

Churney's article is a rather disconcerting example of the way discourses on race and tradition can be used to defend the rights of élites (see especially the chapter by Lawson in *Chiefs Today*). One may safely assume that he voices opinions that have wider currency in the Pacific and therefore warrant serious consideration and criticism. However, it remains curious that this little booklet, published by a serious institution like the Australian National University, combines such different intellectual products within one cover without any comment or explanation.

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Colonizing Hawai'i: The Cultural Power of Law, by Sally Engle Merry. Princeton Studies in Culture/Power/History. Princeton, NJ: Princeton University Press, 2000. ISBN cloth, 0-691-00931-7; paper, 0-691-00932-5; xii + 371 pages, tables, figures, photographs, appendix, notes, bibliography, index. Paper, US\$18.95.

K naka Maoli scholars have learned to be skeptical whenever a new book arrives on the shelves containing the word Hawai'i in its title, and written by someone who is not Native. I was even more doubtful of Merry's work and its focus on western law and its colonizing capacities, because that was the primary theme of my own dissertation and the book that I am finishing.

I perceived immediately that our work was not at all similar, and that

she handled the Foucauldian themes of discipline and gender in ways that I could never quite make clear in my dissertation. I was even dismayed that her work seemed so much more thorough in several places than mine. While I disagree with her approach in some important ways, I also recognize what a worthy piece of scholarship it is.

Sally Merry brings the perspective of the cultural anthropologist to this social history of law in Hawai'i. Her concerns are strongly related to recent theoretical trends that stem from the writings and theories of Michel Foucault and Antonio Gramsci, using their ideas on hegemonic discourse as the lens through which she examines western law as a colonial tool. The Hawaiian Kingdom is the arena where European and American (*haole*) ideas and practices confronted the Native Hawaiian, and Merry is clear that the result of the confrontation was an ambiguous blend of responses in which Hawaiians altered their identities, conforming to the ideas of civilization while resisting colonization itself.

Along the way the author presents intriguing analyses of the legal system as a "site of power" wherein a different kind of discipline emerged from what had been in place before contact, namely a discipline that was self-imposed and self-correcting. While Native participation in and acceptance of the legal system grew, because law was an ideology that altered meanings and relationships in Native society, it gradually came to alter and reconstruct elites who were Native and *haole* while reconstituting the populace or *maka' inana* and immigrant

Asians into a new subordinate class of labor.

Merry divides the work into two parts. In Part 1 she paints a broad portrait of the introduction of western capital, mission ideologies, constitutionalism, and penal laws which, on the surface, seemed to impose an alien framework of rules and regulations in order to create a nation-state along the model of Europe and the United States. She ends this section having summarized the constitutional changes and legislation up to 1852, which I believe is an unfortunate shortcoming in the book. While it explores the period of greatest transformation for Hawaiians, it fails to describe the significant ways in which a succession of leaders challenged the laws, the American Board of Commissioners for Foreign Missions' political influences, and even the moral superiority of the missionary during the reigns of the *m 'i* (kings) after Kauikeaouli.

Without this political context, the second half of her book, in which she takes a closer look at court cases in the city of Hilo into the twentieth century, is not as coherent, and the cases not as well connected as they could have been, although her insights into the nature of racial, sexual, and authority-related discourses are cogent and significant. In Part 2 she describes how the law touched on the lives of hundreds of people casting them as criminals: lazy, oversexed, violent, deceitful, covetous, and in a word, uncontrolled. Contemporary society in Hawai'i, she believes, is founded on these altered constructions of human beings and their cultures and much of how we see ourselves, as locals, as men and women, as crimi-

nals, as Hawaiians comes from these deliberately altered identities.

The author further demonstrates how a *haole* identity was forged, which imagined whites as firm, paternal, self-disciplined, rational, and in a word, self-controlled. The social relationships that law increasingly defined were paternalistic and racist, reflecting not only emergent ideologies in America and Europe, but increasingly determining life and experience in Hawai'i.

In the end, she concludes that law provided both the means of domination and the opportunity for resistance, not unlike Marx's view of industrialism, adding a more penetrating look at the nature of labor relations and a far more intriguing thesis on human relations of race and sex than anything previously published about Hawai'i.

But I read the book with the growing belief that Hawai'i itself was not really central to her study, that her primary concern was to study racial, sexual, and economic-class authorities as they are expressed and impressed in law. So while I found myself agreeing with much of what she has to say, marveling over the depth and intricacies of her insights and the elegant clarity of her prose, I became more aware of the growing chasm between indigenous and western scholarship and the limitations of the latter.

It is not that Merry is unsympathetic to the oppressed Native, woman, immigrant, and criminal subjects in this book; indeed she presents powerful contrasts between the coercive nature of mission, government, and plantation with the plaintive and innocent responses of those who were

prosecuted and exploited by those systems. She is, for example, most sensitive when looking at the incidences of wife-beating and gender violence and insightfully discusses how new western views of women and the family actually stripped Native women of their ancient protections and status, making them more vulnerable to violations in the new Christian society than they had been traditionally (256).

