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Statement prepared for presentation before the Senate Committee on Foreign Relations on H.J. Res. 549, a joint resolution to approve the "Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America."

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I appreciate the invitation of the Committee to testify on the future political status of Micronesia. As the Committee is aware, on July 23, 1975, the Carnegie Endowment for International Peace released a study entitled, Micronesia: Trust Betrayed, Altruism Versus Self-Interest In American Foreign Policy. The study, conducted under my direction over a period of two years, was sponsored by the Endowment in the belief that the subject was sufficiently important that the public interest would be served by an independent study, but the views expressed in the study--and, indeed, those expressed by me today--are my own.

I cannot and do not speak for Micronesia or Micronesians. For the first time in the sixty years since they have been the responsibility of the international community, Micronesians can and should speak for themselves. What I can do is present the result of a systematic analysis, independent of the U.S. government, of the effort to balance the conflicting interests of the United States, Micronesia, and the international community in determining Micronesia's future political status.

Except for confirmation hearings of U.S. Representatives to the Trusteeship Council, I believe this is the first time this Committee has considered Micronesia since 1947. At that time, this Committee took the action which ultimately resulted in the approval of an international agreement between the United States and the U.N. Security Council under which Micronesia was placed under the U.N. trusteeship system. In the meantime, although Micronesia is an area over which the U.S. does not claim sovereignty and although the U.S. has clear international legal obligations which cannot be altered except through an international agreement,

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primary responsibility for overseeing Micronesia has been exercised in the framework of U.S. domestic affairs. The administration, since 1969, has tended to downplay foreign affairs considerations in Micronesia, but it explicitly recognized the international context of the question when President Nixon appointed an ambassador to conduct negotiations with the Micronesians and the Department of State assigned personnel to Micronesia.

I would not presume to be an expert on the assignment of responsibility among Congressional committees. But I would at the outset call your attention to the fact that one of the major conclusions of the study was that many of the problems of U.S. administration of Micronesia resulted from, and continue to result from, the effort to divide artificially responsibility between the Departments of Interior, State and Defense in the Executive Branch and between the foreign relations, interior, and armed services committees in Congress. Yet, few aspects of American administration of Micronesia fit neatly into these divisions. The administration recognized the fallacy of this approach when, in 1962, the first effort was made to handle the status question on an inter-agency basis.

Certainly, the termination of the Trusteeship Agreement and the judgment whether what is proposed fulfills the international, legal and political obligations of the United States is a foreign affairs question. As a matter of fact, in his 1975 testimony before a Defense appropriations committee, Secretary of Defense Schlesinger stated that "largely international and political" considerations lay behind current proposals to change

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Micronesia's status. The U.S., said the Secretary of Defense, seeks "only to change the form of the trusteeship arrangement while retaining the basic objectives and responsibilities we have had for thirty years."

The Micronesian question is unusually complex for such a small place. It took twelve years of continuous bickering between the time in 1962 when President Kennedy, in a secret National Security Memorandum, determined that the policy of the U.S. was to bring Micronesia into "a permanent relationship with the U.S. within our political framework" and the arrival of part of that policy at Congress in the form of the Marianas proposal. Many of the intervening developments, including important aspects of U.S.-Micronesian negotiations, are wrapped in secrecy. However, we do know that in general one of the basic and classified findings submitted by the Solomon Mission, the group appointed by President Kennedy in 1963 to make recommendations on the implementation of the new policy, remains true today. There are, said the Solomon group, "unique elements" which make difficult the reconciling of the U.S. objective of holding on to Micronesia for strategic reasons and the U.S. obligation to accord the people of those islands the right of self-determination. Solomon's list of six points began with the fact that the United States was moving counter to anti-colonialism and in the process breaching its own policy against territorial acquisition, and concluded with the statement that even the attainment of policy objectives required "a modern and more efficient concept of overseas territorial administration than is evident in the prevailing approach of the quasi-colonial bureaucracy in the present Trust Territory government."

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It would serve no useful purpose to enter into a long and technical discussion of whether the policies set forth in National Security Action Memoranda 145, 243, and 268, or in the Solomon report itself ever were or remain United States policy or whether the specific approach of 1963 is the same as that of 1975. Obviously, some of the questions which concerned the Solomon group have changed. Among the basic changes is the fact that the United States is now and for the next five or six years will continue to be the only country administering a trust territory. In addition, there is the not insignificant but regrettable fact that the United States no longer holds the United Nations in very high regard and thus, while criticizing the lawless actions of the majority in the United Nations, is nevertheless itself openly willing to take actions of questionable legality and contrary to current international practice.

