

effort to achieve national objectives. They would be made more aware of their inter-dependence as they developed complementary industries.

180. Sixthly, there is the important question of land reform. Action here may well be a prerequisite to economic development. But land is the very centre of the life and instincts of the island peoples and fundamental changes in the systems of land tenure are unlikely to be achieved by the Administration; they could only be initiated by a Micronesian legislative body. The members of this body will be better able to appraise the need for action if they are able to see the question of land reform within the context of a generally agreed plan for economic development. Seventhly, the new Congress, concerned as it must be with the problem of future self-support, will be asking itself whether it will continue to be economically practicable to maintain the Administration's present highly commendable policy of bringing modern facilities to remote islands which have only the most exiguous resources - islands which are likely to become even more of a liability as young, educated people move away in search of opportunity to the larger centres. The Congress of Micronesia will doubtless wish to consider whether an attempt should be made to consolidate populations on the larger, more accessible islands with the greatest economic potential or, alternatively, to limit full-scale services to such larger islands. An over-all development plan should assist the study of this highly charged question. Finally, and most important, the existence of an over-all plan (in the preparation of which, as is argued below, Micronesians must have a full part) will be of assistance to the people of the Territory in thinking about their future status and affiliations. While economic viability is not always essential to self-government or independence it does have a bearing on the choices open; it is therefore desirable that those who are making the political decisions should have a fairly clear idea of their economic situation and should know whether at least a path to economic viability has been or can be opened up.

The need for Micronesian participation in economic planning

181. The Mission is equally convinced that it is essential to mobilize the informed interest and enthusiasm of the people of Micronesia behind economic development and increased production. At present, the Administration has programmes for the

improvement of education, of health, of agriculture, of communications, of power and roads. Some of these look to years ahead, and they are without doubt the result of careful and expert study, but the people in general have taken little or no part in working them out and know little of them, even in so far as they relate to their immediate locality and to the months immediately ahead. It may be the case that the "infrastructure" of economic development can be achieved with only limited popular involvement. But economic development itself cannot. Money can make possible airports, roads, school buildings and teachers, but money by itself cannot secure increased production, that is, increased productive activity by the Micronesian people themselves.

182. The Territory has been bedevilled in the last seventeen years by shifts of policy and by failure to follow up projects once launched. This is so in every field of activity, though the matter is now raised in an economic context. Officer after officer through the years has started off some pet project of his own and then lost interest in it when hard follow-up effort became necessary or left the Territory for some other assignment. Not surprisingly this lack of consistent direction has produced some disillusion among many Micronesians and this in turn creates an unfavourable atmosphere for economic development. A great advantage of an economic plan is that it would give some assurance of continuity of policy and effort. And the additional advantage of ensuring that the plan is drawn up with Micronesian participation is that it would be based not on the enthusiasms of expatriate officers but on the more permanent views and ambitions of the people who must always live in the Territory.

183. Among many factors which have influenced the Mission in making this recommendation, some may be set out. First, Micronesia's economic possibilities are limited; unless the energies and ideas of the Micronesian people are more fully engaged than they are at present, unless an even greater effort is made to involve the Micronesians, stimulate them and communicate with them, even these limited possibilities are unlikely to be realized. This statement, of course, has wider implications which will link up with the section on political advancement, for there is an inseparable connexion between economic and political development. Secondly, the area of economic and social planning is above all others the place where the need to create a greater Micronesian consciousness can be combined with

the need for political education. The argument over priorities, the competition between districts and interests, the balancing of the expectations of the people and the total resources available to the Territory - these constitute the very essence of politics; and to participate in the process of economic and social planning and decision-making is thus to enjoy the most useful political education. Healthy political development, which depends on politically educated representatives, is therefore unlikely as long as economic and social planning and policy-making are carried out exclusively within the Executive, all the more as long as the specialist members of the Executive are non-Micronesians, as they are likely to be for some time yet.

184. Thirdly, Micronesian participation in the preparation of an economic development plan is one way of helping to ensure some popular control over the preparation of the Territory's budget. Under the present system, made necessary by the dependence of the Territory upon Congressional grants and hence its incorporation within the United States budgetary machinery, preparation of a preliminary budget for Micronesia starts within the Administration about three years in advance of the actual fiscal year, and it is not easy to associate the Territorial Legislature at this early stage. Nor, once the budget has reached a certain stage, is it easy to recast it. (But it is possible, and ways of associating representative Micronesians with the preparation of a budget are discussed elsewhere.) However, these possible ways aside, if there has been thorough consultation with the people of Micronesia in the preparation of an over-all economic development plan, and if there is agreement on broad priorities, then the budget will probably reflect the general will.

185. Fourthly, though there are many excellent ideas for increasing production among the people of Micronesia, there are also some, often based on memories of conditions in Japanese times, which are probably unrealistic in the changed conditions of today. Participation by Micronesian leaders in the down-to-earth work of economic planning will enable them to sort out for themselves the practical from the impractical ideas; and having done this they will be able, more effectively than non-Micronesian officials ever could, to give advice to their compatriots based on contemporary realities.

186. Fifthly, the large-scale undertakings which have been suggested by some Micronesians as being most likely to contribute to Micronesia's economic self-sufficiency could probably only be implemented by taking actions which would have considerable social repercussions. For instance, the labour force of much of Micronesia being quite small, to carry out the suggestion of establishing a sugar industry in Saipan might involve importing several thousand Okinawans or Japanese; and a large-scale fishing industry might similarly require the introduction of large numbers of non-Micronesians. It would not be desirable for industries with far-reaching effects upon the social, economic and political affairs of Micronesia to be established except by decisions of the Micronesian representative body taken on the basis of informed consideration. And, therefore, since it is essential that there be the least possible delay in establishing the economic possibilities of the Territory and setting its maximum economic development under way, the sooner the Micronesian people are associated with the processes of economic planning the better.

187. Finally, the people of Micronesia are to make decisions about their political future. One of the best preparations for weighing up the possibilities open to them and exercising their right of self-determination, is for them to share in the task of preparing a development plan and in putting it into effect.

188. There are in the view of the Mission numerous people of ability competent to join with the Administration in planning Micronesia's economic and social future. The Economic Committee of the Council of Micronesia has by its work in 1963 given an intimation of the ideas that can be harnessed - and this Committee worked without benefit of the material and the expert advice which would be available to a formally constituted Development Commission. The time has arrived for Micronesian representatives to be brought into the centre of the economic policy-making process. How can this be done? Machinery which could be used now exists in the form of the District Councils and soon will exist on a territory-wide basis in the Congress of Micronesia. It will be clear from the following section of the report dealing with political advancement that the Mission believes strongly that the Congress of Micronesia should be an active and vigilant body with the power to discuss all matters affecting Micronesia, to form Committees and working groups, to interrogate officials of the Administration and to request all necessary

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information. District Councils should have similar powers, as far as their local affairs are concerned. It will also be clear that the Mission wishes the process of Micronization of the Administration to proceed as rapidly as is practicable.

189. Two elements, a strong Legislature and an increasingly Micronesian civil service, should in themselves do much to ensure that any plan is responsive to local desires. In addition the Mission would suggest that a Development Commission or Development Board be established to advise both the High Commissioner and the Congress of Micronesia. This Commission would be a mixed one consisting of members of the Congress and civil servants, including, of course, the Head of the Economic Development Office. It might well have attached to it an outside adviser from the International Bank or the United Nations. Likewise at the District level there might be District Development Boards (extensions of those which already exist in most Districts) linked with the main Development Commission to advise the District Administrators and the District Councils; again these would be mixed bodies with members of the District Council and civil servants and with the members of the Congress of Micronesia from each District as ex officio members. The Mission envisages the main Commission and the District Boards being involved at every stage in the formulation of the central and district economic development plans and in their execution. They might well also be the bodies to decide upon requests for loans and credits, and in a more positive way, undertake the task of stimulating local enterprises.

190. Other types of machinery are possible and the Mission has no intention of being dogmatic. For instance, an independent Development Corporation and local Boards might be established outside the framework of the Administration and endowed with funds and wide discretion. But confusion and rivalry are to be avoided if possible; Commissions and autonomous agencies can all too easily become a rank growth; and in a Territory as small as Micronesia and one so short of trained individuals the Mission sees advantages (which it discusses further in the chapter on political development) in using and dovetailing the full resources of the Administration and existing elected bodies. It holds this latter requirement of ensuring the maximum participation by elected representatives to be an indispensable feature of any machinery for planning and executing the urgently needed economic development of Micronesia.

Conclusion

191. The aim of this chapter has been to give an account of the main lines of economic development which can and should be followed as the means become available. Many suggestions have been made. Some may be capable of immediate application; some may require further consideration; many may depend upon the establishment of a new framework within which they can be tested and applied.

192. The means to this end of economic development are fourfold: the training in increasing numbers of Micronesian people possessing the skills essential to economic development; the provision of capital; the establishment of an over-all plan for development based on a comprehensive assessment of the resources of Micronesia and the needs and desires of its people; and the association of the Micronesian people with every stage of the planning process. The first of these requirements is being met in large part through the greatly accelerated programme of education, although technical training as yet is lagging behind. The second, leaving aside the question of the introduction of outside private capital, goes to the question not only of the adequacy of the present financial resources available to the Territory but also of their apportionment between economic and social development measures. The third and fourth, which have been advocated also by previous visiting missions, seem to us to be of decisive importance: the action which is taken on them may determine for some time to come the degree of success, and the pace, which can be achieved in the whole field of economic development.

193. The Mission trusts that the suggestions it has made throughout this chapter will receive full consideration. Since it believes, however, that the matters summarized in this last section are of overriding importance, it wishes to place special emphasis upon the following three recommendations:

- (i) A greater and more positive effort should be made to stimulate economic development both for its own sake and to ensure that a desirable balance is attained between economic and social development programmes.
- (ii) Immediate steps should be taken to formulate an over-all and long-term economic development plan and to establish machinery - staffed by qualified people - capable of preparing and ensuring the execution of the plan.

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- (iii) The people of Micronesia should be associated with the planning process at every stage. In particular, a Development Commission or Development Board, bringing together members of the Congress of Micronesia and civil servants, should be established to advise the High Commissioner and the Congress; and similar bodies, linked to the main Commission, should be established at the District level.

CHAPTER V

POLITICAL ADVANCEMENT

Introduction

194. If the Mission were to sum up its strongest single impression it would be this: that Micronesia, once literally a geographical expression, is now welding itself into a unified people. Out of six districts, nine languages and two thousand islands, scattered by situation and isolated by history, a national consciousness has begun to evolve. It is not yet wide-spread and parochial feelings are still strong. But the process has begun and will spread swiftly. Improvements in communications, broadcasting, the rising standard of education - all are strengthening the concept of a distinct Micronesian community. Symbols can strengthen this sense of a shared future. The Territory has already adopted its own flag and the Mission would like to see this reinforced by Micronesian passports, postage stamps, currency and a Bank of Micronesia. The symbols, however, must reflect a reality and the reality of Micronesia will above all lie in its political development. Once the people of the Territory come together to confront their common problems, and as widely-scattered communities are joined in the pursuit of common interests, the pace of unification will quicken. Political progress alone can tap that mysterious potentiality which makes a united people greater and more important than the sum of its parts.

195. At the present point in Micronesia's growth, therefore, accelerated political development is not merely necessary for its own sake. It is in fact the key to all other development. An Administering Authority, however well-intentioned and conscientious, can only achieve so much by its own energies. Progress, particularly economic progress, soon begins to throw up issues of policy which, because they affect the lives of people in fundamental ways, can only be decided effectively by the people themselves. Changes in land tenure, for instance, may be economically desirable but it is not always practicable for an Administering Authority to make them. The same changes can be made with surprising speed once responsibility rests with the people and they have become convinced of the need. So there is little point in attempting to distinguish political from other fields of endeavour in a developing country. At a certain stage of growth all issues converge and become matters of political decision. This stage has now been reached in the Territory. Large decisions are looming which will shape Micronesian society for many years to come. A growing number of Micronesians are aware of these decisions and have formed

their views on them. In these circumstances it is essential that they should share the responsibility for making them. The alternative would be a growing frustration - a frustration of which the Mission could sometimes detect the earliest signs in its discussions with some Micronesian leaders.

196. It is vital that political development should take a form which promotes unity and which harnesses all the forces of Micronesian society into one striking force. It is equally vital (as well as obvious) that this should involve the most effective Micronesian participation. But in the present circumstances of the Territory these two points are not easily reconciled. The problem lies partly in the constitutional doctrine known as the "separation of powers" which has been followed in establishing the executive and legislative organs in Micronesia. The Mission has, of course, no criticism to make of this doctrine as such. It is widely recognized as an effective check on executive tyranny and is a cardinal feature of the constitutions of many United Nations Members. Nor would the Mission regard it as necessarily inappropriate to the constitutional development of Micronesia; it is the American system and the only one well understood in the Territory. The fact is, however, that the strict application of the doctrine in a Territory which is relatively under-developed and which contains as yet only a small elite of educated people poses some practical difficulties (difficulties which the Administering Authority has not perhaps always recognized).

197. The point may seem a fine one but it lies at the heart of the whole problem of effective Micronesian control of the governmental process. Unless it is grasped the Mission's recommendations on the direction of political development cannot properly be understood. The drawback of the separation of powers as applied in the Territory is precisely its advantage in other and better-endowed countries: that it keeps the executive and legislative branches in watertight compartments. In a developing country whose greatest need is trained leaders the drain on scarce human resources is heavy; in a sense it halves the effectiveness of these resources. It hampers that cross-fertilization between administrators and legislators which can have an educative effect on both. It could shut off the elected representatives of the people from the kind of day-to-day contact with administration which develops and tempers political opinions. The result could easily be a feeling of conflicting interests, an

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unfortunate rivalry between the Legislature and Executive at a time when - in such a small country - the prime need is for the consolidation of all the national energies behind the task of national development and the move towards self-government. The risk is of a government within a government. The present Council of Micronesia is admittedly only advisory but already some members have experienced an unhappy sensation of political weightlessness in getting to grips with Administration policies. Unless the point is recognized and corrective measures taken, a similar situation could arise when the Congress of Micronesia is established.

198. To sum it up briefly, the separation of legislature and executive in a dependent territory rules out any form of unified political development by which elected representatives can acquire legislative experience, begin to familiarize themselves with the workings of government departments and in due course, as Ministers, assume the political direction of one. Since the available resources are limited, a choice has to be made. Either the Executive or the Legislature has to be selected as the immediate cutting-edge of development. In the present circumstances of the Trust Territory the most obvious course is to advance the territorial legislature to the point where it can become the effective Voice and instrument of Micronesian wishes. This is in no way to suggest that Micronization of the civil service or the question of introducing some form of popular mandate into the Executive should be neglected; these two points will be fully discussed elsewhere in this chapter. But neither course can produce immediate results. There are not enough trained Micronesians as yet to fill the top administrative positions; nor has any leader with territory-wide support yet emerged who could be envisaged as an elected chief executive. Political progress, to tap the energies which are already in evidence, cannot wait for either. The Mission has therefore concluded that the approach likely to yield the quickest and most satisfying results in expanding Micronesian responsibility lies for the meantime in the development of the territorial legislature.

The Legislature

199. Some time ago the Administering Authority pledged itself to establish a true territorial legislature by 1965. Over the last eighteen months it has been

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engaged in active preparations to honour this pledge and by the time of the Mission's visit these preparations were almost complete. An Executive Order, forming part of the Code of the Trust Territory, will probably come into force within a few months. It will establish a territorial legislature and define its powers. Under the Order elections to the new legislature are likely to be held next November.

200. The present Council of Micronesia was established in August 1961. Though still advisory in character it represented a marked advance on the previous consultative body: it held regular sessions and consisted of twelve members (two from each district) elected by universal suffrage. A little over a year later, in October 1962, this body at the suggestion of the High Commissioner appointed a Legislative Drafting Committee to draw up recommendations on the form of the future Territorial Legislature. The Committee began work almost at once and travelled to every district. As a working paper it had a draft legislative charter prepared by the United States Department of the Interior and it took this into account in formulating its own conclusions. These latter were presented to the Council of Micronesia in March 1963, and the Council then adopted a recommendation (recommendation 3) which defined in broad terms the form of legislature which it wanted. The Council's recommendation is attached as annex III.

201. This recommendation by no means closed the discussion. Debate on some points had been lively and the decisions on these not entirely settled. The Administering Authority had views of its own (for instance, on the question of a bicameral legislature) as also did the Solomon Survey Mission which visited the Territory in July and August of that year. When the Council of Micronesia met again in November 1963, it had before it a document prepared by the High Commissioner's office which set out the March recommendations of the Council, the recommendations of the Survey Mission and the recommendations of the Administration. The Council then examined the alternatives, with the assistance of an officer sent from the Department of the Interior and members of the High Commissioner's staff. Its final conclusions were incorporated, without significant change, in a draft Executive Order which was shown to the Mission last January and on which the Mission's subsequent comments are based. The

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question is not entirely settled and last-minute changes could be made. It was the expectation of the Administering Authority, however, that the Executive Order would be issued some time before July and that the Council of Micronesia would not be further consulted before the Order came into force.

202. It is clear that preparations for a territorial legislature have proceeded methodically and step by step in consultation with the elected Micronesian representatives. Some doubts may be felt as to how intensive these consultations have been. The November session of the Council of Micronesia lasted only nine days and dealt also with economic and other matters; political debate seems to have concentrated mainly on procedural matters and members seem to have given little consideration to the central question of the power of the legislature and particularly its power over budgetary matters. But the Mission feels that at this stage what is needed is not so much another round of debates (which have already taken up nearly two years). The need is for the Administering Authority to make a careful but urgent review of the Executive Order to ensure that the framework of the proposed legislature should not merely reflect the results of past consultations but that its powers should be broad enough to provide for future growth.

203. After travelling through the Territory the Mission formed the opinion that the draft Executive Order shown to the Mission might well meet the present wishes of most Micronesians. And yet the legislative structure, particularly of a developing Territory, must do more than accommodate present views. It must positively encourage the enlargement of these views and provide the scope for such enlargement. There is no question of forcing people into situations for which they do not feel ready, but of doing everything possible to stimulate the growth of their own confidence. In a Territory where transition in some fields has been almost hectic, the pace of political advance cannot be set by reference to the slowest or those (the great majority in any country) who are little interested. It depends rather on the most advanced and the most active; those who will in fact be the political leaders of the new Micronesia. There is no lack of these.

204. The Mission heard many views on the new legislature in the course of its visit. Almost all speakers welcomed it and expressed the hope that it would be

constituted as soon as possible. But there were also criticisms. Some of these were the result of a vague but understandable timidity at taking a step whose ultimate effects could only be dimly perceived. In Yap, for instance, people worried about the eroding effect the new body might have on their ancient customs - and hence, as a defensive measure, wanted a bicameral legislature. Some were the result of an imperfect grasp of the issues involved. The publicizing of these and discussions by representatives with their districts were not always effective; this complaint was voiced, in particular, by the people of Saipan (although it is only fair to add that in districts such as Palau and the Marshall Islands delegates to the Council of Micronesia had reported back fully and there had been lively discussions). But on one point every district showed a remarkable unanimity. Speaker after speaker emphasized that a strong legislature with real power was needed to pull the Territory together and get it moving. Some impatience was expressed at the advisory role of the present Council of Micronesia. It was frustrating to be a member of the Council: when no action was taken by the Administration on matters raised by representatives, their districts were quick to complain: "You didn't do any good for us". The need to forge a united Micronesia was constantly raised; the main instrument for achieving this would be a central legislature with power to pass laws and review the budget. - Members of the Palau District Legislature told the Mission that the first priority was a Congress of Micronesia with real power. They said that Palau and the other districts had good representatives well able to legislate. If they had the power to levy taxes and allocate funds they could work to bring about unity and prosperity in Micronesia. The same points were made by the Hold-Over Committee of the Marshall Islands Congress. Perhaps the most explicit linking of territorial unity with a strong legislature came from the least-expected quarter - the Marianas District where unification with Guam is still a major preoccupation. If such a secession was not possible (and both the Administering Authority and successive Visiting Missions have explained many times that it is not), then a strong Micronesian legislature was the only other alternative. "If there is to be a Congress of the Trust Territory", said a speaker at a public meeting in Saipan, "then make it strong and not merely advisory - something that we can work with". He drew the loudest applause of the evening.

