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THE EVOLUTION OF U.S. INSULAR POLICY

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Henry Kissinger once asked, "Who gives a damn? There are only 90,000 people out there." Former President **George Bush**, who bravely fought high above them in World War II, said the worst part of being Vice-President was having to attend funerals there. And former President **Ronald Reagan** vowed that no matter what the future held for them, they would always be family to us.

The islands they were talking about are scattered over three million square miles of the Pacific Ocean between Hawaii and the Philippines. Anthropologists call them Micronesia. And they have played a critical role in the evolution of U.S. territorial policy.

Most Americans first learned their strange-sounding names as World War II battles: Kwajalein, Eniwetok, Truk, Peleliu, Saipan, and Guam. Today, the islands are officially known as the Republic of the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, the U.S. Commonwealth of the Northern Mariana Islands, and the U.S. Territory of Guam.

The first three are sovereign states, freely associated with the United States and the newest members of the United Nations. The Northern Marianas is the newest member of the American political family while Guam has been under the U.S. flag since 1898. Other U.S. flag islands are the Commonwealth of Puerto Rico and the U.S. Virgin Islands, in the Caribbean, and American Samoa, our only territory in the South Pacific.

From the U.S. perspective, the ties that have bound all of these islands to America are largely strategic considerations. Driven in large part by U.S. naval theorists such as **Alfred Mahan** and **Theodore Roosevelt**, Puerto Rico and Guam became U.S. territories as a consequence of the Spanish-American War. U.S. sovereignty was extended over Eastern Samoa, including the harbor (and potential coaling station) of Pago Pago, in the early 20th Century through negotiations with Great Britain, Germany, and the local chiefs. And just before the United States entered World War I, we bought the Virgin Islands from Denmark to protect our shipping lanes to the Panama Canal and prevent the islands from falling into Germany's hands.

UNDER THREE FLAGS: ***The flags of the United States, Trust Territory of the Pacific Islands, and United Nations flew over Micronesia for more than 40 years during the U.S. trusteeship.***

World War I also set in motion a series of events on the other side of the globe that eventually led to the U.S. role in Micronesia. When Japan, as an ally of Great Britain, seized most of Micronesia from Germany during The Great War, it created a geopolitical realignment in the western Pacific that eventually threatened America's lines of communication to the Philippines and our strategic position in the region, setting the stage for the naval battles of World War II.

The outcome of that struggle elevated the United States to superpower status and brought all of Micronesia under U.S. control. Culturally, however, American ties to Micronesia stretch back almost 200 years. Yankee sea traders found markets in China for the islands' sandalwood and *beche de mer*. New England whalers used some Micronesian harbors as bases for provisioning, recruiting, and what is now euphemistically called "Rest and Relaxation." Those depredations led American missionary groups to establish permanent missions on major Micronesian islands.

The Creation of U.S. Territorial Policy

While national security has been the guiding interest in U.S. relations with our associated islands in the Pacific and Caribbean, the precise form our political relationship has taken varies from island to island. This was due to the circumstances of their acquisition and to the difficulties and disagreements our nation has experienced in fitting these remote, far-flung territories into the Constitutional framework of the American republic.

The nation's initial territorial policy was written in the wake of its anti-colonial revolution. The union of former colonies that had freed itself from British control

eschewed overseas empire. But our incipient nation did not exist in a power vacuum on the North American continent. The confederation of 13 former colonies formed a narrow coastal strip, vulnerable to seaboard attack as well as inland incursions, especially from British Canada, French Quebec, and Louisiana.

In the earliest years of independence, westward settlement was seen not only as a way to provide greater economic opportunity for Americans but also as a means to forestall European powers from lopping off chunks of North America contiguous to, or in the path of, the expanding nation. To address this strategic concern, the Continental Congress enacted the Northwest Ordinance of 1787—the most important law passed by the weak, pre-constitutional assembly.

The ordinance guaranteed that inhabitants of the lands west of the Alleghenies and northwest of the Ohio River would have the same rights and privileges as the citizens of the 13 original states. It also provided a formula for making new states out of the territory and admitting them to the union. The framers of the ordinance neither intended nor envisioned that it could also be interpreted to provide for the acquisition of overseas territories.