We do not have the secret policy memoranda of the Nixon-Ford administrations. However, we have public statements by the Secretary of Defense, former Secretary Hickel, and United States negotiators that, whatever the objectives of the Marianas and the other five districts of Micronesia, the thrust of United States policy--the emphasis on military objectives--remains unchanged.

I will not speculate on how well the administrations of the sixties would have succeeded in balancing U. S. military interests and Micronesian self-determination. It is my belief, however, that in the negotiations between 1969 and the present United States military objectives were allowed to overshadow

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shadow the legal, political and moral obligations of the United States. The result is not broad agreement that the United States has fulfilled its trusteeship obligations but an everlasting suspicion--and perhaps bitterness--on the part of Micronesians that the United States was more interested in looking after itself than after its wards.

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Members of the committee may recall that the President of the Endowment sent a copy of the preliminary limited edition of Trust Betrayed to the chairman of this committee last July and called to the attention of committee members the fact that the study had been made available to the public. Time does not permit me to even approach a discussion of the full range of subjects discussed in the study. Among other things, the study traces the historical development of United States policy, including previous actions by Congress; examines the relevant international legal and political factors involved in termination of trusteeship; presents a detailed account of the strategic considerations which have been advanced as the basis of United States policy; and includes a round by round analysis of United States negotiations with both groups of Micronesians. The study is based on extensive interviews in Washington, Hawaii, Guam, Micronesia, and Japan; interviews at the United Nations; and an examination of the relevant literature.

I believe the interests of the committee might best be served if I presented the conclusions and recommendations of the study and then highlighted some of the specific problems

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which may have to be faced in the future.

Conclusions and Recommendations

1. The basic assumption of United States policy--that Micronesia is "essential to the United States for security reasons"--is highly questionable. Such a judgment cannot be made outside political, economic, technical, and above all, human considerations. Considered against these trade-offs, initial United States military plans for land acquisition and military base construction in Micronesia not only were clearly extravagant but also affected Micronesian life and aspirations. The military should never have been permitted to proceed so far with preparations for a military base without a firm decision that the area was of such strategic importance that the Pentagon's budget would include the necessary financial support.

There is no doubt that Micronesia is useful from a military point of view. Nor is there any doubt that it is to the advantage of the United States, Micronesia and the international community to insure that the area is never again used for aggressive purposes. But a judgment that Micronesia is useful and must be denied to potential enemies raises very different policy questions than a conclusion that the area is "essential."

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A more realistic assessment of Micronesia's strategic importance might have resulted in more rapid and less contentious negotiations, if not more serious consideration of such options as international neutralization, a bilateral treaty, and/or long-term base agreements. The last two options, particularly, could have accommodated United States military interests without unnecessarily restricting Micronesian options.

2) Resolution of Micronesia's status was needlessly delayed by the failure of the executive branch to reconcile conflicts between Interior, State, and Defense. In the Johnson administration, continued bureaucratic infighting made it possible for a single congressman to exercise almost complete control over United States policy objectives. Even when a coordinated approach was initiated by the Nixon administration, attainment of policy objectives was jeopardized by the administration's dismissal of the experiences of its predecessor, by its initial refusal to restrain military demands and by its insensitivity to Micronesian rights and aspirations.

3) The Micronesians have not been presented with a free choice on their future status. Rather, they have a free choice within the limited range of options made available to them. The choice was limited by two factors: The primary factor was United States military strategic policy which precluded independence and allowed internal autonomy only if the United States continued to control defense and foreign affairs. A second limiting

factor was economic. United States economic development of Micronesia was a dismal failure. Political, social and educational programs bore no relationship to economic realities and potential. The result is a Micronesia which is considerably beyond a subsistence economy but which is unable to advance further or even to maintain current standards without considerable outside assistance. No pledge of continued United States economic assistance at sufficient levels was made for an independent Micronesia. On the contrary, the United States made it clear that the closeness of the relationship and not Micronesian needs would determine the level of United States economic assistance.

The military and economic factors which limited Micronesian choice were not unconnected. Theoretically Micronesia could have auctioned off its strategic location, but because of firmly established United States military interests, in actuality it was not in a position to do so. A more economically independent Micronesia, particularly a Micronesia not dependent solely on military attractiveness, would have been able to attract domestic and international political support for a wider range of status options.

It is also worth mentioning that as a participant in the status negotiations and as a party whose interests are directly and indirectly affected by the results, the United States may have brought into question its ability to objectively conduct either a political education program or needed plebiscites. At a minimum, the conduct of plebiscites should not be the

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responsibility of the United States but the responsibility of a neutral and impartial body or individual. Similarly and perhaps alternatively, United Nations participation should be expanded beyond mere observation.