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205. This point has been made at some length, not merely because of its intrinsic importance, but because it was the main and in some cases the only point about political development made at meetings attended by the Mission. As such, it came inevitably to be the Mission's chief point of reference. The unanimous desire for a legislature which could be the embodiment and voice of a united Micronesia must be the test of all institutional details. The High Commissioner commented at the last session of the Trusteeship Council on "the willingness of our Micronesian leaders, not only to accept the privileges, but also to assume the responsibilities of democratic self-government" and after meeting many of these leaders the Mission would agree. The question is, will the form of legislature at present proposed give them the scope to do so? If not, the resulting frustration could damage, not merely relations between the Administration and the elected Legislature, but the whole course of political development. The structure of the proposed Congress of Micronesia must be scrutinized to ensure that its capacities are adequate to fulfil the hopes that are being placed in it. The most effective functioning of this Congress will probably hinge on four broad considerations: its form and powers; the nature of its membership; its relationship with the Administration; and its financial authority. Each of these points the Mission will examine in detail:

(a) The form and powers of the legislature

206. The question of the form of the legislature - that is, whether there should be one House or two - was so hotly debated at the last two sessions of the Council of Micronesia that the Mission is loath to reopen it, for fear of further inflating the importance of this essentially procedural question. If a majority of people in the Territory clearly prefer a bicameral system, then the Mission sees no reason (its own views notwithstanding) why this cannot be cheerfully accepted. It is better to do so than to create an issue which could bedevil politics in the Territory for years to come. But no such settled preference seems yet to have emerged. On both occasions in the Council of Micronesia the decision for bicameralism was narrowly carried, and it has been coupled with expressions of support for other alternatives. In these circumstances (and it understands that the Administering Authority shares similar views), the Mission would like to set out what it feels are the more compelling arguments for unicameralism.

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207. The obvious point is size. In a territory of only 85,000 inhabitants there must be very special reasons indeed to justify the expense and complexity of two Houses. The Trust Territory of New Guinea, with thirty times the population and even greater problems of diversity, has only one House, as do several other Pacific countries including New Zealand and Western Samoa. The circumstances of Micronesia have no less need of economy and simplicity. It is not so much that two legislatures, with their separate memberships, staff and buildings, are wasteful of money. Much more important, they are wasteful of human resources. Nothing could be more shortsighted than for the Territory to dissipate its best representatives among a multiplicity of legislatures. (The Mission was relieved to note that the once luxuriant growth of district chambers has been curbed and that all these are now unicameral). Many people are not yet experienced in the working of representative institutions. The need is for the simplest possible system - a stripped-down form of democratic government - rather than for one of the most elaborate ever devised. Responsibility should be placed squarely on the legislative body; not dissipated by disputes, confusions and conferences; all of which can easily become a legislative game and a substitute for real action. Against these considerations must be balanced the need to protect diversity and to ensure that legitimate district viewpoints are not disregarded or brusquely overridden by the territorial government. The smaller districts like Palau fear that their interests would be swamped by the greater population and voting power of districts like Truk. Others - Yap and the Marshall Islands - are concerned that their distinctive social systems and traditional customs might be destroyed. These fears are understandable and cannot be brushed aside. They are the historic reasons why bicameralism is necessary in a federal state. But the Mission would be reluctant to concede that the elaborate institutions of federalism, with their inevitable balancing of forces and diffusion of power, are needed in a territory with a population the size of a small city. There are other and just as effective means of reassuring the smaller districts. Certain local rights - rights, for example, which could not be changed without the consent of the district concerned - could be entrenched in the Code of the Trust Territory and ultimately in the Constitution. More immediately practicable, however, would be a compromise whereby the Territory

adopted a unicameral legislature, of eighteen or perhaps twenty-four members, with equal representation from each district. This was approved by the Council of Micronesia at its November session as a second alternative to bicameralism. Palau and Yap supported it. It is possible that if the Administering Authority were to come down in favour of this alternative, opinion in the Territory would come to recognize - what the Mission itself feels - that such a proposal could go far to combine the advantages of both forms: the simplicity of a single House together with a proper protection for district interests.

208. The question of form, however, is not the only point about the new legislature which is worth examining - a fact which was sometimes lost sight of during the Council of Micronesia's controversy over bicameralism. There is also, and more importantly, the question of powers. One or two Council members complained at the time that this was being overlooked, and several members told the Mission that they would like a further discussion on the subject, with particular regard to budgetary matters. The type and scope of its powers are central to the creation of a true legislature and many comments on them will be scattered throughout the chapter. The two most vital areas of authority - powers in relation to the Administration and power over the budget - are discussed separately. It would be both time-consuming and pointless for the Mission under this heading to make its own catalogue of powers. Instead, it wishes to make a more general observation on the authority of the legislature.

209. The Administering Authority has undertaken to establish an effective legislature. The Mission has no doubt that its present proposals, drafted in consultation with the elected Micronesian representatives, generally reflect this intention. There are minor restrictions, such as those forbidding gambling casinos, divorce or special tax inducements to corporations, which might be better left to the discretion of an assembly presumed to be responsibly constituted. And it does not seem appropriate that the legal counsel to Congress should be designated by the High Commissioner - Congress should have a legal counsel whose sole loyalty is to the Legislature; and this should be arranged as soon as the volume of business justifies such an appointment. But these do not primarily concern the Mission. What does is that the liberal approach of the Administering Authority should be consistently carried through the entire legislative charter.

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The logic of a true territorial legislature must not become blurred by any weakening of political imagination, or hedged about by the natural caution of law draftsmen. Legislative responsibility cannot be partitioned or it disappears. Unless the powers of the new Congress of Micronesia are fully adequate to its tasks (and expectations), it will remain largely advisory. To put it another way, if the Congress is not treated as a responsible body, it is much more likely to behave like an irresponsible one. Its coming role is a challenging one which will not be properly discharged without the knowledge (at once sobering and exciting) that ability to control the Territory's future rests in its hands.

210. With this in mind it is worth examining the legislative powers which are to be reserved for the Administration. Notwithstanding the list of minor restrictions which the Mission has already deprecated, it seems to be intended that the Legislature should have very wide powers of legislation - powers which by implication include the power to alter the Code of the Trust Territory (except for its "human rights" provisions or for those provisions that incorporate a basic international treaty or agreement). The Administering Authority will retain a concurrent right to amend the Code but the Mission trusts that it would not exercise this right except in consultation with the Congress of Micronesia. The powers of the High Commissioner must doubtless extend, for the meantime at any rate, not merely to executive matters but also to the exercise of some influence on the legislative process. His influence will help the Legislature and Executive to work as a team; and it may well be that the future course will be, not to whittle away these powers - for a self-governing Micronesia will need a strong Executive to help hold this diverse territory together - but to place them in the hands of a popularly-elected Chief Executive. None the less, so long as the High Commissioner is not elected and therefore not accountable to the people of the Territory, his proposed power to legislate by taking urgency or by declaring an emergency could be a serious invasion of the dignity and therefore the effectiveness of the new legislature. A number of people in the Territory said they had no fear that the present High Commissioner would abuse these powers, for they had come to trust him as a man who respected the views of the people of Micronesia. But how could they be sure about his successor?

The need for some emergency powers is obvious; but the circumstances in which they might be used should be more clearly defined and provision also made for the Congress of Micronesia to confirm or repeal such legislation at its next session. Again, powers of veto and disallowance must be conceded to the Administering Authority so long as it retains the ultimate responsibility. But it is important that on the occasions (and presumably they would be rare) when these powers are exercised, a written statement of reasons should be laid before the legislature for debate if desired. The Mission was pleased to note the beginnings of this practice in the present Council of Micronesia. It is not simply a matter of respect for the legislature. It represents, in fact, an acknowledgment by the Administration of its accountability to public opinion.

(b) Membership

211. The effectiveness of the new legislature, whatever its scope, is going to depend also on the quality of its members. This is first and foremost a matter for the electors. But the latter can at least be helped by ensuring that their choice of candidates is as wide and untrammelled as possible. Here an unexpected difficulty arises. It may be assumed that, as is natural in a developing country, many of the ablest and best-educated Micronesian citizens will be in the Government service. That, after all, is what they have been educated for. Unfortunately this group of officers, or rather the more senior of them, will under the present proposals be disqualified from coming forward as candidates, unless they are prepared first to resign their positions.

212. The Mission would entirely agree with the need to keep the two functions separate. It is neither desirable nor proper that any members of the new Congress should continue to hold positions in the civil service. For one thing there is the risk of embarrassment and confusion of loyalties. Since both demand considerable time and energy, mixing the two would most likely ensure that neither task was properly discharged. Nor can the risk be overlooked of administrative influence extending (or, more likely, being suspected to extend) into the actions of legislators anxious to safeguard their administrative careers. In other words, membership of Congress is a form of public service which will not be compatible with any other. It will, however, be dependent on the notoriously unpredictable will of the electors. Those senior officials who might

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wish to enter politics and whose training would be invaluable in that field over the next few years will have to weigh the hazards. By having to resign their positions before seeking election they face at least some risk of losing everything. The risk may be enough to turn away some who might otherwise be interested. If so the Territory could well be paying too high a price for the luxury of a strict adherence to the separation of powers.

213. The Administration has shown itself on other occasions capable of easing the bonds of constitutional doctrine in case of need (as it did, for instance, by abandoning in Micronesia the time-honoured principle of the local financing of education). The Mission hopes that in this instance it may prove possible to do so again. What is needed is an interim measure, for with the spread of education the relative importance of civil servants will decline and hence the need for them as candidates. In the meantime, therefore, the Mission suggests that all Government employees who wished should be given leave of absence (without pay) to run for Congress. If elected they would of course resign from the Government service, although it might be possible to protect any pension rights they had acquired for a further period of time, say two or four years. Alternatively, a prospective candidate could resign at the outset of his campaign, but with an automatic right of reinstatement if he does not succeed. There may well be other means of overcoming the difficulty and avoiding the discouragement of a potential and otherwise well-qualified candidate.

214. Those candidates who are successful should not, in the Mission's opinion, be left under any misapprehension that their work will be intermittent or part-time. There is a detectable tendency in the legislative charter as at present drafted to look upon representational duties as something of a temporary interruption in a member's normal and private activities. This is perhaps a nostalgic glance backward (and not the only one in these proposals) to the early days of the American Republic; a reminder of a more leisurely approach to legislation. But the circumstances of Micronesia are quite different. Here there is time to be made up, decades of growth to be telescoped, and the work of the elected legislators will form one of the best ways of doing it. It is important to establish from the outset that the duties of representatives will by no means be confined to attendance at sittings. Perhaps their most time-consuming and arduous task - certainly one of the most important - will be that

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of reporting back to their scattered constituents: a process of consultation and political education which will be of considerable benefit to both. In addition there will be committee work; every member should develop a special acquaintance with one segment of the work of the Administration. And there will be many other miscellaneous duties ranging from investigation of constituents' grievances to participation in boards like the Economic Development Boards suggested in the preceding chapter. None of this can be neglected for, particularly until the civil service and Administration become fully Micronesian, it is the only means of involving the people of the Territory directly in the process of government.

215. The concept of working members should be reflected in all the arrangements made for them, not least in the method by which they will be paid. The per diem allowance plus travelling expenses now contemplated will tend to strengthen the impression of members that their work begins and ends with each session. It would be much preferable, the Mission concluded, to pay an annual salary, plus necessary allowances. This was urged by the Palau District Legislature which added that since members would have a full-time occupation they should receive a salary no less than that now received by the highest paid Micronesian civil servants - at that time about \$3,000 but now considerably higher. Some economic sacrifice should quite properly be involved in the honour of representing one's fellow citizens, and it might be unwise to fix a salary at a level which made it unduly profitable to gain election. Nor should it be overlooked that what is at present under consideration is the salary of members of the Legislature and not of a Cabinet. But while not wishing to suggest any particular sum, the Mission firmly agrees that an annual salary of worthwhile proportions is essential. Only a proper recompense will attract members of the best quality and encourage them to devote their main effort to their legislative work.

216. If it is objected that a special financial inducement (i.e. a per diem allowance) would be needed to persuade those members not otherwise motivated to attend regularly, then a fixed annual salary together with an appropriate daily stipend during the session would seem adequate. At least it would reduce the temptation for members to augment their allowances by prolonging the session. This temptation is presumably the reason why it is proposed to limit the duration

of Congress's one annual session to thirty days. Many members have complained that past sessions of the Council of Micronesia have been too short for proper discussions, and the Mission is inclined to agree. There seems no reason why any inflexible limit should be set. Thirty days is not an ungenerous figure (particularly when compared with nine for the last session of the Council of Micronesia) but it is an arbitrary one; some sessions may be shorter but others, particularly as the Congress gains experience, could well be longer. With the importance of daily allowances diminished by the payment of a salary, it seems better and more appropriate to its dignity to leave a proper adjournment date for each session to be fixed by the Legislature itself.

(c) Relations with the Administration

217. As earlier comments will have made clear, the Mission is very conscious of the need to ensure that the new Congress will have a close working relationship with the Administration. Although the point is hardly touched upon in the legislative charter now proposed, it is most definitely a matter which cannot be taken for granted or left to chance. Unless some organic links are created, an Administration which is responsible in effect as well as in law to the United States Government and a legislature responsible to the people of the Territory can all too easily drift into suspicion and misunderstanding. Through their elected representatives, the people of Micronesia must become involved in and acquainted with the work of government or government will remain in their eyes essentially an alien process. The difficulties will largely disappear when the Administration is fully in Micronesian hands, with an elected Chief Executive and local heads of departments, and for this reason if no other progress towards the latter goals must be as fast as possible. But the Congress will be inaugurated this year; the problem is what to do in the meantime to keep the Administration and legislature familiar with each other's views.

218. The institutional remedy is probably the same for Micronesia as for many other countries, including the United States itself: the development of a system of Congressional committees. Strong and active committees are the best means of keeping in touch with the work of the main government departments. Elected representatives can be effective only if they develop specialized knowledge in a particular field of administrative activity. The Congress of

Micronesia must therefore have not merely the power to legislate, but also through select committees the power to investigate, to hold hearings, question heads of departments, listen to testimony from members of the public, call for documents and finally to report its conclusions. Sometimes committees may be critical of the Administration, for criticism is one of the prime functions of a legislature and a means by which the wishes of the people are made clear to officials. But they have more to do than inquisition. Committees are equally a means by which the policies of the Administration can be explained to members and their co-operation secured. By helping to ground Congressional debates firmly on practicality, they discourage unreal proposals or the criticism which can grow from lack of understanding. This is especially important in those areas where the Administration is moving ahead of popular demand, for example, in undertaking economic development to prepare for future needs.

219. These considerations provide, in the Mission's view, ample reasons why the experience of other countries should be followed in building up a vigorous committee system. There is, however, a further reason which is peculiar to the circumstances of the Territory. The present proposals are silent on the conduct of business in Congress; no suggestions are made, formally or informally, on how legislation is to be introduced and piloted through the House. In other legislatures this is a function performed by the majority political party. In the immediate future it is unlikely that there will be any such grouping in the Congress of Micronesia. Conditions in a dependent territory, where the immediate goals are clear and in that sense beyond political dispute, do not always favour the early growth of parties. It will doubtless look for some guidance from the Administration, but it would be desirable also to develop some procedural independence. Among its other benefits a committee system can provide the solution. The Chairman of each Committee will in effect be a floor leader; consulting with his fellow-chairmen on priorities, taking charge of legislation in his particular field, organizing its consideration and passage through the Congress, and then yielding these functions in turn to one of his colleagues. Since the committee system should cover every aspect of the legislature's work, this would ensure an active and informed floor leader responsible for every bill, and hence would promote the most efficient conduct by Congress of its own business.

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220. The number of committees will be limited by requirements of size (if a bicameral legislature were established, then joint committees would avoid duplication of effort) and of subject. The Congress will determine apportionment of the latter, and make any rearrangements which might seem desirable after some working experience has been gained. The Mission has framed its own suggestions on a basis of three committees, partly because it seems a convenient number (in a unicameral legislature of eighteen members, for instance, it would mean that every district would have a representative on each committee), and partly because the main topics can be most economically grouped under three headings. The minimum would thus be a committee on political and administrative questions; a second on social and educational matters; and one on finance and economic development.

221. Though created by and entirely dependent on the Congress, these select committees should have a recognized and permanent place in the Territory's political structure. They would be armed with the full powers of the Congress - to subpoena, question officials and so forth - and would also be provided with the necessary secretarial services. Their Chairmen, who would be the most influential (and one would hope, the ablest) members of Congress, should enjoy the special confidence of the Administration and special access to the High Commissioner. (As a mark of their importance and of the greater demands made on their time they might receive a rather higher salary or allowance). The three committees would in general function during the regular sessions of Congress. It does not seem desirable in principle that they should work for long periods out of session, and hence removed from the supervision of their colleagues. But if their work cannot be completed during a normal session, the session should be extended (and the Mission would not think two annual sessions of Congress at all extravagant). In special circumstances - when a particular problem might require further investigation or travelling - a committee might be held over for an intersessional period.

222. The Political Committee should have broad responsibility for examining and reporting on the political, administrative and constitutional development of the Territory. It would, for instance, examine the working of the Congress itself as experience accumulated and make any necessary recommendations to increase its effectiveness. If the new legislature is established by Executive

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Order (which is at present contemplated and which the Mission thinks preferable) instead of by an Organic Act of the United States Congress, then adjustments and amendments could be made with relative ease. It would review progress in the civil service, with special emphasis on Micronisation. Its advice and consent might be required for all senior appointments, whether of Micronesians or others. And finally, it would inquire into and prepare the way for some major political decisions which will confront the new Congress, such as the proper relationship of the districts to the central government, and the future site of the Territory's capital. All of these suggestions are of considerable importance and they will be dealt with in greater detail below.

223. There is, however, one other task which must to some extent concern the Political Committee. The legislative charter which will be brought into force this year is acknowledged to be an interim one. Before very long it will be necessary to draft something more definitive, a Constitution in fact under which Micronesia can complete its political development and attain the goals of trusteeship. It is therefore desirable that, given the time taken to prepare the present proposals, thinking should begin very shortly on the outlines of a permanent constitutional structure. The Political Committee may not be the best body to begin this study. It will have many pressing and practical duties which might rule out a properly reflective approach, and as a committee of Congress it will tend to be bound by the latter's sessions and adjournments. The Mission is inclined to prefer the establishment of a separate Study Group (consisting no doubt of some members of the Political Committee, including the Chairman, as well as other Congressional representatives and prominent Micronesians). The Study Group should carefully examine the working of the present transitional arrangements in order to derive lessons for the future; it should travel and investigate other political systems, such as the parliamentary system, for purposes of comparison; and it should be able if it wishes to draw on the services of outside constitutional experts. The purpose would be to enlarge the constitutional experience of the Territory's representatives (at present not extensive) by throwing up a much wider range of possibilities, alternatives and ideas for their consideration. It is not too soon to place these issues before the Congress and public opinion, for the Mission has no doubt that fundamental points in the future Micronesian Constitution will have to be discussed and

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decided sooner than the past pace of events would suggest. The Study Group's reports to Congress might thus set the scene for much more thorough and probing constitutional debate than has so far taken place.

224. The duties and decisions of the Social Committee would be those having the most direct impact on everyday life in the Territory. Questions of education are obviously of first importance in the present stage of rapid growth and issues are looming, such as that of aid to Mission schools, which will require decision by the Congress. Another appropriate subject for consideration by the Social Committee (and one with wide ramifications - for instance the need to provide more facilities for organized sport and physical education) is that of juvenile delinquency which is already becoming a problem in the Territory, notably in Palau. Likewise the concern expressed in Yap at the number of cases of mental trouble could merit attention, for it seems to involve the conflict between progress and traditional customs. Again, the Social Committee might look into the size of police forces; in Palau there were complaints that police protection was inadequate while in Saipan the police force might prove to be unnecessarily large. There are other fields - labour legislation and community development - in which a great deal of work can be done in framing the means of more active Micronesian involvement. On these and the broader subjects of health, welfare and housing the Mission has made numerous suggestions in preceding chapters. It will not repeat them except to note that the Committee's handling of all these matters will as much as anything else form most people's first impression of the effectiveness of their new legislature.

