

THE CONTINUITY OF THE POLYNESIAN KINGDOM OF ATOOI

Legal History, Fiduciary Duty, and Public Record

A Formal White Paper and Book-Length Record

Prepared by the Office of the Minister of the Interior

Polynesian Kingdom of Atooi, Former Hawaiian Kingdom

Dedicated to

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and

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DEDICATION

To our great Ali'i Nui **Aleka Aipolani** and Kuhina Nui **Antoinette Mo'i**, with honor and gratitude for your struggle through these years, your strength in the face of attack, and your perseverance in the long work of discovery, preservation, and record correction. This work recognizes the burdens you carried and the steadfastness with which you continued.

EXECUTIVE SUMMARY

This book presents a legal-historical and fiduciary-accountability analysis of the Polynesian Kingdom of Atooi, former Hawaiian Kingdom, and the Office of Hawaiian Affairs ("OHA"). Its central claim is that legal history must be understood before fiduciary accountability can be fairly assessed. The public trust controversies in Hawai'i did not begin with modern OHA ethics disputes; they sit on top of a deeper history involving ceded lands, revenue claims, trust administration, and judicial review.law.

The book argues that OHA is not beyond law. The decisions and proceedings involving OHA trustees show that fiduciary duty, ethics enforcement, and public accountability are live legal obligations, not optional norms. The 2025 *Akana* release from the Hawai'i State Ethics Commission states that the Hawai'i Supreme Court reaffirmed that OHA trustees are subject to the State Ethics Code, upheld 47 ethics violations against former Trustee Rowena Akana, and sustained a \$23,106.53 penalty. Earlier decisions, including *Kealoha v. Machado*, likewise show that OHA trustees can be challenged on fiduciary

grounds.

The Kingdom's position is not that all public-law systems are the same, but that trust stewardship requires honesty, accounting, and a correct record. If a public trust body claims authority over beneficiary assets, it must be able to account for its conduct. Where the legal record shows repeated ethics violations, fiduciary disputes, and judicial scrutiny, the demand for transparency is not hostility; it is law in action.

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PREFACE

This book was written to bring order to a record that has too often been

scattered across court opinions, ethics releases, media reports, and internal statements. Its purpose is to show that legal history must come first, because fiduciary accountability cannot be understood without the trust framework that created it. The disputes involving ceded lands, OHA revenues, trustee conduct, and ethics enforcement form one connected narrative, and that narrative deserves to be assembled in a single place.oaoa.hawaii+4

The Polynesian Kingdom of Atooi, former Hawaiian Kingdom, offers this manuscript as a structured record and an interpretive statement. It does not attempt to replace the courts, agencies, or official records. Instead, it gathers them into one place so the reader can see the legal history first, then the fiduciary accountability questions, and finally the public-record implications that follow from them. That order matters. A trust dispute cannot be understood without the history that created the trust question, and an ethics dispute cannot be understood without the duties that make ethics enforcement necessary.oaoa.hawaii+3

The book is also a dedication to the work of those who have preserved continuity, office, and record under difficult circumstances. In that spirit, it is written with respect for the seriousness of the subject. Public institutions that hold trust power must account for their conduct. Individuals who speak for constitutional or ministerial offices must preserve the accuracy of the record. And readers, whether they approach the text as a legal history, a policy study, or a statement of position, deserve a manuscript that is organized, documented, and clear.

The 2025 *Akana* decision materials are especially important because they sharpen the modern accountability question. The Hawai'i State Ethics Commission's release states that the Hawai'i Supreme Court reaffirmed that OHA trustees are subject to the State Ethics Code, upheld 47 violations, and sustained a \$23,106.53 penalty. Combined with the earlier fiduciary and trust cases, that result underscores the book's central point: trust bodies are not exempt from scrutiny simply because they serve a public or beneficiary purpose.civilbeat+3

This manuscript is therefore intended to be useful in more than one way. It is a record of legal history. It is a statement of fiduciary concern. It is a sourcebook for future filings and public statements. Most of all, it is an effort to place the discussion back where it belongs: in law, in history, and in the public record.