Pago Pago Harbor in American Samoa, above, was strategically important because it provided the deepest and most protected harbor on the U.S. sea line of communication between the U.S. West Coast and the South Pacific, Australia, and New Zealand. At the outbreak of World War II in the Pacific, the harbor played a vital role in maintaining U.S. supply lines to our beleaguered allies during the Japanese advance into the South Pacific. At left, students from Tula Village on Tutuila perform a traditional Samoan dance.

Expansionism and The Insular Cases

At the close of the 19th Century, in a burst of sea-power expansionism, our nation acquired substantial overseas territory that included Puerto Rico, the Philippines, and Guam. Only after the victory celebration following the Spanish-American War did we ask ourselves how the people of these islands were to be treated in the national polity. Thus began the second phase of our nation's territorial policy.

These islands were markedly different in several respects from the typical territory incorporated into the union under the Northwest Ordinance. There were no resident American communities yearning to fly the Stars and Stripes. The islands already were populated by people whose cultures, languages, and forms of government were different than ours. And the islanders had certainly not asked to become part of the United States. The expansionists argued, however, with some justification and much success, that the islands were vital to U.S. strategic and commercial interests.

Above, members of the Truk Congress assemble in front of their temporary meeting house on the island of Moen in the Truk District Center in 1959, awaiting the arrival of other representatives and the opening of the congressional session. Some of the men represent "outer islands"—the more remote archipelagoes located outside of Truk Lagoon, where traditional customs were still relatively strong, including the wearing of the "thu" or loincloth. Other members, from the main islands of Truk, had adopted more western attire. One of the most important legacies of the U.S administration was the adoption of democratic forms of government. Right, universal public education is another legacy of U.S. administration of its insular areas. The students are graduating from the University of the Virgin Islands.

In 1901, the U.S. Supreme Court was asked to decide the issue: Does the Constitution follow the flag? Could the nation acquire territory that was not intended to be integrated into the union as a state and deprive the inhabitants of U.S. citizenship or full participation in the U.S. political process?

In a series of decisions that came to be known as the Insular Cases, the court—by the narrowest of margins—created a new political status under the American flag—the unincorporated territory. The court, in effect, said the nation could acquire the islands and that not all of the provisions of the U.S. Constitution need apply to that territory. In the court's words, such a territory is not a part of the United States but is "appurtenant" to it.

This doctrine has provided the basis for relations between the United States and its offshore territories throughout the 20th Century. While unincorporated status did not extend the full benefits of the U.S. Constitution and citizenship, the fundamental individual rights of the inhabitants were protected. Many of these basic Constitutional rights were deemed to apply to the island residents of their own force, but Congress could extend additional Constitutional and citizenship rights as it deemed necessary.

Today, residents of the flag islands are U.S. citizens, or in the case of American Samoa, U.S. nationals. They enjoy the vast majority of the Constitutional and legal rights of Americans. But they do not vote for President in their islands because the electoral college system under the U.S. Constitution limits that right to residents of states and the District of Columbia. Moreover, the islands are represented in the Congress by delegates to the House of Representatives because the Constitution requires U.S. Senators and Representatives to be elected from the states. These territorial delegates have most of the powers of Members of Congress but may not vote on the House floor.

Under its plenary authority, the Congress also provided special tax and trade development privileges to the flag islands that could not be extended to states because of the U.S.

Constitution's requirement for uniformity of treatment for the states. Residents of U.S. flag islands, for example, do not pay a federal income tax to the U.S. Treasury on locally earned revenue (only to the island's treasury) and island governments receive other federal revenue not available to states. Yet residents are eligible for virtually all federal program funding. U.S. companies doing business in the islands also receive special tax and trade incentives.

The Cold War and Self-Determination

The allied victory in World War II, the ascendancy of the United States to superpower status, and the birth of Cold War global rivalry set the stage for the third phase of our nation's territorial policy—a period in which acquiring and holding territory as spoils of war was renounced while U.S. strategic concerns were addressed through international mechanisms.