225. The Finance and Economic Committee would be concerned with budgetary policy in its widest sense. It would make a detailed review of the Territory's draft budget, including recommendations on the appropriation of those funds directly under Congress's control, and recommendations on the much larger grants which (under present arrangements) must actually be appropriated by the United States Congress. This process raises the vital question of the power of the purse which will be discussed in the following section. As a corollary, it also raises issues of economic policy. In a developing territory like Micronesia strictly financial questions cannot profitably be separated from those of economic development. In considering both, the Finance and Economic Committee

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must inevitably be the best means of helping the Congress of Micronesia to take the very formidable decisions on economic planning which lie ahead. The Committee's functions (as part of the Congress) and those of the Economic Development Commission suggested in the previous chapter (a semi-executive board) would dovetail but not overlap. Development plans prepared by the Administration in co-operation with the Economic Development Commission would be submitted to Congress, through its Finance and Economic Committee, for discussion by the full body of elected representatives. What would be sought at that stage would be broad commitments expressing agreement with particular courses and priorities, after which the Commission (whose membership would include the Chairman of the Committee and which would meet as required throughout the year) would be responsible for exercising general supervision over the execution of the plan.

(d) Budget

226. In any constitutional system, but particularly one based on the separation of powers, the power of the purse must be the chief support of the legislature. On it, to cite only one example, depends the growth of a vigorous committee system; whatever their good intentions, administration officials will in practice take no notice of the committees unless the latter can affect their funds. The budget process is the essence of democracy. The strong views of those who drafted the United States Constitution are being echoed in Micronesia 175 years later, and for the same reasons. The point was repeatedly made at meetings in the Territory: whatever its formal status the Congress of Micronesia would remain a debating society unless it has some power over funds. A Micronesian student in Hawaii put it most succinctly. People, he said, were much more likely to see the Territory as a unit if they could see that money came to them from doing so.

227. Preparation of the budget is at present a closed bureaucratic process, as the High Commissioner himself told the last session of the Council of Micronesia. Drafts are shuffled between the High Commissioner's office and Washington; decisions which will shape the whole future of the Territory are taken by anonymous officials; and to complete the bewilderment of the layman the process is done more than a year in advance (a first draft of the budget for the 1966 financial year was being prepared when the Mission was in the Territory).

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Once an elected legislature is established, once public opinion has a properly-constituted body to express its views, this closed circuit cannot continue. Henceforth, if political life is to be real, the people of the Territory must become part of the budget process. The present proposals do not make clear that this point is as yet wholeheartedly accepted: the High Commissioner is to submit a "preliminary budget plan" to the Congress for its "review and recommendations". It is sufficiently obvious that the newly-elected members of Congress will have little experience (and certainly no previous examples) of how to wield financial authority. Their first steps may well be as tentative as the draft charter suggests. But with the proper encouragement this inexperience will not last long. The Mission is therefore concerned to see a more flexible system established which can expand in scope and authority as the confidence of the legislature grows.

228. There is a psychological attitude binding both sides on the question of finance and preventing a more detached look at the possibilities of the situation. It is that the very large subsidy provided by the Administering Authority is a form of charity. The subsidy is an obligation of trusteeship which is being conscientiously discharged, but it may help to loosen too restrictive an approach to these grants if (and this is a point made to the Mission by more than one Micronesian) they are regarded as in part at least cash payments for benefits received: something of a partnership as well as a subsidy. From this partnership, based on an international agreement the people of Micronesia gain funds and considerable benefits. But the United States receives great benefits also: control of a highly-strategic area and the use of facilities in the Territory (the military research complex at Kwajalein alone had reportedly cost \$100 million in fixed installations and \$800 million in equipment). And so the grants, though generous, are by no means as one-sided as simple budget figures might suggest.

229. Nor need the disparity between revenue raised locally (about \$1 million) and grants-in-aid (now running at more than \$15 million) be quite so paralytically large. The new Congress of Micronesia will have virtually unlimited powers of raising revenue within the Territory, and it would be a useful preliminary step towards a wider budgetary authority if it exercised these to the full. Micronesia's taxable resources are still small and in the present opening phase of intensive

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development the gap between them and the rate of expenditure is still growing. None the less there are possibilities of increasing the tax yield. One rather surprising anomaly is that United States residents of the Trust Territory do not pay their income tax to the Territorial Government. The value of this lost taxation is of course covered many times over by the United States grants-in-aid. But a change in the system, either by levying a territorial income tax directly on these residents or by receiving (as does the nearby Territory of Guam) an equivalent rebate from the Federal Government, would be politically desirable and could treble local revenue to as much as \$3 million. Similarly there are no centrally-levied customs duties on goods imported into the Territory, and a considerable source of Government revenue goes untapped. The customs duties on goods imported into the Kwajalein establishment (some of which leak out to the detriment of Micronesian enterprises) would alone constitute a significant amount of revenue. Nor are there any territorial income taxes on the earnings of companies. This means that both local and foreign companies are untaxed. Hitherto it has not mattered that foreign businesses should escape taxation, because there have been none; but now that non-Micronesian enterprises are to be admitted, the Congress of Micronesia may well consider that the time has arrived to enact appropriate legislation.

230. The psychological effects of creating a Micronesian customs and taxation system can be readily appreciated. The Territory would have a significant income of its own, as of right. Although the grants-in-aid might be reduced in proportion to the amount of taxation diverted from the United States to Micronesia, the balance between them and local revenue would be improved and a stimulus given to the search for other (though inevitably much less lucrative) sources of income. The increase in its funds could do much to establish the authority of the new legislature - as against the districts, for example. Most important of all, by increasing the amount under Congress's direct control, it would widen the field of fiscal responsibility.

231. None of these suggestions, however, greatly affects the main issue: the power of the purse. Even if augmented, local revenue cannot in the foreseeable future amount to more than a small proportion of the total budget. The legislature's right to appropriate this small proportion (though desirable in

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itself) is no substitute for some wider authority over the entire territorial budget. No legislature can be by-passed on the vital point of budgetary responsibility and continue to command public respect and confidence. Nor is it financially wise to do so. Legislators are no less prone to budgetary lapses than anyone else (although such lapses can be repaired by the Administration's power of item veto); but it is enticingly easy for administrators to waste large sums of money, with the best of intentions, unless expenditures are planned with the assent of the legislature and the energy and interest of the people are engaged.

232. The need is to find some means whereby the requirements of United States Law can be reconciled with those of political growth in Micronesia. The Mission recognizes the force of the argument that while the United States Congress provides over nine-tenths of the Territory's funds, the final control over how they should be spent must rest with it. But this money is after all being spent for the benefit of the Micronesian people and it is clearly desirable that their wishes should be made known. The Mission therefore proposes, as a minimum first step, a compromise which would give the legislature full authority to discuss and adopt the budget which it considers desirable, while not affecting the United States Government's final power of decision. It would involve less a change in procedures now contemplated, than a change in attitude. Once a preliminary budget figure was received from the Bureau of the Budget in Washington, the Administration would prepare a budget in the normal way. The draft would then be submitted, as a public document, to the Congress of Micronesia for debate, amendments if any, and adoption. The High Commissioner might retain the power to resubmit or veto certain items (but it would be desirable that any veto could if necessary be overridden by the customary two-thirds majority). The draft as finally adopted would be the Territory's budget and would be forwarded to Washington as such. Changes might then be made by the Department of the Interior or by the United States Congress, as is their undisputed legal right, though the Mission would hope for a conscious effort to trust the combined wisdom of the territorial administration and legislature. Any such changes would of course be subject to subsequent debate by members of the Congress of Micronesia. In this way preparation of the budget would cease to be

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a closed process. No rights of the United States Government would be infringed, while the Congress of Micronesia would have an effective voice in budgetary policy.

233. This sharing of budgetary authority should commence with the inauguration of the new legislature: if the Congress of Micronesia - the Mission feels the point cannot be overstressed - does not begin to wield responsibility it will never acquire it. The next stage should not be long delayed. It is to delegate to the territorial legislature more and more power over actual appropriations - over the grants-in-aid, that is, for local revenue can already be locally appropriated. Only the United States Congress can take this step. The Mission hopes that it will recognize the vitalising effect of control over expenditure and begin gradually to limit its own supervision. Its appropriations for the Territory might be made in broader and broader categories, leaving the Micronesian legislature progressively more scope for making its own more detailed appropriations. The ultimate goal would be a system of unfettered grants, made perhaps for a period of two or three years at a time (United States procedures place technical barriers in the way of this, but there are means of overcoming them) and subject only to appropriation by the Congress of Micronesia. The Mission realizes that by present standards this is a bold aim, but so is the Administering Authority's task of creating vigorous political institutions in the Territory. Progressive withdrawal of supervision over the Territory's affairs must inevitably involve increasing freedom of expenditure. In receiving such freedom, the Congress of Micronesia will assume also an obligation to show that its use of the United States grants is not extravagant and is regulated by effective audit controls and other financial procedures.

234. The consistent aim must be to expand the financial responsibility of the Micronesian legislature; first, by granting an effective authority over the budget; and second, by progressively relaxing the restrictions on its power to appropriate the United States subsidies. Both these aims depend in the last analysis upon the attitude of the United States Congress. The latter has before it a challenge. It is being challenged to create a political consciousness in Micronesia - a consciousness which can only develop in such a small territory if the United States Congress is willing to restrain the otherwise crushing weight

of its own powers. Congress's experience of its own past and its imagination can point the way to helping another legislature to maturity. So also can enlightened self-interest. If the Territory is to come alive, to begin the self-directed progress which alone offers any hope of a halt to steadily rising United States subsidies, the Congress will have to begin to limit and share its authority over Micronesia. The alternative - to retain an unyielding control over these grants - will be to leave the Territory an inert and politically lifeless burden on its pocket and on its conscience.

Local government

235. When the Congress of Micronesia is established the political balance of the Territory will shift. By that very fact a new relationship between the districts and the centre will be created. Hitherto the district legislatures have been the main instrument for expressing the popular wishes. Now this responsibility will be assumed by the Congress. The powers and position of the district legislatures were framed before a central legislature was planned. Now they will have to be reviewed and more precisely defined as parts of the unified political structure of the Territory. A proper relationship between the central legislature and the districts cannot be left to chance or the random tug of sectional interests. The shaping of a united Micronesia must start with a strong central government. The purpose of district government is to provide the best means of getting local needs and wishes known at the centre, and of organizing local participation and enthusiasm in the carrying-out of territorial policies. To translate this principle into working arrangements will be one of the first and most delicate tasks of the Administration and the new Congress.

236. The importance of local responsibility need not be argued. The stress placed on it in the first stages of political development was wise and the results have fully justified it. The district legislatures have proved a useful training in political experience. They have provided a means (and if in some ways imperfect they have at least been the only means hitherto available) of securing local involvement in and understanding of the Administration's policies. These valuable achievements need not be abandoned because the centre of political interest will shift to the Congress of Micronesia. Indeed, precisely because the balance of power is changing it becomes all the more necessary to ensure that local initiative is not neglected and discouraged. There is already a slight but growing tendency to by-pass the authority of the district administrations, and hence legislatures. This may be inevitable at a time when the Administration is embarking on major new policies and having to co-ordinate the development of territory-wide educational, health and communications programmes. But there is a danger that the very scale of the effort coming from the centre may blot out local initiative. It would be a serious loss if the districts were subjected to more than a temporary diminution of responsibility. Economic development is a field where progress has so far been

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slow. It cannot be accelerated unless local co-operation - more than that, local energy and enthusiasm - can be successfully stimulated and harnessed.

237. In a territory as scattered as Micronesia the district legislatures have by no means reached the limit of their potentialities, and therefore of their development. A sense of local responsibility has been created which must be preserved and drawn upon. Several legislatures told the Mission that twice-yearly sessions lasting only one or two weeks were not long enough for them to get properly to grips with district issues. Others - the majority in fact - complained that their work was hampered by lack of funds since they were able to appropriate only the comparatively small amount of revenue collected locally and had to spend most of that on education. The Yap Legislature managed to fuse both aspects. It pointed out that it had only \$30,000 a year to spend and met twice a year to do it; with more funds and responsibility it would need to sit for much longer periods. The logic of this is clear. It is that local institutions, like any other, depend on money for their vigour. Neither the electors nor the members will take the district legislatures seriously, particularly now that their larger political role is over, unless they have adequate funds at their disposal. For this reason the Mission welcomes the decision of the District Administrator of Truk to submit his entire budget (amounting to about \$1,500,000) for debate and recommendations by the District Legislature. It is a precedent which might well be followed in the other districts, before the political effects of the Congress of Micronesia and the financial effects of the Administration's new programmes combine to squeeze the vitality out of the political life of the districts.

238. It is equally true, however, that the continuing development of local responsibility must be reconciled and adapted to the wider need for territorial unity. In striking a proper balance between fostering local initiative and ensuring national cohesion, it is essential to remember that the Territory will henceforth speak out not with the voice of the districts, but with the voice of Congress. Congress must have the supreme and overriding power over all fields within its jurisdiction; its establishment represents a commitment by the Micronesian people to a unified state, on which there can be no going back. To emphasize its ascendancy, all customs duties, taxes and other local revenues now collected in the districts should be collected on the authority of Congress, and

then allocated by it to the districts for their use. With these and other funds voted by the Congress, the district Governments would become agents in carrying out many of the functions of the central government, such as housing, welfare, education, road construction and other development projects, at district level. The district legislatures, drawing their funds from the centre, would then become a further link in a unified political structure; their political allegiance would go to the electors of the district and their financial allegiance to the centre.

239. It will be clear from this that the Mission considers the proper relationship between the centre and the districts to be a reciprocal but not a federal one. Requests flow from the districts to the centre and money flows back; policy comes from the centre and participation from the districts. The machinery of district government has no other end than to discharge these duties as simply and effectively as possible. The districts are not states and their legislatures have no need to aspire to the dignity and authority of a federal system. The streamlining of district legislatures which the Administering Authority has carried out in recent years is therefore most desirable, both for the sake of economy and because it underlines this point. All have been converted into unicameral bodies and a good start has been made in curbing the decidedly unwieldy membership of some. The Mission would hope to see the process carried further: the District Legislatures might more properly be called District Councils and their procedure simplified to reflect their essentially practical and limited aims.^{6/}

240. Similar considerations apply to the proposal, made several times to the Mission but specifically in a resolution of the Saipan Municipal Legislature, that District Administrators should be popularly elected. There are obvious attractions in such a strengthening of local responsibility, but not if it means the emergence of District Administrators as petty governors, independent of both their legislatures and the central government. That path would open the way to disunity and to the emergence of District Administrators likely to seek local favour by playing local interests and local ambitions against the interests of Micronesia as a whole. In these circumstances the Mission agrees with the Administering Authority that the establishment of the Congress of Micronesia must come first.

^{6/} A typical District Charter, that of Truk, is attached as annex IV.

The District legislatures can reflect and shape the views of their constituents; unified policy demands that the District Administrator (preferably appointed like other senior officials with the advice and consent of Congress and ultimately, of course, appointed by a Micronesian High Commissioner) should be a servant of the centre.

241. What the Territory needs at its present stage is not more federalism but more unity. The diversity and remoteness of the six districts are incontrovertible facts. The need is not to emphasize this situation further, but to counteract it. The temptation is to assimilate, consciously or unconsciously, the experience of such large nations as the United States and to think of Micronesia in federal terms, with the districts as embryo states. But, despite Micronesia's internal divergencies of language and history, federalism is not and never can be a suitable solution for a territory as small and scattered as this. To encourage it would be disastrous to efficiency and to the economy and might very well be disastrous to unity. The Mission is confident that the preservation of local rights and responsibilities - as necessary here as anywhere else - can be equally well secured within the framework of a unitary state.

242. Just as the powers of the district legislatures should be defined in relation to the Congress of Micronesia, so also should they be defined more precisely in relation to the municipalities, the smallest unit of local government. The municipalities vary widely in extent - sometimes comprising an island, a group of islands or a traditional division of a larger island - and in the formality of their jurisdiction. Seven years ago a programme of chartering was launched by the Administration to delineate boundaries, establish election procedures for officials and outline their responsibilities. Municipalities so chartered have their own legislative body or council whose members are elected by universal suffrage, an elected magistrate or mayor, and a community court. They have certain administrative responsibilities and may levy minor taxes and licence fees under the supervision of the District Administrator. By October 1963, forty-three municipalities had been chartered out of a total of 102.

243. While impressed with the energy and effort which has been put into the chartering programme, the Mission feels that it may for the moment have reached the limits of its useful extent, after which the law of diminishing returns sets in.

Chartering has no particular value as a merely mechanical process or numbers game. Several municipal councils complained that people did not always understand how to work the charters they had been given; a member of the Udot municipality in Truk considered that the programme had been pushed ahead too fast and that more money and advice were needed. From its own observations the Missions concluded that the most pressing need was to help many of the existing chartered municipalities to work more effectively. In doing so, and especially in granting new charters, the opportunity might be taken to review their powers and financial means in order to determine the most efficient division of duties between districts and municipalities in the work of local government.

244. There is one further point about chartering which the Mission would not perhaps have mentioned had not an appeal been made to it, and that is the long-standing dispute between the Net Municipality and Kolonia Town in Ponape. The dispute is complicated but springs basically from the tension between traditional life and new social patterns which will arise more frequently as the Territory develops. The Iriarte Clan and Nammwarki (traditional ruler) in Net, which is largely rural, wish to preserve their ancient customs and power and to prevent any loss of revenue from Kolonia; hence they have proposed a single municipality for both. Kolonia is a growing town with many transients and younger people who dislike the domination of Net and wish to develop as a separate municipality. After protracted negotiations the Administering Authority concluded that there was no way to resolve the dispute but to establish separate municipalities. It may well come to this. If it comes to a dictate the course proposed by the Administration is doubtless the logical one: it favours the majority and it looks to the future needs of the Territory more than to privileges of the past. But the Mission thinks it regrettable that such matters should have to be settled by a dictate. There may still be a way of ensuring the rights of the majority and looking to the future of the Territory without overriding the legitimate requirements of the minority. The interests of Net and Kolonia are closely intertwined and neither is strong enough separately to form an efficient municipality. After discussion with the Net Municipal Council, which seemed conciliatory, the Mission urged that another effort should be made to compose their difference, and it suggests (since Net had appealed to the Council of Micronesia) that that body or its successor should be asked to provide a mediator.

The capital

245. Among the many matters that will need to be aired by the new Congress of Micronesia is the question of the Territory's future capital. Micronesia has never had a capital and until two years ago, when the Territorial Headquarters was transferred from Guam to Saipan, it had never been even administered from within its own boundaries. The move to Saipan was to that extent desirable. But the unity of the Territory requires a capital, a proper seat of Micronesian government, and not a "Headquarters" chosen by administrative chance. The Mission realizes that it was hard to refuse the gift of an elaborate complex of administrative buildings, roads and houses in Saipan which had been built by the Navy - reputedly at a cost of \$28 million - and then evacuated. But the choice has many unfortunate aspects. They may be summed up by observing that Saipan can never be a suitable capital for the Territory and is by no means the most efficient site for a Headquarters.

246. Saipan is on the fringe of the Territory. Costs are inflated by the need for all lines of communication to pass through Saipan, and for Administration officials to make much longer journeys than would otherwise be necessary. Saipan has a different type of economy and a different atmosphere from the rest of Micronesia. Officials living there risk losing touch with the "feel" of the Territory as a whole. The Headquarters itself, isolated six or seven miles from the main town of Saipan or from any village, following an American pattern of existence and forming almost a closed (though in no sense a segregated) community, must reinforce this. At any rate it is believed by officials from other districts who tend to feel out of sympathy with Headquarters administrators living so far away; they dislike visiting Saipan and complain that Headquarters knows little of their real problems. These are the classic grievances of officials in the field, and the Mission cites them here only to illustrate the sense of dissociation and misunderstanding which the remoteness of Headquarters can inflate.

247. Paradoxically, it is not merely the development of Micronesia which is being distorted by this problem, but also the development of Saipan itself. The population of Saipan is relatively small. The Headquarters, and the work generated by its presence, makes too many people dependent on government wages. It engrosses too much of the labour force and postpones the necessary day when

the people of Saipan tackle their underlying need for development. Moving Headquarters away from Saipan would allow its economic problems to be seen in truer perspective. Administration officials concede this, but argue that the siting of Headquarters in Saipan is politically desirable to damp down separatist agitation. The Mission is doubtful. Separatism has existed in Saipan for some years and acquiring the Territorial Headquarters has done nothing to diminish it. The problem of Saipanese separatism will be solved only when the gravitational force of a developing Micronesia outweighs the attraction of Guam. Given a Congress endowed with powers and funds as advocated by the Mission this moment (as many Saipanese recognize) could be close. In the meantime it would be a great mistake to allow so important a question as the seat of government to be settled on the basis of expediency.