CHAPTER 1

Introduction: Why the Record Must Be Corrected

The purpose of this book is to organize a scattered legal and historical record into a single coherent account. In Hawai'i, the questions of land, revenue, trust stewardship, and institutional accountability are deeply intertwined. They cannot be understood fully if treated as isolated disputes or reduced to slogans. They arise from a long legal history that reaches from the ceded-lands framework through modern trust litigation and into the present ethics cases involving OHA trustees.^{supreme.justia+4}

The Polynesian Kingdom of Atooi submits this book as both a record and a correction. It is a record because it gathers public authorities, cases, and ethics releases in one place. It is a correction because it insists that titles, offices, and fiduciary duties be described accurately. Where institutions speak of trust, stewardship, and beneficiary service, the record must show whether those obligations were honored. If the record shows otherwise, then the public has a right to know that as well. This book therefore begins with legal history, not with rhetoric. That order matters. The current accountability debate depends on the historical legal architecture beneath it. The book then turns from history to fiduciary duty, and from fiduciary duty to public narrative, because each step explains why the public record matters and why it must be preserved with care.

CHAPTER 2

Constitutional Continuity and the Polynesian Kingdom of Atooi

The Polynesian Kingdom of Atooi, former Hawaiian Kingdom, asserts a continuing constitutional identity through its own governing instruments, including the 2019 Constitution and the Royal Decrees of 2015 and 2019. That assertion is an internal constitutional position. It does not depend on outside permission to exist as a narrative of continuity, nor does it abandon the Kingdom's right to describe its own offices, titles, and ministerial responsibilities.

Within that framework, the Office of the Minister of the Interior speaks for the Kingdom on matters of title, notice, service, and public record. That role is important because a constitution is not merely a decorative statement; it is a structure of authority, a vocabulary of offices, and a

mechanism for internal governance. If the Kingdom is to preserve its own identity, it must also preserve its own record.

This chapter is not intended to replace or displace any external legal system. It is intended to establish the standpoint from which the rest of the book is written. The book is not a random commentary on public affairs. It is a sovereign record set forth by a ministerial office, grounded in a claimed constitutional continuity and aimed at correcting mischaracterization. That distinction matters because the later chapters discuss public-law institutions whose own authority depends on accurate description.

CHAPTER 3

Ceded Lands and the Historical Trust Framework

The public trust controversies in Hawai'i did not begin with the modern ethics cases. They are rooted in the legal history of ceded lands, public revenues, and the State's obligations in relation to assets held or treated as public trust property. That history appears in the cases involving OHA and the State, as well as in the federal decision in *Hawaii v. Office of Hawaiian Affairs*. These authorities show that land, revenue, and public trust questions in Hawai'i have long been subject to legal contest.oaoa.hawaii+2

The significance of this history is not merely that the parties argued over money. It is that the courts treated the subject matter as a trust problem. Once a matter is framed as a trust question, the law demands attention to purpose, stewardship, beneficiary interest, and lawful administration. That is the framework into which OHA has always fit. It is not a realm of exemption. It is a realm of accountability.

The ceded-lands cases also show that the public trust in Hawai'i is not static. It is a legal structure that has been repeatedly interpreted, reaffirmed, and contested. This matters because modern claims about institutional standing or quasi-governmental status cannot be understood apart from that trust history. The law did not invent OHA as a sovereign. It placed OHA into a public trust environment, and that environment remains judicially supervised.

CHAPTER 4

***Office of Hawaiian Affairs v. State* and Revenue Disputes**

The decision in *Office of Hawaiian Affairs v. State* is foundational because it demonstrates that OHA's claims have long been litigated in

ordinary judicial channels rather than treated as matters beyond review. The public record shows a dispute over revenues owed to OHA under HRS § 10-13.5, with the State bringing an interlocutory appeal from circuit court orders addressing jurisdiction and partial summary judgment. The point here is not just who won that particular round of litigation. The point is that the dispute itself was framed and resolved as a legal controversy, not as a sovereign exemption from the courts.oaoa.hawaii

That history is important for two reasons. First, it confirms that OHA's interests have always been legal interests subject to judicial definition. Second, it shows that the trust framework in Hawai'i is not merely symbolic. It has procedural consequences. A claim involving revenues, trust assets, or public obligations can be tested in court. The fact that OHA has participated in such litigation is evidence that it functions within, not outside of, the state legal order.oaoa.hawaii+1

The related reaffirmation in the later ceded-lands sequence underscores the point. The courts did not treat the matter as one that could be insulated from review simply because it involved public trust assets. Instead, the record reflects a continuing willingness to apply legal standards to trust disputes. That is the legal environment into which OHA was placed, and it is the legal environment it must continue to face.