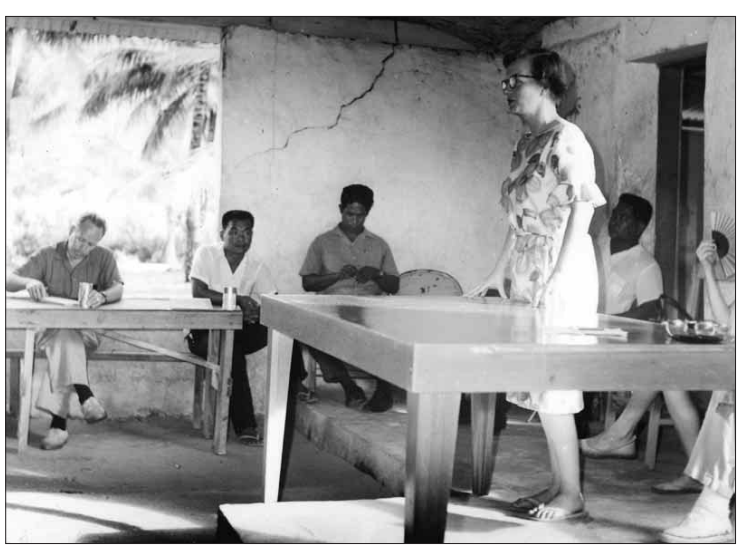
With the formation of the United Nations—which the United States strongly supported—and the subsequent creation of the UN Trusteeship Council, the islands of Micronesia (except Guam, which was already a U.S. territory) were placed under the council's jurisdiction to be administered by the United States on behalf of the international community.

The U.S. role under United Nations' oversight was to promote the development of Micronesia (then called the Trust Territory of the Pacific Islands) for the benefit of its inhabitants until they could establish self-government and determine their future political status. In the immediate post-World War II era, that choice was thought to be limited to independence or integration into another sovereign state, such as the United States.

Public health practitioner Bernard Yo-u, right, who was trained at a special school set up by the U.S. Navy for Micronesians, conducts a medical check-up on Yap in 1958. Improved public health was a paramount concern of U.S. administrators from the outset. Above, a traditional ceremonial house on Yap is fronted by a piece of the island's well-known stone disk money. Yap is now a state in the Federated States of Micronesia.

The initial period of quiescent U.S. administration of the war-devastated islands was characterized by a "caretaker" approach and emphasis on "protecting" the islanders. But the United States significantly increased its economic assistance to Micronesia beginning with the Kennedy Administration—at the height of the Cold War—motivated in large part by the fear that lack of economic development might jeopardize the United States' long-term security interests in the islands. Washington provided several hundred million dollars in development assistance in the 1960s and 1970s.

The dramatic turnaround impressed Micronesians and the United States offered them U.S. citizenship and commonwealth status—entrée into the American family as unincorporated territories. But their fear of land alienation and loss of sovereignty persuaded most island leaders that joining the U.S. polity was not in their best interest. Micronesians then proposed free association—a relatively new concept in international relations—as an alternative, and three Micronesian island groups chose that status in self-determination plebiscites in the 1970s. Micronesian free association is a form of independence based on a compact that provides U.S. financial assistance to the island republics for 15 years; in turn, the islands delegated responsibility for defense and regional security to the United States, meeting America's bottom line strategic concerns.



Ruth Van Cleve, who served as director of Interior's Office of Territories during the Kennedy, Johnson, and Carter Administrations, meets with island leaders in Micronesia during the 1960s

The voters of the Northern Marianas, however, chose to join the American family. Saipan, Tinian, Rota, and the smaller islands that make up the archipelago are now an insular commonwealth of the United States. Saipan had been the site of the U.S. Trust Territory Government and had seen significantly greater development and underwent greater American acculturation. Moreover, these islands were viewed as strategically more important for the U.S. Navy and American negotiators were willing to agree to high levels of economic assistance and special status privileges—such as temporary local control over immigration and labor law—to ease the Northern Marianas' transition into the American polity.

