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STUDY OF AMERICAN SAMOA

A DISSERTATION  
SUBMITTED TO THE GRADUATE FACULTY  
in partial fulfillment of the requirements for the  
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BY  
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Norman, Oklahoma

1973

UNITED STATES COLONIAL POLICY: A CASE  
STUDY OF AMERICAN SAMOA

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## CHAPTER I

### COLONIAL ADMINISTRATIONS--A COMPARISON

#### Introduction

On January 19, 1972, Representative S. M. Matsunaga, who represents the state of Hawaii's First Congressional District, introduced a bill which would extend to the people of American Samoa the right to elect their own governor.<sup>1</sup> This proposed legislation points to an increased concern with American colonial administration. While American Samoa is one of the smallest of the United States possessions, it nonetheless has some 30,000 people who depend upon the United States for protection and guidance. Although this South Pacific possession is considered by most to be small and insignificant, it is at last coming of age under the hegemony of the United States and represents one of the last remnants of Colonialism.

The growth of nationalism after World War II brought a number of "new" nations into existence. The rise of nationalist sentiment against colonialism was definite and widespread. During the ensuing demise of 19th century colonialism the United States identified with the emerging nations, itself being a nation born of revolution and enjoying

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<sup>1</sup>H. R. 12493, 92d Congress, 2d Session.



the fruits of national independence and self-determination.<sup>1</sup>

Standing as a paradox in this rise of nationalism is American Samoa. The islands of American Samoa are the most southerly of all the lands under United States sovereignty. They consist of six small islands of that part of the Samoan group east of 171° west longitude plus the Swains Island located in the South Pacific Basin. The remaining area, approximately 15 times as large as American Samoa, comprises the newly independent country of Western Samoa (January 1, 1962), formerly a New Zealand Trust Territory.<sup>2</sup> The islands of Samoa were acquired by the United States in 1899. This acquisition came as part of a three-way division of the South Pacific Islands among Germany, Great Britain, and the United States.<sup>3</sup> The greater part of Samoa was given to Germany because the Samoan archipelago was not considered by the powers to be valuable enough to justify engaging in a war. The small island of Tutuila in Eastern Samoa and the even smaller cluster of the Manu'a group became the property of the United

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<sup>1</sup>Rupert Emerson, From Empire to Nation (Cambridge, Massachusetts: Harvard University Press, 1962), p. 32.

<sup>2</sup>Department of State, "United States and Outlying Areas," Geographic Bulletin No. 5, April, 1965, p. 5. (At the outbreak of World War I New Zealand had forceably seized Western Samoa from Germany. See Chapter VI of this dissertation for elaboration of the Mandate Period.)

<sup>3</sup>William M. Malloy, comp., Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers, 1776-1909, 61st Cong., 2nd Sess., Senate Document No. 357 (Washington: Government Printing Office, 1910), Vol. 2, pp. 1576-1589.

States, and Great Britain's interests in the Gilbert and Ellice Islands to the north were recognized by the other two world powers.<sup>1</sup>

The legal status of American Samoa has in the past and to some extent in the present been both confused and complex. Although Samoa has a governor who is appointed by the Secretary of the Department of the Interior, and a revised Constitution (1966), its status and future direction appear somewhat opaque and complicated. According to a decision made by the National Labor Relations Board, Samoa is not considered to have the legal status of a "Territory."<sup>2</sup> However the NLRB has claimed jurisdiction in Guam,<sup>3</sup> Puerto Rico,<sup>4</sup> and the Virgin Islands.<sup>5</sup>

The NLRB noted that the courts have interpreted "Territory"<sup>6</sup> to mean only those possessions endowed with certain characteristics. A Territory, for instance, has to be "incor-

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<sup>1</sup>George H. Ryden, The Foreign Policy of the United States in Relation to Samoa (New Haven: Yale University Press, 1933), p. 558.

<sup>2</sup>Star-Kist Samoa Inc., Pago Pago, American Samoa and Construction and General Laborer's Union, Local 368 of the Laborers' International Union of North America, AFL-CIO, Case No. 37-FC-1420, August 7, 1968, 172 NLRB No. 161

<sup>3</sup>RCA Communications, Inc., 154 NLRB 558, 3459 LRRM 1698.

<sup>4</sup>Ronrico Corporation, 53 NLRB 1137, 13 LRRM 157.

<sup>5</sup>The Virgin Islands Hotel Inc., 110 NLRB 558, 35 LRRM 1068.

<sup>6</sup>For discussion of "territory" definitions see page 42ff of this dissertation.

porated"--declared by treaty or statute to be a part of the United States. It has to be "organized," meaning that Congress has established there a system of local self-government.

The report of the NLRB also pointed out that American Samoa is neither incorporated nor organized; that its inhabitants, although United States nationals, are not United States citizens; that it has no Federal District Court; and that Congress has established no form of self-government for it. Thus the NLRB concluded that American Samoa does not come within its jurisdiction.

The role of American Samoa is somewhat unique when compared to the other territorial possessions of the United States. It is the purpose of this dissertation to focus on the formulation and the administration of American colonial policy. This study will investigate the official goals and objectives of the United States government towards its dependent areas with American Samoa as the specific point of focus. General policy decisions concerning other U.S. territories will be reviewed in order to compare the development of American Samoa with other U.S. possessions such as the Virgin Islands, Puerto Rico, Guam, and especially the Trust Territory. Another objective of this research is to measure performance of the administering agencies against United States policy.

The research will focus on: 1) the legal aspects of United States colonial administration, 2) historical data as it relates to current policy, and 3) the policies and the per-

formance of governmental agencies concerned with colonial administration.

In order to develop a sound perspective of colonial administration, this study will include a brief sketch of British, French, Dutch, and American colonial policies and practices. Also included will be a comparison of New Zealand's administration of Western Samoa which "on January 1, 1962, ...cast off the fetters of more than one hundred years of foreign domination or control and thus became the first independent Polynesian state."<sup>1</sup>

As to the future development of American Samoa, several alternatives will be examined. A few of these alternatives include: 1) incorporation which would imply pre-statehood status, 2) commonwealth status somewhat like that of Puerto Rico, 3) free association, and 4) annexation of the area to form a Greater Hawaii in which case American Samoa would function as a county of Hawaii. Finally it is the intention of the author, after detailed examination of United States policy and performance, to propose viable alternatives for the future of this area.

### Colonialism in General

One trait of modern relationships between the weak and the mighty in modern world politics has been colonialism.

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<sup>1</sup>Joseph Jay Arden, "The Political Development of Western Samoa From Mandate to Independence." (unpublished Ph.D. dissertation, University of Oklahoma, 1964), p. 1.

One definition, suggested by Professor Rupert Emerson, is: "Colonialism is the establishment and maintenance, for an extended time, of rule over an alien people that is separate from and subordinate to the ruling power."<sup>1</sup>

One can distinguish between two types of colonies. One type, the settlement colony, has a migration of people from the metropolitan country to a territory dominated by the mother country. A second type of colony may be described as an exploitation colony, one established primarily as an economic satellite of the mother country.

Although the colonial policies and practices dealt with in this chapter mainly concern the European colonial impact on Asia and Africa in the 19th and 20th century, it is instructive to note that historically speaking the annals of time are replete with examples of attempts by stronger groups of peoples to dominate the domain of weaker groups. As Barbara Ward has suggested, "It seems to be a fact of human nature that when one group of people becomes more powerful than another group, its instinct is to take over the weaker neighbor."<sup>2</sup> As Miss Ward points out, this tendency goes to the very roots of human organization as found in tribalism. The pattern of conquest, reconquest, and conquest again is older than any

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<sup>1</sup>Rupert Emerson, International Encyclopedia of the Social Sciences (New York: Macmillan Company, 1968), III, 1.

<sup>2</sup>Barbara Ward, Five Ideas That Changed the World (New York: W. W. Norton Co., 1959), p. 79.

political institution or ideology. An example of this point is found in the British experience in Nyasaland. When the British began to push deep into Nyasaland, they discovered the local Nyasas dominated by the despotic rule of the Yaos, themselves industriously selling their subordinates to Arab slavers.<sup>1</sup>

The meaning and connotations of the world colonialism, empire, and imperialism, all related terms, have experienced a metamorphosis in the past seventy years. During the 19th century these terms were used in an approbatory and not in a depreciatory sense. For example, the Roman Empire has been held up as a prototype for Western thought for over a thousand years. During the rush for empire at the close of the 19th century, Americans also caught up in the scramble for more territory spoke of the need for empire as the logical extension of our "Manifest Destiny." Even French revolutionaries saw imperial expansion as a means to extend their leadership in the world community. In order to avoid confusion from past meanings, the terms imperialism and colonialism will be used interchangeably to describe the relationship of foreign domination over alien peoples, who did not enjoy full political rights.<sup>2</sup>

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<sup>1</sup>Ibid., p. 80.

<sup>2</sup>For an interesting discussion of the various meanings of Imperialism and Colonialism see Hans Kohn, "Reflections on Colonialism," in Robert Strausz-Hupe and Henry W. Hazard, eds., The Idea of Colonialism (New York: A. F. Knopf Co., 1958), pp. 2-13.

Modern colonialism is basically European in origin with the first highpoint occurring in 1775, when the entire American continent along with great portions of Asia and Africa were governed from Europe. A second highpoint was attained in 1900, "when half the earth's surface and third of its population were colonial possessions. England alone held more than half of this; France was second; and Germany, third."<sup>1</sup>

The modern period of colonialism was initiated as an intensification of economic exploration and evolved through the mercantilist philosophy. According to this point of view the administration of the territory was to be such that the metropolitan area received the greatest possible economic benefit from the relationship. This policy was usually carried out by private companies such as the Dutch East Indies Company and the British East India Company who were given *carte blanche* in the particular territory in return for certain economic concessions to the mother country.

A common pattern of acquisition of colonial areas seems to be similar for most expansionist nations. Initially, explorers found the exotic lands which they hoped would bring fame and wealth. The exploits of the Portuguese and Spanish explorers are well known. The British, Dutch, and French explorers also built a reputation which stands in the annals of history. Thus the explorers were the first to open the

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<sup>1</sup>A. F. K. Organski, World Politics, 2d ed., (New York: Alfred A. Knopf, 1968), pp. 224-225.

colonial frontiers. After the explorers came the traders and the missionaries. The traders, who supplied alcoholic drink, were usually energetic and developed the natives' tastes for manufactured products. The missionaries, whose objective was to save souls, supplied the Bible and developed a certain amount of literacy in order to read the Bible. Along with these events there developed a "mystique" of imperialism, which tended to elevate the idea of imperialism to greater heights. For example, the English Prime Minister Disraeli elevated the Queen of England to the Empress of India and the pinnacle of this feeling is found in Rudyard Kipling's "White Man's Burden."<sup>1</sup>

In studying colonial administration four basic assumptions form the infrastructure of the colonial system according to Professor Quincy Wright.<sup>2</sup> The first assumption of colonial administration was that there were backward peoples at the time incapable of self-government or of developing the areas they inhabited. Obviously this tenet of colonialism rests on the underlying basis of the inequality of races. Professor Wright quite correctly points out that the criteria for measuring inferiority are not clearly defined. An area may be legally inferior, which in practical terms means that one

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<sup>1</sup>W. R. Crocker, Self-Government for the Colonies (London: George Allen & Unwin LTD, 1949), pp. 3-6.