4) Although it professed to be following a policy of territorial unity, real United States economic and military policies reinforced existing cultural, geographic and other causes for disunity in Micronesia. The initial Navy separation of the Marianas from the rest of Micronesia in 1951, location of the capital in Saipan far away from the geographic center of the territory, and clear economic and educational advantages for the Marianas reinforced and encouraged separatist tendencies there. These tendencies were also encouraged every time the military expressed a desire for bases in the Marianas. The final decision to negotiate with the Marianas appears to have been made primarily for military reasons.

5) A Commonwealth of the Marianas will neither be integrated into the United States (like a state) nor have a free associated status (like Micronesia). Their status will be new in United Nations terms and may be subject to criticism there. However, it must be recognized that the Marianas will have virtually complete control over their internal affairs and they knowingly and voluntarily entered into the arrangement. If current plans for the Marianas are projected successfully the Marianas will increasingly want either greater participation in United States affairs or greater

independence, despite the fact that they say they are satisfied with the current arrangements. If the United States fails to accommodate such desires or uses its authority in the Marianas insensitively, the United States can expect the Marianas to seek a change in the relationship.

6) Given political and economic realities, free association with the United States may best serve Micronesian interests. Free association status would give the Micronesians maximum internal autonomy, assured economic assistance, protection against third country encroachment, and the responsibility for preserving significant aspects of Micronesian culture. The Micronesians would also have the option to unilaterally declare their independence at some future date when the political and economic realities which limit current alternatives may have changed significantly.

However, for free association to survive its initially fixed period or beyond, it must indeed be free. Ideally, such an association could be based on traditional American generosity, and on the continuing feeling of responsibility and the bond of friendship which ought to result from the relationship between trustee and ward. Pragmatically, however, free association must be based on mutual interests, on accommodation, rather than subordination, of perceived United States security interests with Micronesia's right to determine its own future and to govern itself. Thus far, subordination has characterized

American policy, and it remains one of the major obstacles to arriving at a mutually satisfactory settlement. It may be too much to expect that the United States, which had to be brought screaming and kicking to an arrangement which it could have and should have offered and negotiated graciously years earlier, can make still further concessions.

7. The threat that other islands will follow the Marianas separatist route and Micronesia's continuing overwhelming dependence on United States grants suggest that the remaining five districts will have immediately before them two tasks at which the United States failed dismally: designing a government so that it provides strength through unity and yet is sufficiently flexible to meet diverse needs which exist among the islands; and developing an economy and way of life less dependent on public appropriations and uncertain military expenditure. Ideally, the United States also has a continuing responsibility to promote unity and to develop a reasonably satisfactory economy. But the American track record on economic development is appalling, and American credibility on unity may be lost irretrievably. Micronesia cannot escape the shortcomings of previous American mistakes, but it will have the opportunity and responsibility for corrective actions.

8. Congress is poorly organized to handle questions relating to issues like Micronesia. The rigidity of the committee system,

excesses of the seniority system, dictatorial powers of committee chairmen, and general congressional disinterest has resulted in inadequate attention given to the interrelationship of the international, political, economic and military factors involved in fulfillment of United States trusteeship obligations. Some of these shortcomings have, of course, been changed in recent years. However, such continuing problems as the antiquated committee structure, will continue to adversely affect United States policy in Micronesia and the Marianas even after they gain their new status.

9) The Nixon and Ford administrations took advantage of congressional shortcomings. Congress was not encouraged to address in a coherent manner the policy questions involved in termination of Micronesia's trusteeship status. Instead, the administration took steps which at best would have resulted in piecemeal consideration and at worst narrowed the scope of congressional action. Authorization of funds for transition of the Marianas to commonwealth status was requested before the Marianas Covenant was completed or submitted for congressional approval, before Congress had a chance to look at the implications for or hear the views of the rest of Micronesia and to consider the implication of military plans. In addition, the administration announced plans to hold a plebiscite and, if approved, to begin separate administration of the Marianas prior to congressional approval of a separate status for the Marianas.

The administration can rightly argue that it took these steps openly, after consultation with a few key members of Congress. In fact, it reversed its position on these procedures after congressional opposition developed. Of course, Congress ultimately always had the opportunity to stop all action on Micronesia until it was satisfied with the status question. But Congress doesn't work that way and the executive knows it. Besides risking more distrust of the executive by Congress, the administration's procedure jeopardizes the agreements themselves. Marianas disappointment at not obtaining separate administration immediately after the plebiscite will be nothing compared to how Micronesians will feel if Congress later discovers that it cannot live with agreements whose partial implementation it has already approved.

