

REGULATING HAWAIIAN SEXUALITIES: CHALLENGING COLONIAL IMPOSITION TO RECLAIM AUTONOMY

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This essay examines the enduring impacts of colonialism on Hawaiian sexuality, relationships, and societal norms. For centuries, Kānaka Maoli have cultivated diverse and culturally specific intimate practices—including, but not equivalent to, what is now referred to as same-sex relationships, non-monogamy, and fluid gender expressions—free from the heteronormative and monogamous paradigms imposed by Christian missionaries and colonial rule. Focusing on three historical aspects that have substantially shaped Kanaka Maoli pilina—the Kingdom-era “sex laws,” colonial narratives of Hawaiian women in relation to prostitution, and the regulation of modern LGBTQM identities before and during the AIDS crisis and marriage equality movements—this essay explores how western legal and cultural frameworks constrained Hawaiian self-determination in defining relationships and desires. It argues that colonial impositions—and the internalization of these norms—have limited Kanaka imaginations and our ability to (1) reclaim ancestral forms of gender and sexual expression and

(2) create space for interrogating all transformations of sexuality. Through this analysis, the essay calls for a reexamination of Hawaiian history and culture to challenge colonial legacies and envision a collective lāhui future not defined by western or colonial regulation.

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The discrete analytical categories of “homosexuality,” and more fundamentally “sexuality” itself, are a colonial imposition which only address the realities of a small part of the spectrum of Pacific people who have sexual and love relationships with members of their own sex. It also mistakenly thrusts those who transgress strict Western gender boundaries, but not sexual boundaries into this narrow conception of sexuality. (Hall & Kauanui, 1994, p. 76)

In 1994, Lisa Kealohapaʻaokahaleole Hall and J. Kēhaulani Kauanui, in their path-breaking essay, “Same-Sex Sexuality in Pacific Literature,” astutely describe how colonial imposition barely begins to grasp the realities of Pacific peoples, who have long engaged in a diverse range of relationships, notably those between individuals of the same sex. I ruminate on their words—thirty years later—because of the crucial insistence in their argument: It is not just LGBTQM¹ relationships but “sexuality itself” that is a western construct. This understanding is often taken for granted in modern conceptions of Hawaiian sexuality. Hall and Kauanui challenge us to recognize the deeper layers of colonization that we have internalized, urging us to rethink sexuality beyond the colonial confines we have come to accept as normative.

Discussions of “sexuality” in Hawaiʻi and Hawaiian communities often signal a discussion of LGBTQM issues, inadvertently reinforcing a default heterosexuality—despite heterosexuality never being the supreme norm in Hawaiʻi. Yet we continue to accept the idea that LGBTQM expressions are marginal, niche, and secondary within the lāhui. Fortunately, many in the lāhui now widely acknowledge that colonialism reshaped Hawaiian relationships, yet there is still much work to be done.

Before European contact, Kānaka Maoli possessed and practiced a comprehensive cultural understanding of relationships, guided by both spiritual and physical connections to their environment. Intimate relationships were often structured according to political rank and status, with strict procreation rules for high-ranking individuals. Love and romance, as understood today, existed along a spectrum that included long-term partnerships and intimate, platonic friendships, with monogamy being one of many normalized options for practicing pilina. Kānaka Maoli did not have as many stigmas or hard lines around intimate relationships

as we do today. And while English translations of Kanaka ‘Ōiwi epistemology remain inadequate, we can confidently assert that before the arrival of foreigners, Kānaka Maoli engaged—and continue to engage—in a range of intimate relationships outside of the heteromonogamous norms imposed by Christian missionaries since the 1820s. Numerous accounts in the *nūpepa* (Hawaiian-language newspapers) affirm this. Alongside Hall and Kauanui, scholars such as Lilikalā Kame‘eleihiwa, Noenoe Silva, Kalani‘ōpua Young, and Jamaica Heolimeleikalani Osorio, among many other wāhine, have documented Hawaiian traditions related to non-heteronormative sexual practices and gender fluidity that can be traced back to antiquity (Kame‘eleihiwa, 1992; Silva, 2007; Young, 2019; Osorio, 2021).

Our *mo‘olelo* frequently describe (1) intimate relationships between lovers without reference to gender, (2) plants and animals that change gender and/or reproduce independently, and (3) partnerships beyond heteromonogamy. Perhaps most famously, the epic tale of Hi‘iakaikapoliopole and other *mo‘olelo* related to the Pele clan, recount the many lovers Pele engages with throughout her journeys (Silva, 2007; ho‘omanawanui, 2014; Osorio, 2021). Additionally, *akua* and *ali‘i* were known to have numerous *aikāne*—companions, friends, lovers of the same sex. Notably, Kauikeaouli (Kamehameha III) formally bestowed his *aikāne*, Kaomi, with the royal title of “*moi ku‘i*” (*mō‘ī ku‘i*) or co-ruler (Kamakau, 1961, p. 335; Kauanui, 2018, p. 167; Kame‘eleihiwa, 1992). These relationships and expressions predate—and will outlast—the state, which is why they remain such powerful sources of identity for Kānaka Maoli today.

Before colonization, sexual relations in Hawai‘i between people of all genders were permissible among the *maka‘āinana*, encompassing an array of sexual practices and coupling arrangements. What is understood today as polyamory, bigamy, same-sex partnering, and other forms of intimacy existed within—but were not equivalent to—distinct cultural frameworks, including *aikāne*, *punalua*, *po‘olua*, and more (Kauanui, 2018). The term “*māhū*” was understood as a mixture of *kū* (masculine) and *hina* (feminine) energies (Wong-Kalu et al., 2022). While today it is sometimes used to describe transgender identities, it has also been broadly used as a gloss for non-heterosexual identities—or behaviors.

