of what Desages told him:

> "Formerly Hawaii was little known—now all Europe is looking on;" which being interpreted, I consider to mean, When we sent Laplace there we thought you were a company of man-eaters,—that nobody knew or cared any thing about, but instead of that we find we are dealing with a State capable of providing for the regularity of its relations with foreign powers and "all Europe is looking at us," and we must look out and at least show some semblance of honor, or we shall be disgraced in the eyes of the whole civilized world; so you may go back feeling safe. [112]

In spite of the international recognition enabled by the new state documents, historians critical of both the Declaration of Rights and the 1840 Constitution and laws have argued that these government documents were colonial impositions that did, in fact, reduce the traditional dignity and authority of the *aliʻi*, introduced selfish capitalist attitudes, which were at odds with the traditional values of sharing individual success with the broader community, introduced individual ownership of land that led eventually to the dispossession of Native Hawaiians, allowed the eventual invasion of government by non-Hawaiians, and paved the way for the general

decline of traditional Hawaiian values and social structure.[113] In short, all the things that some of the older *ali'i* and Kamakau's "old people" of Maui had feared.

On the other hand, recent cultural historians, like Kamanamaikalani Beamer have argued that the *ali'i* were agents of historical change, not simply victims. According to Beamer, the governmental changes were shrewd adaptations by the *ali'i* to preserve the Kingdom in a changing world, similar to the argument Kamehameha III used in responding to Kamakau and his "old people." Beamer has written that the "Ali'i were strategic in their adaptations and were active agents in appropriating laws, protocols, and technologies. . . . [T]he Hawaiian Kingdom stood against imperialism and protected the interests of the *ali'i*, natives, and foreign-born subjects loyal to the crown."[114] He has argued further that

> Colonialist interpretations of the Hawaiian Kingdom have generally concluded that law was imposed on ali'i by missionary advisers such as Richards, thus minimizing the role of ali'i in accepting, creating, and legitimizing law. Such interpretations tend to overlook situations when ali'i used their knowledge of law—gained through advisers and experience—to create something new by codifying Hawaiian customary law. . . . [T]he ali'i were selective in their adaptations and were instrumental in the establishment of the Hawaiian Kingdom. The Kānāwai of 1839 are evidence of deliberate decision-making by Hawaiian ali'i, who created a new system of government by modifying existing structures and by negotiating European legal forms. The outcome was neither completely Anglo-American nor "traditionally" Hawaiian. Rather, it was a combination of both.[115]

Reflecting on Richards's impact on Hawaiian history, Kamakau recalled, "The Hawaiian people believed in William Richards (Rikeke), the foreigner who taught the king to change the government of the Hawaiian people to a constitutional monarchy and end that of a supreme ruler, and his views were adopted."[116] Kamakau's evaluation of Richards's teaching is probably still appropriate today, including the ambiguity about the outcome:

> By means of these lessons in political economy with the chiefs he was educating them to confer together as leaders of other governments did, to compare the constitutional form of government with governments which had no constitution, and to see that the constitutional form of government belonged to those governments which were most famous and whose king, chiefs, and people were most advanced. Such governments excelled in knowledge and wealth and represented progress in the search after wealth and trade.
>
> Thus the minds of the chiefs became enlightened. "So this is it! [said they] Here is the way to gain wealth and honor." Perhaps these chiefs were right, perhaps wrong. Should not these children of the chiefs, who had been educated in the schools and

become trained and clever, have been able to guard well the government as in the time of Kamehameha I? Was it a mistake for the king to say, "When the children come out of the Royal School the white leaders may be dismissed"? . . . Some think that the change in the government came about so soon because the king, chiefs, and their favorites were trained in political science only and knew nothing about the land and the daily life of the people and the way the chiefs of old lived. Others think that Mr. Richards was the cause of the government getting into the hands of foreigners. This may or may not be true. Mr. Richards was chosen as their leader to teach the chiefs to understand the ways in which other races of men lived.[117] [punctuation as in original]

History is fraught with ambiguity and unintended consequences. In the midst of swirling and often conflicting personal and cultural interests and motives, it seems clear that in developing the Declaration of Rights and 1840 Constitution, and then using them to secure international recognition for the Kingdom as a sovereign nation, the ABCFM missionaries, and William Richards in particular, at this specific point in time, worked together with Kamehameha III and the leading *ali'i* of the day to secure the sovereignty of the Hawaiian Kingdom. The missionaries were not the only ones to advise and influence the king and chiefs, but as trusted advisors, they were relied on to help frame the spheres of knowledge and experience that were shaping the decisions of the Hawaiian leaders. The map makers and the officers of the Hawaiian ship of state worked together to sail forward into new waters.