Policy for the 21st Century

That brings me to our current efforts to draft a new chapter for America's role in Micronesia. The free association relationship broke new ground in international relations. Our compact with the islands is based on mutual respect and recognition of their sovereignty. We are committed to defend them and to help these small, developing states move toward economic self-sufficiency.

The residents of the freely associated states are citizens of their respective nations but may freely enter the United States as non-immigrants for work, study, or temporary residence. The island republics also have some U.S. trade preferences and are eligible for many U.S. federal programs. The islands use U.S. currency and are part of the U.S. Postal System.

Despite many challenges, criticisms, and difficulties, our nation has fulfilled its historic trust for Micronesia, guiding the islands that chose independence into the international community, while embracing those that desired American citizenship. Though the effort has not been emblazoned in national headlines, we should be proud of our accomplishment. It was a long and intricate process during a Cold War that polarized the globe and nearly paralyzed other U.S. international initiatives.

However, the relationship has been more successful politically than economically. The Micronesians have adopted democratic institutions and peace has reigned in the region. But Congress resisted Executive Branch efforts to extend tax and trade privileges to the islands and, as a result, economic development has not met expectations. Island governments grew, while agriculture, fishing, and the private sector have not developed sufficiently. We will have to revisit these issues as we renegotiate parts of the Compact of Free Association.

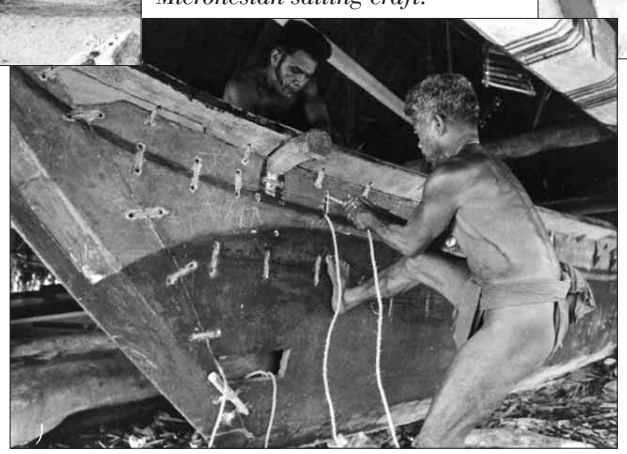
Meanwhile, five other island groups remain part of the U.S. political family: Puerto Rico, which is not within the jurisdiction of the Interior Department; and Guam, the Northern Marianas, American Samoa, and the U.S. Virgin Islands, which are. The Department provides financial and technical assistance to these islands and serves as a focal point in the Executive Branch for federal relations with the insular governments.

Wither Our Flag Islands

Over the past 50 years, there has been a trend of increasing local self-government in these flag territories; a progression from U.S. Navy administration to today's essentially state-like treatment. However, many islanders and island leaders are frustrated with the legal and political limits that the U.S. Constitution and the Congress now place on the further expansion of local self-government.

Some U.S. and island officials had anticipated that the residents of the flag islands might follow the Micronesian precedent and seek free association relationships with the United States because it confers local sovereignty and thus maximizes self-

Some of the remote islands of Micronesia can only be supplied by field trip ships, like the one at left, which must anchor or circle outside the reef, while small boats carry people and cargo ashore. In many of the major archipelagoes of Micronesia, the only means of travel between islands is boat, at right. Motorized craft have supplanted traditional craft, except for a few remote islands where a dwindling number of men, below, still have the knowledge and skills to build the traditional ocean-going Micronesian sailing craft.



government. But to date that has not been the case. Far from it. Referenda and status discussions with island leaders indicate that all of these U.S. insular areas wish to remain members of the American political family. Though some want an improved status in the national polity with significantly greater autonomy, an overwhelming majority of voters in the flag islands have expressed their desire to retain their U.S. citizenship. Independence or free association, while espoused by some island leaders and groups, remain aspirations of electoral minorities.

I believe this is a tribute to our nation. Though these islands are a legacy of turn-of-the-century imperialism and occupy a politically anomalous status in our national family, the United States has attempted to do the right thing for them. The nation has extended citizenship to the islanders, ensured the progressive social and political development of their communities, and encouraged their economic expansion and self-reliant development. Special tax and trade privileges not available to the states have played an important part in this development.