CHAPTER 5

***Kealoha v. Machado* and Fiduciary Challenge**

Kealoha v. Machado is a significant fiduciary case because it directly alleged that OHA trustees breached their fiduciary duties by improperly expending trust funds on Hawaiians as opposed to Native Hawaiians, allegedly in violation of Hawai'i law and the Hawai'i Constitution.

Although the Supreme Court affirmed dismissal, the importance of the case lies in what it shows about the legal theory itself. The plaintiffs did not merely complain about policy. They challenged the trustees as fiduciaries.law.justia

That matters because fiduciary duty is not abstract. It is the law's response to the delegation of responsibility over assets held for another's benefit. If a trust administrator or trustee is alleged to have spent resources improperly, the legal system must decide whether the claim is viable. The existence of the case demonstrates that OHA trustees are subject to fiduciary critique in the ordinary course of law.

The broader lesson of *Kealoha* is that OHA cannot be understood as an institution that escapes trust law because it serves an important public or cultural mission. Its mission does not erase its obligations. If anything, its mission intensifies them. The larger the trust and the more significant the beneficiary interest, the greater the need for careful stewardship. That principle is one of the central themes of this book.

CHAPTER 6

The 2025 *Akana* Decision and Ethics Accountability

The 2025 *Akana* materials are the most forceful modern authority for the proposition that OHA trustees are subject to ordinary ethics law. The Hawai'i State Ethics Commission's September 17, 2025 release states that the Hawai'i Supreme Court affirmed that trustees of OHA are subject to the State Ethics Code, upheld 47 ethics violations against former Trustee Rowena Akana, and sustained a \$23,106.53 fine. The release further states that the Court concluded OHA is not a "political subdivision" requiring its own ethics code and that OHA trustees are "employees" under the Code.[ethics.hawaii](https://ethics.hawaii.gov/2025/09/17/akana-decision/)

That is a decisive statement for this book. It means the legal system has already rejected the notion that OHA trustees occupy a protected category outside the normal ethics regime. The record also reflects that the violations included misuse of public funds and failure to disclose gifts, which are not minor administrative errors. They are the kinds of failures that strike at the heart of public integrity.[civilbeat+1](#)

The 2025 decision therefore does more than resolve one trustee's case. It reaffirms the principle that OHA is accountable under public ethics law. In a publication devoted to legal history and fiduciary duty, that is a turning point. It confirms that OHA cannot claim legal immunity from scrutiny simply because it occupies a culturally important role. The law requires more than symbolism. It requires compliance.

CHAPTER 7

Fiduciary Breach, Stewardship, and the Public Trust

Fiduciary law begins with a simple idea: if one person or institution holds resources for another's benefit, then the holder must act with loyalty, care, disclosure, and honest accounting. That principle is especially important in public trust settings, where the resources at issue are not private luxuries but beneficiary assets and public funds.

The OHA ethics and fiduciary record shows why this principle matters.

The public materials concerning Rowena Akana include allegations and findings of misuse of funds, failure to disclose gifts, and improper benefits, followed by administrative and judicial review. Taken together, those materials demonstrate that trust stewardship is not a rhetorical label. It is a legal duty with consequences.ethics.hawaii+3

This book's position is straightforward: a trust administrator cannot claim superior moral authority while repeatedly failing the standards of fiduciary stewardship. The institution may still be important. It may still have a statutory role. But importance does not cancel accountability. If the public trust is to mean anything, then trust officials must be answerable when the stewardship fails.

