

## Political Reviews

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*Micronesia in Review: Issues and Events, 1 July 2018  
to 30 June 2019*

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## GUAM

The year 2018–2019 in Guam began on a high note with a series of landmark elections and ended more forebodingly with a federal court case threatening the rights of the island’s Indigenous people.

November 2018 saw the victory of Democrat Lourdes “Lou” Leon Guerrero as the island’s first female governor. For centuries, chief executives on island have been referred to as “maga’lâhi,” a colonial appropriation of the CHamoru term for a male leader. With Leon Guerrero’s election, she assumed for the first time in modern history the title of “maga’hâga,” or female leader (*PDN*, 7 Nov 2018). Leon Guerrero led a local “blue wave” of Democrats who seized a super majority (ten out of fifteen) seats in I Liheslaturan Guåhan (Guam Legislature). Among those elected was former journalist Clynt Ridgell, the first Guam-elected leader of Chuukese descent (*PDN*, 7 Jan 2019). Leon Guerrero’s lieutenant governor, Joshua Tenorio, became the first openly gay man in US history to hold that position.

In I Liheslaturan Guåhan, ten of the officials elected were women, including seven Democrats and three

Republicans. With 67 percent of its legislature made up of women, Guam held one of the highest percentages of female elected leadership in world history. This milestone reflected the wave of women winning public office in the continental United States, but it could also be tied to a resurgence of CHamoru values long suppressed by patriarchal colonialism (*PDN*, 8 Nov 2018).

As a way of combining these two narratives, a company called Maga'håga Rising began to sell "The Future is Famalao'an" T-shirts shortly after Leon Guerrero's inauguration. "Famalao'an" is the CHamoru term for women, playing on the popular American hashtag #thefutureisfemale (*PDN*, 13 Jan 2019).

At the same time, the maga'håga appointed Tony Babauta as her chief of staff and Jack Hattig as director of the Chamorro Land Trust Commission. This was despite past scandals involving sexual misconduct toward women—Babauta at the federal level and Hattig at a high school (*PDN*, 10 Dec 2019; *GDP*, 19 Jan 2019).

Leon Guerrero survived a divisive four-way primary to become the Democratic Party's nominee. Leon Guerrero and Tenorio beat their closest primary opponents, former Senator Frank Aguon and former Attorney General of Guam Alicia Limtiaco, by under 300 votes (8,218 to 7,958). Aguon and Limtiaco, despite signing a party unity pledge during the campaign, mounted a write-in campaign during the general election. Their effort was boosted through significant self-inflicted wounds by the Republican nominee for governor Ray Tenorio, then

lieutenant governor. In the midst of the campaign, Tenorio was charged and tried for official misconduct for taking a police officer's gun. While Tenorio was found not guilty after the election, the scandal tarnished his campaign (*PDN*, 22 March 2019).

With Leon Guerrero the heavy favorite, much attention was focused on whether or not her camp would be able to garner enough votes to avoid a runoff election. According to Guam law, a candidate must receive a majority of the votes in order to be elected, or else a runoff is held. Aguon and Limtiaco's write-in campaign won an unprecedented 22.9 percent of the general election votes, just 1,258 fewer than Ray Tenorio and his running mate, former Senator Tony Ada (26.4 percent). Leon Guerrero narrowly avoided a runoff by winning 50.7 percent of the votes.

Maga'håga Leon Guerrero, a former nurse, was a pro-choice community activist in Guam in the early 1990s. Guam remains a heavily Catholic island, although recent child sexual abuse scandals have weakened the influence of the church. Though not damaging her campaign, her support for reproductive rights as maga'håga created a minicontroversy.

After the election, Leon Guerrero's Bureau of Women's Affairs began actively seeking an abortion provider for Guam, as there had been no official provider for nearly a year. The bureau director stated that a recent case in which a twelve-year-old girl on Guam was raped and impregnated had galvanized her (*PDN*, 3 June 2019). Antiabortion groups organized protests in response (*PDN*, 14 June 2019).