NOTES

HMHA/HMCS refers to Hawaiian Mission Houses Archives/Hawaiian Mission Children's Society.

1. Sally Engle Merry, *Colonizing Hawai'i: The Cultural Power of Law* (Princeton: Princeton University Press, 2000), 36.

2. "George Vancouver," *Dictionary of Canadian Biography*, www.biographi.ca/en/bio/vancouver_george_4E.html.

3. George Vancouver, *A Voyage of Discovery to the North Paific Ocean and Round the World; . . . performed in the years 1790, 1791, 1792, 1793, 1794, and 1795, in the Discovery Sloop of War, and Armed Tender Chatham, under the command of Captain George Vancouver*, 3 vols. (London: G. G. and J. Robinson, 1798) vol. 3, 32.

4. Vancouver, *A Voyage of Discovery*, vol. 3, 54; see also 29–32 for further information about Kamehameha's assumed motives.

5. Vancouver, *Voyage of Discovery*, vol. 3, 56.

6. Vancouver, *Voyage of Discovery*, vol. 3, 56.

7. Vancouver, *Voyage of Discovery*, vol. 3, 56.

8. Vancouver, *Voyage of Discovery*, vol. 3, 56–57.

9. George Vancouver, letter [to commanders of vessels visiting the island of Hawai'i], March 2, 1894, FO & EX 1810, Archives of Hawaii; quoted in Rhoda E. A. Hackler, "Alliance or Cession? Missing Letter from Kamehameha I to King George III of England Casts Light on 1794 Agreement," *Hawaiian Journal of History* 20 (1986): 1–22, quote on 5–6.

10. James Jackson Jarves, *History of the Sandwich Islands* (London: Edward Moxon, 1843), 158–161, quote 161; also see Manley Hopkins, *Hawaii: The Past, Present, and Future of its Island-Kingdom* (London: Longmans, Green, and Co., 1866), 133.

11. Jarves, *History of the Sandwich Islands*, 159.

12. Hackler, "Alliance or Cession?" 1–22.

13. Great Britain was enmeshed in constant warfare in this era. At this time, they were embroiled in, among others, the Anglo-Russian War (1807–1812) and the Peninsular War (1807–1814) allied with Spain and Portugal against the French Empire. Due to period trade interests, France and Russia offered a particular threat to Hawai'i. "List of Wars Involving the United Kingdom," https://en.wikipedia.org/wiki/List_of_wars_involving_the_United_Kingdom.

14. Tamaahmaah, letter to King George III of England, March 3, 1810, Royal Archives Windsor Castle, England (RA 14996) by the gracious permission of Her Majesty Queen Elizabeth II; as quoted in Hackler, "Alliance or Cession," 7.

15. Tamaahmaah, letter to King George III of England, March 3, 1810, as quoted in Hackler, "Alliance or Cession," unpaginated photocopy of letter between pages 2 and 3.

16. Kamehameha I to George III, in Alexander Simpson, *The Sandwich Islands: Progress of Events, &c., Since Their Discovery by Captain Cook* (London: Elder, and Co., 1843), 2–3.

17. Walter Francis Frear, "Hawaiian Statute Law," *Thirteenth Annual Report of the Hawaiian Historical Society* (Honolulu: Hawaiian Historical Society, 1906), 15–61, quote on 18.

18. Samuel M. Kamakau, *Ruling Chiefs of Hawaii*, rev. ed. (1961; repr., Honolulu: Kamehameha Schools Press, 1992), 222.

19. Kamakau, *Ruling Chiefs*, 222.

20. Juri Mykkänen, *Inventing Politics: A New Political Anthropology of the Hawaiian Kingdom* (Honolulu: University of Hawai'i Press, 2003), 35.

21. Steven Watts, *The Republic Reborn: War and the Making of Liberal America, 1790–1820* (Baltimore: Johns Hopkins University Press, 1987), 118.

22. Watts, *The Republic Reborn*, 119.

23. Hiram Bingham, Daniel Chamberlain, Samuel Whitney, Samuel Ruggles, and Elisha Loomis, "Joint Letter of the Missionaries to the Corresponding Secretary," July 23, 1820, *Missionary Herald* 17 (1821): 111, https://play.google.com/books/reader?id=icQPAAAAIAAJ&printsec=frontcover&pg=GBS.PA111

24. Manley Hopkins, *Hawaii: The Past, Present, and Future of its Island-Kingdom* (London: Longmans, Green, and Co., 1866), 133.