248. Like its predecessor (and like everyone with whom it discussed the question) the Mission considers Truk much the most preferable site. It is centrally situated and has the largest population. It has a good harbour and a good airstrip and is well-placed for communications with the outside world. And it would be a fitting site for a truly Micronesian seat of government. In Truk - provided the capital were developed in contact with the centre of population and not established in isolation as a government centre only - the Congress of Micronesia could develop an authority and confidence that it never could in Saipan, an administrator's complex in which the Congress would inevitably seem an alien and uncomfortable intrusion. The actual site, however, is for the Administration and Congress of Micronesia to decide. The Mission merely urges that the question be reconsidered without delay before so much investment is put into the Headquarters that the financial arguments against a move become unanswerable. For there is a real danger that the ultimate decision could be prejudiced by administrative arrangements which have to be made. For instance at Headquarters the Mission was told that though Truk was the obvious place, geographically, for a capital the impending move of the communications centre to Saipan (from Truk) would make Saipan the most convenient capital from the point of view of communications.

The Executive

249. The creation of a distinctive Micronesian personality, which is the broad aim of trusteeship, means in political terms the creation of a strong Micronesian Legislature and an Executive effectively controlled if not fully staffed by Micronesians. The separation of these constitutional functions in a Territory whose human resources are at present limited means that one or the other has to be selected as the point of most rapid progress. The Mission suggested that the Legislature, through the inauguration of the Congress of Micronesia, offered the quickest and indeed at the moment the only means of securing a real Micronesian participation in the process of government, a means which is clearly all the more important as long as the Executive is not directly responsible to the people. Any imbalance resulting from this emphasis on the legislature, however, should only be temporary, until Micronisation of the Executive (necessarily a slower process than creating a legislature) can catch up. As will already have been made clear in the Mission's comments, on districts among other things, it is as conscious of the need in Micronesia for a strong Executive as for a strong legislature - provided both are controlled by Micronesians. The Mission would wish not to alter the authority of the Executive or weaken its unifying role in the Territory, but to strengthen Micronesian influence on its decisions. It will be the aim of the present section to examine ways in which this can best be done. The ultimate goal must obviously be an elected Chief Executive. In the meantime, there are a number of methods by which an immediate start can be made in the process of bringing the civil service under effective Micronesian control.

(a) A Micronesian Chief Executive

250. The question of an elected or Micronesian Chief Executive was not once mentioned in the constitutional debates and recommendations on the Congress of Micronesia. It was a curious omission but, whether deliberate or not, it underlines an important point. In the circumstances of the Territory the establishment of a legislature is an essential prerequisite for choosing a Micronesian Chief Executive. Micronesia is not yet one people. Hopefully the new Congress of Micronesia will begin to make it so. But until then the question of electing a Chief Executive remains academic, since it is not yet possible to get from six diverse districts a clear mandate for one person. Only through the Congress will leaders develop who

can command more than a district loyalty; only when Congress has begun to generate this leadership will it be possible to find a Chief Executive with the political stature and authority to lead the Territory.

251. As political development gathers momentum, however, there will be an increasing incompatibility between the High Commissioner's present functions as a United States official and his role as Chief Executive of Micronesia. A separate Micronesian government is beginning to emerge, with an identity and interests to some extent different from those of a purely United States administration. As the Congress of Micronesia acquires authority and Micronisation of senior posts in the civil service is accelerated, this divergence will become more and more clearly marked. The establishment of a Micronesian Chief Executive cannot wait until the people of Micronesia have chosen their future status; but in the meantime the United States has trustee obligations which it may feel cannot properly be transferred to an elected official who is not responsible to the United States Government. One solution might be in due course to separate the two functions. A United States High Commissioner, appointed as now by the United States Government, would be responsible for handling relations between the Administering Authority and the Micronesian Government and (until self-determination) for the safeguarding of United States interests and obligations under the Trusteeship Agreement. His reserve powers might perhaps be extensive but his actual work would be of a semi-diplomatic nature. At the same time there would be a Micronesian Chief Executive at the head of the Administration and responsible to the people of Micronesia for the good government of the Territory.

252. A Micronesian Chief Executive should not of course be merely appointed, for without any form of popular mandate he would become the target for local resentments and jealousies and might find it hard to exert any leadership at all. If an appointment were to be made, it should be with the advice and consent of the Congress of Micronesia. Even better would be for the choice to be made by the Congress itself. Either way would satisfy the main requirement: to find a Chief Executive with the confidence of the elected representatives of the people. Once installed he would not be responsible to those representatives nor, constitutionally speaking, need he retain their confidence. But election by Congress would at least ensure the choice of someone with territorial stature, and not a nonentity.

Election by the whole people of Micronesia would be the most desirable course of all. At present, however, it could place a considerable strain on the unity of the Territory and does not seem practicable until inter-district understanding has considerably increased.

(b) Micronesians in the civil service

253. Control of the civil service is a vital, if not always acknowledged, part of the substance of self-government. Self-government cannot be a reality while outside officials continue to run the country. This does not mean that all expatriate civil servants should be dispensed with. Many will play an essential role for some years to come and for a small territory like Micronesia some may always be needed in highly-specialized positions. What it does mean is that preparation for self-rule involves a determined effort to capture for Micronesians what might be called the commanding heights of the civil service.

254. There is every sign that the Administering Authority is taking into the civil service and into responsible positions every trained Micronesian that can be found. There may be an occasional reluctance to train and advance an individual Micronesian with urgency to the limit of his capacities. But of the general policy of the Administering Authority there can be no doubt. Over the last three years the Micronesian staff increased from 1,724 to 2,555 and the American staff from 238 to 324 (a total which includes some 50 new teachers). Since the Trust Territory's Headquarters was moved to Saipan in July 1962, more than 50 positions on the headquarters staff formerly held by Americans have now been taken over by Micronesians. Micronesians held 108 senior positions at the beginning of this year - approximately half of all the professional and executive positions.^{7/} The further acceleration of the Micronisation process is limited mainly by the shortage of staff and by the specialist nature of some positions. The shortage is a result of the past inadequacy of the educational system (for which the Administration is now paying dearly, in higher costs as well as in administrative strains), combined with the great expansion of positions which has followed the decision to aim at an "international" standard in education, health and other fields.

^{7/} A table of positions in which Micronesians have replaced Americans in District Administrations and Headquarters is contained in annex V.

255. None the less, the Mission was surprised to find that of the fourteen most senior advisers to the High Commissioner, not one was a Micronesian. There are in fact no Micronesians at the top level of policy-making, either at Headquarters or as District Administrators. It can be said that this situation does not stem from any attempt to exclude Micronesians from such positions. From its own observations the Mission is prepared to accept the Administration's contention that adequately-trained Micronesians are simply not available for such demanding and specialist positions as Director of Agriculture, Economist and Director of Public Works. But, whether unavoidable at the moment or not, this is not a healthy situation. It is not merely that Micronesian control of the key administrative posts is an essential part of political progress, but that the High Commissioner is being denied a valuable source of advice. The absence of any Micronesians from policy-making conferences does nothing to discourage that sense of remoteness from Micronesian realities which is the hazard of outside officials.

256. The difficulties in correcting this situation must be conceded at the outset. Senior executive positions are highly-specialized ones requiring long training and the acquiring of experience after that. The present policy of accelerated development is making these positions even more demanding. Positions are much easier to fill if, as in the past, the policy to be executed is simply one of care and maintenance; an active policy of expansion in every field, however, constantly throws up more problems and new decisions which call for a much higher level of competence. This applies not merely to potential Micronesian replacements but also to a number of Americans who, recruited under the previous care and maintenance regime, now show little capability of rising to the new challenges of development. In this situation there is a temptation to window-dress (a temptation from which the Administration has not always been entirely immune). It is laudable and indeed imperative to put Micronesians in executive positions, but they must be capable of filling the positions or a disservice is done to the Territory and to themselves. At several meetings with Micronesian officials, concern was expressed that local replacements should be fully trained to do the work and provide services at a level comparable with that of their expatriate predecessors. To do less would be to undermine the very Micronesian civil service being created, and would lead to demoralization.

257. In the present state of the Territory therefore there are few short-cuts to the Micronisation of senior posts. But this is not to say that there cannot be a greater effort. The Mission feels that the urgency of the need should be reflected more clearly in the Administration's training and replacement programmes. These are geared to conscientious step-by-step procedures, the normal methods by which young men are trained and promoted. This system cannot be faulted in a normal situation, but with Micronesia poised on the point of a political breakthrough it is just not going to be fast enough. What is needed is some sort of emergency or crash programme to ensure that Micronisation does not lag too far behind political progress. This means cutting across the usual processes of advancement. The most able Micronesians will have to be picked out of the middle ranks of their departments as candidates for accelerated promotion. Intensive training will have to be given those who are selected, both in-service and overseas; and time-tables will have to be established for the replacement of expatriates in the top administrative positions. The Mission is aware of certain dangers in an emergency effort of this kind. The risk is of creating a number of "crown princes" who will feel that their succession to the highest posts is assured and will behave accordingly. This may be diminished by selecting not single candidates for control of a department, but small groups for the top positions, of which the most able and hard-working would ultimately become departmental head. Nor will these emergency courses be an entirely adequate substitute for the more leisurely accumulation of experience over a longer period of years, though this can be offset by a greater use of expert consultants (as is already done in the case of District Medical Services). Risks or not, however, intensive preparation of selected individuals offers the only practicable means by which properly-trained Micronesians will take over the senior positions at Headquarters within a time that is politically adequate.

258. Even this is not going to produce significant results at once. The only means of immediately getting a Micronesian into the top levels of the Administration is through a non-specialized position. The one such position at Headquarters is that of Deputy High Commissioner. The High Commissioner doubted that a Micronesian would be named to this post (it is an appointment reserved to Washington) but the Mission would urge its most serious consideration. The post of Deputy High

Commissioner need not carry direct administrative responsibility, but a Micronesian incumbent would learn much by understudying the High Commissioner, travelling throughout the Territory, attending all major conferences, and watching the shaping of the whole policy and programmes of the Territorial Government. And he would have much to contribute: the Micronesian viewpoint at present badly needed, a feeling for the country, and a useful link with Congress and the districts. The post would require a man of maturity and real stature in the Territory (the Mission is not thinking necessarily of someone with a strictly administrative training) and to anyone acquainted with the Territory a few possibilities occur at once among that small group of key Micronesians who must somehow divide themselves between the Legislature and the Executive. To avoid charges that such an appointment would give an unfair advantage to one Micronesian, it should be made clear that the Administration is not handpicking a future elected Chief Executive. The appointment should be made for a specified time (with the advice and consent of Congress perhaps) and would carry no more national standing than, for instance, a Committee Chairman in the Congress of Micronesia.

259. A similar approach might well be followed in training replacements for the other senior but non-specialized positions - District Administrators and their Assistants. At present there is one Assistant District Administrator in Ponape (who was in charge at the time of the Mission's visit) and another in Palau who shares the position with an American official and is more truly an administrative assistant to the District Administrator rather than a senior and experienced official who could take over the full range of duties in his absence. The High Commissioner said he had no time-table for further appointments of this kind, and from the scarcity of suitably experienced candidates in each District.

Administrator's office the Mission could see why. But it is not enough to wait for the young men now on scholarships to come home; nor can they be ready immediately for the high administrative positions. Equally there seems no reason to confine the search for replacements to the administrative section of each district government. There are a few Micronesian specialists in the districts (District Education Administrators or District Directors of Medical Services) who have proven ability in their own fields, have acquired a wider experience and capability and have a genuine standing in their own districts. Such men could supply a much

quicker source of District Administrators than young administrative assistants with degrees in political science; nor, in the Mission's opinion, will they necessarily be inferior. They have of course no broad administrative experience and cannot forthwith be appointed to take charge of a district administration; but as assistants for a period of time they would have ample chance to acquire this and at the same time demonstrate their suitability for the higher position. The obvious argument against transferring specialists to the District Administrators' offices is that they are needed where they are. This is incontrovertible; the Mission simply thinks that the need for Micronesian District Administrators at the moment takes priority; it is better to have a Micronesian overseeing administration, and an expatriate holding the specialist position, than the reverse.

260. In more junior posts, at both Headquarters and district level, an emergency programme is less needed. This is partly because these posts do not so closely affect the principle of Micronesian control of policy and partly because Micronisation at these levels, if not complete, is already an accepted fact. None the less, the Mission heard some complaints that there was no systematic programme of training and replacement. Adequate training was hard to get and Micronesian officials in Truk said they would welcome more United States officials, on a short-term basis, to provide better training as was being done for teachers under the accelerated programme of educational development.

261. The Mission has no doubt of the need for a much more active and comprehensive system of in-service training. At present such training is given only in some administrative sections and in technical positions like automobile repair and maintenance. Training should extend a great deal more widely than this. The present Manpower Sub-Committee, despite its impeccable terms of reference, does not seem able to perform this task. What is needed is a Training Officer (such appointments seem to have been made in the past and disappeared without much trace, but there is none at present on the establishment) on whom would rest a clear responsibility for working out effective training programmes in both Headquarters and the districts. He would oversee the whole training effort, preparing schedules of replacement, discussing suitable training methods with departments and districts, and arranging civil service courses and scholarships. His task would be one of co-ordination and encouragement; without it the whole programme would quickly lose

direction. But the essential responsibility must necessarily rest on the departments concerned. It is after all "in service" training. Unless the senior staff of every department are impressed with their obligation to train replacements as part of their normal duties, in-service training will relapse into the rather fitful and haphazard efforts which seem now to be the case. A few officials (of the Public Works Department, it appeared) simply refuse to give training on the grounds that this is no part of their work; others who once made praiseworthy efforts now find the present hectic pace of development demands so much more of their time and effort that training has had to be pushed aside. The Mission wishes to repeat that the obligation to train should be clearly written into all future agreements with expatriate officials; no opportunity should be lost of emphasizing that a main task of these officials is to train themselves out of employment in the Territory. If the burden of work in some cases means that this cannot be done, then the Mission would agree with the suggestion that more short-term officials might be imported for training purposes.

(c) Relations between Micronesians and Americans in the civil service

262. Relations are on the whole very good - that is, given the inherent limitations of a situation in which governing and governed are of different nationality, language and income-level. Meetings throughout the Territory, with both Micronesians and American officials, produced many instances of the genuine regard in which they hold one another. There was no racial discrimination observed by the Mission; both go to the same clubs and (subject to the difficulties discussed below) succeed one another in occupation of the same houses.

263. Inevitably there were grievances. Some seemed well-justified, others less so; some raised issues of policy discussed in this and other sections, others were more personal. Their relative paucity (one or two districts raised no grievances at all) testified to a fairly healthy situation, but the consistency with which some complaints occurred seemed evidence of real issues. In Ponape and Truk there were complaints of the unfriendly manner of some American supervisors (the only such complaints the Mission can recall); in Truk at least these complaints were reiterated strongly enough to suggest that staff relations in the Works and Agriculture Departments might bear checking. Otherwise the complaints (not

excepting the question of pay which is discussed in the immediately following section) dealt mainly with the side effects of replacing expatriate staff with Micronesians. In Truk where the Mission met separately with Micronesian officials (as it did wherever possible), it was summed up in the charge that those Micronesians who were replacing Americans and doing the same work did not always get the same facilities. These facilities were cars and housing, and it quickly became apparent from the number of times that this question was brought up that cars and housing had become status symbols in Micronesia. In Truk and Ponape instances were cited of American officials who had been provided with a car while their Micronesian replacements were not. The Mission considers that the Administration might make more plain, to both American and Micronesian officials, that the use of a car is not a personal perquisite but a matter of administrative need. If a car is necessary in a certain post then the holder of that post, whatever his status or nationality, should have one; if it is not necessary then neither a Micronesian nor an American official should expect it. In the Marshalls and Ponape, the complaint was made that Government houses went with certain positions but that very often when a Micronesian succeeded to the position he did not get the house; the case was quoted at Majuro (where only two Micronesian officials were said to have American houses) of the local Micronesian doctor who after working a long day in the excellent hospital there goes home to a house which has neither running water nor electric light. When it returned to Saipan the Mission took this point up with the High Commissioner who stated that the acute housing shortage (another effect of the development programmes under way) made it impossible at present to provide housing for all Micronesian employees who replace Americans; a house is provided for a Micronesian who has become head of a department or who has replaced an American in a senior position. More houses are being built, he said, but first priority in allocation must go to the expatriates; otherwise the expatriate staff could not be recruited and the development programmes could not be pushed ahead.

264. On such matters as housing and the improvement of working relations between Micronesians and Americans there has been something of a failure of communication between the people concerned and the Administration. There seems no reason why the Mission (or other passing bodies) should be needed to carry complaints to the

Administration and convey its replies back; these are matters both parties ought to be able to work out between themselves. The difficulty is that there is no machinery for such consultations. The Congress of Micronesia and the District Councils can provide one means for airing complaints. But as a more specific method of maintaining contact between the Administration and its Micronesian officials the Mission would suggest the formation of a Micronesian Civil Service Association, at Headquarters and in each of the districts. This body could nominate representatives to discuss with the High Commissioner and the District Administrators such questions as Micronisation and the renewal of expatriate contracts; pay problems; housing and other problems of those who come to the district centres from outlying areas; redundancy; and training programmes. The Mission considers that it would be valuable if each District Administrator met separately with Micronesian officials from time to time in this way, and the High Commissioner also when he is in the district.

265. Periodic discussions with a Micronesian Civil Service Association could do much to smooth away minor causes of friction. The Association could also play an important part in handling another and larger question affecting goodwill between Micronesian and American officials - the question of the progressive replacement of United States staff. The Mission received two similar petitions from the Saipan Municipal Legislature and the Marianas District Legislature urging that the term of all key American personnel should be limited to two or four years. In Saipan it was claimed that several such officials had already been too long in the Territory and ought to be replaced; such a limitation would considerably accelerate the programme of training Micronesians. Unlike the complaints already discussed, however, there were differing views on this point. In Truk for instance the opposite was agreed; the term of many American officials was too short and there was a need for greater continuity.

266. The point is a matter of personal judgement and also, the Mission suspects, one of personalities. As has already been noted, the Administration has shown no reluctance to replace an American official where a qualified Micronesian is available. But in such a delicate matter it is clear that not only must justice be done, but it must be manifest to Micronesians that justice is done. The terms of American appointments (though these are not strictly contracts) are reviewed every

two years to determine whether a suitable Micronesian replacement exists or whether the appointment should be continued. This is an excellent policy; the Mission would merely propose adding a procedure whereby Micronesian civil servants could be associated in the process. How this should best be arranged is a matter for consideration. The simplest system would be for an informal committee to join with the District Administrator when he is reviewing the renewal of contracts. This committee should have as a minimum membership a representative nominated by the body of Micronesian civil servants in the district (a representative of the Micronesian Civil Servants Association if this was formed) and a Micronesian representative of the department employing the United States officer under consideration.

267. It seems to the Mission that such an arrangement, by bringing every case of contract renewal in the open, would do away with the suspicions (however unjustified) of some Micronesian civil servants, and hence place relations between the officials of both nationalities on a much freer and easier basis. It might be noted that the Mission's suggestion of an advisory committee is simply a development of practices already in force in Truk (and the Mission understands in one or two other districts) where a Labour Relations Board, of Micronesians only, is in existence. The District Administrator consults with this Board on personnel problems, and no employee may be dismissed without his case being fully reviewed by the Board. The final decision remains in the hands of the District Administrator but he does not override the recommendations of the Board without giving his reasons in full and undertaking a discussion. The Mission considers that this kind of arrangement is not only good in itself, in ensuring that justice is seen to be done, but establishes a healthy precedent for the Micronesian civil servants who will in due course be taking over responsibility for recruitment and dismissals. If practices are arbitrary before the takeover, they will tend to be so afterwards; reasoned procedures established now will become ingrained.

(d) Unification of the territorial civil service

268. Whatever the extent of Micronisation of the civil service (and of the desirability of accelerating this there can be no question) it is clear that for some time to come expatriate officials will be needed in specialized positions. In a Territory as small as this it is difficult enough to weld a smooth and

efficient administration from two differing nationalities with two differing standards of living. Ample illustration has been given of the frictions which can arise. But the difficulty is compounded and so to speak institutionalized by the present organization of the territorial civil service. There are two distinct employers in Micronesia at the moment - the United States Government and the Government of the Trust Territory - and in effect two civil services working side by side but with separate status and terms of employment. This is an anachronism. The time is long overdue when these confusing and overlapping arrangements were brought under a united Micronesian Civil Service. Micronesia is becoming a unity and this must surely be reflected in its civil service. As a distinct Micronesian Government emerges it is essential to have a single administration whose employees, whether American or Micronesian, work under the same direction and owe their working loyalty to that administration alone. The Territory cannot approach self-government without the full control of its own administrative arrangements.