Sexual abuse and assault became

more prominent in public discourse during the review period. For years, revelations had poured out regarding child sexual abuse by priests within the local Catholic church. In January 2019, the Archdiocese of Agaña (Hagåtña) declared bankruptcy and prepared to sell nonessential assets (KUAM News, 16 Jan 2019). A deadline of 15 August 2019 was set for potential claimants to file suit seeking damages for alleged abuse. As of August 2019, more than two hundred had filed (CNA, 8 Aug 2019).

The disgraced former archbishop of Guam, Anthony Apuron, was among the three dozen clergy named in these lawsuits. On 4 April 2019, the Vatican announced that its private tribunal had upheld the charges against Apuron and stripped him of the title of archbishop, though he retained the rank of bishop (PDN, 21 April 2019). Apuron never stood trial in a secular court.

Similarly, disgraced former senior University of Guam professor Michael Ehlert lost his court appeal for sexually harassing and assaulting female university students and began serving his prison sentence as a convicted sex offender (PDN, 24 July 2019).

In response to an increase in child-abuse reports on-island and a perceived lack of action in investigating them, the Guam Family Justice Center Alliance called for a protest in April 2019 (PDN, 21 April 2019). I Liheslaturan Guåhan proposed multiple new bills seeking to address the issue. The proposals included setting a mandatory minimum for repeat sex offenders and prohibiting judges from reducing sentences on sex crimes involving a minor (PNC, 22 April 2019).

Other protests erupted over the US military's plans to transfer thousands of Marines and dependents from Okinawa to Guam. Construction to support the transfer had been stymied for years due to lack of federal funding, but by 2018–2019, construction was in full swing, with hundreds of acres of limestone forest bulldozed in northwest Guam.

In October 2018, following the demolition of an ancient CHamoru historical area called Magua' on the naval base in Dededo, a protest organized by demilitarization and decolonization activists from Prutehi Litekyan and Independent Guåhan gathered more than 150 demonstrators outside the base gate (KUAM News, 4 Nov 2018). Acting Speaker of the Legislature Therese Terlaje criticized the military for "a continued blatant disregard and erasure of the culture, resources, and four-thousand-year history of the indigenous Chamorro people" (PDN, 31 Oct 2018).

The election signaled increased public concern over US military actions toward Guam. Two activists who had been outspoken members of Prutehi Litekyan won seats as senators in I Liheslaturan Guåhan: Sabina Flores, who had been a water-rights activist and high school science teacher, and Kelly Marsh-Taitano, an instructor at the University of Guam. Leevin Camacho, Guam's new attorney general, had been a leader during the protests that stopped the military's planned use of Págat for its firing range. He won election despite a campaign in which his opponent relentlessly attacked him as a radical (PDN, 7 Jan 2019).

By contrast, newly elected US

representative Michael San Nicolas—a young former Guam senator who unseated longtime powerhouse Madeleine Z Bordallo in the Democratic Party primary election—continued to support the buildup and distanced himself from demilitarization proponents. San Nicolas, known as something of a maverick within his own party, elicited public criticism over perceived slowness to establish a local office and communicate with local constituents from both Bordallo and another former Guam congressional delegate, Robert Underwood (*GDP*, 30 Jan 2019; *PDN*, 1 Feb 2019). In March 2019, San Nicolas opened his Guam office and held a town hall and open house to welcome the community (*GDP*, 19 March 2019).

Guam State Historic Preservation Officer Lynda Aguon cautioned that the military was finding “too much, too frequently, and it’s quite disturbing.” She warned the public that the military was moving too quickly, collecting artifacts where they found them and then proceeding to “wipe [the areas] from the face of the earth” (*KUAM News*, 19 June 2019). Soon after voicing these concerns, Aguon was fired, although the Leon Guerrero administration said the firing had nothing to do with her public comments (*PNC*, 19 June 2019).

A coalition of over twenty Indigenous rights groups, educational nonprofits, and small businesses met with the maga'håga and expressed concern about the potential negative impacts of the military buildup and loss of cultural heritage. Leon Guerrero responded that, as a governor of a territory, she had no control over the military actions: “If we decide

our political status, whatever that may be . . . that’s our strength and the leverage we have if we are going to go out and negotiate on our terms. . . . Some people feel we have no voice in this whole story of militarization, and this whole military buildup, it’s because, I feel, we do not have the political status we need to provide that strength” (*PDN*, 26 June 2019).