25. Ralph Kuykendall, *The Hawaiian Kingdom, 1778–1854, Foundation and Transformation* (Honolulu: University of Hawai'i Press, 1957), 104.

26. David Malo, *Hawaiian Antiquities. Mo'olelo Hawai'i*, trans. Nathaniel B. Emerson, 2nd ed. (1903; repr., Honolulu: Bishop Museum, 1997), 60

27. Lucy Thurston, *Life and Times of Mrs. Lucy G. Thurston . . .* (Ann Arbor: S. C. Andrews, 1882), 31–32.

28. Kamakau, *Ruling Chiefs of Hawaii*, 383.

29. Kalanimoku to Hiram Bingham, October 28, 1826, trans. Awaiaulu, *Ali'i* Letters Collection, Hawaiian Mission Houses Digital Archives, HMHA/HMCS.

30. Rossie Moodie Frost, "King Cotton, the Spinning Wheel and Loom in the Sandwich Islands: The Story of a Missionary Spinster, and an Ambitious,Wealthy Hawaiian Chief, and an Island Industry That Never Quite made It," *Hawaiian Journal of History* 5 (1971): 110–24, https://evols.library.manoa.hawaii.edu/bitstream/10524/374/1/JL05122.pdf

31. Kamakau, *Ruling Chiefs of Hawaii*, 255–256.

32. Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 117.

33. Mykkänen, *Inventing Politics*, 49.

34. Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 118; Frear, "Hawaiian Statute Law," 25.

35. Liholiho to Paalua, Mahoe mua, 1824, Hawaii State Archives, trans. by Awalaulu.

36. William Ellis, *Journal of William Ellis: A Narrative of an 1823 Tour through Hawai'i*, first published 1825, repr. (Honolulu: Mutual Publishing, 2004), 461.

37. Hiram Bingham, *A Residence of Twenty-one Years in the Sandwich Islands* (Hartford: Hezekiah Huntington, 1847): 260; Note George Canning was England's Foreign Affairs Secretary and leader in the House of Commons "the most important member of the government," at the time of the Hawaiian Royal visit. Accessed May 10, 2018, "George Canning," *Encyclopedia Brittanica*, https://www.britannica.com/biography/George-Canning.

38. Bingham, *A Residence*, 260.

39. Bingham, *A Residence*, 263–4.

40. Bingham, *A Residence*, 268.

41. Bingham, *A Residence*, 270; for expectations about the visit to England, also see Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 119–120.

42. Levi Chamberlain, Journal, December 4, 1825, typescript, Hawaiian Mission Houses Digital Archives, HMHA/HMCS; Signatures after baptism in Kawaiaha'o Baptism Book, Kawaiaha'o Church, Honolulu.

43. See Levi Chamberlain Journal, December 12, 1825, typescript, Hawaiian Mission Houses Digital Archives, HMHA/HMCS; Kuykendall tells the story in *The Hawaiian Kingdom, 1778–1854*, 123–124.

44. For Miriam Auhea Kekāuluohe's baptism, see Levi Chamberlain, Journal, March 1, 1827, typescript, Hawaiian Mission Houses Digital Archives, HMHA/HMCS; for the baptism of John Papa 'Ī'ī and others, see Levi Chamberlain, Journal, December 9, 1827, typescript, Hawaiian Mission Houses Digital Archives, HMHA/HMCS.