269. The point should be self-evident and the Mission will not labour it. What might be overlooked, however, is that a unified civil service can provide the opportunity for dealing with a number of practical difficulties which otherwise appear insoluble. Such a difficulty is the present differentiation in pay scales between Americans and Micronesians. Inadequacy of pay was, as might be expected, raised at more than one meeting with Micronesian officials. In Ponape, for instance, it was said that the salaries paid to Micronesian civil servants were not proportionate to their responsibilities; the gap between them and the equivalent American salaries was too big. To some extent this is an internal question; the Mission is in no position to determine what is a proper level of Government salaries under Micronesian conditions. It was said that those who were appointed to district centres and Headquarters, and hence could not grow their own food, found their salaries inadequate for the expensive imported food they had to buy. On the other hand, it is also true that Micronesian civil servants have recently received two substantial increases in pay. Salaries are now well above any level which the Micronesian economy could hope to support without United States aid, and are indeed well above the levels prevailing in the rest of the Pacific.^{8/} The

^{8/} Salaries of positions now occupied by Micronesians formerly held by Americans are set out in annex VI.

striking of a proper balance is a delicate question, a question perhaps for investigation and discussion by the Congress of Micronesia.

270. The differentiation in pay scales, however, emphasizes the present division between American and Micronesian civil servants and is a potential source of friction. In this sense it cannot be settled by holding an inquiry or making further adjustments to Micronesian salaries. Any Micronesian administrator must constantly be reminded of the size of the salary his American predecessor or colleague was paid. It is true but unsatisfactory to reply that the American is used to a higher standard of living and must be offered it if he is to be attracted to work in the Territory at all; none of this removes in Micronesian eyes the stark disparity between two rates of pay for the same work. The difficulty has been encountered in many other developing countries and the Mission has no doubt that the solution evolved there is also applicable to Micronesia. It is the establishment of unified pay scales. The Mission suggests that the Micronesian Pay and Title Plan and the United States Civil Service gradings should both be replaced by a single schedule of gradings covering the entire Territorial Civil Service. Such a step, involving the removal of United States officials in the Territory (about 300 in all) from the jurisdiction of the United States Civil Service Commission, necessarily involves the setting-up of a separate and self-contained Micronesian Civil Service.

271. The unification of pay scales and gradings means that base salaries would be fixed for all positions. The same base salary would be paid to all, whether Micronesian or American, holding similar positions. If no Micronesian was available for a particular position then an expatriate could be recruited. He would get the base salary together with whatever further allowances were judged necessary to attract a suitable applicant. In other words unification would change, not so much present rates of pay as the principle on which they are fixed. The actual remuneration might well be the same but it would be divided into base salary and expatriation allowances. The allowances could no longer be confused with the rate for the job; they would be readily identifiable to all concerned as the price of obtaining skills and administrative assistance for the Territory. The division between salary and allowances would underline the essentially temporary and interim nature of this assistance. And the fixing of a single salary for each post, regardless of the nationality of the holder, would remove a perceptible psychological

barrier to the progress of Micronisation. Moreover, if and when Micronesia becomes fully self-governing and as Micronesians replace expatriates these allowances will end leaving only the basic salaries thus making it easier financially for the Territory to meet the burden of adequate salaries.

272. The creation of a self-contained Territorial Civil Service would, the Mission believes, bring other practical advantages. The present confusing and ill-defined relationship with the United States Civil Service could be replaced by one much more clear-cut and satisfactory to both sides. The Territory would acquire the power to recruit and dismiss in its own right, without the trammels now imposed by its connexion with the Federal Government. The field of recruitment would be enlarged to take in other countries where Micronesian salaries and allowances might be more attractive; though recruitment is not limited in principle, present administrative arrangements tend to confine most recruiting to the United States. Powers of dismissal would also be extended, an important point in this period of rapid development (procedural obstacles to getting rid of an unsuitable United States official have saved more than one who might have made way for an abler replacement). And by placing recruitment from the United States on a secondment basis the Territory might be able to fulfil its needs more surely and swiftly than has often been the case in the twilight situation now prevailing.

273. Realizing these aims will require the active co-operation of the United States Civil Service Commission. Secondment will be satisfactory only if it is willing to make available some of its best administrative and specialized talent. Experts sent to the Territory should indeed be experts; complaints were voiced to the Mission that this was not always so and that because of it Micronesians were not acquiring the skills and stimulus they needed. And they should be given some inducement to serve in Micronesia, or at least the assurance that in doing so they will not be damaging their future careers. Much more adequate protection than exists at present should be arranged for those who are seconded to the Territorial Civil Service; automatic reinstatement on return, credit for time of service abroad, and protection of promotion and superannuation rights. At the moment there is almost a positive discouragement for United States civil servants to go to the Territory. Those who do in effect abandon their careers at home and need not even be reinstated on return. This could easily lead to quite the wrong type of

expatriate official; in the circumstances, the quality of many in Micronesia becomes the more surprising and praiseworthy. The United States Civil Service will have to be persuaded that it has a special obligation to help the Trust Territory - it will require a conscious effort to balance the claims of such a small entity against those of the Federal Government - and also that service in Micronesia could be a most valuable experience for those who can profit by it.

274. To sum up, the Mission has argued for a unified civil service in Micronesia in the belief that this can best accelerate the assumption of Micronesian control and ensure the most suitable means of obtaining those expatriate officials who will still be needed. But there is an important corollary to this. If it is to achieve these purposes and fit itself properly as the administrative arm of a future Micronesian Government, the Territorial Civil Service will require a much more positive management than has been the case. Present control of the civil service has reflected a very confused situation. The Personnel Department is small and has only technical functions and advisory powers. The Personnel Officer has no over-all mandate to supervise the administration and given the fragmentation of authority it is possible that no such mandate could have been conferred on a single person. Responsibility diffused has been responsibility dissipated; and so the civil service has developed in a seemingly unco-ordinated way. The more serious tasks to which the Mission has drawn attention cannot similarly be left to administrative chance. The Mission suggests, therefore, that the Personnel Department be regraded and enlarged into a Civil Service Commission, headed by a Commissioner with broad powers over the whole unified administration. The Civil Service Commissioner would be the High Commissioner's principal adviser on all service matters, including recruitment, dismissals, training, Micronisation, expatriate staff, pay, allowances and promotions. Only by concentrating responsibility in this way on one department, and on one person can the development of a separate Micronesian Civil Service be given the impetus and direction it clearly needs.

Conclusion

275. As stated at the outset of this chapter, the Mission has formed the strong impression that Micronesia is now welding itself into a unified people. The conditions exist in which rapid political development becomes both possible and

necessary. To the extent that it takes place, it will provide a stimulus to progress in broader fields, the economic and social and, indeed, the constitutional. 276. The essence of political development is the assumption by the people of Micronesia of control over their own affairs. The means are the creation of a strong Micronesian Legislature and an Executive controlled, and so far as possible staffed, by Micronesians. The Mission accepts the view that progress may not be made equally rapidly on both these fronts; it believes that the Legislature, through the inauguration of the Congress of Micronesia, offers the quickest way of securing an effective Micronesian participation in the process of government. If, however, the Congress of Micronesia is to be the effective voice and instrument of Micronesian wishes, it must have real powers, particularly over finance, and the organization and means to exercise those powers. The Mission has made a number of suggestions directed to ensuring that the form of the legislature, the nature of its membership and its methods of work (as also its relationship with the District Councils) serve this purpose. It attaches special importance to four suggestions:

- (i) The Administering Authority should urgently review its proposed Executive Order, establishing the Congress of Micronesia, to ensure that the capacities of the Congress will be adequate to fulfil the hopes placed in it.
- (ii) In particular provision should be made for the establishment of select committees of the Congress with power to inquire into, and report upon, all important matters of policy and administration, including budgetary and economic policies and the political and constitutional development of Micronesia; and
- (iii) for the enlargement of the financial responsibility of the Congress, first, by granting an effective authority over the budget, and second, by progressively relaxing restrictions on its power to appropriate the United States subsidies.
- (iv) At the same time as this development of the Legislature is taking place, every effort should be made to expand Micronesian control over, and participation in, the Executive. Emergency measures should be taken to provide intensive training and accelerated promotion for Micronesian civil servants. This would involve the creation of a unified civil service and the establishment of a Civil Service Commission to give the direction and impetus necessary to prepare Micronesians rapidly for the top administrative positions.

CHAPTER VI

THE FUTURE OF THE TERRITORY

Views of the Administering Authority and Micronesians

277. It is not practicable to consider the future of the Trust Territory of Micronesia as an abstract question, separated from political or other development. The future is neither more nor less than the possibilities being thrown up by present progress. Decisions taken in the course of daily administration must continually shape and influence these possibilities. The very change to a policy of more intensive development has opened up prospects for the Territory which did not previously exist, and prospects whose full extent is still not clear. In so doing some other possibilities are inevitably diminished. The creation of a Congress of Micronesia makes it less likely, though of course not closing off the possibility, that the Territory will ultimately integrate with Guam or become a county of Hawaii; for a country which has separate political institutions acquires also a separate political personality. Similarly, the Administering Authority's own commitment to Micronesian unity, its insistence that the Territory should exercise its right of self-determination as a whole, itself implicitly makes certain assumptions about the future, namely that Micronesia should not become a series of self-contained, self-governing units.

278. All this is inevitable, since any advance involves a choice of direction. But with the establishment of the Congress of Micronesia the time has come when the future of the Territory should be shaped, not merely by implication, but consciously, by the discussion and decision of the Micronesian people. The Mission found both the Administering Authority and the people themselves vague and undecided about the future. This vagueness can only be dispelled by giving elected Micronesian representatives the opportunity and the knowledge to get to grips with the issue. The new Congress of Micronesia will confront the people with the question of their future, a question which so far has been held in trust for them. As a corollary of every important bill they consider, whether in the educational, the social or the economic field, members of the Congress will for the first time begin to think about the kind of Micronesia they want. They will have to assess the alternatives before them, the practicality of each and the extent to which the

Administering Authority can help in realizing them. Except through Congress these questions cannot be properly considered. And yet their definition and clarification is urgent, for without it there can be no properly informed act of self-determination.

279. It was clear from discussions in Washington that the Administering Authority had itself no precise ideas about the future of the Territory. In one sense this was entirely proper. The Mission was assured that the Administering Authority had no intention of prejudicing the Micronesian choice. The decision had been taken in 1961 that the Micronesian people should be developed to the same standards (in education and health) and in the same ways (in political and economic development) as were American citizens. Development is inevitably in the American pattern. But the Administering Authority does not intend to make them American citizens and does not itself contemplate integration. In other words, the future of the Trust Territory remains an open question. The Mission was told that the United States has no specific solution and has not yet set any date for self-determination. It intends to keep open the broadest possible range of options for the Micronesian people consonant with the knowledge that administrative decisions involved in the conscientious discharge of its trust must have some influence on the outcome (as an illustration the point was made that the Administration was going ahead with extensive educational and social development without waiting for economic viability). It was still too early in the process of constitutional development for the actual options to be formulated. All that could be said to the Mission at this stage was that the range of options would start with independence and cover all other possibilities - possibilities which were changing as the Territory developed.

280. The Administering Authority's vagueness was matched by an equal vagueness, indeed sometimes confusion, among the people of the Territory, or rather those few who raised the subject at all. Independence, though usually mentioned only to be discarded as economically and geographically impracticable, seemed definitely to be recognized as one alternative. One or two persons at Palau and Yap sought confirmation from the Mission that Micronesia could become independent if it wished. At Uman, one of the larger municipalities in Truk, a councillor speaking on behalf of a group of people stated that the majority of the original Trust

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Territories had either become independent or self-governing, and that people in the Territory were dissatisfied with the Administering Authority and wanted it changed. At Ponape it was evident that district legislators had been giving thought to the problem, and that some at least had decided for independence. The Speaker said that in 1961, when he had helped the municipalities gather views on the future, the people had expressed no desire to become part of the United States. As the economy of the Territory depended mainly on agriculture and fisheries, he doubted that more money would be forthcoming if it were part of the United States. He feared that if the Territory did integrate, wealthy Americans could easily buy up the islands in the Ponape District, the whole Territory would be governed by the Navy instead of the Department of the Interior, and Micronesians would lose their rights and freedom. Union with Guam, he continued, was even more objectionable because of its dependent status, small size and location. The Vice-Speaker said that, after weighing the advantages and disadvantages of being independent and fully realizing the complexity of the problem, a group of legislators had nevertheless concluded that independence should be the goal. He said that the group had been particularly inspired by many recently independent countries which were not all economically self-supporting or educationally advanced.

281. Others specifically argued against independence. At a public meeting in Truk, a Micronesian civil servant reviewed the three possible choices laid down by the General Assembly (independence, free association and integration) and concluded that it was not feasible for Micronesia to be independent at present, and that this would only lead to domination by other powers. At both meetings in Uman and Ponape where independence was mentioned, others took issue, saying that lack of resources and economic development made it impossible at present to achieve independence. At Uman it was asserted that the best way to speed Micronesian progress was integration with the United States. At Ponape two legislators merely suggested that the Territory was so far in no position to manage its own affairs and that the political future of the Territory would be shaped by the extent of its economic development.

282. Most of those who expressed an opinion to the Mission wanted integration with the United States. A speaker in the Palau District Legislature stated that the Palauan people wanted the American form of government, though they were prepared to receive assistance from any other Governments to revive the economy of

Micronesia. At a meeting with Moen municipality, the Chief Magistrate concluded that independence was not practicable and that it would be better for the Territory to join either Hawaii or Guam as part of the United States (a council member declared this to be the opinion of the whole council). A member of Lukunor Council stated that the present Administering Authority was the best they had had, and asked that the Trust Territory be made a part of the United States, rather than a part of a Territory under the United States.

283. Many others felt that they were not yet ready for such an important decision. Members of the District Legislature of Yap said they needed more time and experience before deciding their future. At Metalanim in Ponape Council members were unable to make up their minds as to the best choice. The consensus of the Micronesian students in Hawaii was that a full understanding of the implications and consequences of choosing the future status of the Territory required further preparation, and that the present time was too early for the people to make any meaningful choice. The Micronesian students at the College of Guam - about a hundred from all parts of the Trust Territory - presented their views in writing and said: "We propose to remain under the present administration and learn more about self-government before we get our independence or be part of the United States".

The question of Saipan

284. Only in the Marianas District was there evidence of any consistent or organized public interest in the future. And there the discussion concerned, not the self-determination of the Territory as a whole, but the desire of many to see the Trusteeship Agreement terminated for their district in order to make possible union with Guam or, as the formal request has put it, to achieve "the reintegration of the Mariana Islands by incorporating them within the framework of the Territory of Guam". In support of this desire there has grown up an active separatist movement and, as a result, two political parties based on those who advocate and those who oppose immediate union with Guam. The movement is centred on Saipan (it was not raised with the Mission in Tinian or Rota, the other main centres of the district) and is headed by the Popular Party, which is the majority party in both the Saipan and Marianas Legislatures.

285. The agitation began five years ago when the Saipan Municipal Legislature asked the United Nations seriously to consider the question and since then the request has frequently been reiterated in petitions to the Administering Authority and the Trusteeship Council. Just before the arrival of the last Visiting Mission, in February 1961, an unofficial plebiscite was conducted at which a little over half the registered voters in Saipan and Tinian municipalities expressed their desire for unification with Guam; the nature and implications of that choice were discussed in the Visiting Mission's report.^{9/} In July 1963 the Saipan Municipal Legislature unanimously reaffirmed its previous support for union with Guam and held a further plebiscite in Saipan on 27 October 1963. This plebiscite, like the earlier one, was held without the Administration's approval: the District Administrator told the Mayor of Saipan that the United States holds not only the Marianas District but also the other districts in trust for the United Nations, and that therefore "the integrity of the Trust Territory must be held sacred". This plebiscite drew a markedly smaller response. Out of 3,015 eligible voters in Saipan Municipality only 1,286 took part; of these 1,231 voted "to become a United States citizen within the political framework of the Territory of Guam".^{10/}

286. Some weeks before the Mission arrived in the Trust Territory, it received a request from the Saipan Municipality to reserve an adequate amount of time on its visit for conferring with the people of Saipan. The Mission in fact went into the question very fully, attending a public meeting and separate meetings with both the Saipan and Marianas legislatures. At these discussions a large number of petitions were received from both bodies which, in substance, declared that the people of the Marianas were ready for self-government and wished to terminate the Trusteeship Agreement. The Trusteeship Council was therefore asked to reconsider its earlier attitude. At all these meetings members of the Popular Party called for integration with Guam on the grounds of historical and cultural affinity, the desire of the people of Saipan to advance at a faster pace than the rest of the Trust Territory, and the freely-expressed wishes of the Saipanese people as made known in the unofficial plebiscites. Members of the minority Democratic Party (formerly the Progressive Party) opposed the petitions, claiming that the

^{9/} T/1582, pp. 9-12.

^{10/} A full tabulation of the questions asked, and the results, is contained in annex VII.

plebiscites did not really reflect the will of the Saipanese people and that any move to join Guam was premature at this stage. They also favoured integration with the United States, but only after the Territory as a whole had become self-governing.

287. Much of the argument justifying integration with Guam was based on a misconstruing of Articles 73 b and 76 b of the Charter; the Mission pointed out that these articles referred to varying degrees of advancement in all Trust Territories, not to varying stages of advancement within a particular Territory. There was also considerable misunderstanding of the right of self-determination; the Mission reminded the meetings that the Charter and resolution 1514 (XV) spoke only of the right of self-determination of peoples as a whole, and certainly not of anything which amounted to the right of secession or partition of a territory. As its predecessor had done, the Mission reiterated that, though the people of Saipan might feel they were ready for self-determination, they were part of a larger entity and must exercise their right as part of this. Any compromise on this point would lead to the piecemeal break-up of the Territory (the people of the Polynesian island of Nukuoro in Ponape District, for instance, told the Mission that if Saipan were allowed to secede they would wish to join some Polynesian grouping). Instead of the illusory hope of secession, Saipan now had the practical means of getting the substance of its wants through the Congress of Micronesia.

288. The Administering Authority has been no less firm in rejecting Saipanese pressure for secession. During its talks in Washington the Mission was told that the United States had not wavered in its cardinal policy of keeping and developing the Territory as a unit, and that it had nothing whatsoever to do with the separatist movement. The Assistant Secretary of the Interior Department put it specifically: "We do not favour fragmentation of the Trust Territory. This is a point we made in 1961 following the first Saipan referendum and it remains our policy. At such time as it is appropriate for the Micronesians to exercise their right of self-determination, we shall propose that United Nations observers be present at any referendum or plebiscite and we shall insist that 'independence' be one of the points."

289. There is no reason in these circumstances for any misunderstanding that secession is possible under the Trusteeship Agreement. Both the Trusteeship

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Council and the Administering Authority have made this point clear to the people of Saipan, and the question may be regarded as firmly settled. But the Mission agrees that, though nothing should be done to encourage the separatist movement, neither should it be repressed. It is an expression of thinking about the future and while its aims cannot be accepted, they must be countered in the open and by force of argument. Indeed, the Mission has some confidence that the counter-arguments are weighing more heavily. A more dynamic situation in the Trust Territory, coupled with an increasing realization that secession is impossible, has begun to have its effect. The move to join Guam, though still strong, has begun to decline if the results of the last unofficial plebiscite are any indication.

290. Despite the fact that the people of Guam and the Marianas are Chamorros, with historical links and a shared language, Chamorro brotherhood does not appear to be the source of the integration movement. The desire of those who advocate it in Saipan is essentially to become American citizens like the Guamanians and to share the benefits of this. The movement originated from Guam (a mission visited Saipan in 1959 to urge the political and economic benefits of integration) and seems to have been a form of economic reinsurance: many Guamanian businessmen hoped that union with Saipan would improve their civilian economy and leave them less dependent on the military installations (so vulnerable to disarmament or a mere change in weaponry). The attractions for Saipan at that time are not hard to grasp. Guam had its own legislature; the Trust Territory had none. Guam had a booming economy with growing opportunities for business and labour; it had loan monies for farmers, a welfare fund for needy families and the possibility of developing a profitable trade in agricultural produce and fish with the Marianas. Saipan with none of these sat still amid the wreckage of the war. Integration in these circumstances must have seemed the only way for an enterprising district to escape from Naval paternalism and a run-down economy.

