Political Reviews

Micronesia in Review: Issues and Events,
1 July 2014 to 30 June 2015

MICHAEL BEVACQUA, MONICA C LABRIOLA,
KELLY G MARSH, CLEMENT YOW MULALAP,
TYRONE J TAITANO

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MARY TUTI BAKER, LORENZ GONSCOR,
MARGARET MUTU, CHRISTINA NEWPORT,
FORREST WADE YOUNG
Guam

The island bustled with activity on many fronts this last year—continuing efforts toward decolonization, electing island leadership, preparing for the role of hosting the 12th Festival of Pacific Arts in 2016, facing ongoing militarization as well as numerous other issues such as the return of the El Niño weather patterns, which has meant once again contending with typhoons on a regular basis.

On 1 August 2014, the United States and the Federated States of Micronesia signed a treaty that formally gave ownership of the deepest part of the Marianas Trench to the Federated States (mv, 12 Aug 2014). Guam, as an unincorporated territory—or, according to the United Nations, a non-self-governing territory—was not consulted, even though this treaty affects an area that many have historically considered part of the Mariana Islands. Some of the frustration over Guam’s political status is that the people of Guam are generally not included in discussions about what happens in their region, as the island is legally a possession of the United States.

This frustration was manifested in the 2015 State of the Island Address by Guam Governor Edward “Eddie” Baza Calvo; a large portion of his speech was devoted to “unfunded mandates and colonialism” (Office of Governor, 16 Feb 2015). Calvo denounced the ways in which Guam, despite being excluded from US democratic processes, is nonetheless subject to essentially all federal laws and decisions. He called for new energy to be infused into the movement for decolonization on Guam, invoking the legacy of his great-grandfather, who in 1917 gave a speech calling for a similar political status change. Calvo proposed holding a decolonization plebiscite in 2017, the one-hundred-year anniversary of his great-grandfather’s speech.

The past two administrations (including Calvo’s first term) accomplished very little with regard to moving this process forward. The Commission on Decolonization was formed in 1997; this body is meant to guide the decolonization process locally and to educate those qualified to vote about the three different future political status options for Guam: integration, free association, and independence. The work of the commission has long been hampered by lack of funding. In recent years, international lobbying efforts, website development, public meetings, and a series of high school debates on the topic were all proposed but never implemented.

The rhetoric of decolonization is nothing new, but there were two developments that made the governor’s 2015 State of the Island speech significant. First, when advocating decolonization, Calvo broke with a long-standing unwritten rule that the chief executive of the island not express a personal preference on the matter. In the past, governors and other elected officials have avoided expressing their personal choice regarding Guam’s future political status and instead stated support for whatever choice the native inhabitants of the island might make. In his speech, Calvo diverted from his prepared remarks and added that he personally supported statehood. He
did note, however, that he considered any status other than the current one an improvement.

Second, whereas in the past the Calvo administration only offered words of support, this year it allocated $100,000 to the Commission on Decolonization to be used for the development of educational materials and programs to precede a plebiscite on decolonization. Democratic Party members of the Guam Legislature had been critical of Calvo for providing funding only for commission staff members, the majority of whom were detailed elsewhere in the Government of Guam despite being listed as working for the commission. In June 2015, the Commission on Decolonization voted to provide $30,000 to each of the three political status task forces in order to begin their outreach and advocacy work.

The work of the Commission on Decolonization and the movement for decolonization in general has been overshadowed since 2011 by a lawsuit filed on behalf of Arnold “Dave” Davis, a Caucasian US citizen living on Guam, who has long argued that the plebiscite for political status violates his 14th amendment rights related to voting, as he does not fit the category of “native inhabitant” (Marsh and Taitano 2014, 173). However, “native inhabitant” is not a racial category but rather refers to those who became US citizens via the passage of the Organic Act of Guam in 1950. It is a group that was historically recognized by the United States; while primarily comprising Chamorros, it also includes other ethnicities. Davis’s lawsuit was dismissed “without prejudice” by Guam’s chief district court judge in 2013, meaning it could be filed again, and in May 2015 the US Court of Appeals for the Ninth Circuit ruled that Davis’s case should be heard.