<sup>2</sup>Quincy Wright, The Study of International Relations (New York: Appleton-Century-Crofts, 1955), pp. 183-190.



nation is more powerful than another and for this reason is able to establish hegemony over the weaker nation. In using power as a criterion for inferiority it is important to consider all the aspects of power such as the economic, technological, psychological and political. When groups that had the power gained their independence, they were no longer considered to be "backward."

The second assumption proposed by Professor Wright was that "this is a temporary condition and in course of time all 'backward' peoples will achieve full status either of independence or of full incorporation in the metropole and will enjoy the normal degree of self-government."<sup>1</sup> Thus this assumption suggests that the inequality is temporary. Although practice often differs from theory, most nations of the world have formally accepted the principle of equality by ratifying the Charter of the United Nations. The British government, after the loss of the American colonies and after the Durham Report on the Canadian Insurrection of 1838, adopted in principle the idea of self-government, which it later called dominion status for its dependencies. The French approach followed the principle of assimilation of all colonies into metropolitan France. However, this tended to be more a theory than a policy which was actually practiced.

The third assumption of colonial rule suggested was

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<sup>1</sup>Ibid.

that "in the interval, these peoples must be governed and developed by an outside authority which, for this purpose, has an acknowledged position of superiority."<sup>1</sup> Although again this idea of superiority was used more to rationalize colonial rule, it nonetheless stood for a long period of time as a justification of foreign domination. In reality the power to acquire these possessions and the ability to hold them probably were the most significant qualifications of any colonial power. Thus through naval superiority and scientific and technological advantages as found in transportation, communication, and in agricultural and industrial utilization of resources, these nations were able to maintain control over their overseas subjects.

The fourth assumption of colonial administration was that "the governing authority should give primary consideration to the social, economic, and political interests of the inhabitants of the area and to the interest of the world community in international peace and prosperity, and only secondary consideration to its own interests."<sup>2</sup> It would seem that only in the post World War II era could one really find a major emphasis and public commitment to this last assumption. The degree of weight given to this assumption has certainly varied both in theory and practice. Thus in the early period of colonial government, the metropolis governed almost entirely

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<sup>1</sup>Ibid.

<sup>2</sup>Ibid.

in its own interests, exploiting the indigenous people and denying access to citizens of other nations. Today through the forum of the United Nations and the pressure of world public opinion brought to bear through modern communications systems and because of rising nationalism of dependent peoples, this last assumption has become more than just theory.

In 1914 European colonial power was unquestioned and imperialism seemed to be safe from basic and radical change. In reality, by the end of the First World War the old-style colonial undertaking had virtually run its course. Colonial nationalism was an almost unknown phenomenon at this period of time; however, by the end of 1945 many colonies had been infected by the twin virus of nationalism and independence. The only concern of the negotiators at Versailles relative to the colonial problem was the disposition of the German colonies and the Arab territories. Excluding the Mandate section the only definite reference in the Covenant of the League of Nations to colonies came in sections (a), (b), and (c) of catch-all Article 23:

the Members of the League: (a) will endeavor to secure and maintain fair and humane conditions of labour for men, women and children, both in their own countries and in all countries to which their commercial and industrial relations extend. . . ;

(b) undertake to secure just treatment of the native inhabitants of territories under their control;

(c) will entrust the League with the general supervision over the execution of agreements with regard to

the traffic in women and children, and the traffic in opium and other dangerous drugs. . . .<sup>1</sup>

The lack of concern about the problems of the colonial possessions becomes very evident during the period at the end of World War I when upon examining the entire debate over national self-determination one finds no reference made to the people under colonial administration.<sup>2</sup> The period between the First World War and the Second was filled with the gathering momentum against colonial rule. This momentum is described by Arnold J. Toynbee as the movement which was remarkably uniform in its two principal features: in its negative phase it consisted of a drive to throw off the ascendancy of the Western powers; in its positive phase it was an impulse

to adopt the military technique, the political institutions, the economic organization, and the spiritual culture of the West, but to adopt these by deliberate choice instead of being compelled to conform to them under pressure.<sup>3</sup>

In the colonial arena the major point of focus was on the brightest jewel in the British colonial crown--India. The pressure of Indian nationalists was increasing and the nationalist movement reached an apex under the acknowledged leadership of Mahatma Gandhi. In March of 1930 Gandhi led the celebrated salt march to the sea, which signified the national

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<sup>1</sup>The Covenant as cited in Inis L. Claude, Jr., Swords into Plowshares, 4th ed., (New York: Random House, 1964), pp. 453-462.

<sup>2</sup>Emerson, From Empire to Nation, p. 25.

<sup>3</sup>Arnold J. Toynbee, Survey of International Affairs, vol 1: The Islamic World (London: Humphrey Milford, Oxford University Press, 1927), p.1.

boycott of British goods and taxes. The salt march was used to attack the government salt monopoly which was used as a major revenue source; and this action was a signal for a nation-wide campaign of civil disobedience.<sup>1</sup>

The consequence of the world-wide depression during the 1930's was to increase the nationalist fervor and the anti-imperialist movement. The depression affected those elements in the underdeveloped areas which were most closely related to the world economy. One result then of the depression was to sharpen the political activism of these "Westernized" groups. Those segments of colonial society which clung to the traditional subsistence economy suffered only slight dislocation and hence were less politically active. Another consequence of the depression was to cause the colonial powers to reduce the size of their European staff in their colonial territories, which opened the door for greater use and participation of indigenous people in the middle management range of the colonial administrative hierarchy. The top management positions were still retained by Europeans.<sup>2</sup>

At the time of the outbreak of the Second World War the colonial world encompassed over one hundred and twenty units of government and contained a population of over 250 million people. The effect of the Second World War on the

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<sup>1</sup>Albert Viton, Great Britain (New York: John Day Co., 1940), p. 184.

<sup>2</sup>Emerson, From Empire to Nation, p. 29.

colonial structure was devastating. With the Japanese onslaught which overtook Southeast Asia, a significant blow was dealt to the colonial world and its structure.

With the initial victory of the Japanese over the Western powers it became apparent to the colonial peoples that they could liberate themselves from the European yoke of imperialism. Thus the idea of successful revolution became, in their minds, a pragmatic alternative. The dislocation of the colonial order, the change to Japanese hegemony, and the subsequent demise of the Japanese invaders released the submerged array of nationalist sentiment, which had been built up during the interwar and war periods.

Specifically the Japanese exposed the colonial areas of Southeast Asia to greater political and military participation than they had known prior to the war. Due to the absence of the white colonial administrators, indigenous peoples were allowed to fill administrative positions which had previously been closed to them. By encouraging nationalist sentiment and participation the Japanese were able to develop a measure of good-will for themselves. Also the Japanese needed military manpower and thus trained substantial armies. The resistance movements also provided a training ground for dissident groups in their future demands for national independence.<sup>1</sup>

After 1945 the wave of anti-colonialism inundated the colonial system with a speed and thoroughness that equaled the

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<sup>1</sup>Ibid., p. 31.

rise of the colonial empire during the 19th century. The Japanese victories demonstrated to the dependent populations that the colonial powers were no longer invulnerable. Japan had occupied all the European areas in the east to the borders of India and northern New Guinea. Since these were not settlement colonies, which would probably have welcomed reunion with the metropolis, many nationalists greeted the Japanese as liberators; and when opposition against the Japanese did develop, the inclination was toward full independence after the Japanese defeat rather than return to the pre-war status.<sup>1</sup> Thus when allied forces gained control of the captured Japanese territories in 1945, France and the Netherlands discovered that it was impossible to extend the full colonial control of pre-war days. The British found the nationalist feelings so strong in Burma that the Burmese were given their freedom in 1948. "Thus the Japanese occupation finally destroyed the already weakened foundations of European power in Southeast Asia."<sup>2</sup>

A quick glance at the number of new nations which emerged from 1945 to 1965 will help accentuate the rapidity of the decolonization process after World War II. In 1946 the Philippines became a sovereign nation with Syria and Jordan following, no longer being British or French mandates. India and Pakistan became independent as members of the British

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<sup>1</sup>D. K. Fieldhouse, The Colonial Empires (London: Weidenfeld and Nicolson, 1966), p. 402.

<sup>2</sup>Ibid., p. 403.

Commonwealth. In 1948 they were followed by Ceylon. Burma also became independent in 1948 but did not join the Commonwealth. Israel, which ceased being a British mandate, was not offered membership in the Commonwealth. As previously mentioned, the Netherlands recognized the nation of Indonesia as a free state but strove to maintain close ties until 1956. In 1949, France yielded to pressure and granted nominal independence to Laos, Cambodia, and Vietnam; these areas remained in the French Union until French defeat in Indo-China in 1954.

In 1958 France changed the name of the structure which bound her possessions to her from the French Union to the French Community to provide continued French influence through association but to give the members the option of complete independence if they so desired. A significant acceleration of the demise of colonialism came in 1960 when a significant portion of the French empire chose independence. The federations of West and Equatorial Africa divided into a myriad of states, still maintaining some connections with France. The Trust Territories of Cameroon and Togo became independent. Madagascar, 250 miles off the southeast coast of Africa, became the Malagasy Republic.

Britain freed Nigeria; British and Italian Somaliland were consolidated to form the Somali Republic; the Belgian Congo now called Zaire was granted independence by Belgium in 1960. Britain ceased her domination over Cyprus, Kawait, Tanganyika, and Sierra Leone in 1961; in 1962 she granted sover-



eighty to Jamaica, Trinidad, and Tobago with the demise of the West Indian Federation; also in that year Uganda was given full internal self-government. After many years of conflict, France gave Algeria her freedom in 1962. Kenya and Zanzibar were granted their independence in 1963. In 1964 Britain gave Malta her independence. Indeed, during the twenty years after World War II a drastic revision of the world's political geography occurred.<sup>1</sup>

Any assessment of the colonial period must be tentative at best because of emotion laden value judgments and the recency of the period. However Professor Rupert Emerson has suggested a few "salient" observations about the period:

- 1) Colonialism imposed alien and authoritarian regimes on subordinate societies. These regimes tended to train a few of their subjects in bureaucratic management and required passive acquiescence from the remainder.
- 2) Although for long periods passive acquiescence was indeed largely attained, as colonialism advanced it also stimulated nationalist agitation and organization and came to be more and more passionately detested, particularly by those among the colonial people who came into closest contact with the European superiors.
- 3) The anticolonial forces have derived their inspiration and ideas primarily from the teachings of the colonial powers themselves, have for the most part adopted Western forms of organization and action, and have been led by men intimately acquainted with the West.
- 4) For good or ill, colonialism has been the primary channel through which the ideas and techniques, the spiritual and material forces of<sup>2</sup> the West, have impinged upon the rest of mankind.