291. But this situation is changing. A Congress of Micronesia is about to be inaugurated as the political voice of the Territory. The Administering Authority has reversed its caretaker policy in favour of one of active development. The Territory's budget has trebled and spending on building and other programmes has already begun to expand the economy; the growth of cash cropping and fisheries

could expand it further. Micronesia has started to catch up. It is no longer a matter of Saipan being held back by the dead weight of an inert Territory; now it is being offered the chance to play a part in shaping a nation. The earlier reasons for separatism are being stood on their head. It may be that, with a developing economy, a high rate of government spending and increasing control of its own affairs, Micronesia will have the greater attractive force. Many Saipanese - if their demand for a strong legislature is any indication - are beginning to grasp the possibilities opened up by the Congress of Micronesia. Others are wondering whether, especially when business opportunities are expanding in the Territory, they may be pushed aside by better-organized and larger businesses from Guam (there have already been protests about Guamanian businesses moving into Saipan and about building firms based on Guam being given contracts in the Territory). The Mission therefore suspects that Saipanese separatism sprang to some extent from a situation which is now disappearing. Once the development of a vigorous and unified Micronesia gets under way, the issue may simply wither away.

The alternatives

292. It is clear that a choice could be made among the views on the future expressed throughout the Territory (not excluding the Marianas District) and selected evidence cited, according to preference, for a particular course as being requested by the people. One could go further and, treating the comments to the Mission as a kind of opinion poll, reach a statistical conclusion on the alternative preferred by most people - in which case it would clearly be some form of integration with the United States. The Mission does not intend to do either of these. It has given a faithful account of the public views that were expressed to it. The chief conclusion it would draw is that no properly matured opinions on the future have yet emerged.

293. Debate on the possible alternatives of self-determination has scarcely begun.^{11/} In two districts political parties have formed around the issue (which may, if any, be the issue which can ultimately produce territory-wide political parties). But both are debating an essentially restricted choice. In Saipan the

^{11/} In Saipan the Mission was interested to read copies of the Free Press of Micronesia, a mimeographed newspaper expressing highly independent views. The development of a responsible Territory-wide newspaper could make an invaluable contribution to the development of Micronesia.

difference is largely on the timing of integration. In Palau (where the District Administrator has had Puerto Rican experience) the Progressive Party advocates a "commonwealth" solution for Micronesia while the Liberal Party wishes for more home rule under the status quo until the ultimate future of the Territory can be settled. In no other district has the question of the future yet entered political life. It did not bulk large at any public meeting, except that in Saipan, and was not raised in the Marshall Islands at all. In many places people seemed confused and apprehensive about the prospects opening up before them and discussion consisted mainly in seeking advice from the Mission (and the Mission had to emphasize that self-determination means what it says and that neither the Administering Authority nor the United Nations can force the people of Micronesia into any choice they do not want). The Territory is still in the process of being knitted together. Its unity is still fragile; most people still look at the world and the future from their own districts, not as part of a unified Micronesia. Until a truly unified Micronesia is created, until a territory-wide legislature is established to embody and express the national will, no such will can exist. The public meetings reflected no consensus on the future because so far no basis for a consensus has been formed.

294. The people of the Territory have not begun to think at all widely about the range of alternatives open to them. Almost all speakers assumed that there were only two alternatives - full independence or some form of integration with the United States. Independence is taken to mean that Micronesia would have to stand entirely on its own strength and that United States aid would immediately cease. Since Micronesia is clearly not self-sufficient most concluded that the only alternative was some form of integration with the United States, either as part of Hawaii or part of the Territory of Guam.

295. The full implications and possibilities of either of these courses have not even started to be explored. If independence is equated with self-sufficiency, then it is true that the latter does not seem possible in the foreseeable future. The Mission would be doing no service to the Territory if it were to gloss over the economic facts and their effect on the Territory's future situation. Lack of resources, the appalling complication and expense introduced by the scattered nature of the islands (a complication which has to be experienced at first hand to

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be properly understood) and the high standards of social development now being set by the Administering Authority make self-sufficiency a distant goal. It is a goal which in fact is receding. The Territory can only maintain its present standards with large-scale assistance; it is not merely unable to raise the money for capital expenditure but is far from being able to meet recurring expenses. But the Administering Authority has embarked on an energetic programme to raise social services in the Territory to the highest modern standards. This spending, so desirable for the improvement in conditions it is bringing, is at the same time putting the Trust Territory even further out of touch with its economic base. This would be of lesser importance if the economic possibilities were large and could ultimately underpin the transformed level of development. But the economic possibilities, by present standards at least, seem small. And so the transformation now going on has important political implications. It means that Micronesia will be more than ever dependent, as far as can be seen in the future, on large-scale aid from the outside.

296. Very conscious of these facts, many Micronesians have concluded that integration with the United States is the only way to ensure the money and assistance they will continue to need in the future. But the Mission found no sign that the full implications of integration have been thought through. It does not seem to have occurred to anyone, for instance, that integration is not merely a matter of Micronesian wishes, and that the United States also has a choice on this question. Nor has the form of integration been seriously examined; whether with the State of Hawaii (separate statehood presumably being ruled out by size) or with the Territory of Guam which is itself a dependency. There is no indication that those who advocate integration have realized, much less accepted, the rapid Americanization that would be the consequence, and the effects this would have on Micronesian customs and way of life. It is taken for granted that Micronesians could retain their present exclusive rights over land. But this seems doubtful: the United States Constitution is unlikely to permit any discriminatory provisions on land tenure to Micronesians. Integration would surely mean that American citizens in Micronesia would enjoy the same rights as would Micronesians in the mainland, including the right to buy land and establish businesses. None of this rules out integration (if the United States is agreeable) as a legitimate choice for the Territory in due course. It may well be that, after thinking about the

matter, the Micronesians will conclude that any of these disadvantages are a price worth paying for the benefits of integration. The point is that at present they have not thought about it.

297. Nor has any thought been given to a range of possibilities wider than a simple either/or choice. The Mission found that people in the Territory assumed that their consideration was limited to only two alternatives: full independence or integration. But neither the General Assembly nor anyone else has so restricted the scope of self-determination. Provided the Administering Authority (or some other state) is willing to co-operate, there are other possibilities of reconciling the cleavage between self-government and self-reliance which is troubling many in the Territory - possibilities which may be summed up in the term free association. Free association is worthy of consideration together with the other alternatives if only because it offers a means whereby the people of Micronesia could co-exist alongside a larger State without absorption. As a freely associated state Micronesia could combine the unfettered control of its own affairs (including whatever protection was desired for its land and customs), while ensuring the outside assistance without which it could not exist. And it would of course retain the right to opt into another status if it so desired.

298. Because the range of alternatives is neither complete nor well-considered, it must be conceded that the conditions for self-determination do not yet exist. The United Nations is properly concerned that the act of self-determination should be exercised at the earliest possible moment. But this means the earliest possible moment consistent with a real choice, or else the whole purpose of self-determination is defeated. A special responsibility rests on the trusteeship system to ensure that the choice is a considered one and not one which may later come to be questioned by the people themselves as hasty or inadequate. Self-determination now would come at the high point of dependence on American aid. It would almost certainly result in a request for integration, either with the United States proper or with Guam. In the present state of the Territory's development this could not be a proper integration. It would amount in practice to a continuation of trusteeship by other means; that is, trusteeship without international supervision.

299. Intensive development has only just begun. Once it is under way the scope of Micronesian thinking will inevitably enlarge. As the people of the Territory become better educated and more self-confident, they will also become freer and bolder in their choice. The chief pre-condition of self-determination is a greater political maturity (and this applies to whatever alternative is ultimately chosen). To find every possible means of hastening this has been the Mission's consistent aim in this report. Serious debate on the future has not yet started, and it cannot effectively take place until a Congress is established through whose discussions and decisions the future can begin to take shape. Hitherto, the present and the future have been dissociated in Micronesia, with the latter a cloudy and rather frightening abstraction. Political progress can bind the two together in an ordered path of development along which the people of Micronesia can advance with confidence to a status which will reflect their settled wishes.

300. In assisting this process, a heavy responsibility will fall on the Administering Authority. Its share in the preparations for self-determination is to keep the people of the Territory aware of all the potentialities that lie before them. A conscious effort will have to be made not to foreclose in practice any of the alternatives which are available in theory. The Administration has some obligation, for instance, in its training and educational policies not to orient people exclusively towards the United States, but also to bear in mind the need for solidarity and co-operation with other Pacific countries. In fostering Micronesian values it should encourage some sense of Micronesia's place as a Pacific country in its own right. But the real test of its intentions will be the breadth with which it approaches the development of political responsibility. If it is not prepared to grant budgetary autonomy then it is in effect restricting the choice to integration. If it is willing to concede full powers of appropriation to the Congress of Micronesia, then it will open up the possibility of development into independence or a free association based on the full autonomy of Micronesia. If the Administering Authority can be both imaginative and generous in declaring that independence or full political autonomy need not mean a cessation of aid; if it can tell the people of Micronesia that they are free to choose whatever status they wish and that the United States will continue to stand beside them as a friend - then the Congress of Micronesia could begin to examine a whole new set

of possibilities. To ask this of the Administering Authority is to seek a bold step (though it is not an unprecedented one). But the announcement of such a policy now, at the beginnings of the debate on the future, would transform the terms of the debate. And, as is usually the case with imaginative and generous gestures, it would be unlikely to diminish the esteem and gratitude of the people of Micronesia both before and after self-determination.

301. Then it will be possible to choose from a full range of alternatives. Only the Micronesian people can make this choice, and its nature will hinge on the kind of people they wish to be. Despite the far-reaching changes now under way, the Mission encountered a few signs that people were asking themselves what sort of Micronesia they wanted; what cultural values, what aims, what sort of society should be created. Progress has become rapid but little if any serious thought seems yet to have been given the fundamental question of its direction; for instance, whether Micronesians prefer to develop into fully-fledged Americans or whether there is a separate Micronesian personality worth fostering. The question must soon be asked by Micronesian representatives for on it depends the Territory's educational policy, the pattern of its economic development and finally the choice of a future status. It comes down to whether the people of the Territory have pride in themselves as a distinct entity; whether indeed there is a Micronesian consciousness or merely a geographical expression. If this pride exists, then the Territory will choose some form of independent existence; if it does not - if its inhabitants do not think the concept of Micronesia worth retaining - then the economic benefits of joining another state will weigh more heavily.

302. The Mission's recommendations have all been in the direction of bringing Micronesia together and enhancing the sense of pride in being Micronesian. To that extent the Mission has indicated its belief that Micronesia has a unique identity which should be preserved, and the logic of its proposals may be felt to tend towards either independence or free association. But the Mission is not recommending any particular alternative. If the Micronesian people choose integration the proposals the Mission has made throughout this report still hold good; for they are aimed at increasing the pride, self-sufficiency and self-respect of the people of the Trust Territory and it is much better that a people should integrate from a position of confidence than because of dependence, because they

feel that no other course is open to them. The essential point is not the particular course that is chosen. It is that the people of Micronesia should be able to choose it from alternatives that are real and with a self-knowledge that is thorough.

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ANNEXES

ANNEX I

Written communications received by the Visiting Mission
during its visit to the Trust Territory

Note: Under rule 84, paragraph 2, of the rules of procedure of the Trusteeship Council, the Visiting Mission decided that the following communications were intended for its own information.

I. Communications from the Third Regular Session of the Mariana Islands District Legislature presented to the Mission at its meeting with the Legislature in Saipan on 12 March 1964

(a)

1964 MARIANA ISLANDS DISTRICT LEGISLATURE
THIRD REGULAR SESSION

Resolution No. 2-1964

Introduced by Hon. Juan Ch. Reyes, Saipan

A resolution respectfully requesting and memorializing the United Nations Visiting Mission to seek the solution in expediting the compensation for War Damages Claims of the people of the Mariana Islands District, Trust Territory of the Pacific Islands

WHEREAS, the emergence of the World War II had caused great hardship, destruction, and loss of properties and lives to the people of the Mariana Islands District, Trust Territory of the Pacific Islands; and

WHEREAS, the people of the Mariana Islands District neither desired nor caused the creation of World War II; and

WHEREAS, nearly twenty (20) years have elapsed since the end of the World War II and this is the fourth request from a duly constituted body and bodies and yet this claim remains outstanding; and

WHEREAS, it is the opinion of the people of the Mariana Islands District that this claim has not been given the proper interest and efforts toward solving it by the involved authorities;

NOW THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that the 1964 United Nations Visiting Mission be respectfully requested and memorialized

to seek the solution of expediting the payment of War Damages Claims of the people of the Mariana Islands District, Trust Territory of the Pacific Islands

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 4 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. Guerrero
Secretary

(b)

Resolution No. 22-1964

Introduced by Hon. Vicente N. Santos, Saipan
Hon. Santiago B. Magofna, Saipan

RESOLUTION NO. 22-1964 RELATIVE TO RESPECTFULLY REQUESTING AND MEMORIALIZING THE UNITED NATIONS TRUSTEESHIP COUNCIL TO RECONSIDER THE PETITION UNDER RESOLUTION NO. 7, OF THE SAIPAN LEGISLATURE, RELATIVE TO THE REINTEGRATION OF THE MARIANA ISLANDS, DIRECTLY UNDER THE DOCTRINE OF HUMAN RIGHTS, AND IN CONSONANCE WITH THE OBJECTIVE OF THE UNITED NATIONS POLICY IN THE INTERNATIONAL DECLARATION OF HUMAN RIGHTS

WHEREAS, pursuant to the petition by the people of the Mariana Islands as demonstrated in an island-wide plebiscite held during the years 1961 and again in 1963, and a plebiscite held in the other islands in the Mariana group, were and are still desirous to be reintegrated, restored and reinstated back to their former status as one people who are the actual inhabitants of the Mariana Islands; and

WHEREAS, with no intention directly or indirectly or under any other circumstances should be regarded as to imply racial discrimination towards the people of the other islands of the Pacific Trust Territory; and

WHEREAS, in the course of human event and the inevitability of social, political and economic affinity, and by virtue of the natural pursuit of life and happiness, the inhabitants of the Mariana group who are called Chamorros, were of Guamanian descendants who are entirely similar in culture, in language, and in customs, and thereby could prosper by such union thereto; and

WHEREAS, to become one people and one country among such mixed races who are entirely dissimilar, the Chamorro race by reason of minority will undoubtedly cause to suffer the inconveniences attendant in the conglomeration of races with marked differences culturally, politically and socially; and

/...

WHEREAS, that it is cognizant before the people of the world, how this great world Organization, the United Nations, on many occasions have demonstrated the deepest respects for other people on the basis of their objectives, and it is also one of their fundamental principles, to be always prepared to support and to defend the rights of other people, hence, our fundamental rights are basically implied upon these objectives; and

WHEREAS, that this general thesis can be extended exclusively to the effect of this resolution and not to be construed under any such determination to reflect the cause towards the direct course of American citizenship only;

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that this petition be once more forwarded to the United Nations Trusteeship Council for their immediate attention on the basis of the United Nations objective on International Declaration of Human Rights, and self-determination for their utmost consideration of the pleas by the Chamorros who have long suffered the torments of international discrepancies which today amply reflect in the backwardness of the people and in the retarded growth of the elements of life of the people in the other islands within the Mariana group, a grave mistake not of their own making, and also for the reconsideration to revive the objectives of Resolution No. 7, on the basis of the thesis herein contained.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

(c)

Resolution No. 30-1964

Introduced by Hon. Juan Ch. Reyes, Saipan

RESOLUTION NO. 30-1964 RELATIVE TO RESPECTFULLY REQUESTING
AND MEMORIALIZING THE UNITED NATIONS TRUSTEESHIP COUNCIL
TO ENCOURAGE THE UNITED STATES GOVERNMENT WHO ADMINISTERS
THE PACIFIC TRUST TERRITORY ISLANDS TO ADOPT AND ESTABLISH
TRIAL BY JURY SYSTEM IN THE COURTS OF THE TRUST TERRITORY
OF THE PACIFIC ISLANDS

WHEREAS, advancing political, social, economic and educational progress in the Trust Territory necessitates to adjust certain systems throughout the Territory; and

/...

WHEREAS, in the interest of modern thinking and modern systems in utilizing to the fullest extent the administration of justice, it is only timely, judicious and most appropriate to adopt a jury system in our courts similar to the one adopted and in use in the United States courts; and

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that on behalf of the people of the Mariana Islands District, we are respectfully requesting and memorializing the United Nations Trusteeship Council to encourage the United States Government to adopt and establish a jury system in the courts of the Trust Territory of the Pacific Islands; and

BE IT FURTHER RESOLVED that the President certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United Nations Trusteeship Council, the 1964 United Nations Visiting Mission to the Pacific Trust Territory, the Honorable E.P. Furber, Chief Justice of the Trust Territory of the Pacific Islands, the High Commissioner of the Trust Territory, and the Secretary of the Department of the Interior, United States Government.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

(d)

Resolution No. 32-1964

Introduced by Hon. Vicente N. Santos, Saipan

RESOLUTION NO. 32-1964 REQUESTING AND MEMORIALIZING
THE UNITED NATIONS VISITING MISSION TO USE ITS GOOD
OFFICES IN SEEKING THE UPWARD REVISION OF THE MINIMUM
WAGE SCALE IN THE MARIANA ISLANDS DISTRICT

WHEREAS, there continues the same problem of low scale of wages in the Mariana Islands District; and

WHEREAS, the economic system of the Mariana Islands District is based chiefly upon employment with low scale of wages; and

WHEREAS, the continued high cost of living demands immediate revision of the minimum wage scale, especially for the Mariana Islands District; and

/...

WHEREAS, with the increase of \$0.50 minimum wage scale per hour, as requested in Resolution No. 11-1964 of the Mariana Islands District Legislature to the High Commissioner would, at least, help to improve the present living condition of the population in this district;

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that the United Nations Visiting Mission takes due consideration in the upward revision of the minimum wage scale for the Mariana Islands District.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 February 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

(e)

Resolution No. 34-1964

Introduced by Hon. Benjamin T. Manglona, Rota

RESOLUTION NO. 34-1964 RELATIVE TO RESPECTFULLY REQUESTING
AND MEMORIALIZING THE UNITED NATIONS TRUSTEESHIP COUNCIL
TO PROVIDE MORE UNITED NATIONS SCHOLARSHIP AND FELLOWSHIP
FOR MICRONESIANS IN THE PROFESSIONAL AND TECHNICAL FIELDS

WHEREAS, the primary aim of the Administering Authority in the Trust Territory is to prepare the inhabitants to achieve independence or self-government, by promoting the political, social, economical and educational advancement; and

WHEREAS, article 6, paragraph 4, of the Trusteeship Agreement stated that:
"The Administering Authority shall promote the educational advancement of the inhabitants, and to this end shall take steps toward the establishment of a general system of elementary education, facilitate the vocational and cultural advancement of the population; and shall encourage qualified students to pursue higher education including training on the professional level"; and

WHEREAS, to expedite the attainment of their objectives for the people of Micronesia, it is essential that more United Nations Scholarship and Fellowship be given to the people; and

WHEREAS, the education is an important factor in its prerequisite to this objective;

/...

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that the 1964 United Nations Visiting Mission be respectfully requested to provide more United Nations Scholarship and Fellowship for Micronesian citizens in the professional and technical fields.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

(f)

Resolution No. 35-1964

Introduced by: Committee of the Whole

RESOLUTION NO. 35-1964 REQUESTING THE 1964 UNITED NATIONS VISITING MISSION OF THE TRUSTEESHIP COUNCIL TO LOOK INTO THE LIFTING AND RELAXING OF SECURITY CLEARANCE TO ALLOW TOURISTS IN THE MARIANA ISLANDS DISTRICT

WHEREAS, by and with the term of Agreement set forth in the Trusteeship system, provision as agreed by the Security Council and the United States of America, it stipulates that the Administering Authority has the discretionary power of declaring the Trust Territory of the Pacific Islands or portion thereof as closed in strategic areas; and

WHEREAS, a potential source of income that would derive from tourism is promising but that outsiders have to obtain prior clearance before entering, which requirement is discouraging for tourist development; and

WHEREAS, throughout the Trust Territory, there are numerous historical sites of attraction which are of interest to the incoming tourists;

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that the United Nations Trusteeship Council be requested and memorialized to ensure the lifting and relaxing of the security clearance to allow freely tourists regardless of any national in the Trust Territory of the Pacific Islands.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

/...