Although the right to self-determination and decolonization is an internationally recognized right, the United States does not recognize Guam’s path of self-determination as an international issue. The US federal government has long argued that the question of Guam’s political status is internal to the United States. Thus the Davis case could have serious ramifications in terms of Guam’s decolonization and whether the process will be forced to conform to narrow US national limits instead of internationally accepted conventions.

The specter of potential unconstitutionality has also had a negative effect on a once-significant breakthrough in moving forward on decolonization. According to international law, the administering power of a non-self-governing territory has the obligation to fund educational campaigns in order to help prepare the colony to take the next step in its political evolution. For decades, the United States has refused not only to acknowledge this responsibility but also to support the process in general.

In 2010, the US Congress passed a law that authorized the US Department of Interior (DOI) to use its technical assistance funding for public education on self-determination in Guam. This money was not guaranteed, but it was authorized as an allowable expense. Obtaining this money has proven difficult, however, and recent statements by DOI officials hint at their hesitancy to provide any support for self-determination educa-
tion because the Department of Justice may become involved if Davis’s case claiming unconstitutionality goes forward.

Some excitement swept through the island as issues of being a territory of the US were highlighted in a *Last Week Tonight with John Oliver* episode on HBO (2015). Noted was the visible absence of the US territories of Guam, Puerto Rico, the US Virgin Islands, and American Sāmoa in virtually all aspects of US democratic processes owing to Supreme Court decisions that were made over one hundred years ago, when segregationist Jim Crow laws were still considered constitutional. Territories have no star on the US flag; no voting representative in Congress; and no real participation in the selection of the US president, who is the commander-in-chief under whom many territorial citizens serve in the US military. While some awareness may have been raised as a result of the HBO episode, a tangible outcome has yet to be seen as of this writing.

One of the dominant events of 2014 was the island’s election for governor, lieutenant governor, the Guam Legislature, the US Congress, and a number of local, nonpartisan offices. Keeping people on the edge of their seats was the fact that, just days before the July filing deadline, the Democratic Party team of former Governor Carl T C Gutierrez and attorney Gary Gumataotao jumped into the race to challenge the incumbent Republicans, Governor Calvo and Lieutenant Governor Ray Tenorio. After numerous meetings with the Democratic leaders and the rank and file, Democrats united behind the Gutierrez-Gumataotao team. In the course of the campaign, the team also garnered the support of former First Lady Joann Camacho, wife of former Republican Governor Felix Camacho (PNC, 15 Sept 2014). Calvo campaigned on his administration’s financial record, including the timely payment of income tax refunds, although Gutierrez criticized Calvo for borrowing an additional $380 million through the bond market with high debt service (MV, 9 Oct 2014).

Aside from the disadvantage of running against an incumbent administration, the Democratic team was also outmatched financially. October campaign expense reports showed the Calvo-Tenorio team had raised $1.3 million by the midpoint of the campaign, while the Gutierrez-Gumataotao team had only collected $193,000 (KUAM, 27 Oct 2014). In the series of debates held during the course of the campaign, Gutierrez challenged Calvo to say whether he had given a tax write-off to any of his family’s businesses and whether he would agree to an audit of the tax records. The Calvo-Tenorio team vehemently denied the charge and called the allegation “slanderous” (KUAM, 28 Oct 2014). When the votes were totaled, the Calvo-Tenorio team garnered more than 60 percent of the vote (GEC, 25 Nov 2014).