As this special issue demonstrates, there is significant interest in creating space for this dialogue. Through continued research and sharing diverse perspectives on this topic, we will expand our collective understanding as a *lāhui*. But let’s be clear: These identities and practices are not the same as lesbian, gay, transgender,

bisexual, or any other “western” terms used today. While we may draw inspiration from western queer history and see connections with Hawaiian history, the contexts are not the same. Our current understanding needs nuance; I want us to want more, and it is my hope that this essay fleshes out some of the complexities and barriers within our lāhui regarding our understanding of the history of Hawaiian sexuality. I am especially interested in examining how sexuality and relationships were regulated through laws, the consequences these regulations had on our kūpuna, and how these impacts continue to resonate with us. Studying regulation helps me consider how certain relations became normalized, thereby limiting our imaginations and desires for relationships—with one another, within the larger lāhui, and with the beautiful environment we are privileged to inhabit.

In this essay, I investigate how western laws regulated Hawaiian relationality and how the legacy of those laws, along with their underlying logics, continue to influence the behaviors and relationships Kānaka choose to enact. I focus on several historical moments and ideas to spark a conversation about the enduring legacies of colonialism in our relationships and how these legacies shape our visions for the future. Broadly stated, it is because of colonial imposition—and our internalization of colonial perspectives—that we have been unable to fully exercise our autonomy. This is not a judgement; this is just a fact, and we all do it. My goal is for this essay to serve as a space for reflection on our past and what we want for our future.

One arena of focus in my examination is the rise of “sex laws” during the Kingdom era, particularly under the umbrella term “moe kolohe,” and the legal ramifications of this new order amid mass depopulation and land loss among Kānaka. Secondly, I explore how early perceptions of Hawaiian women became intertwined with histories of prostitution and how this, in turn, fed and normalized colonialism, militarism, and later, tourism. I argue that these representations have constrained Hawaiians from articulating their own sexual desires due to enduring narratives that figure Hawaiians and Hawai‘i as available and “there for the taking,” as Haunani-Kay Trask (1999, p. 144) has taught us. Finally, I look at the emergence of the modern LGBTQM movement in Hawai‘i, the policing of such identities, the AIDS crisis, and later movements for marriage equality—all of which have shaped and, at times, constrained Kānaka in revitalizing and defining our desires for sexual and gender freedom on our own terms. By exploring these overlapping moments and ideas, I illuminate how we have internalized external norms around sexual behavior, gender, and identity within the lāhui.

I return to Hall and Kauanui's (1994) quote to emphasize that my concern is not solely about LGBTQM people; rather, I am addressing the broader, long-standing regulation of sexual behaviors and relationships that has affected everyone—especially our kūpuna. It is simplistic to assume that changes in laws regarding sexuality impact only LGBTQM people, as this assumption is rooted in a rigid gay/straight binary—one that is itself a colonial construct. Because these laws have shaped us as a lāhui, I expand my focus beyond LGBTQM-identified individuals to examine the regulation of sexual practices and desires as a whole and how these regulations are linked to broader colonial processes that we, as a lāhui, continue to internalize.

WHAT IS SEXUALITY?

“Sexuality,” as it relates to behavior or identity, is a relatively modern concept. It serves as a broad catch-all term that encompasses a diverse history and a range of behaviors that did not exist as a distinct idea—let alone a “science”—until the mid-nineteenth century. During this period, Euro-American cultures obsessed over sex and sexual behavior, developing it as an area of scientific study. As Michel Foucault (1978) theorized, the classification and regulation of sexual acts were part of larger cultural desire to understand the self while simultaneously controlling society. In any society, sexual behavior is regulated by those in power through laws, social norms, and cultural expectations. Globally, perspectives on sexuality are influenced by power dynamics, intertwining sex, gender, culture, and a whole host of social issues, where laws and norms continuously and interdependently evolve through challenge and revision. The spread of colonialism and Christianity across the globe transformed cultural attitudes toward sexuality, where a desire to control “the other” was often driven by racial and religious ideologies that prioritized western norms above all else.

The historical representation of the Pacific Islands laid the foundation for the ongoing sexualization of Hawaiian culture. Colonial, exotifying imaginings of the Pacific can be traced back to classicist ideas about gender, sexuality, and nature (O'Brien, 2006). The Pacific—and by extension, its women—was represented as young, feminine, desirable, and vulnerable (Manderson & Jolly, 1997). Early foreigners documented Kanaka behaviors in journals, letters, and stories

that circulated throughout the literate European world, shaping perceptions of “Hawaiian sexuality.” These accounts framed Hawaiian sexual norms as simultaneously innate, potentially malleable, and, eventually, pathological.

Armed with Judeo-Christian ideologies, missionaries endeavored to restructure Hawaiian society according to Christian morality. When sailors and missionaries arrived, they encountered Kānaka Maoli who did not conceptualize sexual activity in the same way they did. The very idea of “Hawaiian sexuality” can be traced to these early colonial encounters. Prior to this, Kānaka surely engaged in sex, but it was then classified under a singular, foreign framework akin to what we now call “sexuality.” Colonialism imposed external norms onto our kūpuna, shaping ideas about sex that previously did not exist in the Kanaka Maoli universe. In ʻōlelo Hawaiʻi, there is no documented word for “sexuality.” So, when we look to our kūpuna and categorize them as queer (or straight), we impose contemporary frameworks onto a past that operated under different cultural logics. Searching the past for affirmation of present identities says far more about our current desires than it does about our kūpuna and the relationships they engaged in.