(g)

Resolution No. 36-1964

Introduced by: Committee of the Whole

RESOLUTION NO. 36-1964 RESPECTFULLY REQUESTING AND
MEMORIALIZING THE UNITED NATIONS TRUSTEESHIP COUNCIL
TO REMOVE CERTAIN SECURITY RESTRICTIONS AND OPEN THE
MARIANA ISLANDS DISTRICT PORTS FOR NON-COMMUNISTIC
OKINAWAN AND JAPANESE COMMERCIAL VESSELS FOR FOSTERING
TRADE

WHEREAS, commercial trade is an important key to economic development; and

WHEREAS, the economic development is indispensable for improving standards
of living and promotion of educational, political and social aspects; and

WHEREAS, the people of the Mariana Islands District do import and consume a
considerable amount of goods from Japan; and

WHEREAS, commercial trade can cause incentives in improving agriculture and
fishing exports; and

WHEREAS, the geographical closeness of the Mariana Islands to Japan and
Okinawa is of great importance in commercial trade; and

WHEREAS, the people of the Mariana Islands District are used to, and familiar
with many commodities and goods manufactured in Japan; and

WHEREAS, Japan needs a number of items produced in the Mariana Islands
District;

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature
that the United Nations Trusteeship Council be respectfully requested to remove
certain security restrictions and to open the ports in the Mariana Islands District
for non-communistic Japanese and Okinawan commercial vessels for fostering trade.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

/...

(h)

Resolution No. 37-1964

Introduced by Hon. Juan Ch. Reyes, Saipan

RESOLUTION NO. 37-1964 RELATIVE TO RESPECTFULLY REQUESTING
AND MEMORIALIZING THE UNITED NATIONS TRUSTEESHIP COUNCIL
TO EXERCISE ITS GOOD OFFICES IN ASSISTING IN THE RELAXATION
OF IMMIGRATION LAWS AFFECTING ENTRY OF TRUST TERRITORY
CITIZENS TO THE CONTINENTAL UNITED STATES OR ITS TERRITORIES

WHEREAS, by an Act of the United States Congress in the year 1962, the President of the United States has approved the lifting of visa and passport requirements for traveling to the Continental United States or its territories; and

WHEREAS, the demand for passports and other official traveling documents have caused delays, discomforts and inconveniences on the part of the concerned; and

WHEREAS, it is strongly felt the relaxing of the existing strict restrictions of immigration policy will, to an extent, progress the economic, political, social and educational status of the inhabitants of the Pacific trust islands;

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that the United Nations Trusteeship Council be respectfully requested and memorialized to exercise its good offices in assisting in the relaxation of immigration laws affecting entry of Trust Territory citizens to the Continental United States or its territories; and

BE IT FURTHER RESOLVED that the President certify to and the Legislative Secretary attest the adoption hereof, and that copies of same be thereafter transmitted to the President of the United Nations Trusteeship Council; President, United States Senate; Speaker, United States House of Representatives; United States Department of the Interior; and to the High Commissioner of the Trust Territory of the Pacific Islands.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

/...

(i)

Resolution No. 38-1964

Introduced by Hon. Benusto R. Kaipat, Saipan

RESOLUTION NO. 38-1964 RESPECTFULLY REQUESTING AND
MEMORIALIZING THE UNITED NATIONS VISITING MISSION
FOR CONDUCTION OF SCIENTIFIC RESEARCH BY THE UNITED
NATIONS SCIENTIFIC COMMITTEE ON THE DOSES, EFFECTS
AND SOLUTIONS OF ATMOSPHERIC POLLUTION BY RADIOACTIVE
ELEMENTS WITHIN THE TRUST TERRITORY OF THE PACIFIC
ISLANDS AND ABOUT THE PACIFIC BASIN

WHEREAS, the four (4) nuclear power nations, namely: United States, Union of Soviet Socialist Republics, United Kingdom and France have been conducting nuclear testing in various geographical locations throughout the world in the remote and recent past; and

WHEREAS, the United Nations Scientific Committee on the effect of atomic radiation reported that genetic damage may follow any dose of radiation, and warned of the danger of further increase; and

WHEREAS, detonation of such bombs has immediate effects, and that nuclear radiation is only 10 per cent casualties compared to 90 per cent delayed effect by fall-outs alone; and

WHEREAS, lethal dose is designated as L-D50-30 (45r), and that the higher doses are known to cause effects on central nervous system, gastro-intestinal syndrome, bone marrow and blood cells depression, epilation, cataracts, lymph node atrophy and deaths; and

WHEREAS, the majority people in the Pacific Trust Territory are using and consuming rain water in everyday life, despite the fact that certain radioactive substances (strontium 90, etc.) is known to be present in the ionosphere, stratosphere and atmosphere for months and years after the detonation of such nuclear bombs;

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that the United Nations Visiting Mission be respectfully requested and memorialized for conduction of scientific research by the United Nations Scientific Committee on the doses, effects and solutions of atmospheric pollution by radioactive elements within the Trust Territory of the Pacific Islands and about the Pacific Basin.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

(j)

Resolution No. 39-1964

Introduced by Hon. Benusto R. Kaipat, Saipan

RESOLUTION NO. 39-1964 RESPECTFULLY REQUESTING THE UNITED NATIONS TRUSTEESHIP COUNCIL TO ASSIST AND EXPEDITE THE TRANSFORMATION OF PRESENT COUNCIL OF MICRONESIA INTO A FULLY BONA-FIDE TERRITORIAL LEGISLATURE BY THE YEAR 1965, AND TRANSFERRING TO IT ALL THE NECESSARY RESPONSIBILITY AND POWERS OF LEGISLATURE

WHEREAS, the existing legislative structures of local municipal and District-wide legislative bodies have gained certain political autonomy which is indicative of the progress and the political evolution of Micronesia; and

WHEREAS, it is only appropriate and traditionally an accepted political theory that a higher legislative body representing the entire Micronesia is an absolute importance in the advancement exercise of greater political autonomy; and

WHEREAS, the eventual transformation of the present Council of Micronesia into a bona-fide legislative body with vested powers of a bona-fide law-making body is inevitable; and

WHEREAS, according to a provision in Chapter XII, article 76b, of the International Trusteeship System, stated that:

"To promote the political, economic, social, and educational advancement of the inhabitants of the Trust Territory, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the people concerned, and as may be provided by the terms of each Trusteeship Agreement"; and

WHEREAS, the Municipal and District Legislatures are virtually limited in the sphere of legislative powers, and the proposed creation of territorial legislature, fully competent with powers of legislation would promote and expedite our objective of self-government in the near future;

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that the Trusteeship Council be respectfully requested to ensure transformation of the present Council of Micronesia into a fully competent Territorial Legislature by the year 1965, and transferring to it all the necessary responsibility and power of legislation.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

(k)

Resolution No. 40-1964

Introduced by Hon. Benusto R. Kaipat, Saipan

RESOLUTION NO. 40-1964 RESPECTFULLY REQUESTING THE TRUSTEESHIP COUNCIL TO ACCELERATE A TERRITORIAL-WIDE DISSEMINATION OF INFORMATION ABOUT THE UNITED NATIONS, THE INTERNATIONAL TRUSTEESHIP SYSTEM AND RECORDS OF THE CURRENT MEETINGS OF THE TRUSTEESHIP COUNCIL

WHEREAS, in order to achieve our goal as set forth in the objectives of the Trusteeship System, a continuous source of territorial-wide dissemination of information about the activities concerning the United Nations, the International Trusteeship System, and records of the current meetings of the Trusteeship Council are indispensable; and

WHEREAS, such informations are stimulant to our sense of imagination, judgement and concentration; the information of such nature is an educational and also a media to promote consciousness about our own problems and the world-wide activities; and

WHEREAS, territorial-wide circulation of such information will promote better understanding, consciousness of unity, and better progress in social, economic, political and educational status in the Trust Territory of the Pacific Islands;

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that the United Nations Trusteeship Council be respectfully requested to cause an acceleration of territorial-wide dissemination of information about the United Nations, the International Trusteeship System, and records of the current meetings of the Trusteeship Council.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

(1)

Resolution No. 41-1964

Introduced by Hon. Roman M. Manglona, Rota

RESOLUTION NO. 41-1964 RELATIVE TO RESPECTFULLY REQUESTING
AND MEMORIALIZING THE UNITED NATIONS TRUSTEESHIP COUNCIL TO
URGE THE ADMINISTERING AUTHORITY TO LIMIT THE TERM IN OFFICE
OF ALL UNITED STATES CIVIL SERVICE KEY PERSONNEL IN THE
TRUST TERRITORY GOVERNMENT

WHEREAS, Chapter XII, International Trusteeship System, article 76b, provides:
"To promote the political, economic, social and educational advancements of the
inhabitants of the Trust Territory and their progressive development toward self-
government or independence"; and

WHEREAS, there are considerable number of key personnel in the Government of
the Trust Territory who are not citizens or inhabitants of this Territory and who
served many years under one capacity; and

WHEREAS, it is believed and felt that it would be to the best interest and
advantage to the people of Micronesia if such key personnel tour of duty be limited
to four (4) years in the Trust Territory since this would subsequently be handled
by some of our well-trained, educated and qualified Micronesian personnel, which
is in line with the principles and objectives of the Trusteeship Agreement; and

WHEREAS, such recommendation shall not be construed or implied that key
personnel mentioned hereinbefore are not dedicated career officials to the good
cause of the Trust Territory;

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that
the United Nations Trusteeship Council be respectfully requested and memorialized
to urge the Administering Authority to limit the term of office to United States
Civil Service key personnel in the Trust Territory.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

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(m)

Resolution No. 42-1964

Introduced by Hon. Melchor S. Mendiola, Rota

RESOLUTION NO. 42-1964 RESPECTFULLY REQUESTING AND MEMORIALIZING THE TRUSTEESHIP COUNCIL TO ENSURE THAT THE CONCLUSIONS AND RECOMMENDATIONS OF ALL MEASURES PRESENTED TO THE UNITED NATIONS VISITING MISSION IN THE PACIFIC TRUST TERRITORY BE DISTRIBUTED TO THE RESPECTIVE DISTRICT LEGISLATIVE BODY

WHEREAS, the recommendations of the Trusteeship Council, pertinent to the measures aforementioned in the said title of this resolution, is most educational and the best guide to individual legislators throughout the Trust Territory to be well conscious of respective District problems and solutions to such problems; and

WHEREAS, the Municipal and District Legislatures within the Trust Territory of the Pacific Islands are all together striving to promote the social, economic, political and educational standards and seeking to expedite the final goal as set forth in the provisions of Chapter XII, article 76, sub-paragraph "b", Trusteeship Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that the Trusteeship Council be respectfully requested and memorialized to ensure that the conclusions and recommendations of all measures presented to the United Nations Visiting Mission be distributed to the respective District Legislative body.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 10 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

(n)

Resolution No. 46-1964

Introduced by Hon. Olympio T. Borja, Saipan

RESOLUTION NO. 46-1964 RELATIVE TO OFFICIALLY EXPRESSING THE VIEWS OF THE MARIANA ISLANDS DISTRICT LEGISLATURE IN ENDORSING THE UNICAMERAL SYSTEM FOR THE PROPOSED CREATION OF A TERRITORIAL-WIDE LEGISLATURE

WHEREAS, it is the commonly accepted theory in legislative process that the creation of a legislative body must be a realistic, practical one that will provide expediency and efficiency; and

WHEREAS, on two occasions, the Council of Micronesia, by majority vote, favoured a bicameral body for the proposed Congress of Micronesia; and

WHEREAS, the delegations of Mariana Islands and Truk Districts have objectively and intelligently pointed out in the two sessions of the Council of Micronesia that a unicameral is and will best suit the legislative process of Micronesia; and

WHEREAS, the people of the Mariana Islands District have come to believe that in choosing the system and composition of a legislative body for Micronesia the traditional feelings of preserving the tribal chieftain system and the emotional ties that the class of nobility be upheld should be secondary to the concept that a law-making body for Micronesia should be created objectively, expediently and efficiently rather than to counsel the class of nobility in the other districts of the territory; and

WHEREAS, the views of the Mariana Islands District Legislature and the people shall not be construed as an inference of a discriminatory nature or a repugnance to other ethnic or cultural groups in the Trust Territory; and

WHEREAS, a bicameral system is accepted in many parts of the world for reasons of tradition and a compromise between the noble class and the mass, but one which is impractical for Micronesia; and

WHEREAS, the members of the Mariana Islands District Legislature firmly believe that a unicameral body is the best system of a legislature for Micronesia, one that is realistic, practical and which will function with effectiveness, expediency and efficiency;

NOW, THEREFORE, BE IT RESOLVED by the Mariana Islands District Legislature that it officially endorses, and supports that the proposed creation of a Territorial-wide Legislature be a unicameral in the best interest of the inhabitants of the Territory.

PASSED BY THE MARIANA ISLANDS DISTRICT LEGISLATURE 12 FEBRUARY 1964

(Signed) Olympio T. BORJA
President

(Signed) Herman Q. GUERRERO
Secretary

II. Communication dated 10 February from Mr. Jose C. Tenorio, President of Saipan District Chamber of Commerce, and nine others, Saipan

TO THE UNITED NATIONS VISITING MISSION

Your Excellencies:

We, the undersigned citizens and residents of the Trust Territory of the Pacific Islands, present herewith our petition for a redress or correction of grievances pursuant to Section I, Bill of Rights of the Trust Territory Code.

It is our belief that it is the intent of the United Nations, of the trusteeship agreement and of the United States Congress to protect the citizens of the Trust Territory and over a period to guide and assist these people not only to self-government but also towards economic self-sufficiency.

In order to accomplish this purpose restrictions have been placed upon not only the immigration of non-citizens, their ownership and control of land, but also upon the operation and control of businesses within the Trust Territory by non-citizens.

We believe that, if not the letter of this intent, the spirit of it precludes circumvention and indirect economic infiltration. We believe that one of the main purposes is to prevent non-citizens, having access to vastly greater resources and frequently being possessed of far wider training and business experience, from securing economic domination within the Trust Territory and monopolizing trades, particularly retail trades and the distribution of essential goods.

We believe it to be contrary to the intent of the United Nations that any group either local or non-citizen should be enabled to secure such an economic domination in the Trust Territory or in any part of the Trust Territory that, through economic coercion and vast resources, monopolistic control of the economy and the exclusion of local competition can be accomplished.

Here in Saipan, we believe such a condition exists and that unless corrected it will in a brief period of time lead to an effective monopoly of not only the retail but also the wholesale trade. We also fear that if unchecked it will also spread to other areas of the Trust Territory.

We believe that the creation and operation of the Saipan Business Establishment known as the Town House, not only violate these basic principles but also have been through the evasion of our law and through various subterfuges.

We believe that this business is not only dominated and controlled by the Town House of Guam, a corporation either an affiliate or subsidiary of J and G Enterprises, but actually owned by such corporation. That the manager and alleged part-owner are not operating a business here in accordance with our law but that, under the guise of his wife's ownership, this non-citizen corporation is without proper legal authority conducting this business. That the alleged owners are mere employees.

That by price differentials, including selling merchandise at retail on Saipan at the same price as local merchants can obtain the same wholesale on Guam before payment on freight and port charges, there is demonstrated an attempt to secure a monopoly and drive the local merchants out of business.

That these practices will tend to exclude all other wholesalers not only in Guam but elsewhere from the local market.

We believe that this business has not secured the requisite permission from the High Commissioner and thus is being conducted illegally.

Our fear is that unless checked this will lead to complete economic domination of the economy of Saipan and eventually of the entire Trust Territory.

We invite attention to the fact that J and G Enterprises and their affiliates are not only engaged in operating a department store on Guam but also include a construction company, a furniture business, a wholesale and retail food business, an automobile business and a shipping company.

We request that an investigation be held into the true facts of this business, its actual ownership and control, whether it violates the Code of the Trust Territory and whether or not it is an incipient monopoly aiming at

the exclusion and destruction of all competition. We seek in accordance with the intent and purposes of the trusteeship your assistance in obtaining a full investigation and appropriate redress.

Chalan Kanoa, Saipan. 10th day of February, 1964

Respectfully submitted,

(Signed)

Jose C. TENORIO, President Saipan
District Chamber of Commerce

(Signed)

Manuel S. VILLAGOMEZ, Businessman
and member Chamber of Commerce

(Signed)

Juan S.N. PANGELINAN, Businessman
and member Chamber of Commerce

(Signed)

Herman R. GUERRERO, Businessman
and member Chamber of Commerce

(Signed)

Juan S. VILLAGOMEZ, Businessman
and member Chamber of Commerce

(Signed)

Carmen L.G. BORJA, Businesswoman
member Chamber of Commerce

(Signed)

Maria S. TENORIO, Businesswoman
Member Chamber of Commerce

(Signed)

Jose R. CRUZ, Editor and Publisher
Saipan Free Press

(Signed)

Pedro P. TENORIO, Manager, Saipan
Shipping Company

(Signed)

Jose A. TENORIO, District Public Defender
and member Chamber of Commerce

III. Communication from Mr. Jose C. Tenorio, Importer and Exporter
and seven others handed to the Chairman of the Mission at the
public meeting in Saipan on 11 February 1964

TRUST TERRITORY OF THE PACIFIC ISLANDS
SAIPAN, MARIANA ISLANDS

To Chairman and Member Delegates of the United Nations Visiting Mission

Your Excellencies:

We would like to take this opportunity to direct the attention of the members of this august body to specific matters certainly within their competency; if not as delegates to the United Nations at least as officials of their respective countries.

/...

We are well aware of the sanctity of contract and of the prohibition against governmental interference with legitimate business practices; however, it seems to us that sincerity demands more than lip service from our United Nations protectors.

If individual members of this esteemed delegation are unwilling to assist us in the correction of the specific grievances I will point out later, then all is merely verbal dissonance; all sound and fury. We do not appreciate being considered as helpless sources of easy dollars by the high-riding franchise-holders in Guam. We would enjoin the members of this delegation to assist us in breaking the franchise system, particularly in New Zealand and Australia, our nearest supplier, thus enabling us to deal directly with the sources of supply.

As you all know, a sizeable portion of our foodstuffs are imported from abroad, and that in general, Micronesian wages are low. For these two significant reasons, we are rather concerned and disheartened by the fact that merchants in Guam enjoy exclusive franchise rights on nearly all essential commodities vitally necessary for our daily sustenance. We see no justifications for the Guam businessmen to control, or dictate the movement of commodities within the Trust Territory of the Pacific Islands. Politically, we are a separate entity; economically, we are far below their (Guam) economic standard. The gains enjoyed by the Guam merchants of 3 to 4 per cent in commissions paid by the Saipanese customers can well be applied to reduce the cost of living in Micronesia instead.

To further illustrate our point, we submit the following:

1. The Australian rice (the most important single imported staple in the Trust Territory), which is priced the lowest in today's world market, is unavailable directly from its source of supply, because a middleman in Guam has this right.
2. Australian and New Zealand meat, a necessary food for the people of Northern Marianas, is likewise unavailable to the Micronesian directly from its source of supply, because of an exclusive franchise-holder in Guam.
3. Australian sugar - same as above.

/...

4. Milk, another very important ingredient for the health and growth of our youths, is obtainable only after giving so much commission to the merchants in Guam.
5. Laundry soap is similarly treated as above.

In view of the above, we hereby solicit your earnest assistance in rectifying this unjust practice existing in our midst. Briefly, we stress this to be unjust in view of:

1. Vastly unequal individual earning and purchasing power between an average Guam citizen and an average Trust Territory citizen.
2. Different political status of the two areas.
3. Inequality further expressed by a lesser-populated area (Guam) imposing its franchise rights over a greater-populated area (Trust Territory).

We look forward to your early deliverance and a satisfactory solution to one of our many pressing problems.

(Signed)
Jose C. TENORIO, Importer and Exporter

(Signed)
Manuel S. VILLAGOMEZ, Importer and Exporter

(Signed)
Maria S. TENORIO, Retailers

(Signed)
Carmen L.G. BORJA, Retailers

(Signed)
Juan S.N. PANGELINAN, Retailers

(Signed)
Juan S. VILLAGOMEZ, Retailers

(Signed)
Herman R. GUERRERO, Retail Enterprise

(Signed)
Torcuato B. TUDELA, Retail Enterprise

ANNEX II

WAR DAMAGE CLAIMS: LETTER DATED 26 MARCH 1964 FROM THE UNITED
STATES REPRESENTATIVE ON THE TRUSTEESHIP COUNCIL TO THE
CHAIRMAN OF THE VISITING MISSION

Dear Mr. Ambassador:

I hope that you had a very successful visit to the Trust Territory of the Pacific Islands and I look forward to hearing of your experiences in the near future.