Republicans, however, did not fare as well in the races for the US Congress and the Guam Legislature. In the contest for delegate to the US House of Representatives, incumbent Madeleine Z Bordallo first handily defeated challenger and first-time candidate Matthew Artero in the Democratic primary and then moved on to a land-
slide win against newcomer Republican Margaret “Pudding” McDon-
ald Glover Metcalf in the general election. Metcalf had campaigned
on issues such as local government reimbursement for shouldering the
impact of migrants from neighboring US Freely Associated States, known
locally as Compact Impact funding, and the long-pending war reparations
for the Guam Chamorros and local residents of Guam who suffered a
Both candidates expressed their support for
the US military buildup, but with res-
ervations. Bordallo stated she did not
support “a buildup at all costs,” while
Metcalf stated that she favored “the
least invasive of plans” for the buildup
(KUAM, 23 Oct 2014).
Democrats also successfully
retained their 9-6 majority in the
Guam Legislature, though there was
some turnover in the membership.
Going into the campaign season,
Democrats had lost one incumbent
with the passing of former Speaker
Vicente “Ben” Cabrera Pangelinan.
On the Republican side, freshman
Michael “Mike” Limtiaco chose not
to seek another term. As the votes
in the general election were totaled,
two other Republican incumbents,
Christopher “Chris” M Duenas and
Aline A Yamashita, lost their bids for
reelection. They were replaced by very
familiar public figures: Republicans
James “Jim” V Espaldon and Frank
F Blas Jr had served previously as
senators. New to the Legislature were
Republican Mary Camacho Torres,
a former Airport and Port Author-
ity general manager and sister of
former Governor Felix P Camacho,
and Democrat Dr Nerissa Bretania
Underwood, a former superinten-
dent of education and wife of former
Congressman Robert A Underwood
(GEC, 18 Sept 2014). Soon after the
general election, Democrats met to
select the leadership for the incom-
ing Legislature and decided to retain
Speaker Judith “Judi” T Won Pat,
Vice Speaker Benjamin J F “BJ” Cruz,
Legislative Secretary Tina Rose Muña
Barnes, and Majority Leader Rory J
Respicio (KUAM, 10 Nov 2014).
Nonpartisan elections were also
held for other posts. In the race for
attorney general, Elizabeth Barrett-
Anderson unseated incumbent Leo-
nard “Lenny” M Rapadas. Barrett-
Anderson has previously served as
Superior Court judge, senator, and
attorney general when it was an
appointed position. Also selected
were three of the five positions on the
Consolidated Commission on Utilities
(Com), which supervises the island’s
power and water agencies. The cur-
rent Com Chair, Simon Sanchez, was
reelected, and the remaining two seats
were filled by new members Francis
Santos and George Bamba. Voters also
approved the retention of Chief Justice
Robert J Torres and Judge Michael
J Bordallo and selected half a dozen
members of the Guam Education
Board, which supervises the public
Schools (GEC, 25 Nov 2014).
Voters in November also agreed to
a ballot initiative legalizing the use of
medical marijuana. The initiative went
through several legal hurdles to get on
the ballot, finally requiring a ruling by
the Guam Supreme Court. The initia-
tive garnered more than 36 percent of
the vote, although it was reported that
full implementation would take sev-
eral months (Huffington Post, 4 Nov 2014).

In July 2014, a state funeral was held for Senator Ben Pangelinan. He was chair of the powerful Appropriations Committee and had previously served as Speaker. Owing to the passing of Agat Vice Mayor Agustin Quintanilla while in office, a special election to succeed him was held on 6 June 2015; Republican Kevin James Taitague Susuico won a multicandidate race for the post (GEC, 7 June 2015).

Other prominent members of the community who passed away during the year under review were former Speaker Franklin Joseph Arceo Quittagua, former Senator Jesus “Jess” Q Torres, and former Yona Mayor Vicente “Ben” Bernardo. Guam’s community also lost Anthony “Tony” Ramirez, former administrator and curator of the Guam Museum and advocate for Guam’s culture and history, as well as Joaquin Flores Lujan, known as “Tun Jack,” a traditional Chamorro blacksmith. In 1996, Tun Jack was one of the first cultural artisans to be recognized by the Guam Council on the Arts and Humanities as a Master of Chamorro culture and has been the only person from the Western Pacific region to win a National Heritage Award Fellowship (J Balbas, pers comm, 17 Aug 2015; MV, 24 Jan 2015; 33rd Guam Legislature website).

In the field of sports, milestones were reached as Guam topped the medal count at the 2014 Micronesian Games. Held in July in Pohnpei, the event involved ten Micronesian states, territories, and independent nations competing over ten days. Guam scored 42 gold, 27 silver, and 12 bronze medals (Guam National Olympic Committee 2014).

Further, in the lead-up to the much-heralded 2018 FIFA World Cup, two qualifying matches were held in Guam in 2015. In a feat that attracted international notice, Guam’s soccer team prevailed in both contests, defeating first Turkmenistan 1-0 and then India 2-1. The latter match in particular received wide international press coverage due to the disparity in population between India (1.2 billion) and Guam (170,000) (Macquire 2015). This was the first time that Guam has secured any foothold in World Cup qualifying matches. In 2000, the last time Guam participated in the World Cup qualifying heats, it lost to Iran (19-0) and Tajikistan (16-0) (Times of India 2015).