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<sup>1</sup>Information for the above sections came from U.S. Department of State, Background Notes on the Countries of the World (Washington, D.C.: Government Printing Office, printed continuously.)

<sup>2</sup>Emerson, International Encyclopedia, p. 10.

### British Colonial Attitude and Approach

In order to complete this short resumé of colonialism it is appropriate to examine briefly the specific approaches of the major colonial powers.

Great Britain found it much easier to adjust herself to the loss of empire than did other colonial powers. In viewing her possessions as separate from the mother country Britain allowed her possessions to maintain their own particular customs and traditions, which eased their growth towards independence. The British, as a general rule, applied a form of indirect rule over their dependent territories. Thus the development of indigenous institutions and customs through indirect control was used as long as it was compatible with British commercial development.

The British impact on the development of India demonstrates much concerning the British attitude and approach to the governing of dependent peoples. In assuming control of the subcontinent, the British became accountable for the entire society. In citing British accomplishments in India the British economist Barbara Ward suggests that "'Law and order' is a condition we take for granted until we lose it. Its restoration and maintenance in India for over a hundred years was an incalculable blessing--especially for the peasant--after the violent foundering of the Monguls."<sup>1</sup> Other British

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<sup>1</sup>Ward, Five Ideas, p. 98.

accomplishments often cited include the establishment of central authority under imperial rule. The government operated through the existing local administrative patterns and usually allowed some measure of local participation. New ideas of administration and concepts of justice were established. The British created a modern bureaucracy in India, a unified service based on merit and open competition. Initially the Indian Civil Service was manned entirely by British officers; later, however, Indians were added in increasing numbers. Also social reforms were introduced such as the abolition of suttee, a practice which required the widow to be placed on the funeral pyre with her husband. Female infanticide, a practice of strangling the infant according to a ritual followed by the disciples of the goddess Kali, was also prohibited.

The political evolution of Indian institutions gained greater impetus after the "Sepoy Mutiny" or the "War of Independence" as it is called by Indian officials. The British put down the uprising with great reprisals; and while the incident never endangered British control, it marked the end of the East India Company as a ruling power.

The period following this incident was marked by increased political participation by the Indian through governmental and administrative reforms. The significant parliamentary achievements are the Indian Councils Acts of 1861 and 1892, the Morley-Minto reforms of 1909, the Government of India Act of 1919, and the Government of India Act of 1935. In 1885

the Indian National Congress was formed and under the leadership of Mahatma Gandhi this political organization acted as the vehicle which pressured the British to grant independence to India, which was finally achieved in August of 1947.<sup>1</sup>

In examining the British colonial experience there exist some negative aspects; for example, the introduction by the British East India Company of massive opium trade. Opium produced in India and illegally transported to China developed into a source of considerable profit and a means of sustaining a balance of payments between the company and China. From 1818 to 1833 the opium trade climbed from 17 to 50 per cent of the total value of British imports into China.<sup>2</sup> In commenting on the British Colonial Office one observer has stated:

The Colonial Office is, next to the Foreign Office, the most exclusive club in England. An extraordinarily vigorous minister--as was Mr. Winston Churchill--succeeds sometimes in asserting his authority over the civil service officials; usually it is the other way around. And the permanent staff always wins in the end.

The very air of the Colonial Office smells of a museum, and the administration is ideally suited for dealing with collections of fossils.<sup>3</sup>

Today the British Empire is a part of history and has been replaced by the Commonwealth of Nations which is a volun-

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<sup>1</sup>Norman D. Palmer, "India," in Major Governments of Asia, ed. by George McT. Kahin (Ithaca, New York: Cornell University Press, 1961), pp. 249-272.

<sup>2</sup>W. W. Kulski, International Politics in a Revolutionary Age, 2d ed. (New York: J. B. Lippincott Company, 1968), p. 185.

<sup>3</sup>Albert Viton, Great Britain (New York: John Day Company, 1940), p. 25.

tary association of former colonial possessions. It provides for economic and social interchange on a free and equal basis.

### French Colonial Attitude and Approach

The French concept of colonial administration was that of direct rule from Paris. The French emphasized their mission civilatrice, to educate the colonial elite, and through them, over a period of time, the entire colonial population with the objective of eventually assimilating the colony into metropolitan France.<sup>1</sup> Thus the French imperial objective was to create their colonies to become prototypes of France and eventually incorporate them with the metropolis. The resulting application of this idea meant that there was lack of autonomy in the colonies as well as intense concentration of power in Paris. The hallmark of French colonial policy was centralization and autocracy. Two aspects of centralization were 1) the limitations of self-governing institutions in the possessions, and 2) the degree of power maintained by the metropolis. Colonies were limited by the laws passed by the assembly and the decrees issued by the President on the advice of the minister. Governors had extensive powers but were under tight metropolitan control. After 1894 colonial officials were trained in the Ecole Coloniale, and in course of time they formed part of a special cadre ingrained with habits of

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<sup>1</sup>Raymond Aron, France Steadfast and Changing (Cambridge, Massachusetts: Harvard University Press, 1960), pp. 152-155.

obedience. A special agency, Inspection of Colonies, was established after 1887 to maintain an oversight function for colonial administration. Policy on all issues was drafted or had to be approved in Paris; proposals made by the various colonial councils or other advisory bodies were always subject to metropolitan veto.<sup>1</sup>

In examining the French approach to colonial administration three features become apparent according to Professor Fieldhouse. First, the legal distinction between citizens and subjects gave Paris a definite juridical foundation for two common aspects of modern tropical colonization, forced labor and informal legal systems run by administrators. Citizens were exempt from both. A second feature of the French system was the conscription of non-Europeans for overseas military service. Finally, the French control, regardless of form, tended to produce a small assimilated native elite who were disciples of French civilization. In 1939 the major contrast between the British and French approach regarding the ultimate development of their colonial possessions was that the French ideal remained the assimilation of all overseas possessions, while the model of the British Commonwealth and the Dominions provided for eventual colonial self-government.<sup>2</sup>

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<sup>1</sup>Fieldhouse, The Colonial Empires, pp. 304-312.

<sup>2</sup>Ibid., p. 322.

The Brazzaville Conference held in 1944 under the chairmanship of Charles De Gaulle enunciated the principles and aims of French colonialism more definitely than ever.

We read from time to time that this war must end by what is called the emancipation of colonial peoples. But in the great Colonial France there are neither peoples to be freed nor racial discriminations to be abolished . . . . There are populations that we intend to lead step by step to higher stages of individual franchise, but which have no wish to experience any form of independence other than the French.<sup>1</sup>

The preamble to the declaration of the conference was even more definite.

The aims of the civilizing work accomplished by France in the colonies exclude any idea of autonomy, any possibility of evolution outside of the framework of the French Empire. The establishment in the colonies of self-government, even as a distant prospect, is to be discarded.<sup>2</sup>

It is interesting to note that the composition of the conference included only governor-generals, governors, and secretary-generals of French West Africa, French Equatorial Africa, and Madagascar, and some twenty colonial officials. Nine members of the Provisional Consultative Assembly participated and six North African observers were invited to attend.<sup>3</sup>

In 1945 with the convening of the First Constitutional Convention in Paris, colonialism was declared to be dead.

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<sup>1</sup>Herbert Luethy, "The Crisis of French Colonialism," Atlantic, Vol. 197, No. 5 (May, 1956), p. 63.

<sup>2</sup>Ibid.

<sup>3</sup>Roy C. Macridis and B. E. Brown, The De Gaulle Republic (Homewood, Illinois: Dorsey Press, 1960), p. 192.

Thus on the first of June, 1946, all natives of overseas territories became legally French citizens with the same footing as the nationals of metropolitan France. However, this arrangement for equality was stillborn, and the old practice of colonial subjugation continued. One of the basic problems with the French Union was that it still envisioned the French Republic as an integrated unit which clashed with the rising nationalism and demands for independence.<sup>1</sup>

After the battle of Dienbienphu in 1954, French colonial policy began to model itself after the British. While the French Union was an attempt to combine French colonial interests with greater freedom for her colonies, it proved to be unsatisfactory. When Charles de Gaulle assumed power in 1958, the Union was dissolved in favor of the French Community. This institution was created to maintain connections and to promote cooperation between France and her former colonies. The Community was an attempt to convert the previous 'Overseas Territories' into 'Associated States.' Algeria was to remain part of the Republic, and all other dependencies were given the choice in a general referendum between membership and complete separation. Membership entailed subordination of foreign policy, defense, and economic policy to the Community, which had a federal structure of government consisting of a common president, executive council, secretariat,

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<sup>1</sup>Maurice Duverger, The French Political System (Chicago: University of Chicago Press, 1958), pp. 175-184.



senate, courts of law and common citizenship. All 'Overseas Territories' elected to become members of the Community except Guinea, which chose independence.<sup>1</sup>

Algeria was a major problem largely because of the large number of Frenchmen, known as colons, who resided there. In 1961 Algeria became independent signifying that this federal Community was not enough. In that same year France dissolved the Community, and all the African states and Madagascar also became independent. All that was left was the Overseas Departments, which were fully incorporated into the metropolis and a few Overseas Territories. France had not initiated soon enough any organization comparable to the British Commonwealth. This then stands out as a major difference between the French and the British colonial principles and practices.

### Dutch and Portuguese Colonial

#### Attitude and Approach

The Dutch tended initially to follow classic methods of indirect rule in Indonesia. The Dutch did not try to introduce a completely Westernized legal system but depended to a greater extent on traditional institutions. The Dutch operated through a dual institution of government as well as encouraging a dual economy. The pattern of rule was instituted by Dutch East India Company which obtained a definite hold on

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<sup>1</sup>Edgar S. Furniss, France--Troubled Ally (New York: Harper & Brothers, 1960), pp. 441-448.

