

THE "GREAT MAHELE," AN ACT OF GENOCIDE

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By 1830, the sandalwood traders' great greed for profits had destroyed the sandalwood forests of the Hawaiian Islands.

Between 1824 and 1844, 52 man-of-war ships, including American gunboats, came to the Hawaiian Islands threatening to take over the Islands, if the chiefs did not pay the foreign merchants and trading ship captains all the sandalwood they claimed was still owed them.

In this crisis, the American missionaries not only acted as advisors to the Hawaiian king and chiefs, they also became the architects of the new western-style Hawaiian Government that they promoted. They led the Kanaka Maoli (Hawaiian people) into a trap from which they have never escaped. As the design for the new government became more complicated, the greater became the dependency of the Hawaiian king and chiefs on the American missionaries. The American missionaries took full advantage of the chance to work themselves and their friends into prominent leadership roles within the Hawaiian government, and there they remained.

Among the many crimes committed by foreigners in Hawai'i, perhaps the greatest was the so-called "Great Mahele" (division of land) promoted by the American missionaries to alienate the land from the Hawaiian people. To hide their real purpose it was described by them as "an act of great generosity" by the Hawaiian King, who "gave his land to his people."

The plan, as carried out by the American missionaries, was a land registration scheme designed to provide the means for transferring control and/or ownership of Kanaka Maoli lands into the hands of the foreigners as quickly as possible.

By a series of quit claims the king and 251 high chiefs divided all the land in the Islands among themselves as their private property, exempting only the claims of the Kanaka Maoli *ho'aina*, the tenants on the land. This is also referred to as the Mahele of 1848. The quit claims are recorded in the Mahele Book.

The king divided the land he had set aside in the Mahele Book into two groups: his own private land and the Government land.

Thus, the land was divided into the following categories:

- a. The King's private lands: approximately 1,000,000 acres.
- b. 251 chiefs' private lands: approximately 1,600,000 acres.
- c. The Hawaiian Government's lands: approximately 1,500,000 acres.

The Kanaka Maoli *ho'aina* (Hawaiian farmers) were allowed only from February 1846 to February 14, 1848, to register their claims.

Nothing was done about awarding land to the Kanaka Maoli *ho'aina* claimants until two and a half years after the deadline. During that time many Hawaiians died of foreign diseases, many were dispossessed from their traditional land as foreigners took over large parcels from the chiefs in payment of former debts and evicted the Kanaka Maoli *ho'aina*.

In August 1850 the Kuleana Act was passed which was supposed to facilitate land awards to the Kanaka Maoli farmers (adult males). A claimant had to have two witnesses confirm his claim; he could be awarded only the land that he cultivated to feed himself and his family; if he cultivated additional land, the products of which he took to market, that land would not be awarded; any land on which the farmer cultivated a crop intended for the landlord, would be awarded to the landlord; the farmer's houselot was limited to one-quarter of an acre; he could not be awarded any *kula* land (grazing land); *kula* lands were awarded to the *konohiki*

(chiefs), owners of the large land parcels in which the farmers' small parcels were located.

Only about 14,295 claims were registered before the deadline. Of these, 4,287 claims have been identified as "Not Awarded." No reasons are given. Another 808 are labelled as not having been awarded under that number, but another number: "See Award No. xxxx." No explanation is given. Approximately 200 Mahele Chiefs received numbered awards in this system, and about 400 lesser chiefs, who didn't participate in the Mahele Book of 1848, received large awards of land, much more than was awarded to the commoner farmer. Approximately 200 individuals received land under two award numbers, and approximately 200 awards were made to foreigners, including American missionaries and American traders and merchants. Some, who had been in the service of the King, or the Government, received very large parcels of land.

The 1849 population included approximately 31,500 adult males. By our estimate only about 8,300 awards were made to Kanaka Maoli *ho'aina*, and they received less than 28,600 acres. Only about 26% of the adult male, Kanaka Maoli, farmer population received a parcel of land on which to feed their wives and families. All the rest of the farmers, some 74% of the adult male, Kanaka Maoli, population and their dependents, were left without land to cultivate, without a means to feed themselves.

Without deeds, many Kanaka Maoli farmers were forced from their traditional lands by the sugar cane plantations, ranchers, or other foreigners' enterprises. A "Vagrancy Law" passed in 1850, permitted the government to incarcerate Kanaka Maoli who had no visible means of livelihood. They were put in work gangs and forced to build roads, or they were even farm out to work for the sugar plantations for a year at a time.

Those "lucky" enough to have been awarded a small parcel of land discovered that new laws forced them to pay taxes on their land. Having been effectively denied access to the market economy by restrictions on the cultivated land awarded to farmers, they were without any means of getting money. Many had to leave their farm land, migrate to port cities to find work in order to get enough money to pay the taxes on their land. Some of them had their lands seized and sold for unpaid taxes. In this way many foreign owned plantations ended up owning *kuleana* lands that had been originally awarded to Kanaka Maoli farmers.

If a Kanaka Maoli farmer left his land to find work to pay the taxes on his land, and did indeed pay them, he was often far away and unable to live on his land. The plantation in his neighborhood might plow his land under and plant sugar cane on it. In 10 years, the adverse possession law (legalized theft) allowed the plantation, or ranch, to claim the land, and the true owner and tax payer, unaware of what was happening, lost his land.

Thus, as a result of the work of the American missionaries, their decendants, business partners and friends, the Hawaiians were, for all practical purposes, completely dispossessed of their land, the land they traditionally relied upon to feed themselves and their families. The Kanaka Maoli population of the Islands dropped drastically during the 19th century. Much of that drop can be laid to the fact of the land being alienated from the people. The whole scheme was an act of genocide planned and carried out by American missionaries, their descendents and business associates, including the sugar plantation owners and managers. The Kanaka Maoli were the victims.

As a result of the Mahele of 1848, the Kuleana Act of 1850, and subsequent laws having to do with taxes, vagrancy and other similar

devisive instruments of land ownership in the Islands today is in the hands of approximately 85 major private landowners, each owning a thousand acres or more, and they own over 46% of all the land in the Islands. The State of Hawai'i and the U.S. Federal Government own over 48% of the land, leaving about 5% for all the rest of the population. Those with large landholdings have great economic, political, and social power over the rest of the population.

Very few Kanaka Maoli own any land at all, and those who do, live in fear that it will be taken away from them by the big landowners. Adverse possession is still going on today. Kanaka Maoli still suffer from the affects of the "Great Mahele."