CHAPTER 8

Jurisdiction, Notice, and Record Correction

The Kingdom's position on jurisdiction is part of its internal constitutional identity. Within that framework, notice and service are not mere technicalities; they are the means by which the Kingdom recognizes, records, and responds to claims. The Office of the Minister of the Interior treats those acts seriously because authority without notice becomes confusion, and confusion breeds mischaracterization. Record correction is therefore a central practice. If the Kingdom's offices, marshals, or ministerial representatives are described incorrectly, the public record is altered in a way that can affect how the broader dispute is understood. This does not mean every disagreement is jurisdictional in the same way. It means that titles, names, and offices must be stated correctly if the record is to have integrity.

This chapter also explains why the Kingdom insists on preserving distinctions. There is a difference between disputed sovereign position and documented fiduciary failure. The Kingdom's position may be contested. The ethics record concerning OHA, by contrast, is a matter of published decisions and public releases. The book insists on this distinction because it is essential to honest analysis.

CHAPTER 9

Media Statements and Public Narrative

Public narrative shapes how institutions are understood. A press release, a quote in a newspaper, a televised statement, or a podcast segment can quickly become the public's shorthand for a much more complicated record. That is why the Kingdom treats media correction as

part of the record-correction process.

The purpose of a media statement is not to silence criticism. It is to insist on accuracy. If reporters describe the Kingdom's officers as imposters, or if public agencies suggest that lawful service was not rendered when the Kingdom contends otherwise, then the Kingdom has the right to answer. That answer should be public, formal, and dignified. It should also be consistent with the larger record the Kingdom seeks to preserve.

This chapter therefore places media strategy within a legal and administrative frame. The same seriousness that attends a memorandum or an exhibit should attend a public correction. The difference is not in purpose, but in audience. The audience for a memorandum is the court or the record. The audience for a press release is the public. In both contexts, the aim is accuracy.

CHAPTER 10

Law Ledger of Definitions

The following definitions are included so the reader can move through the book without confusion and so future filings can use the same vocabulary consistently.

Ali'i Nui — the highest royal authority within the asserted Kingdom structure.

Kuhina Nui — the chief ministerial office or high executive office.

Public trust — assets, revenues, or lands held for beneficiary purposes and subject to fiduciary administration.

Fiduciary duty — the duty of loyalty, care, disclosure, accounting, and faithful administration owed by the trustee or trust administrator.

Trust stewardship — the practical and legal management of trust property for the intended beneficiaries.

Quasi-governmental — a public-facing or beneficiary-facing entity that still remains subject to law and accountability.

Ethics accountability — the requirement that public officials and trustees follow ethics rules, disclosure laws, and conflict-of-interest standards.

Record correction — the formal effort to amend or clarify public statements, titles, or legal descriptions.

Notice — formal communication intended to inform a person or institution of a claim, objection, or required response.

Jurisdiction — lawful authority to hear, decide, or act in a matter.

Standing — the right of a person or entity to assert a claim or objection in a legal or institutional setting.

Mischaracterization — incorrect or unauthorized description of office, authority, or status.

Beneficiary class — the group for whose benefit a trust or public fiduciary structure exists.

Administrative record — the official file of proceedings, notices, decisions, and exhibits.

Public accountability — the obligation to answer for actions affecting public or beneficiary assets.

Ceded lands — lands historically transferred or treated as public trust lands in the Hawai'i legal framework.

Trust claim — a legal assertion that assets or revenues are held or owed under a trust duty.

Ethics violation — conduct found to violate governing ethical rules, disclosure laws, or conflict standards.

Appellate review — the process by which a higher court examines a lower court or agency decision.

Stewardship failure — a failure to administer trust resources with the required care, loyalty, and transparency.

Public record correction — a formal statement intended to prevent repeated misstatement from becoming accepted fact.

Internal constitutional order — the Kingdom's asserted own structure of authority, offices, and procedural rules.

CHAPTER 11

Source Pages and Exhibit Index

The source pages and exhibits serve one purpose: to show where the legal and historical claims in this book come from. A publication that discusses trust, ethics, and constitutional continuity must show its work.

