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September 21, 1971

MEMORANDUM

To: Ambassador Hummel, Chairman, Interagency Group

From: State, S/PC - Lindsey Grant

Information Memorandum: Variant Plebiscites for Micronesia

Decisions will not be required in October as to the form in which we offer a plebiscite to the Micronesian voters. It may be useful, however, to sketch some of the considerations bearing upon an eventual plebiscite, and to describe alternative forms of a plebiscite. Presumably, we will be in a better position in October if we understand where the road ahead may be leading.

I. Cooperation with the Congress of Micronesia

Even with Congress of Micronesia participation, IO/UNP has argued the desirability of offering the independence choice as a means of establishing once and for all that the Micronesian voters have indeed had a free choice. Without such cooperation, a US effort to carry out a "yes/no" plebiscite on some form of permanent relationship, without the independence option, will probably be worse than deferring the whole issue. It would open us to attack from our enemies abroad, and would not win the support even of our friends. It would put the administration under very severe attack at home. It would certainly not resolve the problem inside Micronesia.

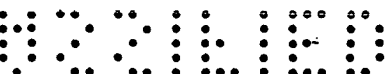
Section IV below dramatizes how much easier it would be to offer a plebiscite jointly with the Congress of Micronesia, rather than unilaterally in opposition to it.

Presumably, we would go for a unilaterally-sponsored plebiscite only if it proved absolutely impossible to work out a form of association with Micronesia tolerable to us, and yet at the same time we did not believe that we could remain with the status quo. If this proved the case, we should remember that the Micronesian leaders with whom we

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had come to an impasse will probably remain as leaders; and we will want their cooperation. This would suggest that, if negotiations fail, we will need to make a hard choice: *BIAS*

Our long term advantage may lie in taking a sympathetic view of independence, and in helping the Micronesian leaders to develop their capacity for self-government.

II. UN Aspects

Several memoranda have dealt at length with the UN aspects. They can be summarized for these purposes in the following observations:

-- There are precedents for moving to independence without a plebiscite, but not for arriving at permanent association without giving the voters a direct choice.

-- The UN has generally supervised plebiscites in Trust Territories, but this need not bind us, particularly if we have the Congress of Micronesia aboard. We can have UN observers (Trusteeship Council or Security Council), and can even make do if necessary with a joint US/Congress of Micronesia notification to the Security Council that we have terminated the trusteeship to our mutual satisfaction.

-- We can probably sell a separate route for the Marianas, in the UN, but will encounter more criticism if we offer a district-by-district choice elsewhere in Micronesia.

-- A clear-cut independence option would help our case, even if the plebiscite were jointly sponsored with the Congress of Micronesia.

E -- We have the veto, and can prevent any legal change in the Trusteeship if we are willing to bear the political costs of resisting the efforts by the Congress of Micronesia to promote a change. *J*

III. The Marianas Option

There is a clear-cut dilemma here:

- Do we offer a separate route to the Marianas alone,
or
- do we offer other districts also the opportunity to join with us, whatever the others may do?

The negotiating instructions are contradictory on this. They suggest the possibility of giving other districts a chance to opt for close association along with the Marianas, but they also direct that the choice be given to the other districts "as a group."

There are attractions to offering the Marianas a choice of going with Guam or with Micronesia, and then subsequently offering a plebiscite to Micronesia (with or without the Marianas, according to the Marianas' choice.) This route would, however, deprive us of the possibility of bringing along some other districts such as the Marshalls.

It would be neat and defensible to offer a single referendum to all the districts, but this offers problems:

- It is difficult to frame, since the choice of union with Guam is relevant only to the Marianas, and other districts might prefer some sort of direct bilateral connection with the US.

- It means in effect that we are offering a district-by-district choice -- a route which would cause us difficulties in the UN, but can be defended as offering something close to the ultimate in free choice.

IV. Variant Plebiscites

With the above conditions in mind, there are several different ways in which a plebiscite could be offered. In each case, the decision would be required as to whether to offer the choice:

- to Micronesia as a unit (i.e. one man one vote.)

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-- District-by-district (with the additional questions as to what to do if the Districts split 3-3, and what to do about a district which took a minority position.)

-- to Micronesia as a unit, with a separate plebiscite for the Marianas (e.g. Go with Micronesia vs. Incorporation with Guam.)