THE REGULATION OF SEXUAL BEHAVIOR I KA WĀ KAHIKO

Within the first fifty years of foreign contact, Hawaiʻi underwent profound political and legal upheaval that uprooted the Hawaiian world. First and foremost, hundreds of thousands of Hawaiians died due to diseases—not all of which were venereal—introduced by foreigners in the late eighteenth century (Stannard, 1989; Bushnell, 1993; Archer, 2018). This catastrophic decline gave rise to crippling fears about Kanaka mortality in the nineteenth century. While estimates of the Hawaiian population at the time of contact range from 300,000 to 900,000, what is indisputable is that hundreds of thousands of Kānaka died within the first half-century of sustained foreign presence. Recent studies estimate that by 1800, the population had declined by 47.5%, surging to a staggering 83.8% by 1840 (Swanson, 2019).

Secondly, the arrival of Christian missionaries in 1820 coincided with this population collapse—and a shifting spiritual landscape—enabling them to exert significant religious and political influence. Missionaries dramatically transformed Hawaiian belief systems, demonizing and criminalizing many existing cultural

practices. Between 1820 and 1840, the increasing foreign presence—comprising sailors, merchants, missionaries—greatly impacted the *kānāwai*, the emerging legal framework of the Kingdom. The first recorded laws, enacted in 1822, were aimed at regulating the behavior of sailors, who were notorious for their drunkenness, illicit relationships with Native women, open defiance of *aliʻi*, and the spread of disease.

For *aliʻi*, balancing foreign interests while protecting the *ʻāina* and its *lāhui* was a complex and urgent task. Missionaries eagerly converted *Kānaka Maoli*, particularly the *aliʻi*, framing Christianity as the path to both salvation and civilization. Given the devastation wrought by foreign-introduced diseases, this message became particularly salient. While many historical accounts emphasize missionary influence, Noelani Arista (2018) reminds us that *aliʻi* were not simply acquiescing to missionary pressure; rather, they were navigating a rapidly changing world and making strategic decisions in response to unfolding crises. The creation of new laws was not solely the result of missionary persuasion but also a response to the stark realities *aliʻi* faced. Despite ongoing conflicts (internal and external), *aliʻi* maintained sophisticated governance across the islands, collaborating to implement laws they believed would best serve the *lāhui* amid a period of catastrophic population decline and increasing foreign intrusion.

Kuhina Nui Kaʻahumanu, one of the earliest converts to Christianity, famously decreed an oral penal code in 1825 that forbade murder, fornication, prostitution, drunkenness, theft, and labor during the Sabbath. This met opposition from foreigners, particularly sailors, who openly defied the restrictions—especially those prohibiting women from boarding their ships. In 1827, Kamehameha III, *Kauikeaouli*, formally outlawed “*hoʻokamakama*” (prostitution), though many accounts suggest enforcement was difficult. Additionally, Kaʻahumanu mandated that adults engaged in sexual relations must be considered “married,” a label that included adults who had been cohabitating, even if not formally wed by a priest. Though many *Kānaka* married at this time, they were often unaware of the implications for non-heteromonogamous behaviors they long practiced—such as what the missionaries classified as “adultery.” This likely explains why marriage laws required revisions in 1847, 1850, and 1886, as the newly imposed Christian ideal of lifelong monogamy—as a religious and civil requirement—was foreign to Hawaiians.

According to Sally Engle Merry (2000) in *Colonizing Hawai'i*, these laws closely mirrored those of New England, particularly Massachusetts, from where the missionaries came. In 1845, the Kingdom's marriage laws rendered Hawaiian women civilly dead, meaning that they and their assets became the legal property of their husbands. Women were also barred from appearing in court or conducting business without spousal permission (*Statute Laws*, 1846). This starkly contrasted with the relative freedom and power Hawaiian women exercised before missionary influence. Further restrictions followed, constricting women's agency: Women lost the right to vote in 1850 and were required to adopt their husbands' surnames in 1860—though many ali'i wāhine continued to use their own names.

Additional laws regulated divorce, adultery, and fornication, the third defined as any sexual conduct outside of marriage. Fornication specifically carried penalties of \$10–20 in fines or 2.5–5 months of hard labor. These laws reflect the missionaries' goal of placing all sexual activity within the marriage contract as the foundation of a “moral” society—criminalizing anything outside of it. A particularly vague, all-inclusive clause (section 15 of the 1841 law) stated that “if any other species of lewdness be committed, such as is not mentioned in this law, the judge shall consider it well, according to the best of his knowledge” (*Translation of the Constitution*, 1934, p. 150). This “other species” likely included acts not explicitly named, such as same-sex relations. Sodomy was later criminalized in 1850, carrying a penalty of a \$1,000 fine or up to 20 years of hard labor—a law that remained in effect well into the twentieth century.