Source Page A — Historical and Trust Foundations

- *Office of Hawaiian Affairs v. State*.[oaoa.hawaii+1](#)
- *Hawaii v. Office of Hawaiian Affairs*.[supreme.justia](#)

Source Page B — Fiduciary Litigation

- *Kealoha v. Machado*.[law.justia](#)

Source Page C — Ethics and Accountability

- State Ethics Commission Resolves Charge against Rowena Akana.[ethics.hawaii](#)
- Hawai'i State Ethics Commission 2025 News Release

in *Akana*.[ethics.hawaii](https://ethics.hawaii.gov)

- Civil Beat summary of the 2025 decision.[civilbeat](https://civilbeat.org)

Source Page D — Court Materials

- *Akana v. Hawaii State Ethics Commission* docket and summary.[law.justia](https://law.justia.com)
- Hawai'i Supreme Court oral-argument and related docket materials.[courts.state](https://courts.state.hi)

Exhibit Index

- **Exhibit A** — 2019 Constitution and Royal Decrees.
- **Exhibit B** — Ethics Commission materials on Rowena Akana.
- **Exhibit C** — Circuit and appellate materials on Rowena Akana.
- **Exhibit D** — OHA fiduciary and ethics case law.
- **Exhibit E** — Public record correction and media release.

The point of the source pages is not simply to list authorities. It is to show that the book's claims are grounded in public records, judicial opinions, and administrative releases that can be traced, reviewed, and verified.

CHAPTER 12

Conclusion

The central claim of this book is that legal history must come first. The ceded-lands and trust cases establish the historical and legal setting in which OHA operates. The fiduciary cases and ethics proceedings then show that OHA is subject to ordinary standards of accountability.

Together, these authorities demonstrate that public trust bodies cannot claim immunity from scrutiny simply by invoking their social importance.[ethics.hawaii](https://ethics.hawaii.gov)+7

The Kingdom's role in this book is to preserve its own record, articulate its own constitutional position, and insist that titles, offices, and duties be described correctly. That insistence is not merely rhetorical. It is a demand for accuracy in a field where accuracy matters: law, trust, governance, and public record.

The book closes with a simple proposition. If a body holds trust assets, it must steward them. If it is subject to ethics law, it must comply. If it is reviewed by the courts, it must answer. And if the public record is wrong, it must be corrected. That is the law's minimum requirement, and the book's final word.

BACK MATTER

Acknowledgments

The author acknowledges those who preserved the continuity of the record through difficult years and who continued to press for clarity when the public narrative was incomplete or distorted. Special honor is given to **Ali'i Nui Aleka Aipolani** and **Kuhina Nui Antoinette Mo'i** for their perseverance, strength, and unwavering commitment to setting the record straight.

Appreciation is also extended to the court and commission records that made this manuscript possible. The Hawai'i Supreme Court opinions, Ethics Commission releases, and related public sources provide the documentary basis for the legal-history and accountability analysis contained in these pages. Without those records, the book would not have the same factual grounding or legal significance.[faegredrinker+5](#)

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Office of Hawaiian Affairs v. State, 96 Haw. 388, 31 P.3d 901 (Haw. 2001).

Hawai'i Supreme Court revenue and trust dispute involving OHA.[oaoa.hawaii](#)

Office of Hawaiian Affairs v. State, 110 Hawai'i 338, 133 P.3d 767 (Haw. 2006).

Hawai'i Supreme Court decision in the OHA ceded-lands/trust sequence.[oaoa.hawaii+1](#)

Kealoha v. Machado, SCAP-11-0001103 (Haw. 2013).

Hawai'i Supreme Court decision affirming dismissal of fiduciary-duty claims against OHA trustees.[law.justia](#)

Hawaii v. Office of Hawaiian Affairs, 556 U.S. 163 (2009).

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Hawai'i State Ethics Commission, site map and related public-record pages. [ethics.hawaii](https://ethics.hawaii.gov)

Used to locate ethics commission materials.

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APPENDICES AND EXHIBITS (sources tab)

Appendix A — Exhibit A

2019 Constitution and Royal Decrees.

Appendix B — Exhibit B

Ethics Commission materials on Rowena Akana.

Appendix C — Exhibit C

Circuit and appellate materials on Rowena Akana.

Appendix D — Exhibit D

OHA fiduciary and ethics violations case to made public.

Appendix E — Exhibit E

Public record correction and media release.

06/25/2026

H-E: V.