Leon Guerrero supported the buildup on Guam because of regional security concerns over China and North Korea (*KUAM News*, 25 June 2019). She sent a request to the military that they pause construction in a specific limited area, where the last adult *serianthes nelsonii*, the endemic fire tree, can be found; however, the military indicated that there would be no pause in construction (*PNC*, 15 July 2019).

The long-debated issue of legalizing marijuana was decided when Leon Guerrero signed into law a bill allowing general adult recreational use (*PDN*, 3 April 2019). The bill required the establishment of a Cannabis Control Board and a testing facility.

The island continued to struggle with the impact of the 2018 Trump Tax Cuts and Jobs Act, which reduced the Government of Guam’s (Gov-Guam) income tax collections by \$36.6 million and caused a shortfall of over \$100 million in revenue for the island government (*GDP*, 29 July 2019). GovGuam ended fiscal year 2018 with a \$10.4 million deficit, despite an increase in the local business privilege tax. Leon Guerrero expressed optimism, saying, “I think at the end of the fiscal year we’ll have the revenues above the projected budget” (*PNC*, 5 July 2019).

A controversial raise in the minimum wage on Guam continued to propel public debate, as Senator Joe San Agustin introduced a bill to raise the minimum wage via two fifty-cent increments from \$8.25 an hour to \$9.25 an hour (*PDN*, 14 May 2019). While cost of living had continued to rise, San Agustin said that wages for many families had not kept pace with inflation. The bill was considered a compromise with business owners.

The Chamorro Land Trust Commission lifted its self-imposed moratorium on granting leases of land (*PDN*, 20 Dec 2018). The commission was established to restore land to Indigenous CHamorus following post-World War II land takings by the US military. It had faced criticism last year for relatives of elected officials and Land Trust board members receiving preferential treatment. Chair “Pika” Fejeran decided it was within her commission’s authority to move forward on a case-by-case basis, despite ongoing legislative oversight.

The local medical community continued to face financial and structural challenges, as Guam Memorial Hospital, the island’s longtime primary public health care facility, lost federal accreditation in 2018 and would not seek reaccreditation until its Medicare and Medicaid shortfalls were resolved (*PDN*, 14 Feb 2019). The hospital was required by law to accept all patients, including those who could not pay or did not have health insurance coverage. At the same time, Guam Regional Medical City, a relatively new local branch of a Philippines-based private medical corporation, announced that it would reduce its presence on Guam (*GDP*, 11 June 2019).

Tensions continued to flare among ethnic groups on-island, as a machete attack committed by members of the Federated States of Micronesia (FSM) community in Mangilao drew public attention (*PDN*, 14 June 2019). Two young men were indicted in the attack that sent one victim to the hospital and left several cars damaged. A series of public safety meetings followed in villages with large populations of FSM migrants (*PNC*, 27 June 2019).

Efforts to perpetuate the Indigenous culture and language on Guam continued, as the longtime CHamoru immersion program Hurao Academy agreed to support an official Guam Department of Education initiative, the Faneyåkan Sinipok CHamoru Immersion Pilot Kindergarten Program, at P C Lujan Elementary School (*PNC*, 7 June 2019). The pilot program was open to thirty-six students. Guam law mandates that all public schools offer Chamorro cultural classes, but this immersion program would go far beyond what the law requires.

Young Guam resident Kaya Taitano found herself in the midst of an international news story over racial tensions in Washington DC when she captured images and videos of conservative white youth confronting Native American elder Nathan Phillips during the Indigenous Peoples March at the Lincoln Memorial on Martin Luther King Jr weekend (*GDP*, 21 Jan 2019). Her videos from the event were viewed by millions around the world.

The US federal government found that war reparations negotiated by former US Representative Bordallo had failed to appropriate proper funds. Guam’s new delegate to Congress, San Nicolas, and new governor,

Leon Guerrero, took up the issue, but they encountered tension when Leon Guerrero announced she would re-prioritize local funds to fulfill war claims (PNC, 20 June 2019).

