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August 29, 1972

To the Congressional delegation from Ponape District

Honorable Senators and Representatives:

This letter is being addressed to you by the native Catholic Ponapean clergy and clergy candidates. We are speaking only in our own names. In our remarks we do not profess to represent the entire Catholic community of Ponape District nor the clergy as a whole.

Since the Congress is presently engaged in serious deliberation concerning the Draft Compact of Free Association, and since you surely desire the opinions of men who have accepted the duty of giving leadership in moral, religious and human concerns here in this district, we hereby submit the following reflection on the Draft Compact. Our reflections will be grouped under four headings: Sovereignty, Areas of Vagueness, Morality, the Interests of the people of Micronesia.

SOVEREIGNTY

In the strongest terms we endorse the principle of sovereignty of the people of Micronesia. We cannot be satisfied with a mere statement of this principle in the Compact. The provisions of the Compact should show forth clearly the fundamentality of this principle. There is no nation in existence at the present time which has sovereignty over Micronesia as a right. No nation can grant Micronesia sovereignty. The Micronesian people have this right from God and not from men.

Every people has the right and often the duty to restrict its own sovereignty. However, the human dignity of a people cannot allow excessive delegation of sovereignty. We believe that the Compact document as it now stands excessively curtails the sovereignty of the Micronesian people. The will of the people as expressed in their Constitutions is made subordinate to a compact with another nation and that other nation allows them to make Constitutions under provisos dictated by that other nation. We feel that Section 101 of Title I should end with the phrase "at any time", and that the rest of the sentence should be deleted. No nation can concede to another people the right of adopting a Constitution which right they already possess from God.

Incidentally, we submit here our support to the principle of unilateral termination of any compact of Free Association.

It appears from Section 201 that United States foreign policy takes precedence over even Micronesian control of internal affairs. Granting Full responsibility and authority over foreign affairs and defense to another nation is an excessive renunciation of sovereignty. The fifty States of America have done so but only after the assurance of equitable parliamentary representation and the right to elect the chief executive. This Compact gives Micronesia considerably less sovereignty than that enjoyed by the individual States of the United States.

Annex A, paragraphs III and IV makes the United States government the final arbiter. This is unacceptable.

Section 302 (b) might well become most unacceptable to the people of Micronesia one day, but this Compact gives full responsibility

and authority over all matters which relate to defense.

It is not clear from Section 303 whether or not the government of Micronesia will have the right to deny further lands to the American military. Such lack of clarity should be removed from this section. Since this compact takes precedence over the Micronesian Constitutions, and since the compact grants full military authority and responsibility to the United States, it does not appear that the executive or legislative branches of the Micronesian government could take any action to hinder the cession of more land to the United States military. If we mis-read this section, perhaps it needs clarification. Is not the question of eminent domain in question here?

#### AREAS OF VAGUENESS

It is unrealistic to neatly divide responsibility for internal and external affairs. There will be many mixed or gray areas. Section 201 (C) assures us that the United States will avoid to the greatest extent possible any interference in the internal affairs of Micronesia pursuant to its foreign affairs responsibilities. It is, therefore, possible that the United States may feel constrained to interfere if internal Micronesian decisions or actions conflict with United States foreign policy. Who will decide when such a conflict exists? There is no mention of negotiations, not even mention of arbitration. The existence of gray areas and such possible conflict limits not only military and foreign policy sovereignty but even internal sovereignty.

#### A MORAL QUESTION

No man can abdicate all responsibility for the use of his

property. Neither can a nation. If the people of Micronesia approve of Section 303 as it stands, they will be doing just that. We take a firm moral stand here. This section is immoral. By their approval of it the people of Micronesia would bind themselves in advance to cooperation with any unjust military action the United States might engage in. They will have granted "full freedom of use" for military action launched from Micronesian soil. Such a prior consent without "any limitations on the use of such lands" binds Micronesia in advance to possible cooperation with injustice. This would be unethical. We do not want this compact to take precedence over our Constitutions. But, if it must, let the foundations of this nation not be morally corrupt.

THE BEST INTERESTS OF THE PEOPLE OF MICRONESIA

We put this in the form of a few questions. Is it in the best interests of the people of Palau and the Marshalls to cede so much of their land to military use and control? Will Palau become flooded with foreign military personnel? Should not the United States state how this land will be used. With respect to Section 801 (b), could this lead to excessive numbers of Americans relative to the indigenous population of Micronesia? Will American foreign trade agreements applied to Micronesia according to the provisions of Section 202 always be to our best interests? Who is to judge which military "activities and operations" on lands and waters in the territory of Micronesia" are "necessary" for defence? Will these activities always be to the best interests of the Micronesian people?

CONCLUSION

We pay a high price indeed for American financial support. May we suggest that government spending be more balanced in favor of production. If less were spent on buildings, roads, bridges, docks, airports, government salaries, etc. and more were spent on production, perhaps we could become less dependant on United States support. May we suggest that our dignity, self respect and freedom are just as important to us as is material prosperity - especially a dependent prosperity?

We urge you to consider our remarks and doubts seriously. We hope that an acceptable revision of the Draft Compact can be achieved. In its present form, we cannot endorse it. Some of us have a bias for independence. The present Draft Compact does not reduce this bias. Our American friends have taught us that all men are created equal, endowed with certain inalienable rights from their Creator. We write this to you in that spirit.

Respectfully submitted by the undersigned:

/s/ Geronimo Victor

/s/ Manuel Amor

/s/ Etwel Pelep

/s/ Selerino Sarlino

/s/ Lorens Joanis

/s/ Kelson P. Johnson

/s/ Koropin Kesmen

/s/ Misael Pelep

/s/ Fr. Paulino Cantero, S.J.