45. Levi Chamberlain, Journal, December 7, 1827, typescript, Hawaiian Mission Houses Digital Archives, HMHA/HMCS.

46. Frear, "Hawaiian Statute Law," 26.

47. Frear, "Hawaiian Statute Law," 27–28; "Although these six laws were thus put in writing, signed by the king and printed, they were really enacted by the king and chiefs and proclaimed orally like other previous laws. It was this way: when the first three of these laws had been decided upon, a general assembly was called, which was attended by the king, regent, chiefs and a great concourse of common people, including some foreigners. This was under a grove of cocoanut trees near the sea. Mr. Bingham had been asked to attend and open the exercises with prayer if he did not fear harm from the hostile foreigners, and had replied that he would do his duty even if they burned him for it. He was given a chair by Gov. Boki, and a little later, when the regent handed him a hymn book, he sung a hymn, offered a prayer and withdrew. The king and regent then each addressed the chiefs and people and foreigners, proclaimed the first three of these laws and called on all to hear and obey them. Notice was also given of other proposed laws, which were not to be put in force until the people had been further educated up to them. After adjournment, the missionaries were requested to print on handbills these three laws and the other three, which apparently had been proclaimed on a previous occasion. . . . It may be noted here that during this period the king and chiefs generally endeavored to have the people instructed in regard to the subject matter of laws before enacting them, and in some instances the laws were at first more in the nature of advice than strict laws. Even as late as 1838, notice was given in advance of proposed laws." Frear, "Hawaiian Statute Law," note 1, 28; also see Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 125.

48. Frear, "Hawaiian Statute Law," 26–27.

49. Frear, "Hawaiian Statute Law," 28–29.

50. Levi Chamberlain, Journal, December 8, 1827, typescript, Hawaiian Mission Houses Digital Archives, HMHA/HMCS.

51. Levi Chamberlain, Journal, December 14, 1827, typescript, Hawaiian Mission Houses Digital Archives, HMHA/HMCS; Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 126.

52. William Richards to Levi Chamberlain, August 21, 1836, Missionary Letters, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

53. Richards to Chamberlain, August 21, 1836, Missionary Letters, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

54. Kauikeaouli to Friends in America, August 23, 1836, transcribed and translated by Awaiaulu, *Ali'i* Letters Collection, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

55. Hiram Bingham to William Richards, November 6, 1836, Missionary Letters Collection, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

56. R. Armstrong to Brother and Sister Chapman, November 8, 1836, Missionary Letters Collection, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

57. *Missionary Herald* 38, 1837: 345–347, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

58. Levi Chamberlain, Journal, August 3, 1837, typescript, Hawaiian Mission Houses Digital Archive, HMHA/HMCS; P. A. Brinsmade was a founding partner of Ladd & Co., which began Hawai'i's first large-scale sugarcane plantation in Kōloa, Kaua'i in 1835. With Mission support and at the request of Kamehameha III, he replaced John Coffin Jones as American Commercial Agent on April 9, 1839; see Kuykendall, *The Hawaiian Kingdom, 1778–1854*, note 54, p. 167. The position of U. S. Consul was not established until July 5, 1844. Prior to that date, the highest U. S. representative in Hawai'i was the Agent for Commerce and Seamen. Brinsmade became an envoy of Kamehameha III and was dispatched in 1843 to assist William Richards and Timoteo Ha'alilio. https://history.state.gov/countries/hawaii.

59. Levi Chamberlain, Journal, August 18, 1837, typescript, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

60. Reuben Tinker, Journal, September 18, 1837, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

61. David Malo to Kaahumanu II (Kinau) and Mataio (Kekuanaoa), August 18, 1837, Archives of Hawaii, FO & EX, as quoted in Kuykendall, *The Hawaiian Kingdom, 1778–1854,* 153.

62. "28th Annual Meeting of ABCFM at first Presbyterian Church in Newark, N.J.," *Missionary Herald* 33, 1837: 472–473.

63. Reuben Tinker, Journal, March 26, 1838, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

64. J. B. Marshall, "An Unpublished Chapter of Hawaiian History," *Harper's New Monthly Magazine* 67. (June to November, 1883): 511-520, quote on 511. Ralph Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 217.

65. Levi Chamberlain, Journal, March 28, 1838, typescript, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

66. Juliette Cook to her brother Harley, June 5, 1838, Missionary Letters Collection, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

67. *The Revised Minutes of the Delegate Meeting of the Sandwich Islands Mission, June 4th to 20th, 1838* (Honolulu: Mission Press, 1839) bound with *Sandwich Islands Mission Meeting Minutes, 1839*, 7.

68. *Revised Minutes of 1838*, 24–26.

69. *Revised Minutes of 1838*, 29.

70. John Papa Ii, *Fragments of Hawaiian History*, trans. Mary Kawena Pukui, edited by Dorothy B. Barrrère, (Honolulu: Bishop Museum Press, 1959), 164.

71. *Revised Minutes of 1838*, 29.

72. Thomas Hopu to Kaukeaouli, May 21, 1838, Interior Department, miscellaneous items, Archives of Hawaii, Box 1, trans. Yuri Mykkänen, as quoted in Yuri Mykkänen, *Inventing Politics: A New Political Anthropology of the Hawaiian Kingdom* (Honolulu: University of Hawaii Press, 2003), 147–148.

