Ke Kumukanawai o ka Makahiki 1839 = The 1839 Constitution

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Ke Kumukānāwai o ka Makahiki 1839

E ho'opuka hou 'ia ana ma kēia māhele o ka puke pai nā palapala aupuni e ho'omaka ana me nā kumukānāwai o Hawai'i.

'O ke kumukānāwai mua a Kamehameha III a me nā ali'i i ka mea e hoʻākāka ana i nā pono o nā kānaka a pau a e hoʻopa'a ana i ka hoʻomalu like 'ia o nā kānaka a me nā ali'i. Ua kau 'ia ma ka lā 7 o lune, 1839. Ho'opuka 'ia: He Kumukānāwai a me ke Kānāwai Hoʻoponoʻono Waiwai no ko Hawaiʻi Nei Pae ʻĀina, Honolulu, 1839; a ma ka 'ōlelo Pelekānia: The Hawaiian Spectator, Puke II, Helu 3, Honolulu, Julai 1839. Forbes 1147 (II:211–213) a me 1099 (II:181–183).

1. HE
   KUMU KANAWAI,  
   A ME  
   KE KANAWAI  
   HOOPONOPONO WAIWAI,  
   NO  
   KO HAWAI'I NEI PAE AINA.  
   NA  
   KAMEHAMEHA III  
   I KAU.  
   Honolulu:  
   1839.

2. Eia kekahui mau waiwai ana i haawi like mai ai i kela kanaka keia kanaka, i kela ali'i keia ali'i; o ke

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   A ME  
   KE KĀNĀWAI  
   HO'OPOHONOPONO WAIWAI,  
   NO  
   KO HAWAI'I NEI PAE ʻĀINA.  
   NA  
   KAMEHAMEHA III  
   I KAU.  
   Honolulu:  
   1839.

2. Eia kekahui mau waiwai ana i hā'awi like mai ai i kēlā kanaka kēia kanaka, i kēlā aliʻi i kēia aliʻi. 'O
The 1839 Constitution

This section of the journal will reproduce government documents beginning with the constitutions of Hawai‘i.

The first constitution, granted by King Kamehameha III, proclaimed the rights of the people, ensuring equal protection for both the people and the chiefs. Written by Kamehameha III and the Chiefs, and enacted on June 7, 1839; published as He Kumukānāwai a me ke Kānāwai Ho‘oponopono Waiwai no ko Hawai‘i Nei Pae ‘Āina, Honolulu, 1839, and in English in The Hawaiian Spectator, Vol. II, No. 3, Honolulu, July 1839. Forbes 1147 (II:211–213) and 1099 (II:181–183).

1. ‘Oihana 17:26 o ka Paipala.
   Acts 17:26 of the Bible.

1. ‘O ke po‘oinoa ma ‘ane‘i, mai kekahi ho‘opuka ‘ana mai i o ka makahiki 1839 i komo pü ai ka unuhi ‘ōlelo Pelekānia o ke Kumukānāwai.
   The title presented here is from a separate publication in 1839 that published the English translation of the Constitution.

1. THE
   HAWAIIAN SPECTATOR.
   Conducted by
   AN ASSOCIATION OF
   GENTLEMEN.
   VOLUME II. 1839.
   PRINTED FOR THE PROPRIETORS.
   HONOLULU, O‘AHU, SANDWICH ISLANDS.
   1839.

   <Translation of the Constitution of Our Hawaiian Islands.>¹

God hath made of one blood all nations of men, to dwell on the face of the earth in unity and blessedness. God has also bestowed certain rights alike on all men, and all chiefs and all people of all lands.

2. These are some of the rights which he has given alike to every man and every chief, life,

Na Ke Akua Mai No Ho'i Ka 'Oihana Ali'i, A Me Ka Noho Ali'i I Ana I Mea E Malu Ai; Akā, I Ka Hana 'Ana I Na Kānāwai O Ka 'Āina, 'A'ole Pono E Hana 'Ia Kekahi Kānāwai Ho'omalu Ali'i Wale Nō, A Ho'omalu 'Ole I Na Maka'āinana. 'A'ole Ho'i Pono Ke Kau I Ke Kānāwai Ho'owawai I Na Ali'i Wale Nō, A Wawaiwai 'Ole Na Maka'āinana; A Ma Hope Aku Nei, 'A'ole Loa E Kau 'Ia Kekahi Kānāwai Kū 'E I Kēia Mau 'Olelo I 'Olelo 'Ia Ma Luna, 'A'ole Ho'i E 'Auhau Wale 'Ia, 'A'ole E Ho'okaua 'Ia, 'A'ole E Ho'ohana Wale 'Ia Kekahi Kanaka Ma Ke 'Ano Kū 'E I Ua Mau 'Olelo Lā.
limb, liberty, the labor of his hands and productions of his mind.

3. God has also established governments and rule for the purposes of peace, but in making laws for a nation it is by no means proper to enact laws for the protection of rulers only, without also providing protection for their subjects; neither is it proper to enact laws to enrich the chiefs only, without regard to the enriching of their subjects also; and hereafter, there shall by no means be any law enacted which is inconsistent with what is above expressed, neither shall any tax be assessed, nor any service or labor required of any man in a manner at variance with the above sentiments.

4. These sentiments are hereby proclaimed for the purpose of protecting alike, both the people and the chiefs of all these islands, that no chief may be able to oppress any subject, but that chiefs and people may enjoy the same protection under one and the same law.

5. Protection is hereby secured to the persons of all the people, together with their lands, their building lots and all their property and nothing whatever shall be taken from any individual, except by express provision of the laws. Whatever chief shall perseveringly act in violation of this Constitution, shall no longer remain a chief of the Sandwich Islands, and the same shall be true of the governors, officers and all land agents.