May I call to your attention that during the discussions between the Visiting Mission and the Administering Authority in Washington on 31 January, the Visiting Mission drew the Administering Authority's attention to a passage in a private post-war economic survey of Micronesia conducted in 1946 before the Trusteeship Agreement entered into force. (Although the passage reproduced in the report of the 1961 Visiting Mission, T/1560, pp. 97-98, was foot-noted as coming from "Planning Micronesia's Future" edited by Douglas L. Oliver, Harvard, 1951, it originally appeared on pages 64-65 of "Summary of Findings and Recommendations", volume 1, Economic Survey of Micronesia, United States Commercial Company, Honolulu, 1946). That Survey categorized Micronesian war damage claims as follows:

- (a) claims against Japan "for losses sustained as a result of actions which violated the League Mandate";
- (b) claims against the United States "for losses sustained as a result of United States actions committed in violation of the laws of war"; and
- (c) claims against the United States "for losses sustained as a result of United States actions after the time of securing of the areas".

The Administering Authority wishes to point out that this categorization is inaccurate and misleading. In the view of the United States Government, there are no legitimate claims which fall in category (b).

With respect to category (a), claims against Japan for losses sustained as a result of actions which violated the League mandate are the subject of negotiation

His Excellency
Mr. F.H. Corner
New Zealand Mission to the United Nations
733 Third Avenue
New York, New York

/...

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with Japan. The United States believes that any legitimate claims of Trust Territory citizens for compensation for injuries occasioned as a result of military operations during World War II fall within category (a).

Category (c) refers to the taking of lands by the United States. The United States has always recognized its obligation to compensate Micronesians for lands taken. Funds were appropriated for this purpose in 1951 and since that time approximately \$1,800,000 has been paid to Micronesians. The United States informed the Visiting Mission on 31 January that it anticipated the settlement of the last of the major land claims, the Kwajalein claims, within a short period of time. That settlement was made on 12 February.

Sincerely Yours,

(Signed) Sidney R. YATES

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ANNEX III

RECOMMENDATION OF THE COUNCIL OF MICRONESIA,
SPECIAL SESSION, MARCH 1963

Recommendation 3-1963

The Council of Micronesia recommends to the High Commissioner that the planned territorial legislature be established on the following basis:

1. Name - Congress of Micronesia

- (a) This area is well known as Micronesia. The term Micronesia was originally used as an anthropological term, but now it has become a term used in a political sense.
- (b) Micronesia is a lasting term, that is, some day in the future the terms Trust Territory or Territory may cease to be used because of a change in the political status of the area. Regardless of change this area will always remain Micronesia.
- (c) Congress rather than Legislature - It is expected that eventually, the District Congresses will be referred to as District Legislatures, thus the territorial body will be properly referred to as Congress; something like the existing terminologies in a federation such as the United States where there exists a United States Congress and state legislatures.
- (d) The term Congress is appropriate also because there will be two houses.

2. Type - Bicameral

- (a) District interests will be better protected by having two houses; it will slow down the legislative process and thereby make for more carefully considered laws.
- (b) Good features of the several Micronesian cultures will be better protected.

(c) A bicameral type of body is believed to be the kind that can create, at this early stage of development, a favourable atmosphere for continuous growth and development and make for a smoother transition to the type of political body considered superior by modern political scientists.

3. The Congress of Micronesia will consist of two houses, the House of Delegates, which will be composed of two representatives from each district, and the Assembly, with representatives apportioned on a population basis.

4. Apportionment of Legislators, size of body

	<u>Assembly</u>	<u>House of Delegates</u>
Marshalls	3	2
Marianas	2	2
Ponape	3	2
Turk	4	2
Yap	2	2
Palau	2	2
	<u>16</u>	<u>12</u>

5. Term of Office

- (a) House of Delegates - Term will be 4 years - (1) A term of 4 years will provide an opportunity for legislators to learn the responsibilities of their mission. (2) It will give the legislators a feeling of security and thus help them do a better job.
- (b) Assembly - Term will be 2 years. (1) Give wider participation. Term of 2 years will also have the effect of keeping the legislators responsible, especially when realizing that their re-elections depend considerably on their performance and good record.
- (c) By having a term of 2 years and the tenure of the office somewhat short and dependent on the people, it will have a screening effect and only sincere, devoted people of genuine interest in the well being of the people will run for the office.

- (d) Selection of Candidates - A system of elections will be established which will be flexible to suit each district.

6. Reapportionment:

Reapportionment of the Assembly shall take place in 1970 and every ten (10) years thereafter. Regardless of population change no district shall have fewer than two legislators.

7. Qualifications of Legislators:

- (a) Delegates: 30 years of age; at least 7 years a citizen of the Trust Territory of the Pacific Islands and at least 1 year bona fide resident of his district at time of his election.
- (b) Assemblymen: 25 years of age; at least 5 years citizen of the Trust Territory of the Pacific Islands and a bona fide resident of his district at time of his election.

8. Holding other Offices:

Individuals in staff positions with the Administering Authority on Territorial and District levels as well as the Judiciary may not hold office in the Congress.

9. Vacancies:

Replacement of Vacancies will be by District Administrator's appointment.

10. Impeachment:

This will be a power of the Congress.

11. Communications:

High Commissioner may transmit messages and communications to the Congress.

12. Sessions:

Sessions: Will be twice a year, as follows:

- (a) Regular session to be held at the seat of Trust Territory Government. This session will be on the first Tuesday in February.

/...

- (b) Travelling session. This is for the benefit of the people in the districts. Meeting on first Tuesday in August, beginning with Marshalls, Ponape, Turk, Yap, Palau and Marianas.

13. Special Session:

High Commissioner may call special sessions.

14. Oath:

One will be required.

15. Rules of Procedure:

These will be adopted by both houses.

16. Quorum:

Three-quarters of elected members for both houses.

17. Enacting Clause:

"Be it enacted by the _____, that", etc.

18. Title of measures:

Bills and Resolutions.

19. Passage of Bills:

Bills shall go to the High Commissioner for approval. He must disapprove within 20 days (including Sundays and Holidays) from the time of receipt; if not, the bill will become law. If he disapproves he shall return it with his objections and both houses may by a 2/3 vote resubmit it. If he does not approve it, he must within 15 days submit it to the Secretary of Interior. The Secretary of Interior must take action within 90 days of its receipt by him, otherwise it shall become law.

20. Journal of Proceedings:

The Congress shall publish one.

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21. Immunity of Legislators:

Immunity is necessary. It is to enable Legislators to debate issues without the threat of legal suit for statements made during sessions, and also to be free from arrest while going to and from sessions.

22. Taxing Power:

The Congress shall have the power to provide by law for the levy of taxes.

23. Appropriation Power:

The Congress shall have the power to appropriate funds.

24. Amendments:

If this body is established by charter it can be amended by the Secretary of Interior on his own initiative or by a 2/3 vote of each house of Congress and High Commissioner's approval.

25. Power to investigate, Hold Hearings, and Subpoena Witnesses:

These are customary incidents of legislative authority and are essential to proper functioning.

26. Sessions:

These will be public.

27. Qualifications of Members:

Congress shall be the judge of the qualifications of its members.

28. Compensation:

Compensation shall be as provided by law.

29. Budget:

The High Commissioner shall submit the Trust Territory budget to the body for review and recommendations. Advice of the Congress will be valuable to the High Commissioner and will develop Congress' familiarity and experience in fiscal matters.

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30. Item Veto:

To avoid vetoing an entire bill because of one or more unacceptable items. The High Commissioner shall have item veto power on appropriation measures.

31. Officers:

(a) House of Delegates

President

Vice-President

(b) Assembly

Speaker

Vice-Speaker

32. Employees:

Full time clerical employees will be necessary.

33. Official Language:

English will be the preferred language.

34. Laws:

Laws enacted by the Congress shall become part of the Trust Territory Code. The Congress shall have the power to amend or repeal provisions of the Trust Territory Code.

35. At the end of its first year of existence and if necessary at each regular session thereafter the nature of this body that is whether it be bicameral or unicameral - shall be studied by the Assembly, and at its recommendation and the concurrence of the High Commissioner the body shall be then converted into a unicameral one.

ANNEX IV

CHARTER OF THE TRUK DISTRICT LEGISLATURE

PREAMBLE

WHEREAS, the Truk District Congress was established under the provision of a Charter granted 9 August 1957 by the High Commissioner of the Trust Territory of the Pacific Islands, in order to provide a representative legislative body for the people of Truk District, and

WHEREAS, the elected representative of the people of Truk District, meeting as the Truk District Congress pursuant to the term of that Charter, on 7 August 1963 by two-third majority vote requested that the existing Charter be replaced by a revised one, provision of which they recommended;

NOW, THEREFORE, I, M.W. Goding, High Commissioner of the Trust Territory of the Pacific Islands, hereby rescind the Charter of 9 August 1957, and grant to the people of Truk District this present Charter, giving them the right, in accordance with its provision, to participate, through the Truk District Legislature in the government of Truk District. The Truk District Legislature is the successor in all respects and in every way, and in accordance with this Charter, to the Truk District Congress.

ARTICLE I

Section 1. The legislative powers of Truk District herein granted by the High Commissioner of the Trust Territory of the Pacific Islands shall be vested in a single house to be known as the Truk District Legislature.

Section 2. The Truk District Legislature, hereinafter referred to as the Legislature, shall be composed of twenty-seven legislators elected every two years by the electors of Truk District.

ARTICLE II

Section 1. There shall be fifteen electoral precincts, as follows:

Number 1. Namonouito (Ulul, Magur, Ono, Onari and Pisarach); Number 2, Ta and

/...

Satawan; Number 3. Tol and Fala Beguets; Number 4. Lukunor and Oneop; Number 5. Namoluk; Number 6. Udot, Ramonum and Eot; Number 7. Moch, Kuttu and Ettal; Number 8. Uman; Number 9. Manwunpattiu (Pulap, Tamatam, Puluwat and Pulusuk); Number 10. Lukeisel (Nama, Losap and Pis); Number 11. Fefan, Parem and Tsis; Number 12. Polle, Patta and Wonei; Number 13. Dublon; Number 14. Moen; Number 15. Namwin Pafeng (Ruo, Murilo, Fananu and Nomwin). Apportionment of legislators shall be as follows: Precincts 1, 2, 4, 5, 7, 9 and 15 shall elect one member. Precincts 8, 6, 10 and 13 shall each elect two members. Precincts 3 and 11 shall each elect three members. Precinct 14 shall elect four members.

Section 2. Reapportionment on a population basis shall take place every ten years, beginning in 1970. Regardless of population change, each precinct shall be entitled to have at least one legislator.

Section 3. To be eligible for election or appointment, a person must be a citizen of the Trust Territory of the Pacific Islands; have resided in Truk District for a three-year period immediately preceding his election; be a resident of his electoral precinct for a period of not less than one year immediately preceding his election; be twenty-three years of age or over; and never have been convicted of a felony.

Section 4. Where a legislator is unable to perform the duties of the office due to physical or mental disability or who dies or resigns or is removed by action of the Legislature, another shall be appointed to fill the remainder of the term by the District Administrator. In the event a legislator elect is unable to assume office, there shall be a special election in his electoral precinct to elect another in his place.

ARTICLE III

Section 1. No person may sit in the Legislature who holds an elected public office in the executive branch in a municipality, who holds a judicial office, or who holds a staff position in the district administration.

Section 2. The Legislature alone shall determine the qualifications of its members. The Legislature may by an affirmative three-fourths vote of its members expel a member for cause.

Section 3. Qualifications of electors shall be as follows: Each shall be eighteen years of age or over; be a citizen of the Trust Territory of the Pacific Islands; have been a resident of Truk District for a period of at least one year immediately preceding the election; be a registered elector in his precinct at the time of the election; not be serving a criminal sentence at the time of the election.

ARTICLE IV

Section 1. The Legislature shall convene twice a year in regular session. These shall be on the third Tuesday of February and on the third Tuesday of August, if possible. The District Administrator may convene the Legislature into special session, whose proceedings shall be confined to the subjects stated in the District Administrator's convening call. A special session of the Legislature shall be called upon petition of one-third of the membership.

Section 2. Each legislator shall present credentials in the form of a statement from the chairman of the Truk District Election Board certifying his election. The Legislature shall organize annually at the beginning of each February session electing a Speaker and Vice-Speaker. There shall be an oath of office which the Speaker shall administer to each legislator individually.

Section 3. Members of the Legislature during their attendance at the Legislature and in going to and returning from the same, shall not be subject to civil process and shall, in all cases except felony or breach of the peace, be privileged from arrest. No legislator shall be held to answer before any tribunal other than the Legislature itself for any speech or debate in the Legislature.

Section 4. As incidents of its legislative authority, the Legislature may conduct investigations, hold public hearings and administer oaths.

Section 5. The rate of compensation for the members of the Legislature and its employees shall be established by law.

ARTICLE V

Section 1. The Legislature shall, by an affirmative vote of two-thirds of its members, establish rules of procedure.

Section 2. Three-fourths of the members of the Legislature shall constitute a quorum. An affirmative vote of a majority of the members of the Legislature shall be required to pass a measure.

Section 3. Any member may introduce a measure. Measures introduced shall be read in the Legislature two times on different days before a vote may be taken. Measures shall be titled as either bills or resolutions.

Section 4. Communications and draft measures may be transmitted to the Legislature by the District Administrator for consideration by it.

Section 5. Upon passage of a measure by the Legislature it shall be signed by the Speaker.

Section 6. Each bill shall have an enacting clause as follows: Be it enacted by the Truk District Legislature, that, etc. Each bill passed by the Legislature shall be known as an act of the Truk District Legislature.

Section 7. Every act of the Legislature shall be presented to the District Administrator. If he approves or disapproves he shall so indicate on the act and transmit it to the High Commissioner. If the District Administrator does not take action within sixty days the act shall be considered as having his approval. If the High Commissioner approves he shall sign the act. If the High Commissioner neither approves nor disapproves the act within thirty days, it shall be a law in like manner as if he had signed it. Both the District Administrator and the High Commissioner shall have item veto power on appropriation acts. Each approved act shall be known as a Truk District Law. The Legislature may repeal District Orders with the exception of those designated Emergency District Orders in Section 29, Trust Territory Code.

Section 8. The Legislature shall keep a journal of its proceedings and publish the same.

ARTICLE VI

Section 1. There shall be four Standing Committees: Political, Social, Economic and Appropriation. Chairman and members of the committees shall be appointed by the Speaker. Measures introduced in the Legislature shall be assigned to the appropriate committee by the Speaker. Measures shall be numbered and placed on a calendar in the order in which they are reported out.

ARTICLE VII

Section 1. The Legislature shall have the power to levy and collect taxes and appropriate money.

ARTICLE VIII

Section 1. Amendments to this Charter may be made upon an affirmative vote of three-fourths of the Legislature and approval by the District Administrator and the High Commissioner, or by the High Commissioner on his own initiative.

Section 2. The Truk District Congress shall be automatically dissolved upon the convening of the first session of the Legislature. An election to select members of the Legislature shall be conducted no later than 31 December 1963.

Given under my hand and seal this 25th day of September, 1963.

(Signed) M.W. GODING
High Commissioner
Trust Territory of the Pacific Islands

ANNEX V

TRUST TERRITORY OF THE PACIFIC ISLANDS: POSITIONS
NOW OCCUPIED BY MICRONESIANS FORMERLY HELD BY
AMERICANS BY DISTRICTS

1 January 1964

POSITIONS	Marianas	Marshall	Palau	Ponape	Truk	Yap	Headquarters
District Director of Medical Services	1	1	1	1	1	1	
Asst. Director of Medical Services	1	1	1	1	1	1	
Hospital Administrator	1	1	1	1	1	0	
Dental Services Director	1	1	1	1	1	1	
Head Nurse	1	1	1	1	1	1	
Nurse-Instructor	0	0	0	0	0	0	1 (nursing school)
Director of Sanitation Services	0	0	0	0	0	0	1
District Sanitarian	1	1	1	1	1	1	
District Educational Administrator	0	1	1	0	0	0	
Education Specialist	0	0	1	0	0	0	
Teacher	1	0	0	0	0	0	2 (PICS)
Agriculturist	1	0	1	0	0	0	
District Communications Officer	0	1	1	1	1	1	
Asst. District Communications Officer	0	1	1	1	1	0	
District Finance Officer	1	1	1	1	1	1	
District Land Titles Officer	1	0	0	1	1	0	
Asst. District Supply Officer	0	1	1	1	0	1	
District Administrator's Secretary	0	0	1	0	0	0	
Administrative Assistant	0	1	0	0	0	0	
Disbursing Clerk	0	0	0	0	0	0	1
Payroll Supervisor	0	0	0	0	0	0	1
Bookkeeping Machine Operator	0	0	0	0	0	0	1
	10	12	14	11	10	8	7
GRAND TOTAL:	72						

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ANNEX VII

THE UNOFFICIAL SAIPAN PLEBISCITE
OCTOBER 1963

<u>Questions</u>	<u>Number of votes received</u>
1. Do you want to become U.S. citizen within the political framework of the Territory of Guam?	1,231
2. Do you want independence?	9
3. Do you want to become U.S. citizen by becoming a separate Territory of the United States?	32
4. What other form of government do you want?	0
Invalid votes	<u>14</u>
Total number of votes cast	1,286
Total number of eligible voters	3,015

ANNEX VIII
ITINERARY OF THE MISSION

<u>Date</u>	<u>Place</u>	<u>Remarks</u>	<u>Distance covered</u> (in statute miles)
4 February 1964	San Francisco	Arrived from New York	2,720
5 February 1964	Honolulu	Arrived from San Francisco. Meeting with Micronesian students at the East-West Centre.	2,150
6 February 1964	Honolulu	Tour of the Bernice P. Bishop Museum and meeting with its Director. Visited the Honolulu Technical School. Discussions with officials of the East-West Centre and Micronesian students.	
7 February 1964	Honolulu	Courtesy call on the President of the University of Hawaii. Discussions with University and East-West Centre officials. Visited the Church College of Hawaii and the Polynesian Cultural Centre at Laie.	
8 February 1964	Honolulu	Private meeting of the Visiting Mission and further talks with East-West Centre staff.	
9 February 1964	Honolulu	Departed by air for Guam. Crossed International Date-Line	3,750
10 February 1964	Guam	Visited the College of Guam and the Micronesian Products Centre. Meeting with Guam Convention Committee of the Federation of Asian Women Association. Departed by air for Saipan.	120
11 February 1964	Saipan	Conferences with the High Commissioner of the Trust Territory and selected staff. Tour of the Saipan District and meeting with the District Administrator and his staff. Public Meeting at Chalan Kanoa Auditorium.	

<u>Date</u>	<u>Place</u>	<u>Remarks</u>	<u>Distance covered</u> (in statute miles)
12 February 1964	Saipan	Meetings with Saipan Municipal Legislature and Mariana Islands District Legislature. Visited intermediate and elementary schools.	
13 February 1964	Saipan	Departed by air for Tinian.	15
	Tinian	Meeting with Tinian Municipal Council and general public. Visited Tinian elementary school and villages.	
	Rota	Arrived by air from Tinian. Meeting with Rota Municipal Council and general public. Visited agricultural station and schools.	56
	Saipan	Returned by air from Rota. Attended dinner given by the Mariana District Legislature.	71
14 February 1964	Koror, Palau	Arrived by air from Saipan.	320
15 February 1964	Koror	Meeting with the District Administrator and his staff. Visited Palau agricultural station, hospital and intermediate and elementary schools. Trip by boat to Babelthaup Island; visited Airai Airfield and school building.	
16 February 1964	Koror	Visited Palau Museum.	
17 February 1964	Koror	Conferences with the Palau District Legislature, Chiefs and Magistrates. Visited the sawmill, handicraft shops and power plant. Attended feast and traditional dances given by the people of Palau in honour of the Visiting Mission.	
18 February 1964	Koror	Trip by boat to Melekeiok Municipality on Babelthaup. Meeting with Melekeiok Municipal Council. Visited public elementary school of Melekeiok and the Fisheries Development Project on Malakal Island.	