Java in 1619 at Jakarta, and it was not until 1830 that Dutch administrative power extended to all parts of Java.<sup>1</sup>

The initial approach of the Dutch was to maintain the traditional aristocracy of Javanese society. Eventually a more articulated hierarchy was formed. Vis-à-vis Dutch authority the position of the indigenous aristocracy of Java became weaker. However in relation to the Javanese peasantry the position of the traditional aristocracy was strengthened.

While the British were either unconcerned with traditional practices or eager to educate their colonial people for administrative roles, the Dutch tried to maintain the old ways; and in the process, they discouraged most Indonesians from striving to become part of modern society.

After 1830 the Dutch began what is known as the Cultivation System which lasted until 1877. This system required the villages to devote a particular section of their land to the raising of commercial crops for the disposition of the Dutch government. While in practice it worked hardships on the peasants, it did provide, in principle, for a concentration on commercial crops. With the adoption of more liberal attitudes in the Netherlands this system went by the wayside finally in the early part of the 20th century.<sup>2</sup>

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<sup>1</sup>Amry Vandenbosch, The Dutch East Indies (Berkeley: University of California Press, 1944), pp. 51-59.

<sup>2</sup>J. D. Legge, Indonesia (Englewood Cliffs: Prentice-Hall, 1964), pp. 81-90.

With the beginning of the 20th century the Dutch then adopted a more paternalistic attitude which emphasized even more the preservation of traditional customs rather than policies of exploitation followed during the 19th century.

Prior to the Second World War Dutch administration was regarded as one of the most sympathetic in Asia and also appeared in many areas to be a "model" colonial power. However, as late as 1940 of the 3,039 higher-ranking civil service positions in Indonesia only 221 were held by Indonesians. Not only was this a poor record for the preparation of Indonesians for self-government, but also in contrast with the British in India and Burma and the United States in the Philippines, the Indonesians were not given any pragmatic experience in dealing with the institutions of national autonomy or parliamentary affairs.<sup>1</sup>

With the Japanese occupation of Indonesia the independence movement was given tacit approval; and after the war was concluded, Indonesia declared her independence to which the Dutch finally acquiesced in 1949. Subsequently the Dutch adopted a Commonwealth approach to the remnants of her empire. Thus Surinam and the Netherlands Antilles were given status of voluntary association with political autonomy in the local affairs. The final consequences would seem to

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<sup>1</sup>Kahin, Major Governments of Asia, p. 491

indicate that the Netherlands has followed the British example.

The last of the European powers to grant independence to its possessions is Portugal. Portugal protests that she has no colonies, rather only equal provinces of a single indivisible realm. There is a well-developed centralized authority from Lisbon, with a Minister for Overseas Portugal making policy decisions. A small group of indigenous elite is considered to be "assimilated," but the millions of Africans are considered "uncivilized." The two largest colonies in Africa are Angola and Mozambique.

An example of the Portuguese restriction of the number of assimilados is found in the educational system of Portuguese overseas territories. The school system requires the native child to attend a three-year preparatory school before admission to the elementary school. Then when he is ready to enter high school, the native student may be refused admission on the grounds that he is overaged. The educational system in Angola produced nearly "30,000 assimilados for over 4 million of the total population and less than 5,000 in Mozambique, which numbers 6 million of the total population."<sup>1</sup> Thus after several centuries of the Portuguese mission civilatrice there has been little progress in increasing the literacy of African natives.

Central to the Portuguese problem is the fact that

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<sup>1</sup>Kulski, International Politics, p. 200.

Portugal herself has been governed under dictatorial rule and is only partially developed, having a great deal of poverty and mass illiteracy. Thus Portugal stands today as the most rigid and authoritarian of the modern colonial powers.

### United States Colonial Attitude and Approach

The United States was one of the last nations to enter the race for colonial possessions. Prior to 1898 the territories of the United States were confined to the North American continent, except for the coaling station of Midway. Initially the United States (having in its own background colonization, struggle, and independence) did not wish to acquire more property and be put in the same class as European expansionists. However with the victory over Spain in 1898 the contagious fever of expansionism spread to the shores of the United States. After the conflict with the Spanish the United States acquired Cuba, the Philippines, Guam, the Marianas, and Puerto Rico. Pacific territories gained after the war included Hawaii, Wake Island, and the Samoan Islands. In the Caribbean new responsibilities helped intensify the feeling supporting Manifest Destiny. In 1903 the United States was given authority over the Panama Canal Zone "in perpetuity."

Soon after the Panama Canal convention President Roosevelt developed what is known as the Roosevelt Corollary to the Monroe Doctrine. Basically this held that since the United States did not permit any European nation to intervene

in the affairs of Latin American countries, the United States must then assume the responsibility of preserving order and protecting life and property in those countries. This principle led to United States intervention in Santo Domingo, Haiti, Nicaragua and Cuba.<sup>1</sup> To complete the American domination of the Caribbean, the United States purchased the Virgin Islands from Denmark in 1917.<sup>2</sup>

So it developed that although emotionally the Americans identified themselves with the struggle for independence among the possessed peoples of the world, actually the United States had itself become an empire. A flavor of United States attitude towards its newly acquired empire is reflected in a speech by Theodore Roosevelt in 1899 before the Hamilton Club in Chicago:

I wish to preach . . . the doctrine of the strenuous life. If you are rich and are worth your salt, you will teach your sons that though they have leisure, it is not to be spent in idleness; . . . We do not admire the man of timid peace.

In this world the nation that has trained itself to a career of unwarlike and isolated ease is bound . . . to go down before other nations which have not lost the manly and adventurous qualities. If we are to be a really great people, we must strive . . . to play a great part in the world. In 1898 we could not help being brought face to face with the problem of war with Spain . . . . We cannot avoid the responsibilities that confront us in Hawaii, Cuba, Porto Rico, and the Philippines.

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<sup>1</sup>Henry Steele Commager, Documents of American History, 7th ed. (New York: Appleton-Century-Crofts, 1963), Vol. II, p. 33.

<sup>2</sup>Isaac F. Cox, "The Era of Overseas Expansion," in The American Empire, ed. by William H. Haas (Chicago: University of Chicago Press, 1940), pp. 11-24.

We cannot sit huddled within our own borders and avow ourselves merely an assemblage of well-to-do hucksters who care nothing for what happens beyond. . . . We must build the isthmian canal, and we must grasp the points of vantage which will enable us to have our say in deciding the destiny of the oceans of the East and the West.

From the standpoint of international honor the argument is even stronger. The guns that thundered off Manila and Santiago left us echoes of glory, but they also left us a legacy of duty. If we drove out a medieval tyranny only to make room for savage anarchy, we had better not have begun the task at all.

When once we have put down armed resistance, when once our rule is acknowledged, then an even more difficult task will begin, for then we must see to it that the islands are administered with absolute honesty and with good judgment.<sup>1</sup>

The ambivalent feelings towards colonization lay behind a United States colonial policy that was ambiguous in that it was without clear definition. It is therefore necessary to examine the policy that did exist, to define its terms as clearly as possible, and to realize its inconsistencies in practice.

The basic policy of the United States toward its incorporated territories was outlined in the Northwest Ordinance of 1787, which was approved by the moribund Continental Congress shortly before the final draft of the Constitution was written. This Ordinance for the government of the Territory of the United States northwest of the Ohio River consisted of an elaborate preamble, providing for the establishment of a

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<sup>1</sup>Theodore Roosevelt, "The Strenuous Life," as quoted in World Politics, ed. by Arend Lijphart (Boston: Allyn and Bacon, 1966), pp. 173-179.

territorial government with a non-voting delegate in the Congress, followed by six Articles spelling out the civil and religious rights to be enjoyed by the inhabitants and setting up guidelines for the admission of the area to statehood.<sup>1</sup>

The principles enunciated in the Northwest Ordinance were, to an appreciable degree, adopted by the Congress established under the Constitution. That body was both quick and slow to make good the promise of eventual statehood for the areas within the Northwest Territory. It was to prove even slower, in some instances, in admitting other territories to statehood. There was no unanimity in later Congresses that the guarantees of civil rights, the guidelines constituting prerequisites for statehood, and the promise of admission itself as contained in the Ordinance were applicable to all other territories within and without the continental United States.<sup>2</sup>

The overseas holdings of the United States may be divided into the following categories: (1) incorporated Territories; (2) unincorporated but organized territories; (3) unincorporated and unorganized territories, or possessions; and (4) the Commonwealth of Puerto Rico which is still unincorporated. The term territory may be used to describe any

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<sup>1</sup>Commager, Documents of American History, p. 130.

<sup>2</sup>Whitney T. Perkins, Denial of Empire: The United States and Its Dependencies (Leiden, Netherlands: A. W. Sythoff, 1962), p. 15.



area under the suzerainty of the United States. In Article IV, Section 3, of the United States Constitution the term is used stating that Congress shall have power to "make all needful rules and regulations respecting the territory or other property belonging to the United States."

The capitalized term Territory is used to indicate those areas to which the Constitution has been extended and in which it is applicable as fully as in the continental United States. This term is the equivalent to incorporated territory, which concerns an area which has been "incorporated" by the Congress into the United States by making the Constitution applicable to it. Alaska and Hawaii were the last two incorporated territories. Altogether in United States history, twenty incorporated territories have been admitted to statehood after complying with procedures envisioned, in the main, by the Northwest Ordinance. The process of admission in each of these twenty was started when the citizens of the Territory, following ascertainment by plebiscites of predominant pro-statehood sentiment, sent a petition to Congress requesting entrance of the Territory into the Union. Congress then considered the petition and, if favorably disposed, passed an "enabling act" authorizing the people, through a constitutional convention, to draw up a state constitution. This had to be approved by popular vote and then was submitted to the Congress for further approval. If the Congress was favorably disposed, then it passed a joint resolution declaring the Territory a

State. When the resolution was signed by the President, the procedure was consummated.<sup>1</sup>

The term insular possession is used to indicate any unincorporated territory of the United States. For example, any territory to which the Constitution has not been expressly and fully applied would be an unincorporated territory. The Virgin Islands, Guam, and American Samoa are illustrations of this category of territories.

A further subdivision of unincorporated territories includes the distinction between territories which are organized and those which are unorganized.

An organized territory, either incorporated or not, is one upon which Congress, through legislation establishing a systematic, organized government in the areas, has conferred, in large or small measure, powers of self-government. For example, if Congress has provided for the area an organic act which serves the same purpose as do the constitutions of the states, then the territory may be considered organized.