NO KA MOE KOLOHE

Moe kolohe sounds pretty fun, but it got a lot of Kānaka in trouble. A proclamation titled “No Ka Moe Kolohe” first appeared in 1829, signed and enacted on O'ahu by Kauikeaouli in a document outlining the expected behaviors of married persons and the consequences of engaging in sexual relationships outside of a marriage union. Broadly defined as licentious behaviors such as adultery or fornication, “moe kolohe” operated as a catch-all term—created by missionaries—because 'ōlelo Hawai'i was so specific that Kānaka allegedly continued to engage in many

different acts to circumvent rules around sexual behavior. Further, ‘ōlelo Hawai‘i has such varied terminology around sexual practices that there were too many behaviors to codify.²

Moe kolohe operated on haole definitions and served to redefine marriage and family through law in Hawai‘i. Fines were attached to moe kolohe, sometimes involving hogs or dollars paid to the aggrieved party, as well as to the governor, who took out a portion for the ali‘i. Most imperative in Kauikeaouli’s early decree is the warning that if this offense occurred a fourth time, the ali‘i could take away the offender’s land: “aia no i ko ke alii manao ka hemo o ka aina.” The proclamation further noted that fines increased with each subsequent offense, and that those unable to pay would be sent to jail (“No ka Moe Kolohe,” 1829). By the mid-nineteenth century, Kānaka Maoli were overrepresented in adultery and fornication cases (Merry, 2000). Thus, at the same time land tenure was undergoing dramatic transformation, so too were sexual mores. The loss of land became entangled with the emergence of a penal code, and later, with the 1848 passage of the Great Māhele. Together, these two massive shifts restructured land, power, and relationality in Hawai‘i—removing all three from Hawaiian hands.

Moe kolohe appears in the nūpepa as early as 1834 in *Ka Lama Hawaii*, the Lahainaluna school nūpepa run by missionaries. Early entries discuss moe kolohe as a grave hewa (wrong), worse than smoking tobacco, and liken it to other condemned acts such as “inu rama” (drinking rum) and “aihue” (theft)—sins punishable by death (“No Kekahi Hana Kahiko,” 1834, p. 3; “No na Mea Hana,” 1834, p. 4). As Silva and Badis (2008) discuss in their analysis of *Ka Lama Hawaii*, many of the entries were biblical in nature, some written by students, reflecting a world undergoing profound change as new ideas of sin and vice reshaped the Hawaiian concept of “pono.” *Ke Kumu Hawaii*, another missionary nūpepa with a wider public readership, published Kauikeaouli’s early decree of written laws, prohibiting murder, theft, adultery, and alcohol consumption (Kauikeaouli, 1837, p. 36). It made clear that moe kolohe was a sin, a crime, and the reason for the Kanaka population decline (J. S. E., 1834, p. 31). To drive this point home, the nūpepa published a series of “helu” (records or sermons) on moe kolohe from 1841 to 1844, referencing biblical justification for punishment and condemning the behavior as sinful. Moe kolohe was described as “ho’ohaumia”—an act of defilement—because of its perceived relationship to the spread of disease through sexual activity, which was ultimately blamed for the increase in sickness and deaths. Several other entries quoted scripture and referenced the story of “Sodoma poe a

me ko Gomora” as a cautionary tale, equating moe kolohe—and at times, specifically “Sodoma poe” or “ka poe Sodoma” (people of Sodom or sodomites)—as hewa (“No ka Moe Kolohe Helu 4,” 1842, p. 9). The consequences are explicitly explained: “he mea ia e poino ai ke kino” (it harms the body) and when indulged, “e make ai kona uhane” (the soul dies) (“No ka Moe Kolohe Helu 6,” 1842, p. 14).

By the mid-1840s, several articles in *Ka Nonanona* listed marriage laws and outlined the expectations that married people were to follow under the new *kānāwai* (“No ka Noho Mare,” 1845, 112; Bona, 1844, pp. 43–44). In other words, from the earliest days of the *nūpepa*, moe kolohe was a frequent topic of publication, intended to teach a newly literate Kanaka population about the expectations of marriage and the dangers of engaging in sexual behavior outside of it. The legal ramifications for adultery and fornication were swift and embedded within a criminal structure that incentivized policing and prosecution. Police officers and constables were awarded a portion of the fines collected from those found guilty of these “offenses.”

This created a culture of surveillance in which common people became hyper-aware of officials looking to catch them in the act. With hefty fines often beyond the means of many, those found guilty were sentenced to hard manual labor. In this environment, *Kānaka* quickly learned to obey these new laws because the risks were simply too great—whether being charged a considerable fine or contracting an illness that might kill you. The legal changes aimed at altering Kanaka Maoli attitudes and behaviors around marriage and sexuality were part of a broader civilizing mission intended to make the Hawaiian Kingdom appear respectable to foreigners (and God). This project involved constructing homes with walls and partitions, promoting monogamous marriage, instituting wage labor, and adopting plantation-style agriculture. By the 1880s, mentions of moe kolohe had decreased significantly in the *nūpepa*, as the expectations and practice of Christian monogamous marriage had by then been largely normalized in legal and cultural terms.

After the overthrow, the territorial period continued to enforce many of the pre-overthrow penal codes concerning sexual behavior (adultery, bigamy, etc.). The penalties for such behaviors remained the same. Arrests and prosecutions for “criminal offenses” like adultery continued to be published in both Hawaiian and English newspapers, alongside public listings of divorces. Throughout the first twenty years of the territorial period, adultery was still prosecuted as a criminal

offense, although cases declined dramatically by the time Hawai‘i achieved statehood. Hawai‘i eventually revised its penal code in 1972, removing adultery and fornication after years of debate among judges and legislators. The consensus ultimately affirmed that what occurs in private between consenting adults is not within the purview of the state (“Sex Law Changes Urged,” 1967).

