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TO : Department of State (IO/UNP, EA/ANZ, S/PC)

DEPT. PASS TO: INTERIOR DEPT. for Asst. Secretary Leesch and Office of Territories. DEFENSE DEPT. for OSD/ISA. WHITE HOUSE For Mr. Levin (NSC). CINCPAC FOR POLAD. USUN NEW YORK.

FROM : HICOMTERPACIS POLAD, SAIPAN

DATE: February 16, 1971

SUBJECT : TTPI - Micronesian Lands and the Status Question

UNP/Leesch

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(See memo for lead)
As most persons in Washington concerned with the TTPI future political status question are aware, the land issue is perhaps the single most critical element with respect to the status negotiations. Yet, for almost any westerner, it is nearly impossible to comprehend fully the emotional or pseudo-religious attachment the Micronesian (other than in the Marianas) has to the land. A quick reading of the following excerpted from a 1912 British study of land problems in West Africa, is instructive with respect to the importance of the land question. Although the excerpt refers to an African situation, it applies totally to Micronesia -- perhaps even more so here given the relative sparseness of land resources in most areas of Micronesia.

2. "In the native conception land is God-given like air and water, and every single individual is entitled to a share. But the land is not simply the property of the living -- it also belongs to the ancestors and to future generations. As a Nigerian chief had put it, 'I conceive that land belongs to a vast family of whom many are dead, few are living, and countless members are still unborn.' The individual who first clears land and cultivates it establishes for himself definite rights over the land and over the improvements which his labor has effected, and these rights are shared by his family and descendants. But normally individuals only enjoy rights as members of their family or village, and there can be no true understanding of native land customs without a realization of the corporate character of African social life. By virtue of this the ultimate ownership of land vests in the community, so that the 'steal' or the family has what would be described in English law as a right of reversion -- a right which cannot be lost by prescription. The ownership of land therefore,

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by a family is not analogous to that of tenancy in common under English law, but rather is a joint and indivisible ownership no part of which is capable of being alienated voluntarily or involuntarily by any individual occupant of a portion of land."

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