Secretary Babbitt, in a ceremony held in his office on April 3, 1998, issued a Secretarial Commendation to Allen Stayman, director of the Office of Insular Affairs, for his exemplary efforts in advancing democratic principles in the Commonwealth of the Northern Mariana Islands and combating immigration and alien labor abuses there. Before coming to Interior, Stayman was a professional staff member of the U.S. Senate Committee on Energy and Natural Resources for nine years, specializing in U.S. insular policy. He has visited Micronesia on numerous occasions during the past two decades to meet with island leaders on a wide range of U.S. policy and program issues. A certified SCUBA diver, Stayman has an M.A. in Fisheries Science from the University of Washington. Photo by Tami Heilemann, NBC

As we look back over two centuries of American territorial policy, it is the status of these flag territories, however, that remains our greatest challenge. The first territorial policy, established under the Northwest Ordinance, was fantastically successful, expanding the United States from 13 to 50 states, culminating with our nation's reach into the Pacific through Alaskan and Hawaiian statehood.

Our post-World-War-II territorial policy in Micronesia, of serving as an administrator under the United Nations Trust Territory system, has culminated with the implementation of the Compact of Free Association and the Covenant with the Commonwealth of the Northern Mariana Islands that were negotiated and approved under United Nations' auspices.

But what is the destiny of the flag islands? It is important to recall that one such unincorporated territory, the Philippines, became an independent nation after nearly 50 years under the U.S. flag. It is even more important to note that Puerto Rico, an unincorporated territory under the U.S. flag for 100 years, has a powerful statehood movement and may move in that direction in the future. A recent referendum on the island's future political status (held late last year) produced mixed results, however, with "none of the above" (neither statehood nor commonwealth) gaining a majority of votes. Perhaps a future referendum will provide more precise guidance as to the wishes of the Puerto Rican people.

In the meantime, unfortunately, Congress has shown a reluctance to exercise its plenary authority regarding territorial governance to help the people of the islands establish a process to resolve the issue of future political status. Guam's long-stalemated status issue, for example, requires Congressional guidance to be resolved. Guam leaders have been seeking an autonomous status in the U.S. polity for the past 15 years but have not won Executive Branch support for their proposal. Three Administrations have expressed identical Constitutional, political, and policy objections to major provisions of the Guam Commonwealth Bill that was drafted by the island's leaders. In the view of many U.S. officials, Guam's current proposal seeks an untenable combination of sovereignty and integration—the rough equivalent of free association status with the island's residents retaining U.S. citizenship.

The measure is under review in the Congress and Guam leaders have scheduled a plebiscite later this year on alternative status options—statehood, free association, or independence—should sufficient elements of their commonwealth proposal fail to gain Congressional support. The plebiscite would be limited to Chamorro voters—those who trace their ancestry to the inhabitants of Guam in 1898 when the United States acquired the island from Spain.

Chamorros are about a third of Guam's 150,000 population. Non-Chamorro residents include immigrants from Hawaii and the U.S. mainland, as well as Asian-Americans, many of whom came to Guam from the Philippines. As part of their review of Guam's commonwealth proposal, U.S. officials have maintained that a political status referendum or plebiscite that prevents U.S. citizens on Guam from participating because of their ethnicity violates their rights under the U.S. Constitution. Chamorro leaders counter that the indigenous people are the "self" in Guam's right to self-determination because non-Chamorro voters have already exercised their self-determination by either choosing or confirming their U.S. citizenship.

President Clinton accepts the credentials of the Republic of Palau's first ambassador to the United States, the Honorable Hersey Kyota, at center. With the ambassador at the October, 1997 ceremony are his wife, Lydia, and his three sons, from left, Lyle, Lance, and Luke.

Both island and U.S. officials face significant challenges in defining and charting the political destiny of the flag islands. The Trust Territory termination process and the Puerto Rico referendum process suggest new approaches, and with the active involvement and guidance of Congress, these approaches may allow the United States to close this chapter in the evolution of our territorial policy.