73. Kamehameha III to Kinau, June 27, 1838, Foreign Office and Executive (F.O. and Ex.), Series 402, Box 4, Folder 88, Hawai'i State Archives, trans. by Hawaii State Archives.

74. William Richards to Rufus Anderson, ABCFM, August 1, 1838, ABCFM Collection, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

75. William Richards to Rev. Levi Chamberlain, July 10, 1838, William Richards, Letters to Depository, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

76. William Richards, "Report to the Sandwich Islands Mission on His First Year in Government Service, 1838–1839," *Fifty-First Annual Report of the Hawaiian Historical Society for the Year 1942*, Honolulu, September 1943, Hawaiian Historical Society, pp. 66–69.

77. Ralph S. Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 155–156 and 155, note 11.

78. William Richards to Rev. Levi Chamberlain, December 3, 1838, Missionary Letters Collection, Hawaiian Mission Houses Digital Archive, HMHA/HMCS.

79. William Richards to Dwight Baldwin, June 9, 1845, Missionary Letters Collection, Hawaiian Mission Houses Digital Archive, HMHA/HMCS; Ricord arrived in February 1844 while Richards was in Europe with Timoteo Haʻalilio negotiating for the recognition of Hawaiian sovereignty.

80. William Richards, *No Ke Kalaiaina*, (Lahaina: Sandwich Islands Mission Press, nd, but 1839) trans. by Awaiaulu, 58, HMHA/HMCS.

81. Richards, *No Ke Kalaiaina*, trans. by Awaiaulu, 139–140; see Francis Wayland, *The Elements of Political Economy* (New York: Leavitt, Lord & Co., 1837): 114, for a somewhat similar argument.

82. S. M. Kamakau, *Ruling Chiefs of Hawaii*, 342–345. For the Mission perspective, see Hiram Bingham, *A Residence of Twenty-one Years in the Sandwich Islands* (Hartford: Hezekiah Huntington, 1847), 529–530.

83. Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 156.

84. Yuri Mykkänen, *Inventing Politics*, 153.

85. Translator, [could be either William Richards or Gerrit Judd], *Translation of the Constitution and Laws of the Hawaiian Islands, Established in the Reign of Kamehameha III* (Lahainaluna: 1842), 4; see Judd's appointment to the newly created official government position of "Recorder and Interpreter" (Richards was "Chaplain, Teacher and Translator") during the legislative session in 1842: 200; and see David Forbes argument that several extant "presentation copies" bear the handwriting of Gerrit Judd, Forbes, *Hawaiian National Bibliography* 2, 1337, 320.

86. Jeffrey Lyon, "No Ka Baibala Hemolele: The Making of the Hawaiian Bible," *Palapala* 1, 2017: 116–118, 124, 126.

87. "Sandwich Islands, Reports from Hawaii," *Missionary Herald* 45, no. 3, (March 1849): 87, https://play.google.com/books/reader?id=f5MUAAAAYAAJ&printsec=frontcover&pg=GBS.PA87

88. See Marie Alohalani Brown, *Facing the Spears of Change: The Life and Legacy of John Papa ʻIʻī* (Honolulu: University of Hawaiʻi Press, 2016).

89. Robert C. Lydecker, *Roster of Legislatures of Hawaii 1841–1918*, (Honolulu: Hawaiian Gazette Co., Ltd., 1918), 294.

90. Kamakau, *Ruling Chiefs*, 370.

91. *Hawaiian Spectator*, July 1839, as quoted in David W. Forbes, *Hawaiian National Bibliography 1780–1900, vol. 2, 1831–1850* (Honolulu: University of Hawaii Press, 2000), 212–213.

92. Kamakau, *Ruling Chiefs*, 370.

93. Bingham, *A Residence*, 554.

94. Kauikeaouli, Kaʻahumanu, Kaikioʻewa, Hoapili, Nāihe, and Kuakini to the Priests from France, January 8, 1831, trans. by Awaiaulu, *Aliʻi* Letters Collection, Hawaiian Mission Houses Digital Archive, accessed August 10, 2018, https://hmha.missionhouses.org/items/show/2685.

95. P. A. Brinsmade to Kamehameha III, October 26, 1839, *32nd Annual Report of the American Board of Commissioners for Foreign Missions* (Boston, Crocker and Brewster, September 1841), 210, https://play.google.com/books/reader?id=dFbOAAAAMAAJ&hl=en&pg=GBS.RA2-PA211.