PROSTITUTION, PERCEPTION, AND WHAT IT LIMITS

People in power have always invested in regulating the sale or exchange of sexual encounters (i.e., what we currently call sex work or prostitution). On the surface, this topic might be irrelevant to understanding Hawaiian sexuality in the present, but prostitution plays a key role because of how Hawai‘i and Hawaiians have been represented in the global imagination—and the influence those representations continue to have on all of us. As Noelani Arista (2011) writes, “Wide acceptance of the idea that Hawaiian women, like other Pacific Islander women, were lascivious or that they docilely submitted to foreign lovers may have helped to retard the writing of more complex histories about women, sex, and power that occurred during the decade after the group of EuroAmerican settlers arrived” (p. 42). Prostitution in the Hawaiian context cannot be separated from the way that Hawai‘i is perceived—as feminine and a willing participant in its own prostitution or exploitation. This perception functions as a natural extension of Hawai‘i (and Hawaiian women) and its way of being. Our inability to see not only beyond this perception, but also the sexual agency of Hawaiian women within it—and what that agency represents about Hawaiian sexual expressions—distracts us from narrating more complex histories, as well as imagining our own visions for collective sexual futures.

Without placing a value judgement on those who willingly or coercively participate in sex work—past or present—it is worth noting that prostitution continues to raise some of the most complicated discussions around sexuality in the lāhui. This is due, in part, to the long history of Hawaiian women being exoticized and the market realities surrounding those who choose or are compelled to participate in this economy. Recall what Trask (1999) taught us: As an extension of this perceived docility, its “natural” inviting manner, and its sexualized undertones, Hawaiian culture is pimped—by business owners and ourselves alike—through

the tourism industry. The consequences of this economy affect how Hawaiians, women especially, are able to express their sexuality—not just as gay or straight, but as people with complex desires. It is this long arc of regulation, of sexual behavior and prostitution, that interests me most here and what these centuries of regulation ultimately produce and limit.

The ongoing role of prostitution in Hawai‘i is rooted in the earliest encounters between Hawaiians (mostly women) and foreigners. Foreign accounts of Hawai‘i—and the broader Pacific—as a space of sexual freedom circulated globally, and the economic realities of a changing Hawai‘i supported a growing market for prostitution in the islands. I want to be clear here: Early interactions between Hawaiian women and foreign ships were both coercive and willful, at first. By the 1850s, prostitution began to employ many incoming immigrants from Asia who worked in brothels near ports and plantation villages. Prostitution had been generally legal since the 1860s, so long as prostitutes registered with the government, underwent regular health checks, and were tested for venereal diseases (Kindell, 2020). For many years, this industry was considered a necessary “social evil,” particularly as migration brought large populations of predominantly male plantation workers. In the early twentieth century, there was a known red-light district in Iwilei, O‘ahu, where Japanese women constituted the largest population of prostitutes. Beyond Iwilei, prostitution occurred in tenements, cottages, and other houses of assignment.

The 1914 *Report of Committee on the Social Evil*, conducted by the Trustees of the Kaiulani Home for Girls, assessed the status of this so-called vice: where prostitution was happening, who was participating in it, its connections to other businesses, and what could be done to suppress it. Interestingly, while the report identified Japanese women as the most represented in Iwilei’s red-light district, their character was not blamed. Japanese women were often portrayed sympathetically, as victims of exploitation—sometimes by husbands or others who forced them into the trade. This contrasts sharply to how Hawaiian women (named generally as “Polynesians”) were described. Though said to be small in number in Iwilei and more likely to work from their own homes in other areas, Hawaiian women were characterized as “naturally complaisant and yield[ing] herself to amorous solicitation.” The report went on to describe them as “kind-hearted, hospitable, lovable, and trustful,” noting that “her affections lie close to her passions and make her an easy victim to the unscrupulous” (*Report of Committee*, 1914, p. 8). Hawaiian women were thus perceived to be sexually promiscuous—not only because of

their behavior, but due to their “nature,” and the “climatic conditions fostering sexual looseness” (*Report of Committee*, 1914, p. 8). Thus, even at a time when “Asiatic” populations appeared to outnumber Hawaiians in this trade, the discrepancy in racialized perceptions persisted—suggesting that certain groups were inherently predisposed to sexual behavior. Still, the authors of the report believed that with proper upbringing, education, and legal reinforcement, Hawaiian women could learn to overcome their “inclinations.”

In 1930, prostitution was criminalized (again), but quietly tolerated by the public because it was highly regulated by local police. What we now call Chinatown was home to numerous prostitution houses, many of which had government officials and business owners all on the take. Unsurprisingly, this lucrative industry became an efficient machine during WWII, when an estimated one million servicemen came to Pearl Harbor—and just two hundred prostitutes were tasked to serve them all. While this history is partly remembered through jokes about O‘ahu’s Chinatown or Hotel Street—as sites with deep histories related to sex work and other illicit economies—we should remember that this history exists because of foreign intrusion and the role of the US military in normalizing economies of sex and violence in Hawai‘i.

Hawai‘i is the literal staging ground for US imperial interests in Asia and the Pacific, making it not only an obvious target but also placing the people of Hawai‘i at risk of these (sexual) violences. The perceived femininity and sexuality of the islands (i.e., Hawaiians) become part of the justification for Hawai‘i’s colonization and ongoing exploitation of our lands and waters, as an extension of the access to both the land and its women (Trask, 1999; Ferguson & Turnbull, 1999). This is further encapsulated in the era of martial law during WWII, when a military-run government authorized both.

An entire side economy was attached to prostitution that created a carnival-like atmosphere in Chinatown. Sailors often posed with hula girls, got tattoos, drank, gambled, and paid for sex—all within the same block. Honolulu’s Hotel Street became notorious during this time and is still remembered as the place where soldiers went for “three dollars for three minutes” sex and other general amusements. These jokes continue today, but what many do not realize is that the military was actively invested in maintaining the system of brothels—viewing it, in some ways, as a matter of national security.