As a prelude to Guam’s hosting of the 12th Festival of Pacific Arts (FestPac) in 2016, the 28th Annual Guam Micronesia Island Fair was held in June as a “springboard” for FestPac (GVB, 30 April 2015). In addition to performances by Chamorro dancers and artisans, artists from Palau, Yap, Kosrae, and the Marshall Islands also participated in the three-day event held at Ypao Beach Park (PDP, 11 June 2015). At the 2016 FestPac, Guam will host an estimated 2,500 artists from twenty-seven Pacific Island nations and territories and draw some 10,000 others from around the world (Office of Governor, 16 Feb 2015).

The issue of historic buildings in the capitol of Hagåtña was a source of controversy as the Legislature acted to approve a Calvo administration proposal to demolish the vacant Manuel F L Guerrero building.
Opponents of the move called for the building’s renovation and preservation, citing its historic significance as well as its economic development potential (see, eg, Cruz 2015). From World War II until relatively recently, the building housed several government functions. In particular, it served as the seat for Guam’s first appointed Chamorro governor, the first locally elected governor, and the first cohort of locals serving as heads of government agencies in the 1960s and 1970s. In the 1980s, the governor’s office was relocated to Adelup by Governor Ricardo Bordallo, and most government agencies housed in the building moved out over time. Proponents of the demolition proposal cited the high cost and limited utility of renovating the building (Stars and Stripes, 6 March 2015). On the positive side, the Historic Preservation Review Board placed the Old Court Building of Hagåtña, presently serving as the Guam Judicial Annex, on the Guam Register of Historic Places, along with the Chagui’an Massacre Site in Yigo, at which forty-five Chamorros had been brutally beheaded during World War II. Another significant act was Guam’s passing of Public Law 33-56, which proclaimed 28 June as War Survivor Remembrance Day to honor survivors of the harsh Japanese occupation of Guam during World War II (MV, 27 June 2015).

Concerns were raised in May 2015 when a $65.3 million deficit was reported for the Government of Guam (GovGuam) in fiscal year 2014. Calvo administration officials explained that this was only a paper deficit and not a cash deficit, resulting from large amounts of funds retained in trust accounts and unbudgeted expenses such as retroactive pay raises and reserves for Guam Memorial Hospital (PDN, 6 May 2015). The Legislature’s appropriations chair, Vice Speaker Benjamin Cruz, stated that he was not satisfied with the administration’s explanation and wanted to see the final audit report for 2014 (PDN, 6 May 2015). The issue of the GovGuam deficit promised to be a central concern as the Legislature takes up next year’s budget during the summer months of 2015.

Plans moved forward for the widely anticipated and debated Guam and Northern Mariana Islands military buildup. The centerpiece of the buildup is the relocation of US Marine units from Okinawa to Guam, for which the Japanese Government has provided $3.1 billion. The remainder of the funding for the move, estimated at more than $8 billion, is to come from the US Department of Defense (DOD). US Senator John McCain and others in the US Congress have been skeptical about DOD spending plans and acted to freeze funding pending completion of a master plan, which was submitted to Congress in August 2014. On Guam, opponents of the buildup have questioned the purported economic gains, the infrastructure costs, and the damaging environmental impact related to DOD plans, as well as the disturbance of ancestral sites by proposed military activities. Bringing such concerns front and center were recent instances such as the beaching of three whales in southern Guam during US Navy sonar testing (KUAM, 27 March 2015).