96. Kamehameha III to P. A. Brinsmade, October 28, 1839, *32nd Annual Report of the American Board*, 210–211, https://play.google.com/books/reader?id=dFbOAAAAMAAJ&hl=en&pg=GBS.RA2-PA211.

97. Kamehameha III to P. A. Brinsmade, October 28, 1839, *32nd Annual Report of the American Board*, 210–2011, quote on 2011, https://play.google.com/books/reader?id=dFbOAAAAMAAJ&hl=en&pg=GBS.RA2-PA211.98. For this argument, see Mykkänen, *Inventing Politics*.

99. For Edict of Religious Toleration, see Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 163–164, and note 44; *Polynesian* (Honolulu), February 6, 1841, p. 1.

100. David Forbes, *Hawaiian National Bibliography 1780–1900*, vol. 2, 1831–1850, 213.

101. Ralph S. Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 167; Noenoe Silva, *Aloha Betrayed: Hawaiian Resistance to American Colonialism* (Durham & London: Duke University Press, 2004), 37–38, and Jonathan Kay Kamakawiwo'ole Osorio, *Dismembering Lahui: A History of the Hawaiian Nation to 1887* (Honolulu: University of Hawai'i Press: 2002), 26; for an excellent description of the careful construction of the constitution to suit traditional and contemporary Hawaiian needs, see Kamanamaikalani Beamer, *No Mākou Ka Mana: Liberating the Nation* (Honolulu: Kamehameha Publishing, 2014), 122–130.

102. Ralph S. Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 168–169; also see Beamer's description of the measures embodied in the constitution, 127–130.

103. Levi Chamberlain, Journal, June 7, 1839 and August 19, 1939, typescript, Hawaiian Mission Houses Digital Archives, HMHA/HMCS; Hiram Bingham, *A Residence of Twenty-one Years in the Sandwich Islands* (Hartford: Hezekiah Huntington, 1847), 536–539

104. Translator, *Translation of the Constitution and Laws of the Hawaiian Islands*, 1842, 198–199.

105. Osorio, *Dismembering Lahui*, 30–32; Silva, *Aloha Betrayed*, 38–40; Lilikalā Kame'eleihiwa, *Native Land and Foreign Desires. Pehea Lā E Pono Ai?* (Honolulu: Bishop Museum, 2003), 193–195.

106. Kamakau, *Ruling Chiefs*, 400–401.

107. Kamakau, *Ruling Chiefs*, 401–402.

108. Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 195.

109. Quoted in Kuykendall, *The Hawaiian Kingdom, 1778–1854*, 195 and in Bingham, *A Residence of Twenty–one Years*, 588–589.

110. Beamer, *No Mākou ka Mana*, Figure 4.9 and 4.10, 140–141.

111. William Richards, Journal, March 26, 1844, William Richards Collection, M-126, Hawaii State Archives.

112. William Richards, Journal, January 30, 1844, William Richards Collection, M-126, Hawaii State Archives.

113. Osorio, *Dismembering Lahui*, 25–26, 34–35, 88; Silva, *Aloha Betrayed*, 38–42; Kame'eleihiwa, *Native Land and Foreign Desires*, 174–178.

114. Beamer, *Liberating the Nation*, 15.

115. Beamer, *Liberating the Nation*, 122–123.

116. Kamakau, *Ruling Chiefs*, 377.

117. Kamakau, *Ruling Chiefs*, 342–344.

Portions of this essay were previously published on Hawaiian Mission Houses Historic Site and Archives's website as Thomas A. Woods, "The Purpose and Origins of *No Ke Kalaiaina* and William Richards's Seminar for the Ali'i, Leading to Hawai'i's 1839 Bill of Rights and 1840 Constitution," https://hmha.missionhouses.org/files/original/0a53d02c0e8e98466a8f82fb4c28b0d5.pdf.

WORKS CITED

Ali'i Letters Collection. Manuscripts. Translations by Awaiaulu. Hawaiian Mission Houses Digital Archive. HMHA/HMCS, Honolulu.

Beamer, Kamanamaikalani. *No Mākou Ka Mana: Liberating the Nation*. Honolulu: Kamehameha Publishing, 2014.

Bingham, Hiram. *A Residence of Twenty-one Years in the Sandwich Islands*. Hartford: Hezekiah Huntington, 1847. https://play.google.com/books/reader?id=wT4XAAAAYAAJ&pg=GBS.PP1.

