



# Native Hawaiian Law - A Treatise, Chapter 1: Historical Background

*Melody Kapilialoha MacKenzie*

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## **Native Hawaiian Law - A Treatise, Chapter 1: Historical Background** Melody Kapilialoha MacKenzie

This opening chapter of *Native Hawaiian Law: A Treatise* provides a brief introduction to the history of Hawai‘i from its origins to the present day. It covers the major changes brought about by Western contact with the islands, paying particular attention to the drastic consequences that resulted from the destruction of Hawai‘i’s traditional land tenure system following the M<sup>o</sup>hele of 1848.

The chapter then discusses the illegal overthrow of the monarchy and traces important events that occurred during Hawai‘i’s periods of colonization and subsequent statehood. It summarizes the main effects of these events on Native Hawaiians, especially from a legal standpoint.

Central to this chapter is a concern for the legal status of the Native Hawaiian people, both domestically and internationally. Such status is perceived as closely connected with the objective of restoring and preserving indigenous land and culture. The chapter thus explores the issue of Native Hawaiian self-determination, outlining both the extent to which it has already been achieved and the means by which it may be furthered in the future.

“Historical Background” is Chapter 1 of *Native Hawaiian Law: A Treatise*, a volume that updates and expands on the seminal work of the 1991 *Native Hawaiian Rights Handbook*. The publication is a collaborative effort of the Native Hawaiian Legal Corporation, Ka Huli Ao Center for Excellence in Native Hawaiian Law at the William S. Richardson School of Law – University of Hawai‘i at M<sup>o</sup>noa, and Kamehameha Publishing.

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