An unorganized territory is one for which organic legislation has not been provided and the degree of self-government is considered limited. Guam and the Virgin Islands are organized but unincorporated, and American Samoa is both

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<sup>1</sup>William R. Tansill, "Study of the Concept 'No Taxation Without Representation'" (Library of Congress, Congressional Research Service, December 2, 1969), p. 17.

unorganized and unincorporated.<sup>1</sup>

The only possession which has Commonwealth status in the United States colonial system is Puerto Rico. This label indicates a high amount of local autonomy as expressed in a constitution drafted and adopted by residents of the particular area. This status followed Congressional enabling legislation which was approved by the residents through a referendum. Puerto Rico's special economic advantages existed prior to the establishment of Commonwealth status in 1952. These benefits include the exclusion of Puerto Rico from the Federal income tax, and taxes paid on Puerto Rican products entering the mainland are returned to the Commonwealth.<sup>2</sup>

A trust territory is one which has been placed under the protection of the United Nations. Chapter XII of the Charter of the United Nations provides for the creation of a system for administration and supervision of the territories which were under the mandate system of the League of Nations. The trust territory system of the United Nations absorbed all former mandates (except Southwest Africa) as well as some Axis colonies which had not been mandates. It did not absorb those that had become independent before the transition was completed. These territories are administered according to the agreements of each particular trusteeship arrangement, which must be ap-

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<sup>1</sup>Rogers C. B. Morton, Secretary of the Interior, Territorial Areas Administered by the United States (Washington: Government Printing Office, 1971), p. 2.

<sup>2</sup>Ibid.

proved by the United Nations on the one hand and the administering power on the other. Although the trusteeship system relied heavily on the mandate system as a prototype, it had a greater degree of accountability. The Trusteeship Council has three devices through which it can gain information concerning the progress of a territory under this system. The first means of oversight is an annual report which is submitted by the administering power. The second means is the periodic visiting missions. The third device is the right of the people of the territories to petition either in written form or orally to the Trusteeship Council.<sup>1</sup>

Chapter XII of the United Nations Charter sets forth the objectives of the trusteeship system to be the "advancement of the inhabitants of the trust territories. . . towards self-government or independence." Section 82 of this chapter establishes "strategic" trust which allows the administering power to establish military bases and station troops in the area without violation of the United Nations Charter. Section 83 of Chapter XII provides that the power administering a strategic trust is accountable to the Security Council rather than the Trusteeship Council which oversees all other trust agreements. The United States is the only power which holds a strategic trust.<sup>2</sup>

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<sup>1</sup>Philip E. Jacob, et al., The Dynamics of International Organization, rev. ed.: (Homewood, Illinois: Dorsey Press, 1972), p. 510.

<sup>2</sup>United Nations Charter, Chapter XII, as found in Claude, Swords into Plowshares, p. 483.

Chapter XIII of the Charter establishes a Trusteeship Council to help the General Assembly and the Security Council in carrying out the goals of the trusteeship system. The United States is the administering authority for the Trust Territory of the Pacific Islands, which was held by Germany prior to World War I and subsequently by Japan under a mandate from the League of Nations. The Trusteeship Agreement concerning the Trust Territory of the Pacific Islands was approved by the Security Council on April 2, 1947, and by the President of the United States, pursuant to Congressional authorization, on July 18, 1947.<sup>1</sup>

A mandated territory refers to a territory which came under Article 22 of the Covenant of the League of Nations which established the mandate system. This arrangement was created to furnish the administration of the Middle Eastern colonies formerly belonging to the Turkish Empire and of certain colonies and territories in Central Africa, Southwest Africa, and the Pacific formerly held by Germany. The Supreme Council of the Allies assigned these colonies to the administration of various League members, which became known as Mandatory Powers. These nations were to administer their particular mandate as a "sacred trust." The permanent Mandates Commission served as the agency to supervise the nations

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<sup>1</sup>James N. Murray, Jr., The United Nations Trusteeship System (Urbana, Illinois: University of Illinois Press, 1957), p. 75.

who held mandated territories. The League's mandate system has now been supplanted by the trusteeship system of the United Nations.<sup>1</sup>

The distinctions between incorporated and unincorporated territories were coined, and delineated, by the U.S. Supreme Court in the famous Insular Cases, beginning with Downes v. Bidwell (182 U.S. 244) in 1901 and culminating in Balzac v. People of Puerto Rico (258 U.S. 298) in 1922. Apprehensive about the acquisition of "alien" peoples pursuant to the War with Spain, neither the President, the Congress, nor the Supreme Court, at first, had any clear notion as to the exact method to be used in assimilating these newly acquired native people. The solution was given by the Supreme Court. These non-Anglo-Saxons would be placed under the protection of the United States but would need to undergo a long period of tutelage before they, and their areas, could be completely integrated, and incorporated, into the fabric of American society.<sup>2</sup>

The Supreme Court declared that "the power to govern territory, implied in the right to acquire it was given to the Congress in the Constitution in Article IV, paragraph 3..." Thus it was up to Congress to determine which territories were

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<sup>1</sup>H. Duncan Hall, Mandates, Dependencies and Trusteeship. (Washington: L. Carnegie Endowment for International Peace, 1948), pp. 31-32, 271.

<sup>2</sup>W. W. Willoughby, The Constitutional Law of the United States (New York: Praeger Publisher Co., 1929), Vol. I, Chapters 30 and 31.

to be considered incorporated and which were not. But once a territory was declared incorporated it assumed superior status. To it, the Court maintained, all provisions of the Constitution--the "formal" and "procedural" as well as the "fundamental"--were to apply. Only the fundamental parts of the Constitution, on the other hand, were to apply to unincorporated territories. The Court failed, however, to enumerate which sections of the Constitution were fundamental and which were formal or procedural; and no such deliniation has been attempted, by either the Supreme Court or Congress. The policy, instead, has been for one or the other to make such distinctions only as laws are enacted and cases decided under them. Herein lies a source of inconsistency of the United States colonial policy in practice. It has been held, for example, that the provisions of the Constitution concerning trial by jury do not apply to unincorporated territories; such provisions are not considered "fundamental."<sup>1</sup>

Although Congress can declare a territory incorporated, the Supreme Court, in the absence of a specific and definite Congressional declaration in regard to certain territories, has itself declared them incorporated simply because Congress, in establishing organized governments, or in extending Federal laws to the territories, had extended all the provisions of

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<sup>1</sup>The Court decision discussed here is Balzac v. Porto Rico, 258 U.S. 298 (1922) as quoted in Commager, Documents of American History, Vol. II, pp. 178-181.

the Constitution to them. The Court, for example, declared that Alaska had become incorporated long before the passage of the 1912 Organic Act. Mr. Justice White in 1905 asserted that "both before and since the decision in Downes v. Bidwell, 182 U.S. 244 (1901), the status of Alaska as an incorporated Territory was and has been recognized by the action and decisions of this court. . . . It follows, then, from the text of the treaty by which Alaska was acquired, from the action of Congress thereunder and the reiterated decisions of this court, that the proposition that Alaska is not incorporated into and a part of the United States is devoid of merit. . . ."<sup>1</sup>

Discrepancies and anomalies have been almost the rule in the administration of American territories. Alaska and Hawaii were both incorporated Territories, yet their people were never permitted to elect their own governors. Puerto Ricans, whose homeland has never been incorporated, have enjoyed that right since 1947. And the people of the unincorporated territories of Guam and the Virgin Islands were accorded that same right in 1970.<sup>2</sup> The citizens of Alaska and Hawaii were subject to the Federal income tax, but were represented in the Congress only by a non-voting Delegate;

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<sup>1</sup>Rasmussen v. U.S., 197 U.S. 516 (1905).

<sup>2</sup>Hearings before the Subcommittee on Territorial and Insular Affairs of the Committee on Interior and Insular Affairs of the House of Representatives, 92d Cong., 1st Sess., Serial No. 92-6 (1971).



Puerto Rico, unincorporated and exempt from Federal taxation, has precisely the same limited representation in its Resident Commissioner. Possibly the most unique anomaly of all was the fact that the Philippines, when an unincorporated territory, had two Resident Commissioners, simultaneously, whereas Puerto Rico has always been represented by only one. And Alaska and Hawaii, both incorporated, had only one Delegate apiece.

The basis for American colonial policy rested in the United States Constitution and the procedure by which new states had been added to the Union in the past. The new Colonial possessions were considered as temporary wards which would eventually have either their independence or would be incorporated into the United States political system as were the states under the Northwest Ordinance.

Examining American colonial administrative practice demonstrates the obliquity of the American approach. Of the major colonial powers only the United States had no central colonial office; rather the distribution of territories was made among various Executive departments. The following chart illustrates the administration of territorial acquisitions under various Executive departments as of 1932:

Alaska.....	Interior
Hawaii.....	Interior
Philippine Islands.....	War
Porto Rico.....	War
Guam.....	Navy
American Samoa.....	Navy

Canal Zone.....War  
 Virgin Islands.....Interior.<sup>1</sup>

Later a Division of Territories was established within the Interior Department, but even then all of the dependent areas were not placed under its jurisdiction.

One characteristic of the United States Approach was that it embraced a republican framework for its colonies. Not all areas were fitted into this structure, but the tendency to make these areas prototypes of states was definitely there. The concepts of government by consent of the governed and constitutional government play an influential role in American colonial practice. Of the dependencies it has held in the past most were either given their independence or were incorporated into the Union. This is not to say that the record of the United States in colonial affairs is all positive or that the problems of American colonialism have been fully solved. For example, the United States still maintains hegemony over the peoples of the Trust Territory of the Pacific Islands, the Virgin Islands, Guam, Puerto Rico, Canal Zone, and American Samoa.

Another characteristic of the American colonial approach is the desire to educate its peoples. For example, in the Philippines, within three years after assuming control in this area, the United States recruited over 1,000 American school-

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<sup>1</sup>Major General Frank McIntyre, "American Territorial Administration," Foreign Affairs, Vol. 10, No. 2 (January, 1932), p. 293.

teachers to teach, and within twenty-five years there were, in proportion to their respective populations, eight times as many people obtaining highschool educations in the Philippines as in their former mother country, Spain.<sup>1</sup>

Another outstanding feature of the American administrative practice was the concentration on constitutional issues and the development of legislative and political processes as a major goal of policy. Other colonial powers mainly emphasized the development of administrative rule. Thus the order of priorities of other major colonial powers was first to create an administrative structure and second to provide a civil service and a rationalized bureaucracy. This was done before any attention was given to the development of an open political process. In the Philippines the American concept of administration required the emergence of elected representatives of the people at the earliest possible time. While the United States brought drastic changes in all levels of government, introducing a civil service based on merit, establishing a supreme court and an independent judiciary, their greatest impact, as seen by some, was in the area of constitutional and popular politics.<sup>2</sup>

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<sup>1</sup>Gabriel A. Almond, and James S. Coleman, eds. The Politics of the Developing Areas (Princeton: Princeton University Press, 1960), p. 96.