Hiram Bingham, Daniel Chamberlain, Samuel Whitney, Samuel Ruggles, and Elisha Loomis. Joint Letter of the Missionaries to the Corresponding Secretary. July 23, 1820. *Missionary Herald* 17 (1821): 111. https://play.google.com/books/reader?id=icQPAAAAIAAJ&printsec=frontcover&pg=GBS.PA111

Brinsmade, P. A. to Kamehameha III. October 26, 1839. In *32nd Annual Report of the American Board of Commissioners for Foreign Missions*. 210. Boston: Crocker and Brewster, September, 1841. https://play.google.com/books/reader?id=dFbOAAAAMAAJ&hl=en&pg=GBS.RA2-PA211.

Brown, Marie Alohalani. *Facing the Spears of Change: The Life and Legacy of John Papa 'Ī'ī*. Honolulu: University of Hawai'i Press, 2016.

Chamberlain, Levi. Journal. Vol. 1–Vol. 26, November 11, 1822–January 1, 1849. Typescript. Hawaiian Mission Houses Digital Archive. HMHA/HMCS, Honolulu.

Ellis, William. *Journal of William Ellis: A Narrative of an 1823 Tour through Hawai'i*. First published as *A Journal of a Tour around Hawaii, the Largest of the Sandwich Islands*, 1825. Reprinted in Hawaii by Hawaiian Gazette Co., Honolulu, 1827. Reprinted Honolulu: Mutual Publishing, 2004.

Foreign Office and Executive (F.O. and Ex.) Collection. Series 402. Hawai'i State Archives, Honolulu.

Forbes, David W. *Hawaiian National Bibliography 1780–1900, vol. 2, 1831–1850*. Honolulu: University of Hawaii Press, 2000.

Frear, Walter Francis. "Hawaiian Statute Law," *Thirteenth Annual Report of the Hawaiian Historical Society*. Honolulu: Hawaiian Historical Society (1906): 15–61.

Frost, Rossie Moodie. "King Cotton, the Spinning Wheel and Loom in the Sandwich Islands: The Story of a Missionary Spinster, and an Ambitious, Wealthy Hawaiian Chief, and an Island Industry That Never Quite made It," *Hawaiian Journal of History* 5 (1971): 110–24. https://evols.library.manoa.hawaii.edu/bitstream/10524/374/1/JL05122.pdf

"George Canning." *Encyclopedia Brittanica*. https://www.britannica.com/biography/George-Canning.

"George Vancouver," *Dictionary of Canadian Biography*. www.biographi.ca/en/bio/vancouver_george_4E.html.

Hackler, Rhoda E. A. "Alliance or Cession? Missing Letter from Kamehameha I to King George III of England Casts Light on 1794 Agreement." *Hawaiian Journal of History* 20 (1986): 1–22.

Hopkins, Manley. Hawaii: *The Past, Present, and Future of its Island-Kingdom*. London: Longmans, Green, and Co., 1866.

Ii, John Papa. *Fragments of Hawaiian History, As Recorded by John Papa Ii*. Translated by Mary Kawena Pukui. Edited by Dorothy B. Barrrère. 1959. Revised edition. Honolulu: Bishop Museum Press, 1993.

Interior Department. Miscellaneous items. Archives of Hawaii, Honolulu.

Jarves, James Jackson. *History of the Sandwich Islands*. London: Edward Moxon, 1843.

Kamakau, Samuel M. *Ruling Chiefs of Hawaii*. Revised edition 1961. Reprinted Honolulu: Kamehameha Schools Press, 1992.

Kame'eleihiwa, Lilikalā, *Native Land and Foreign Desires. Pehea Lā E Pono Ai?* 1992. Reprinted Honolulu: Bishop Museum, 2003.

Kamehameha III to P. A. Brinsmade. October 28, 1839. In *32nd Annual Report of the American Board*. 210–211. Boston: Crocker and Brewster. September, 1841. https://play.google.com/books/reader?id=dFbOAAAAMAAJ&hl=en&pg=GBS.RA2-PA211.

Kawaiaha'o Baptism Book. Kawaiaha'o Church, Honolulu.

Kuykendall, Ralph. *The Hawaiian Kingdom, 1778–1854, Foundation and Transformation*. Honolulu: University of Hawai'i Press, 1957.

Liholiho to Paalua. *Mahoe mua*. 1824. Translated by Awaiaulu. Hawaii State Archives, Honolulu.