Tensions arose between the military, the police, and the prostitutes concerning the rights of the sex workers, as well as disputes over access and cost of services. From 1941 to 1943, prostitution was considered a necessary part of wartime life. Many residents believed it alleviated the stresses of martial law and provided an outlet for the hordes of servicemen—one that, most importantly, kept them from acting out against the local community, especially toward local women (Bailey & Farber, 1992). Although prostitution was tolerated in waves during the territorial period, by the end of WWII it was outlawed, as numerous religious and charitable societies took up the anti-prostitution cause. It was publicly condemned as promoting disease, indolence, and immorality among the people (Laune, 1946).

Across the territorial period, Hawai'i modernized and was rapidly thrust into a slew of infrastructure projects and Americanization campaigns. These included the creation of a Department of Public Instruction, the expansion of multiple military installations, and a burgeoning tourism industry—all aimed at reinforcing ideals of Hawaiian docility and acquiescence to the new order. A 1927 pamphlet titled *Interracial Standard of Moral Conduct and Social Ethics*, authored by “leading representatives of the various racial groups living in the Territory of Hawaii” and endorsed by numerous schools and churches, was designed to train teachers on the proper morals for schoolchildren. The pamphlet provides a list of preferred obligations and virtues—along with warnings against vices and dangerous practices (*Interracial Standard*, 1927). Among the obligations: “observing the sanctity of marriage,” being law-abiding, and maintaining purity. Among the vices: impurity and idleness (*Interracial Standard*, 1927, pp. 4–5). Teachers were provided this training pamphlet to instruct a multicultural population that, in the eyes of territory officials, needed to learn how to be good Americans.

At the same time, boys' and girls' homes, reform schools, and industrial schools were created—some of which were operated as penal institutions where “wayward” children were sent. These children were portrayed as cautionary tales: Failure to uphold “good” morals could lead to institutionalization. In other words, mechanisms of regulation and control functioned across a wide spectrum of the population—sometimes in “gentle” forms like school instruction—and were applied widely beyond those engaged in what we consider criminal acts. All these changes hinged on the idea that Hawaiians—and Hawai'i itself—were supposed to be consenting and available (Trask, 1999). Worse still, we were taught not only to believe that this oppression was the best thing for us, that we should be grateful, and that we were *asking for it*.

Thus, it is challenging to talk about Hawaiian sexuality without falling into a trap of supporting sexual exploitation—because of the ways in which Hawai‘i itself, and Hawaiians in particular, have been exploited at the hands of foreigners. The degradation often associated with sex work, along with the moral arguments leveled against societies that allow it, actually obscures the space needed to imagine what Hawaiian sexuality could be today—or what Hawaiian sexual openness might have remained—had it not been shaped by outside forces.

Put another way, because Hawaiian women traded sex on ships, as part of a different understanding of sexual relationships, and because that exchange eventually became embedded within exploitive structures, it has become difficult—if not impossible—to think about Hawaiian sexuality without worrying about the dangers it evokes or how it appears against the backdrop of history. As a result, in order to feign a sense of civilization and respectability in the present, Hawaiians are often discouraged from overt conversations about sexuality. Some of it still exists in *kaona*—our *kūpuna* were very savvy in this way—and maybe we, too, should deploy multiple tactics to advocate for our own sexual autonomy. Because colonization reshaped our sexual desires, we have been unable to explore them on our own terms. I want us, as a *lāhui*, to question ourselves—how these histories and politics have limited our options, the desires we allow ourselves to have, and the relationships we allow ourselves to pursue.

MID-LATE TWENTIETH CENTURY AND A GROWING LGBTQM COMMUNITY IN HAWAI‘I

By the time Hawai‘i became a state in 1959, many of the penal codes relating to adultery, marriage, and fornication were treated as civil legal matters rather than criminal ones. In the post-WWII era, awareness of homosexuality was growing as communities began to coalesce around the identity. Against the backdrop of McCarthyism and the emerging Cold War, both communists and homosexuals were framed as threats to American prosperity and morality. Sexology also emerged as a “science” during this period, and the work of Alfred Kinsey became widely publicized, including through a series of articles in Hawai‘i newspapers (Jones, 1953; Smith, 1953). Kinsey’s research revealed that homosexual or bisexual

desires were common, despite widespread public disapproval. These findings were upsetting to the American mainstream and sparked local interest in addressing what was perceived as an increasing problem of homosexuality—framed at the time as both a mental disorder and a social disease.

Local newspapers in Hawai‘i ran a series of investigative reports on gay bars, interviewing both clientele and travelers from the US West Coast. Homosexuality within the military was of particular concern, and military personnel were banned from establishments believed to be homosexual hangouts. The vice squad and military police kept records on known homosexuals and frequently went undercover at bars to entrap and arrest people for engaging in homosexual activity. Those referred to at the time as “homosexuals,” “transvestites,” and “transsexuals” were often targeted in vice raids and new legislation. The Mayor’s Committee on Children and Youth created a “Subcommittee on Sexual Deviates,” which partnered with police, medical officials, and church leaders to push for new laws. One such law aimed to make “masquerading as a female” a misdemeanor (Jones, 1963).