<sup>2</sup>Ibid., p. 97.

## CHAPTER II

### BACKGROUND OF AMERICAN SAMOA

#### Geography

American (Eastern) Samoa is a group of seven islands in the South Pacific, 26,000 air miles southwest of Honolulu, 15,000 miles northeast of Auckland, New Zealand, and 80 miles from the independent state of Western Samoa, which is inhabited by peoples of the same language, race and culture. The Samoan archipelago, lying between the kingdom of Tonga and the Tokelau Islands, is divided into two political entities. The islands of the group that are west of 171° west longitude are organized into the independent state of Western Samoa. The islands that are east of that line, along with Swains Island 200 miles north of and external to the group proper, form an unincorporated territory of the United States.<sup>1</sup>

Western Samoa consists of the two large islands of Upolu and Savai'i, and the islets of Apolima, Manono, Fanuatapu, Namu'a, Nu'utele, Nu'ulua and Nu'usafe'e. The total land area is just over 1133 square miles with the island of Savai'i being 703 square miles and the island of Upolu being some 430 square miles in area. These two islands make most

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<sup>1</sup>R. W. Robson, Pacific Islands Handbook 1944 (New York: Macmillan Company, 1945), p. 68.

of the land area for Western Samoa.<sup>1</sup>

American Samoa has seven islands making up its total land area. None of these islands, which are between 11° and 16° south and 167° and 171° west, is very large or economically significant. Tutuila, the major island and administrative center of the territory, the smaller Aunu'u Island, and the islands of Tau, Ofu, and Alesega, which together form the Manua group, are rugged, mountainous islands of volcanic origin. Swains Island, located 11° south latitude and 172° west longitude, is a small coral island raised fifteen or twenty feet above sea level, with the result that its lagoon is partially dry land and partially composed of a shallow sheet of brackish water. This island is privately owned, and it is operated as a copra plantation.<sup>2</sup> In 1856 Swains Island was settled by Eli Jennings, an American, and his wife, the daughter of a Samoan chief. Currently it is still owned by the Jennings family. The Government of American Samoa maintains an agent on Swains Island, who also serves as a school teacher. A public health nurse and a radio operator are employed by the government to provide for the needs of the island's inhabitants.<sup>3</sup> Rose

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<sup>1</sup>Ibid., p. 45

<sup>2</sup>Kenneth B. Cumberland, Southwest Pacific (New York: Praeger Publishers, 1968), pp. 329-330.

<sup>3</sup>U.S. Dept. of Interior, 1967 Annual Report from the Governor of American Samoa (Washington: Government Printing Office, 1968), pp. 2-3.

Island is a double coral atoll at the eastern extremity of the group.

The total area of the seven islands is 76.2 square miles. Of that total, around 2.3 square miles, or 1400 acres, is owned by the Government of American Samoa. A much smaller share is owned in fee simple. This leaves more than 96 per cent of all the land in American Samoa owned communally, according to Samoan custom.<sup>1</sup>

Tutuila, the largest island and the center of activity for all of Eastern Samoa, is about seventeen miles long and varies between two and six miles wide. It consists almost entirely of a range of broken mountains that rise abruptly from the sea, leaving only a narrow littoral with small amounts of flat land elsewhere except for a broad lowland in the western portion. The mountains contain numerous peaks, the highest of which is Mount Matafao; located in the central part of the island, it reaches a height of some 2,140 feet. Other significant peaks are Mount Pioa (1,718 feet) and Mount Alava (1,610 feet) near Pago Pago Bay and Mount Olotele (1,640 feet) in the west. Mount Pioa is often called Rainmaker Mountain because its summit is usually so cloaked in mist that it appears to be smoking rain clouds.<sup>2</sup>

The central range is indented by many deep, steep-

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<sup>1</sup>Ibid., p. 1.

<sup>2</sup>John W. Henderson, et al., Area Handbook for Oceania (Washington, D.C.: Government Printing Office, 1917), p. 470.

walled valleys that fall precipitously from the crest to the sea, where the extended promontories of heights that enclose them create an irregular and deeply creviced coastline. As a result of this formation, Pago Pago Bay, an indentation in the southern coast, is probably the finest natural harbor in the South Pacific.<sup>1</sup>

Aunu'u Island has essentially the identical physical characteristics as Tutuila except that it is quite a bit smaller at approximately one square mile.

The Manua group consists of three high, volcanic islands: Tau, Ofu, and Olesaga. The group is located about seventy miles east and slightly north of Tutuila. Tau Island, with an area of fifteen square miles, is the largest and most significant of the group. Having an irregular conical shape, the island inclines to form an apex, Mount Lata, which with an elevation of 3,056 feet makes it the highest point in American Samoa. The shoreline is generally regular so there are few bays or inlets to provide usable harbors. Most of Tau's eight villages are located on or near the western and northern coasts. Ofu and Olesaga Islands, are a few miles north of Tau and are divided by a shallow strait that is equal to a submerged saddle between two exposed peaks. Both islands closely resemble Tau except their population is much less and their combined land mass equals four square miles.<sup>2</sup>

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<sup>1</sup>Ibid.

<sup>2</sup>U.S. Department of Interior, 1957 Annual Report from the Governor of American Samoa (Washington, D.C.: Government Printing Office, 1958), pp. 8-9.

The climate of the islands is tropical but pleasant. From May to November gentle southeast trade winds blow; during the other months the winds are changeable. The heaviest rainfall occurs from December to March and the average per year for the forty years has been around 200 inches. The yearly temperature varies from 70° to 90° Fahrenheit and the humidity hovers at 80 per cent.<sup>1</sup>

The soil of this area falls into two categories: clay and sandy loam. Alluvial and very fertile soil exists in the valleys which provide a good location for growing tropical fruits and taro. Certain minerals necessary to the plant life in a temperate zone were apparently burned out at the time of the creation of these islands. In certain localities one kind of tree or vegetable will thrive while only a short distance away the same tree or vegetable will not grow. The natural resources of the territory are meager. However, the rich soil, abundant rain, and warm temperatures of the high islands produce a luxuriant tropical growth that completely covers their slopes and valleys.<sup>2</sup>

#### Population

In the Pacific there are three broad population divisions: Melanesia, Polynesia, and Micronesia. These distinctions are based on language and cultural differences as well geographic lines.

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<sup>1</sup>Ibid.

<sup>2</sup>Ibid.



Melanesia is enclosed by a boundary line drawn from New Guinea, to Papua, to Indonesia, to the Solomon Islands, to New Hebrides, to New Caledonia.<sup>1</sup> Melanesia is the island region inhabited by dark-skinned people. In New Guinea, the Solomons, the New Hebrides, and Fiji, explorers discovered a variety of dark-skinned people, tall and short, wavy-haired and frizzy. Almost all were either Negritoid or Australoid in their characteristics while Caucasoid and Mongoloid tendencies were few.<sup>2</sup>

Micronesia, which means land of the small islands, consists of the Bonin Islands, the Marianas, Carolines, Marshall Islands, Guam and Nauru, Gilbert and Ellice Islands, Phoenix Island, Wallis and Futuna Islands, and finally Fiji and Rotuma.<sup>3</sup> In their physical make-up Micronesians are somewhat Mongoloid in appearance. They are generally shorter and have a lighter or more yellowish tint to their skin than do the Polynesians. This area is better known today as the Trust Territory of the Pacific which is administered by the United States. This region is also better known because of its strategic value in world politics.<sup>4</sup>

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<sup>1</sup>Robson, Pacific Islands Handbook, p. 219.

<sup>2</sup>Kenneth B. Cumberland, Southwest Pacific (New York: Praeger Publishers, 1968), p. 25.

<sup>3</sup>Robson, Pacific Islands Handbook, p. 131.

<sup>4</sup>Douglas L. Oliver, Pacific Islands (Garden City, New York: Doubleday and Company, 1961), pp. 76-78.

Polynesia translated simply means the land of the many islands. The boundary line for this region starts with the Hawaiian Islands including Midway, Wake, and Johnston, to the Line Islands, to Canton and Enderbury, to Western and Eastern Samoa, to the Kingdom of Tonga, to the Cook Islands, to Pitcairn District, and finally Easter Island.<sup>1</sup> The Polynesians have major Caucasoid and minor Negritoid and Australoid features, and are of a racial strain which somewhat resembles the white explorers who arrived in the central Pacific some centuries past. A major feat of the Polynesians rests mainly in their epic voyages, like those of the Phoenicians and the Vikings. They mastered the largest body of water on earth and found and colonized island specks sometimes 7500 miles apart.<sup>2</sup>

The population of the Polynesian archipelago of American (Eastern) Samoa today is somewhat greater than 27,159. Samoa's population has increased since 1900 from 5,679 to the present 27,159. According to the 1970 census, the number of people increased from 20,051 in 1960 to 27,159 in 1970 which represents an increase of some 35.4 per cent. This 35.4 increase from 1960 to 1970 represents a trend away from emigration by the younger segments of Samoan society. For example, from 1950 to 1960 the population increase had been only 5.9 per cent because of the "exodus" of many young Samoans who desired upward mobility socially and especially the economic

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<sup>1</sup>Robson, Pacific Islands Handbook, p. 29.

<sup>2</sup>Cumberland, Southwest Pacific, pp. 28-29.

advantages which were lacking at home. Through enlistment in the Armed Forces or simple emigration to Hawaii or the west coast of the United States, the young Samoans were able to find a higher standard of living and a better education. Since 1960 this emigration has been decreased somewhat as economic and educational opportunities in the islands have increased. However within the Samoan Island group almost all islands lost population during the last ten years except Tutuila which had a population increase of over 50 per cent. Tutuila is the administrative center in the American Samoa group and has 80 per cent of the total population.<sup>1</sup> Pago Pago is the major city in American Samoa and is the location of the Governor of American Samoa.

#### Cultural Setting: Social Organization

Over a period of more than 2,000 years in the islands, Samoans developed a social system the characteristics of which continue to dominate the society's political and economic operations, even though some significant alterations in the structure have appeared in recent decades as a result of intrusions of cultural elements from the Western world.