Nor is Merry dependent solely on European and American authorities for her descriptions of traditional Hawaiian culture, using a fairly comprehensive sampling of Native and local writers, and more important, validating their observations and conclusions alongside those of a Sahlins or a Denig. It is rather that her descriptions of traditional culture are overlaid with terms and conceptualizations that come from anthropological theories and methodologies, that don't quite describe the culture the way we Hawaiians understand it. For example, she uses Marshall Sahlins' work to describe the kinship system of Hawaiian families without any feeling for the way in which the extensive family relationships worked between gods, ancestors, land, and living people. And while Patrick Kirch's description of how the chiefly *kapu* (sacredness) intensified with the rise of Ku in the fifteenth century is historically accurate (52), I wondered why Merry did not explore Kame'elehiwa's extensive treatment of the spiritual relationships that defined and regulated Hawaiian political society.

By skirting those issues, Merry's work may be more acceptable to the social scientist, but I believe that her evaluations of how and why the *ali'i*

cooperated with American missionaries in the construction of laws and constitutions has less validity because she assumes what Kirch, Sahlins, and other anthropologists assume about Hawaiian chiefs—that they sought power and wealth and that the religion was simply a tool in that quest. Thus, a powerful strain of determinism runs through this book, ironically, because one of her most important points is how often and effectively people resisted the authority of law, particularly with regard to vice and adultery. Yet it seems that these same people, Native and immigrant laborers and “vagrants” were apparently unable to escape the racial stereotyping and cultural imprinting of the law and its enforcement.

For example, comparing Hawaiian and Japanese defendants in the Hilo District Court, Merry finds that Hawaiians as opposed to Asians were far more likely to be prosecuted for adultery and fornication. This is part of her overall thesis that the law imposed different racial discourses on different ethnic groups depending on what role each group was expected to play. She says, “The immigrant sugar workers were never the objects of a campaign for moral refashioning. Unlike the Hawaiians, these immigrants were not envisioned as the citizens of a civilized state, but only as labor units” (147).

Of course the disparity in prosecutions could also mean that Asians (and whites apparently) did not engage in those particular crimes. Or it could mean that Hawaiians were simply more obvious about it, which could mean that Hawaiians were not burdened by an overwhelming sense of

sexual shame even after our so-called colonization. An important part of Merry's evidence is that it can be interpreted many ways. While I don't have a problem with her interpretation, it is important that readers understand that she is using these data to support a very particular academic theory rather than composing new descriptions of *K naka Maoli* (Native Hawaiian) culture.

Frankly, that comes as a relief. It seems to me that Merry is objectifying our culture for the purpose of elucidating a very important theory about states and societies and how they discipline and control human beings. So while I may be dissatisfied with her descriptions of *K naka Maoli* society, I don't think they are the main point of the book, and I don't believe that a different rendering of our culture would make the application of her theory to the changes in nineteenth-century Hawai'i any different. I wholeheartedly agree that law intruded where custom had not, and that the self-images of Hawaiians and Asians were certainly transformed for the worse as a result.

Colonizing Hawai'i is an important and timely work. It has the unusual quality of being intellectually satisfying and plainly lucid. This book belongs in the syllabus of any course that deals with law, neocolonialism, and the history of Pacific Islands.

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Pacific Answers to Western Hegemony: Cultural Practices of Identity Construction, edited by Jürg Wassmann. Explorations in Anthropology Series. Oxford and New York: Berg, 1998. ISBN cloth, 1-85973-154-6; paper, 1-85973-159-7; vii + 449 pages, figures, maps, notes, bibliographies, index. Cloth, US\$57.50; paper, US\$22.50.

This is one of two volumes containing selected revised papers from the 1994 conference of the European Society for Oceanists, held in Basel. (The other is *Common Worlds and Single Lives: Constituting Knowledge in Pacific Societies*, edited by Verena Keck, Berg, 1998.) For readers unfamiliar with but interested in European studies on Oceania this collection conveys in an exemplary manner the many diverse (sometimes confusing) strands of current anthropological research in Europe (let it be said at the outset that this reviewer is himself a "European Oceanist"). The eighteen (mostly male) contributors to the volume represent in one way or another research institutions in France, Scandinavia, the Netherlands, Germany, the United Kingdom, and Switzerland—as well as Australia and the United States, reflecting strong ties between European Oceanists and their overseas colleagues.

An extensive introductory discussion by the editor opens the volume, after which seventeen chapters appear organized sequentially in four parts: "Constituting Historical Knowledge," "Ways of Contrasting Identities," "Australia after Mabo," and "Questioning Western Democracy." While a majority of the chapters are based on