Local tradition clashed with federal rule when US President Donald Trump signed an \$867 billion farm bill into law, extending the federal ban on cockfighting and dogfighting to Guam and the other US territories (*GDP*, 22 Dec 2018). Public outcry from many local cockfighting fans and farmers delineated the cultural differences between the majority-white United States and the Pacific and Asian cultures of its territory of Guam. The new governor expressed unquestioning support for cockfighting, and decolonization activists encouraged the questioning of US sovereignty over Guam (*PDN*, 7 Jan 2019). By contrast, though dogfighting does occur on Guam, it did not receive similar public attention or concern, nor did the estimated tens of thousands of stray dogs on the island.

A Guam commission was created to work with international efforts to commemorate the world's first documented circumnavigation—that of Ferdinand Magellan and his crew from 1519 to 1522—and first encounter between Europeans and Indigenous Pacific peoples (*GDP*, 8 Sept 2018). In March 1521, Magellan infamously burned a village on Guam, killed a number of people, whose body parts some members of his crew ate, and called Guam an “Island of Thieves” before dying in a conflict with the Indigenous people of the Philippines. The Spanish government intended to sail ships along Magellan's path, stopping at sites such as Guam to

commemorate his accomplishments. The purpose of Guam's commission is to coordinate with any international efforts to ensure that the CHamoru perspective and voices are not lost (PNC, 5 July 2019).

As CHamorus on Guam worked to ensure their voices were heard in international forums, their quest for self-determination received a potential setback in the US court system. A lawsuit over a self-determination plebiscite in Guam that had been fought since 2011 saw a decisive loss in the Ninth Circuit Court of Appeals for GovGuam (PNC, 30 July 2019).

A 1997 Guam law mandated a nonbinding decolonization plebiscite for “native inhabitants” of Guam. This group consisted of CHamorus, as well as members of other ethnic groups—in other words, all those who received US citizenship via the passage of the Organic Act for Guam by the US Congress in 1950, including the descendants of those individuals.

Guam resident Arnold Davis filed a lawsuit against GovGuam, alleging that his constitutional rights were being violated by the plebiscite law. As he was not given citizenship by the Organic Act, he did not meet the “native inhabitant” definition. In 2017, the US District Court of Guam ruled in favor of Davis, determining that the plebiscite law violated the Fifteenth Amendment, which guarantees US citizens the right to vote regardless of race. The Government of Guam subsequently appealed; however, in July 2019, the Ninth Circuit Court of Appeals affirmed the lower court's decision, ruling in a strange logic that the “native inhabitant” category was a proxy for race (even

though it includes people of various ethnicities) and that it was unconstitutional to limit a public vote.

Though Guam is a US territory, the US Constitution is routinely not applied to Guam or is otherwise violated in the way Guam is treated by the United States, most notably due to the fact that US citizens in Guam are not allowed to vote for US president or to have voting representatives in Congress. The federal court upheld the rights of a single person in the territory to vote in a self-determination plebiscite, while ignoring the right of self-determination for an entire people and the voting rights of US citizens in Guam.

In the wake of the court's affirmation, local leaders expressed some hope in the midst of obvious disappointment. The court ruled that the "native inhabitant" category was unconstitutional and prohibited any plebiscite that used such a term, but it did not rule on the constitutionality of seeking redress for colonized peoples. At the following meeting of Guam's Commission on Decolonization, the maga'håga, attorney general, and senators all expressed continuing support for efforts toward CHamoru self-determination (*PDN*, 6 Aug 2019).

According to the Commission on Decolonization's executive director, Melvin Won Pat Borja, "We continue to be shot down at every turn, but it does not change the fact that our people have this desire within them to be self-governing. We have the desire to address our political status" (*PNC*, 31 July 2019). For many years, the ongoing Davis case paralyzed efforts to hold a plebiscite and hindered attempts to educate the community on

Guam's current political status. Time will tell if this potential setback may ultimately galvanize the decolonization movement.

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### MARSHALL ISLANDS

For the Republic of the Marshall Islands (RMI), the period under review saw the passing of a number of distinguished traditional leaders, public servants, and community members. Ruben Zackhras died in early January 2019 following a public service career that spanned more than four decades. Elected to nine consecutive terms as senator for Aelōñlaplap Atoll between 1979 and 2015, Zackhras was among the longest serving members of the Nitijelā (Parliament). Prior to becoming a senator, he was elected delegate and then president of the Marshall Islands' first Constitutional Convention in 1977, where he led the effort to develop and pass the constitution for