The basic framework of Samoan society has been formed by an inter-linking of kinship and locality dimensions. The individual Samoan's focus for direction and meaning in his life

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<sup>1</sup>U.S. Department of Commerce, Bureau of the Census, Number of Inhabitants, American Samoa: 1970 (Washington, D.C.: Government Printing Office, 1971), Table 1.

has centered on his family and his village. Originally, these two factors were more or less identical. Families within a locality traced their origins to a common ancestor, thus producing a linkage system by blood and marriage referred to as the aiga or extended family.<sup>1</sup> Each extended family bears a name or matai title, which the elected head or chief is authorized to use as his appellation.<sup>2</sup>

As young people from different families or from distantly related families have married and moved to new locations, the aiga system has increased in complexity. Individuals continue to recognize their connections with their original extended families, but they also develop their own households in new communities, and the ties with the more distant relatives become increasingly tenuous. Over the centuries, as extended families have expanded into new districts and as conflicts have arisen about who deserves to bear the families' existing matai or chieftain titles, new titles have been created.<sup>3</sup> Such a process of proliferation both of households and of chieftain titles has resulted in the evolution of a complex hierarchy of matais, or chiefs, some functioning

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<sup>1</sup>Margaret Mead, Coming of Age in Samoa (n.p.: William Morrow & Company, 1928), p. 45.

<sup>2</sup>Felix M. Keesing and Marie M. Keesing, Elite Communication in Samoa: A Study of Leadership (Stanford, California: Stanford University Press, 1956), p. 39.

<sup>3</sup>John Wesley Coulter, The Pacific Dependencies of the United States (New York: Macmillan Company, 1957), pp. 72-73.

as ranking leaders of villages or districts in addition to heading their own household groups. By 1950 nearly 10 per cent of the population of American Samoa held matai titles. On an average, each village had slightly under twelve chiefs. With so many titles available in the society, almost all adults, particularly the males, could reasonably look forward to a possibility of achieving some level of chieftain status during their lifetime.<sup>1</sup>

Although each matai is the supreme authority within his own household of around eight to twenty-five members, in the village council, which is called the fono, where he meets with all other matais to settle village or district problems, the roles of the chiefs are differentiated. The two broadest classes of titles are those of ali'i (chief) and tulafale (talking chief or orator).<sup>2</sup>

Each important chief had at least one talking chief of high rank; in some cases the tulafale might be a relative, who functioned as a type of advisory executive. Only titled persons participated in the fonos which were found on village, district, and also higher levels of organization. The highest title in a village was chief of the village. He took the ranking position in the village council. The leading chiefs of a number of villages resided in councils of a higher level.

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<sup>1</sup>Keesing and Keesing, Elite Communication in Samoa, p. 39.

<sup>2</sup>Margaret Mead, The Social Organization of Manua (Honolulu: Bernice P. Bishop Museum Bulletin, No. 76., 1930), p. 33.

The highest-titled person in these councils was the district or island chief. In the villages, young and adult untitled males formed a distinct group (aumaga) that was led by the village chief's heir (manaia). Wives of titled men formed a group under the wife of the high chief, and unmarried women formed a group (aualuma) under the ceremonial virgin of the village (taupo), who was a member of the village chief's household. The distinction between titled and nontitled individuals indicates a well-defined stratification system of at least two levels in Samoa.<sup>1</sup>

A status-level distinction can be made between those who possess higher titles and those who possess lower titles. The former were collectively known as pa'ia and had functions in district and more expanded governmental organizations. Men with the lesser titles were relegated to operating on the village level.<sup>2</sup>

Concerning the relationship between the ali'i and the tulafale, the ali'i is the prime decision maker and final authority, but it is his tulafale (talking chief) who executes many of these decisions and speaks on the chief's behalf. In practice, the interaction of these two varieties of matai depends not only on their formal relationship but also on their individual personality traits. There have been cases of clever

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<sup>1</sup>Marshall D. Sahlins, Social Stratification in Polynesia (Seattle, Washington: University of Washington Press, 1968), p. 30.

<sup>2</sup>Felix M. Keesing, Modern Samoa (London: George Allen and Unwin Ltd., 1934), p. 53.

vigorous talking chiefs who have successfully exceeded their formal authority and served as the principal decision makers as well as council spokesmen.<sup>1</sup>

An educated American Samoan, Napoleon Tuiteleleapaga, writes of the tulafale:

The talking chief is at once the mouthpiece of the high chief, and the representative of the people. He is a Jefferson, an Emerson, a Marshall, a Chamberlain, and also a Machiavelli.... He is a Doctor Jekyll and Mr. Hyde.<sup>2</sup>

Not only are matai titles divided into chief and talking chief categories, but each of these types is further differentiated according to the power and prestige the title represents. Among both chief and talking chief titles there are high, medium, and low ranks. These hierarchical distinctions have always figured importantly in Samoan political and social interaction. Lesser chiefs are expected to defer to high chiefs in matters of decision as well as in social etiquette.

With the family or aiga, the matai has customarily been responsible for the welfare of the entire brood. His decisions determine who is assigned to which kind of duties, how the resources of the family are distributed, how guests are received, and how conflicts are settled between his aiga and others. Both within his family and within the village or district council, the highest chief's word serves as law. However,

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<sup>1</sup>Keesing and Keesing, Elite Communication in Samoa, pp. 40-41.

<sup>2</sup>As quoted in ibid.

he usually does not act arbitrarily or in haste. In most cases the matai's decision is expressed only after there has been consultation with family members in cases of household matters or with the other chiefs in village or district affairs.<sup>1</sup>

When a matai title is vacated through the death, resignation, or deposition of a chief, a new chief is chosen, with each adult member of the aiga (extended family) having a right to take part in the selection. Theoretically, any adult in the family can be elected to carry the title, but by custom the former chief's brother or his eldest son have some special claim to the position. However, since the purpose of the selection process is to insure the appointment of a person whose individual characteristics best fit him for leadership, those close kin of the recent chief may be passed over and the position awarded to a particularly skilled member of the group not closely related to the former matai. Women exercise influence through aiga discussions rather than being elevated to matai status. This election procedure, coupled with the right of the constituents to depose or exile an irresponsible chief, has apparently been a significant factor in the matai system's maintaining its vigor over the years. An inept or malevolent son cannot automatically inherit his father's chieftain title, and an inadequate chief cannot

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<sup>1</sup>Captain J. A. C. Gray, Amerika Samoa (Annapolis, Maryland: United States Naval Institute, 1960), p. 21.



retain his post if members of the aiga choose to oust him.<sup>1</sup>

Two aspects of the matai social system have carried particular implications for economic development. First has been the aiga's communal possession of land, with land use determined by the matai. Second has been the custom, which is far less common today than in the past, of assigning to the matai the right to distribute the income from the family's labors, whether the income be in the form of fish, taro (a root staple), woven mats, or dollars.

According to custom, the aiga's most valued possession, its land, is held not by individuals but by the extended family unit, with the matai entrusted to decide how the property should be utilized. He is not authorized to dispose of the family lands on his own initiative but must obtain the consent of members of the aiga before trading or selling any property. However, in practice some chiefs in the past have managed to work around this custom and sell property without the complete approval of the relatives.<sup>2</sup>

In modern times, the most serious land ownership problems occurred in the late 19th century when white missionaries, plantation developers, and real estate speculators poured into the islands, primarily in the western group, laying claim to large tracts of native properties through purchase, confisca-

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<sup>1</sup>Ibid., p. 22.

<sup>2</sup>C. G. R. McKay, Samoa, (Auckland, New Zealand: A. H. & A. W. Reed, 1968), p. 10.

tion, or promised favors.<sup>1</sup> In 1900, a concerned United States naval administration in American Samoa issued a Native Lands Ordinance forbidding further alienation of territorial properties and moved rapidly to purchase for the United States Government those parcels out of Samoan hands, thus preventing further foreign real estate speculators from disrupting life in the islands. Subsequent legislation also has been aimed at protecting Samoan ownership of lands, so that today more than 96 per cent of land in American Samoa is owned communally according to Samoan tradition. About 2.3 square miles is owned by the Government of American Samoa, and the remaining small portion is held in fee simple by individuals and church groups.<sup>2</sup>

From the viewpoint of economic productivity, the amount and type of land and rules governing its ownership pose some serious problems. In the first place, most of the territory is mountainous, leaving less than 30 per cent of the land area suitable for farming. Furthermore, much of the land is split up into relatively small acreages. A typical aiga, rather than owning all of its property in a single useful portion, may hold one or two separate plots near the ocean and

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<sup>1</sup>Sylvia Masterman, Origins of International Rivalry in Samoa: 1845-1884 (Stanford: Stanford University Press, 1934), pp. 134-135.

<sup>2</sup>U.S. Department of Interior, 1968 Annual Report from the Governor American Samoa (Washington: Government Printing Office, 1968), p. 5.

several others on precipitous mountain slopes. Tangled ownership patterns can make it difficult to integrate holdings into extensive sections that might be cultivated more efficiently by an individual. But the chief adverse effects of existing patterns of land ownership, which prevent purchase of land by Samoans and limit leasing privileges, are felt in the area of industrial development.

Being a gregarious and ceremonial people the Samoans like to congregate and there are traditional rituals for each particular kind of gathering. Weddings, births, and funerals provide three such occasions, although there are many more. And Samoan preference and reverence for fa'a Samoa (according to Samoan custom) require all members of the extended family to attend any gathering. From the Western point of view these ceremonies seem extravagant and superfluous, but the Samoan has a much different opinion because great importance is placed on performing rituals in the appropriate manner with the proper degree of paraphernalia.<sup>1</sup>

Religion plays a significant role in the Samoan culture. One might assume that the Samoans are very devout Christians in that almost everyone attends church on Sunday and all stores and places of business close on that day; meals as well as all social events begin with a prayer; and in contrast to their own homes, the church building is expensive and elaborate. The clergy is held to be one of the

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<sup>1</sup>Arden, "Political Development of Western Samoa," p. 16.

highest callings in Samoa, and no one including a matai is revered and respected more than the village pastor.<sup>1</sup> The pastor is usually placed in the most respected position at any ceremony and even drinks kava<sup>2</sup> before the most highly-ranked chiefs.<sup>3</sup>

Under this reverent facade, there still exists a strong feeling for the old religion. Death and sickness are often attributed to evil spirits, and certain specialists function to eliminate these bad spirits. Spells and charms are still used, and concurrent with belief in a Christian heaven is belief in Pulotu, a mythical final resting place which is somewhere in the sea around Savai'i.<sup>4</sup>

Keesing relates the comments of a missionary to him in 1934, which remain essentially valid today and serve to summarize the actual status of Christianity in Samoa:

I am afraid that from the Christian viewpoint the missions have been rather a failure in Samoa. Instead of accepting Christianity and allowing it to remould their lives to its form the Samoans have taken the religious practices taught to them and fitted them inside

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<sup>1</sup>Ibid., p. 19.

<sup>2</sup>Kava is a drink prepared by mixing the pulverized root of the kava plant in a prescribed amount of water until cloudy, khaki-colored liquid is produced. It is not alcoholic although it does have slight narcotic properties. Early missionaries in Samoa stated that the drink partially paralyzed the legs, making it difficult to walk. However, modern anthropologists have found these reports untrue.