"List of Wars Involving the United Kingdom." https://en.wikipedia.org/wiki/List_of_wars_involving_the_United_Kingdom.

Lydecker, Robert C. *Roster of Legislatures of Hawaii 1841–1918*. Honolulu: Hawaiian Gazette Co., Ltd., 1918.

Lyon, Jeffrey. "No Ka Baibala Hemolele: The Making of the Hawaiian Bible," *Palapala* 1, (2017): 113–151.

Malo, David. *Hawaiian Antiquities. Mo'olelo Hawai'i*. Translated by Nathaniel B. Emerson, 1903. 2nd ed. Reprint, Honolulu: Bishop Museum, 1997.

Marshall, J. B. "An Unpublished Chapter of Hawaiian History," *Harper's New Monthly Magazine* 67 (June to November, 1883): 511–520.

Merry, Sally Engle. *Colonizing Hawai'i: The Cultural Power of Law*. Princeton: Princeton University Press, 2000.

Missionary Herald 33, 1837. Hawaiian Mission Houses Digital Archive. HMHA/HMCS, Honolulu.

Missionary Herald 38, 1837. Hawaiian Mission Houses Digital Archive. HMHA/HMCS, Honolulu.

Missionary Herald 45, 1849. Hawaiian Mission Houses Digital Archive. HMHA/HMCS, Honolulu.

Missionary Letters Collection. Typescript and manuscript. Hawaiian Mission Houses Digital Archive. HMHA/HMCS, Honolulu.

Mykkänen, Juri. *Inventing Politics: A New Political Anthropology of the Hawaiian Kingdom*. Honolulu: University of Hawai'i Press, 2003.

Osorio, Jonathan Kay Kamakawiwo'ole. *Dismembering Lahui: A History of the Hawaiian Nation to 1887*. Honolulu: University of Hawai'i Press, 2002.

Polynesian (Honolulu). February 6, 184.

Richards, William. Journal. 1842–1844. William Richards Collection, M-126. Hawaii State Archives, Honolulu.

Richards, William. *No Ke Kalaiaina*. Lahaina: Sandwich Islands Mission Press, nd, but 1839. Translated by Awaiaulu, 2017. https://hmha.missionhouses.org/items/show/12204.

Richards, William. "Report to the Sandwich Islands Mission on His First Year in Government Service, 1838–1839." *Fifty-First Annual Report of the Hawaiian Historical Society for the Year 1942*. Hawaiian Historical Society. (September 1943): 65–70. https://evols.library.manoa.hawaii.edu/bitstream/10524/90/2/AR51.pdf

Revised Minutes of the Delegate Meeting of the Sandwich Islands Mission, June 4th to 20th, 1838. Honolulu: Mission Press, 1839. Bound with Sandwich Islands Mission Meeting Minutes, 1839.

Silva, Noenoe. *Aloha Betrayed: Hawaiian Resistance to American Colonialism*. Durham & London: Duke University Press, 2004.

Simpson, Alexander. *The Sandwich Islands: Progress of Events, &c., Since Their Discovery by Captain Cook*. London: Elder, and Co., 1843.

Thurston, Lucy. *Life and Times of Mrs. Lucy G. Thurston: Wife of Rev. Asa Thurston, Pioneer Missionary to the Sandwich Islands, Gathered from Letters and Journals of Extending Over a Period of More Than Fifty Years*. Ann Arbor: S. C. Andrews, 1882.

Tinker, Reuben. Journal. March 26, 1838. Hawaiian Mission Houses Digital Archive, HMHA/HMCS, Honolulu.

Translator, *Translation of the Constitution and Laws of the Hawaiian Islands, Established in the Reign of Kamehameha III*. Lahainaluna: Mission Press, 1842.

Vancouver, George. *A Voyage of Discovery to the North Pacific Ocean and Round the World; . . . performed in the years 1790, 1791, 1792, 1793, 1794, and 1795, in the Discovery Sloop of War, and Armed Tender Chatham, under the command of Captain George Vancouver*, vol. 3. London: G. G. and J. Robinson, 1798.

Watts, Steven. *The Republic Reborn: War and the Making of Liberal America, 1790–1820*. Baltimore: Johns Hopkins University Press, 1987.

Wayland, Francis. *The Elements of Political Economy*. New York: Leavitt, Lord & Co., 1837.

Wayland, Francis. *The Elements of Moral Science*. New York: Cooke and Co., 1835.