10) It is too late to give Micronesia's future political status the kind of systematic planning it deserves. However, Congress, the Micronesians and the United Nations should consider both the Marianas question and Micronesia at the same time. This would undoubtedly result in a delay for the Marianas, but assuming the Marianas approach is valid, the delay would cause no permanent damage. In fact, to the extent that its validity was established, the delay could have positive advantages. In any event, as a practical matter, the Marianas question cannot be decided without also deciding major aspects of the incomplete United States-Micronesian negotiations.

Given the impasse in the latter, it may be that the only way of forcing a resolution of those negotiations would be through detailed consideration of the Marianas question.

However, there is no reason to expect that Congress will suddenly begin to take seriously its responsibilities toward Micronesia. Phillip Burton, the chairman of the House Sub-committee on Territories, and Henry Jackson, chairman of the Senate Interior Committee, are willing and powerful allies of administration efforts to push the Marianas aspect of the Micronesia question through Congress swiftly. The administration, of course, reneged on its commitment to begin implementation of the Marianas agreement before congressional approval. But it is a change without a difference. Faced with threats from the Marianas because the administration commitment was not fulfilled, congressional leaders agreed to give the Marianas agreement pro forma approval without the significant debate and painstaking examination the issues deserve. The way the Marianas proposal has moved through Congress, the way the representatives of other United States territories have been quieted and their objections ignored, as well as the way an uninformed Congress acts should serve as a warning to the Marianas of their future vulnerability to the whims of Congress. Congress, which is frequently criticized for acting with deliberation and no speed, is now acting with speed and little deliberation.

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11) The Marianas Commonwealth and the Free Associated State of Micronesia will bring to five the kinds of territories associated with the United States: Guam and the Virgin Islands; American Samoa; and the Commonwealth of Puerto Rico. The United States should immediately move to insure that the statuses of the other territories are similarly improved. Although there is virtue in a flexible approach which tailors political status to the particular requirements of each area, the objective is not to create a rigid formula for all territories or to withhold Micronesia's privileges until other territories achieve a similar status. Rather, it is to recognize that other territories have legitimate concerns which were present even before the Micronesia negotiations. They should not be handicapped because, unlike Micronesia, they came under American sovereignty in another era and thus have not renegotiated their evolving status in the American political family.

12) Up to the signing of the Marianas Covenant, the United States demonstrated little or no concern for the role of the United Nations. This is seen in the initial United States proposal for commonwealth, the movement of Micronesian matters from the State Department's Bureau of International Organization Affairs, the discontinuation of State Department participation in the

Mariãanas negotiations and the failure to consult the foreign affairs committees of Congress. Reference to the role of the United Nations is not included in either the covenant, or the compact or any communique or in the United States itemized list of the ten steps remaining before finalization of the covenant. Only at annual sessions of the United Nations was that organization involved in Micronesian status questions. Even the United Nations participation as observers of the plebiscite was requested rather late.

On the other hand the United Nations has not performed particularly well at the most important stage of its responsibilities for Micronesia. Consideration of Micronesia, so far, is effectively isolated in the Trusteeship Council, away from the sometimes overly critical eye of the newly independent Afro-Asian and Latin American countries. Only the Soviet Union, among Trusteeship Council members, offers more than perfunctory criticism of United States administration and even Soviet criticism reflects the artificial restraint of détente. Micronesia is the victim of the structure and politics of the organization which is supposed to be its ultimate protector.

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These conclusions and recommendations are taken directly from a 487 page study and were so worded to enable the layman to avoid much of the technical discussion on which the conclusions and recommendations are based. Some of that technical discussion should be of interest to this committee for it has a bearing on the manner in which the Micronesian negotiations have been conducted and on the manner in which others, including

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the Micronesians, the United Nations and posterity will judge our performance. Among these points I would cite the following:

--The decision of the United States to support separation of the Marianas was taken contrary to the views of the Congress of Micronesia, the United Nations Trusteeship Council, Visiting Missions of the United Nations (1961-64-67-70-73), and recorded positions of the United Nations General Assembly (United Nations General Assembly Resolution 1514 (1960) and of the United States (on Katanga, Biafra, Namibia) when questions of fragmentation have arisen.

--The United States took the decision to negotiate separately with the Marianas when the Micronesians continued to insist that any free association must fully meet United Nations criteria for that status, particularly their right to unilaterally terminate the relationship (UNGA 1541). Such a provision, of course, would have made American military bases in Micronesia as vulnerable as in Asian countries. The decision to seek a permanent agreement with the Marianas provides assurances for bases but undercut the Micronesian negotiating position and opened the United States to charges of divide and rule.

--Under present international guidelines the proposed Marianas agreement does not meet any of the criteria currently applicable for determining when a territory is no longer non-self-governing. There is thus the strong possibility that, as in the case of Puerto Rico, efforts will be made by future Mariana island dissidents to gain support for the contention that the islands are a fit subject for international scrutiny.

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