In 1963, Act 175—commonly known as the “intent to deceive” or “dressing to deceive” law—was passed to curb what was seen as increasing homosexual activity (Jones, 1963). The Glade Nightclub, a popular Chinatown club on Hotel Street, became a deliberate target of this legislation. Known for its female-impersonation dinner shows, the Glade attracted tourists, locals, and military personnel alike. Performers—many of whom were men that either performed as women or lived as women on and off stage—were mandated to wear buttons stating “I am a boy” so that patrons could be informed of a performer’s “biological sex.” This was required for all individuals who did not dress in “accordance” with their assigned sex at birth (Young, 1964).

Tour buses began dropping off tourists at the Glade Lounge to experience its renowned stage show. While the Glade is perhaps the most remembered venue from this era, there were also other establishments like The Clouds, Market Cafe, The Roosevelt Cocktail Lounge, and The Apartment—a private gay club strictly off-limits to female impersonators. Interviews with māhū and homosexuals from this period reveal distinctions within the queer community itself. For instance, “homosexuals” were often seen as those who were discreet and lived “normal” lives—married with children, for example—despite their desires, whereas others who dressed as another gender or lived more openly were considered more transgressive (Hunter, 1968).

Throughout the 1960s, homosexuals were considered “deviant” and ostracized, but there was growing interest within the local gay community of seeking human rights, asserting they were “born this way,” contributing to society, and advocating for what would later be called same-sex marriage. A 1968 story in the *Honolulu Advertiser*, “Mahus Are People, Too” detailed the process of a gay marriage between two men and how such unions were established (Goo, 1968). Gay bars in Waikīkī and Chinatown were well known within the local community, and young people were noted for hanging around these areas—much to the concern of parents. Bars catered to tourists, military personnel, locals, and anyone “curious,” as described in a 1967 article on the emergent homosexual community in Hawai‘i (Hunter, 1967). Business owners claimed that māhū were good customers and didn’t cause trouble (Goo, 1968).

With the growth of a local gay community and changing sexual behaviors in society at large, social expectations around gender, sexuality, and marriage began to shift. Feminism had a huge impact on this broader environment of “free love” and expanded rights for women in Hawai‘i, which were believed to be among the most progressive in the US Hawai‘i, an early adopter of abortion rights in 1970, was the first state to ratify the Equal Rights Amendment in 1972. In this decade, the local gay and lesbian communities began publishing newsletters such as *Gay Hawaii* and *Gay Community News*, holding more public events, and becoming less closeted. Relaxed attitudes toward sexual behavior and increased awareness of privacy rights ushered in major changes to the Hawai‘i criminal code in 1973. This included eliminating “sex laws” like adultery, fornication, and sodomy as criminal offenses—reframing them instead as private matters between consenting adults. Prostitution was reclassified as a petty misdemeanor, and the “intent to deceive” law was also removed. In 1978, Hawai‘i added the “right to privacy” to its Bill of Rights, stipulating that any infringement by the state must demonstrate a “compelling state interest.” Ironically, this clause would later become a wedge in the state’s desire to ban same-sex marriage in the 1990s.

The first case of HIV was identified in Hawai‘i in 1983. By June 1986, there were a hundred reported AIDS cases, with the number doubling annually. Then-Governor John Waihe‘e collaborated with the Hawai‘i AIDS Task Group to start the Governor’s Committee on AIDS. Hawai‘i saw itself as a national leader in the fight against HIV/AIDS. In 1985, it opened the first federally funded, state-provided HIV-antibody testing site, which offered free and anonymous testing at

multiple locations. Hawai‘i was also one of the few states that allowed Medicaid participants to receive home care services. The public school system rolled out a robust AIDS education program in 1987, making Hawai‘i one of the earliest states to do so (Lynch, 1987).

Despite these efforts, the wider community remained intolerant of non-hetero-normative lifestyles, influenced by Christian conservatism and national rhetoric about protecting the “traditional” family—values many locals had already internalized. Within the Hawaiian community, a number of prominent kumu hula and performers, such as Palani Kahala, died of AIDS, becoming the public face of the epidemic (“Kumu Hula,” 1991). Seldom discussed publicly, many hālau hula were impacted, some kumu hula forbidding their students from going to gay bars or being “out.” Fears of mass death re-emerged in the Hawaiian community, echoing histories of population loss from a century before. The grief was palpable, and as public awareness of the epidemic grew, it stirred deep communal reflection. On the continent and in Hawai‘i, ACT UP (AIDS Coalition to Unleash Power) organized actions to draw attention to the lack of adequate healthcare and delayed access to life-saving medications—mobilizing only after years of government denial.

The 1990s were a vibrant time for both LGBTQM issues and the Hawaiian sovereignty movement—two arenas that often came into tension with one another while also overlapping in political struggles. Hawai‘i became the national flashpoint for same-sex marriage when three same-sex couples famously applied for marriage licenses from the Hawai‘i Department of Health on December 17, 1990. The applicants were denied, resulting in a lawsuit against the State of Hawai‘i on the grounds of sex discrimination, arguing that the plaintiffs’ privacy and equal protection rights had been violated—a claim the Hawai‘i Supreme Court later upheld in a 1996 ruling. While the state argued that it had a “compelling state interest” in preventing same-sex marriage—citing potential impacts on tourism or harm to the family unit (i.e., children)—it failed to provide any evidence that same-sex marriage would negatively affect either. The ruling sent political shockwaves across the US, sparking widespread perception that same-sex marriage had been legalized in Hawai‘i. This perception accelerated legal challenges in other states and ultimately inspired President Bill Clinton’s Defense of Marriage Act (DOMA) in 1996.