Herewith a non-exhaustive list of various ways of structuring the plebiscite:

A. Yes/No on Proposed New Relationship.

COMMENT: Tolerable if Congress of Micronesia co-sponsors.

B. Proposed New Relationship vs. Independence.

COMMENT: Would require new negotiating authority from President. Presumably would be offered only if the Marianas were offered a separate plebiscite. A straightforward choice, particularly important if we propose a US solution, with Congress of Micronesia seeking independence.

C. Proposed New Relationship vs. Status Quo.

COMMENT: A holding operation, to be considered only if Congress of Micronesia is in opposition. ~~It~~ Would permit us to test out a new proposal without the danger of getting an independence vote. Advantage over A is that, by making the alternative explicit, it might push independence-minded voters toward the new relationship option -- or they might boycott. ~~We~~ We would gain some time, but would not have met our UN mandate or satisfied the politically active Micronesians

D. Complex choice: Proposed New Relationship vs. "No", with "No" votes to Express a Choice Between Independence and Closer Commonwealth Association with the U.S.

COMMENT: An effort to kill several birds with one stone. ~~The~~ (1) The formula would tend to split the opposition vote and justify going with a plurality to the proposed new relationship -- presumably jointly sponsored with the Congress of Micronesia. (2) It would offer the independence option. (3) It would permit the Marianas to register their desire for a closer relationship with us. ~~The~~ Disadvantages: complexity; possibility that the vote would split to our

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disadvantage, in some districts, giving a plurality to "independence;" might not result in clear majority for any choice; possibility that we would wind up with three different relationships with different districts.

E. Three-Way Choice. (e.g. Status Quo vs. US proposal vs. independence.)

COMMENT: [A device to split the opposition vote. Temporizing technique. We would be under very broad attack if we tried to go ahead with a permanent settlement on any basis which had not received a majority vote.]

F. Three-Way Choice with a Majority Provision.

COMMENT: [As "E" above, but in this case the splitting provision would be worked the other way to attempt to garner additional votes -- with a provision that the votes would be additive from status quo to the US proposal.] Principal reason for considering this technique is that it would permit the Marianas to vote for the status quo without having a separate ballot.

-G. "A" with Provision for Second Plebiscite for Districts Not Joining the Majority.

COMMENT: The "second choice" possibility could be offered in several variants, with different objectives. In this instance, it would be a way in which the Marianas could show their determination not to join Micronesia, the presumption being that the Marianas would subsequently be given a chance to join Guam or opt for a closer US relationship.

H. "B" with Provision for a Second Plebiscite for Districts Not Joining the Majority.

COMMENT: This would offer the possibility of a District-by-District plebiscite while still minimizing the charges that we were resorting to divide-and-conquer tactics (themselves not necessarily a bad idea.) There are several possibilities, the most obvious being to use this as a means of bringing Truk and Palau aboard if the Marshalls, Ponape and Yap chose association with the U.S.; Truk and Palau would have a second choice to avoid fractioning Micronesia, and there would be no charge that they were not offered a free choice.] Another use would be to make sure

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that a given district -- say the Marshalls -- really wanted to stay with us in a situation wherein three or more districts opted for independence,

I. Double Vote; Continued Relationship with the US vs. Independence; With Promise of Further Vote on Form of Relationship, for Districts Choosing Continued Relationship.

COMMENT: Could be offered in a stand-off with the Congress of Micronesia, in which we could not accept its terms for continued association and it chose independence. This broad formula would permit us to discuss what form of association the Marianas want, and to tailor an attractive package to bring along as many other districts as possible in some form of Commonwealth proposal to be offered after the plebiscite on independence. Could be combined with a promise that those Districts voting for permanent association would be offered a second chance to opt to go with the districts going independent, at the time that the specific US "Commonwealth" proposal is offered; this should maximize the appeal of the "stay with the US" vote in the first plebiscite, since the voters would still have another crack at the independence option. Disadvantages: complexity; lapse of time between votes could work to our disadvantage.

J. Double Vote; The May 1970 Proposal

COMMENT: This was, in effect, "A" offered twice. The first plebiscite would allow the voters to decide whether to call a Constitutional Convention within a framework set by the U.S. The second plebiscite would allow the voters to certify the work of that convention. It was envisaged in 1970 as a means of assuring tighter control over the Constitutional Convention than if we had simply offered to allow such a Convention without binding the Micronesian voters to the limits we had set.