Guam’s community now awaits the issuance of the DOD Record of Deci-
tion, which will detail its final plans for the buildup (Stars and Stripes, 3 Nov 2014). Although it had been expected in March 2015, as of this writing, the Department of Defense has delayed issuance of the Record of Decision to the summer of 2015 (PNC, 18 June 2015). Keeping track of the intensive militarization activity, finding the appropriate DOD informational websites, and wading through the environmental impact assessment documents is an immense task for the community. Adding to this burden, reviewers say that such documents are “woefully inadequate,” “do not conform with the ‘basic principles’ of protective federal legislative requirements such as the National Environmental Policy Act,” and “preclude[s] intelligent review” (Saipan Tribune, 2 June 2015). Some community sentiments expressed over the last year mirror these findings. For example, a sign held by protestors at a public meeting stated that, regarding the buildup, there was a “shortage of detailed information and a lack of local involvement in decisions that will affect the island” (PDN, 2 Jan 2015). Island leaders, many in the community, and even outside observers have expressed feeling that each of these deficiencies is an intentional strategy to confuse, overwhelm, and wear down the community to the point of minimizing their ability to provide meaningful input. For several years now, public comments have continuously been sought or have been gathered simultaneously regarding different militarization issues, such as access to traditional medicinal plants and ancestral and historical sites, the bulldozing of pristine limestone for- est, the development of the island’s National Wildlife Refuge units, and more. Another salient issue is that there appear to be two divergent perceptions of Guam in play: indigenous-local and military. As expressed by one community member, “Guam is our home, not a strategic outpost”—the latter of which appears to many to be the way the military view the Marianas (PDN, 2 Jan 2015).

One outcome of the above controversies has been strengthening solidarity in the Marianas archipelago, crossing modern political divides that result from the historic colonial divvying up of homeland islands. Members of both Guam and Northern Mari- ana Islands communities have been signing petitions, publishing videos, writing op-ed pieces, and participating in forums such as the University of Hawai‘i’s Asian-Pacific Law & Policy Journal forum “Bombs in Paradise: A Legal, Social, and Political Discussion of Militarization in the Pacific,” at which attorney Julian Aguon, legal counsel to the Guam Legislature, served as the keynote speaker (see, eg, Yanger 2015; Cabrera and others 2015; Hofschneider 2015).

While the military buildup plans proceeded, Guam posted record-breaking numbers for tourist arrivals in 2014. In October, it was announced that overall arrivals for the 1 October 2013–30 September 2014 fiscal year reached 1,341,054 visitors (Office of the Governor, 10 Oct 2014). But concerns were raised at the University of Guam’s 6th Regional Island Sustainability Conference about plans to increase tourism to two million visi- tors by 2020 (Dumat-ol Daleno 2015).

In the months leading up to the US
Supreme Court 5-4 decision in favor of same-sex marriage, the issue was argued publicly and in court on Guam (PDN, 27 June 2015). In April 2015, after a same-sex couple unsuccessfully attempted to acquire a marriage license on the island, Attorney General Elizabeth Barrett-Anderson directed Public Health officials to issue the license, but they refused with the backing of Governor Calvo. The matter was taken to the local US District Court, which ruled in favor of issuing marriage licenses to same-sex couples, making Guam the first US territory with legal gay marriage. This ruling came three weeks prior to the US Supreme Court overturning bans on same-sex marriage nationwide (Bordallo 2015).

MICHAIL BEVACQUA,
KELLY G MARSH, AND
TYRON J TAITANO

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Marshall Islands

Several issues took center stage in the Republic of the Marshall Islands (RMI) from July 2014 to June 2015, revealing ongoing tensions between the government’s duty to attend to the everyday needs of the Marshallese people and its necessary engagement with macro-level political, economic, and environmental concerns. These tensions were perhaps most apparent in the Marshall Islands’ ongoing lawsuit against the United States and eight other nuclear-armed nations, top leaders’ vocal participation in global climate-change discussions, several controversial government expenditures and continuing financial mismanagement, less-than-desirable rankings on several regional and international reports, and increasing outmigration.

That said, government leaders, non-governmental organizations, educational institutions, and private citizens made noteworthy efforts to address these issues through governmental and institutional policy, direct action, and participation in local, regional, and international organizations. Meanwhile, the run-up to the 2015 election kicked off in September 2014, with local and national elections scheduled for the third Monday in November—recently designated a national holiday by the Nitijela (Parliament). As of this writing, it remains to be seen whom the people of the Marshall Islands will elect to steer their country’s course over the next four years.

With the 2015 election looming, a few key issues consistently made headlines during the period under review. Among these were two lawsuits filed in April 2014—one against the United States and eight other nuclear-armed nations (China, France, India, Israel, North Korea, Pakistan, Russia, and the United Kingdom) at the International Court of Justice (ICJ) in The Hague and the other against the United States in a federal district court in San Francisco (Radio Australia 2014; Lawyers Committee on