It was during this time that the Hawaiian LGBTQM activist group, Nā Mamo o Hawai‘i, was formed. Comprised of LGBTQM Kānaka, Nā Mamo was explicit in its commitment to Hawaiian sovereignty. In their newsletter, *Mohala*, the group articulated their advocacy not only for same-sex marriage but also broader Hawaiian rights, economic justice, and solidarity with other Indigenous people fighting against nuclear testing in the Pacific (Nā Mamo o Hawai‘i, 1996). The early 1990s also saw Hawaiian sovereignty intensify in public discourse, particularly around the centennial of the illegal overthrow of the Hawaiian Kingdom and passage of the 1993 US Congressional “Apology Resolution,” which apologized for the United States’ role in said overthrow. Within the lāhui, there was a wealth of organizing on multiple fronts, but in sovereignty spaces, tensions often surfaced around LGBTQM issues. Many within the Hawaiian community did not see sexual politics as central to the cause of independence (Kauanui, 2018).

Nā Mamo o Hawai‘i, a group perceived as misfits in both Hawaiian and LGBTQ spaces, struggled to bridge the gap between the two—attempting to educate a lāhui that had been colonized and deeply shaped by Christian beliefs for over a century, while also challenging LGBTQ spaces to recognize that Hawai‘i is not America, and that gay civil rights was not Nā Mamo’s primary issue. Nā Mamo brought to light the tensions within both communities. Their work—difficult, often overlooked—remains relevant as we continue to navigate how to prioritize the struggle for sexual freedom, particularly in relation to LGBTQM identities, and the broader movement for Hawaiian self-determination, both of which are still too often perceived as secondary. This topic is not just a “gay issue”; it is an issue about relationships, kuleana, and Hawaiian autonomy.

MARRIAGE EQUALITY AND AUTONOMOUS SEXUAL FUTURES

In 1998, Hawai‘i voters approved a constitutional amendment to define marriage between a man and woman—an effort to block same-sex marriage after the landmark 1991 *Baehr v. Lewin* case, which made Hawai‘i the first state to legally consider same-sex marriage. The amendment stood until 2011, when civil unions were legalized, followed by full marriage equality in 2013. Many celebrated the latter as a full-circle moment. Unsurprisingly, particularly after liberal progress is enacted, the tide shifted under a conservative majority in Washington, DC:

In 2024, following US Supreme Court statements that cast doubt on existing LGBTQM rights, Hawai‘i voters were asked to amend the constitution again—this time to *protect* the right to marriage equality. While the measure passed, only forty percent of Hawai‘i voters supported it. That figure underscores the precarity of this historical moment.

I will concede to the pragmatism behind the marriage fight. But we must acknowledge that marriage, as a political goal, muddied the waters of Hawaiian sexual autonomy. It merely replicated a normative, nuclear family structure that, again, was never universal in Hawaiian life. When we fail to interrogate how these regulated structures shaped our kūpuna then, and us today—through law, religion, education—we risk maintaining these structures, even in our own imaginations. It is time to create space within our lāhui for open conversations about sexuality, desire, and different ways of building and sustaining relationships. If the struggle for Hawaiian sovereignty has taught us anything, it’s that our liberation will never be about a single issue—it is always a canopy of concerns. And sexual freedom—far from being merely personal or private—is one of them. It shapes whom we love, whom we form ‘ohana with, and how those relationships are conceived and respected in the broader lāhui.

We owe it to one another—and the entire lāhui—to cultivate a Hawai‘i for all of us, one that we determine for ourselves. The recent Trump executive order recognizing only “man” and “woman” as legitimate genders is a sobering reminder: These externally imposed categories have never worked for all of us. Why, then, should we continue to define our lives by the logics of systems that have always sought to control us? I’m not suggesting we can return to a pure past, nor do I believe Kānaka can ever replicate the world in which our kūpuna lived. But we *can* and *must* cultivate sexual futures worth fighting for. We do not need to contort ourselves to fit within western norms, even as we recognize how deeply they have shaped us. We must push further—toward deeper conversations about what we want, what we need, and what we refuse.

It is foolish to believe that these executive orders (i.e., regulations) will stop at naming only two genders. History teaches us otherwise: Such laws inevitably go further, dictating behaviors according to assigned gender, policing bodies, punishing difference. And because we can see how regulation in Hawai‘i has historically diminished sexual autonomy—how it has erased, criminalized, and

moralized our relationships—we must resist these new forms of control, and everything they represent, with fierce clarity and unrelenting aloha. People have always tried to regulate us, not on our own terms, and they have never fully succeeded. We must now decide what *our* terms will be, and stand alongside those who refuse to be defined by anyone else.

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NOTES

1 LGBTQM stands for lesbian, gay, bisexual, trans, queer, and māhū. I include the “M” here because the meaning and understanding of “māhū” has changed over time and has connected with other identities across the LGBTQ acronym. Of course, “māhū” sometimes is a purposeful disavowal of the former, but because of how we are inculcated within western culture, Kanaka identifications may stretch across the acronym at different moments in our lives. At the same time, the insertion of “māhū” in the acronym exposes the limits of the acronym from a Kanaka perspective.

2 Reverend Lorrin Andrews wrote a letter to the mission headquarters in Boston as he was struggling to translate the Ten Commandments into Hawaiian. Andrews explained that Hawaiians had many ways to commit adultery. One Hawaiian term would not be enough to describe *adultery* in “thou shalt not commit adultery,” as equating it to only one sexual act would imply approval of other acts. Missionaries then coined the term “moe kolohe” to cover adultery in all its forms. This was a correspondence of the American Board of Foreign Missions that was donated to the Houghton Library at Harvard. Explained in Krauss (1980).