<sup>3</sup>Lowell D. Holmes, "Ta'u: Stability and Change in a Samoan Village," The Journal of the Polynesian Society, LXVI (September, 1957), 335-336.

<sup>4</sup>Ibid., pp. 333-335.

Samoan custom, making them a part of the native culture. Christianity has changed Samoan theology a little, that is all. Otherwise the people are mentally arrested; there is no religious questioning or conflict--everything is easy going. Christianity, instead of bursting the bonds of the old life, has been eaten up by it.<sup>1</sup>

Acquisition of American Samoa  
by the United States

Most anthropologists believe that the original Polynesian settlers arrived at Samoa from southeastern Asia albeit the Kon-Tiki journey of Thor Heyerdahl has brought this theory into question.<sup>2</sup> The first European to come upon the islands is believed to have been the Dutch captain Jacob Roggeveen, who led a small flotilla westward across the Pacific to Java in 1721 and 1722. The objective of the voyage was to discover the Golden Islands and to open trade for the Dutch West India Company. It was his desire to find civilized and industrious people who would trade in gold, silk, and spices and thus enhance the coffers of Holland, the Dutch West India Company, and the Roggeveen family. One entry in his log reported sighting the Samoan group en route, but apparently the expedition sailed past without landing. Roggeveen calculated the islands' position inaccurately, and their existence was not verified for another forty-odd years. In 1768 the French navigator Louis Antoine de Bougainville, followed the next year by his compatriot, Jean Francois de La Perouse, rediscovered the

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<sup>1</sup>Keesing, Modern Samoa, p. 410.

<sup>2</sup>Gray, Amerika Samoa, p. 13.

Samoa archipelago. Both sent landing parties ashore and fixed the locations of individual islands more accurately.<sup>1</sup>

Thereafter an increasing number of vessels from many nations appeared in the area. In addition to private whaling, fishing, and trading boats, many were ships on official missions. Among the most important visits representing the first recorded national contacts with Samoa were the calls of the British warship Pandora in 1791, a German expedition under Otto von Kotzebue in 1824, and a United States survey group under Commodore Charles Wilkes in 1838.<sup>2</sup>

The first significant European settlement occurred in 1830. The London Missionary Society took an interest in the area and sent John Williams, who arrived from Tahiti.<sup>3</sup> Williams not only converted many natives and introduced a leavening of Christian morality into their ancient culture, but he also was instrumental in reducing the Samoan language to writing, a development which promoted a high degree of native literacy within two generations. Moreover, Williams' success was so widely publicized by the British press that the islands and their people became well known throughout the world. This resulted in further immigration and commercial development as well as the establishment of missions by other Christian denominations, such as Methodists, Roman

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<sup>1</sup>Masterman, Origins of International Rivalry, pp. 23-24.

<sup>2</sup>Ibid., pp. 25-26.

<sup>3</sup>Oliver, Pacific Islands, pp. 212-213.

Catholics, Mormons, and Seventh-day Adventists, which vastly increased the pace of missionary effort.<sup>1</sup>

The rapid spread of Christianity resulted in teaching the natives the benefits of European civilization which led to a demand for English manufactured products. The Samoan men were persuaded to exchange loin cloths for shirts, trousers, stockings, and shoes. Samoan women apparently were not forbidden luxury of fine dress as is indicated in the following account by Lieutenant Wilkes, a description of a Samoan woman in Sunday attire. She wore

....a red calico gown, four or five petticoats of different colours, woolen socks, green slippers, cap and bonnet, a large plaid blanket shawl, a pair of polar gloves, the whole surmounted by a flaming red silk umbrella.<sup>2</sup>

The result then of missionary impact was to combine Christianity and English commerce in Samoa.

Beginning in 1838 Germany, Great Britain, and the United States all developed interests in the Samoan archipelago. These three nations rapidly expanded their influence, concluded agreements with local chiefs, and ultimately came to dominate the economic life of the islands. As the number of aliens in the area multiplied, the United Kingdom appointed a consul at Apia in 1847, and the United States and Germany

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<sup>1</sup>J. A. C. Gray, Amerika Samoa, pp. 32-41.

<sup>2</sup>Charles Wilkes, Narrative of the United States Exploring Expedition during the years 1838, 1839, 1840, 1841, 1842, as quoted in Charles C. Tansill, The Foreign Policy of Thomas F. Bayard (New York: Fordham University Press, 1940), p. 4.

followed suit in 1853 and 1861, respectively.<sup>1</sup>

Although there was a great deal of political intrigue and turmoil in Samoa during the 19th century, it was only during the last quarter of the century that the United States government became officially interested in the area. President Grant became interested in this area through the prompting of a steamship magnate who had become cognizant of the commercial possibilities of the harbor at Pago Pago. In 1872 Commander Richard W. Meade, visiting Samoa in the U. S. S. Narragansett negotiated with High Chief Mauga of Pago Pago an agreement affording the United States exclusive rights in Pago Pago harbor in return for an American promise of protection for the native government. The treaty, however, was never ratified by the Senate. The aborted venture, nonetheless, was not without beneficial results in that it prevented both Germany and Great Britain from making claim to the harbor.<sup>2</sup>

In the meantime, President Grant had dispatched an American agent, Colonel A. B. Steinberger, to Samoa on an investigation mission. The Samoans took so kindly to Steinberger that they soon made him their "prime minister." He was not nearly so popular with the American and British

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<sup>1</sup>Ibid.

<sup>2</sup>George H. Ryden, The Foreign Policy of the United States in Relation to Samoa (New Haven, Connecticut: Yale University Press, 1933), pp. 44-74.



consular agents. As a result of Steinberger's political intrigues, the consular agents conspired to ride him out of sight on a British cruiser in 1876, and he was not again involved in Samoan politics. His enforced departure left a power vacuum. Two years later a Samoan delegation appeared in Washington asking for a treaty of either protection or annexation. Informed by the Hayes administration that the Senate would not countenance such a treaty, the Samoans agreed to a treaty of friendship and commerce, which cleared the Senate on January 30, 1878.<sup>1</sup> In return promising to use its "good offices" to resolve "any differences" that might arise between the government of Samoa and that of any other nation on friendly terms with America, the United States was awarded the privilege of establishing a coaling station in and on the shores of Pago Pago harbor.<sup>2</sup>

While the United States had its coaling station in Pago Pago, British and, particularly, German commercial interests were acquiring economic ascendancy in the islands. Within a few years the Germans gained almost complete control of the export business and by 1887 were threatening to squeeze the British and Americans entirely out of the Samoan Islands.<sup>3</sup>

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<sup>1</sup>Perkins, Denial of Empire, p. 270.

<sup>2</sup>Julius W. Pratt, America's Colonial Experiment (New York: Prentice-Hall, 1950), p. 14. Also 20 Statute 704.

<sup>3</sup>Foster Rhea Dulles, America in the Pacific (New York: Houghton Mifflin Company, 1938), pp. 109-112.

When the Germans deported King Laupepa and placed his rival on the throne, the Americans took marked umbrage; and the possibility of a shooting affray between German and American naval forces became imminent.<sup>1</sup> Fortuitously, and not altogether unfortunately, a devastating hurricane descended in March 1889 upon the American and German warships which had assembled in Apia harbor (Western Samoa) and wrecked nearly every one of them.<sup>2</sup> The disaster accelerated efforts of the three powers for a just "accommodation"; and on June 14, 1889, a treaty was concluded in Berlin which established a tripartite protectorate over all of Samoa.<sup>3</sup> The United States agreed to the condominium because it represented the only acceptable alternative to war, to a German mandate for the whole Samoan group, or to partition of the islands; and, of course, it preserved American rights in Pago Pago. Washington, indeed, hoped for a quick reestablishment of Samoan independence.<sup>4</sup>

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<sup>1</sup>For an enlightening account of this incident see Robert Louis Stevenson, A Footnote to History (London: Cassell and Company, Ltd., 1892), pp. 40-86.

<sup>2</sup>For a more detailed account of this act of Providence see Edwin P. Hoyt, The Typhoon That Stopped a War (New York: David McKay Company, Inc., 1968).

<sup>3</sup>William M. Malloy, comp., Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers, 1776-1909, 61st Cong., 2nd Sess., Senate Document No. 357 (Washington: Government Printing Office, 1910), Vol. 2, pp. 1576-1589.

<sup>4</sup>Charles C. Tansill, Foreign Policy of Thomas F. Bayard, pp. 116-119.

Government under this arrangement was hopelessly complicated, with a German "president" of the Apia municipality empowered to advise the restored King Malietoa and an American chief justice serving as the "final legislator" in Apia and being authorized to "recommend" legislation to the general government--all the while constituting in himself the court of last resort.

The condominium broke down completely upon the death of King Malietoa in 1898. In the resulting war of succession waged by rival chiefs, disorder engulfed the islands, highlighted by the bombardment of Apia by American and British warships. The three powers then agreed to appoint a high commission of investigation, which declared an end to the kingship and replaced it, temporarily, with a Consular Board.<sup>1</sup>

When Germany proposed partition of all the islands, Great Britain and the United States posed no objections.<sup>2</sup> By this time the United States had taken possession of Hawaii, the Philippines, Guam, and Porto Rico which reflected a changed attitude in the acquisition of overseas territory. In the resultant tripartite convention signed at Washington on December 2, 1889, Germany and Great Britain renounced in favor of the United States "all. . . rights and claims over and in respect to the Island of Tutuila and all other islands

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<sup>1</sup>Perkins, Denial of Empire, p. 271

<sup>2</sup>Ryden, Foreign Policy of the United States in Relation to Samoa, pp. 555-557.

of the Samoan group east of Longitude 171° west of Greenwich." In return the United States renounced in favor of Germany "all . . . rights and claims over and in respect to the Islands of Upolu and Savaii and all other islands of the Samoan group west of Longitude 171° west of Greenwich."<sup>1</sup> Great Britain gracefully bowed out of the picture; she had received from Germany a promise of compensation elsewhere in the world.

Without bothering to ask the Samoans what they thought of this rather cavalier disposal of their homelands, President McKinley, by executive order of February 19, 1900, directed that:

The Island of Tutuila, of the Samoan Group and all other islands of the group east of Longitude 171 degrees west of Greenwich are hereby placed under the control of the Department of the Navy, for a Naval Station. The Secretary of the Navy will take such steps as may be necessary to establish the authority of the United<sup>2</sup> States, and give to the islands, the necessary protection.

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<sup>1</sup>31 Statute 1878

<sup>2</sup>General Records of the Department of the Navy, General Correspondence, 1897-1915, File No. 3931, National Archives.

### CHAPTER III

#### POLITICAL DEVELOPMENT OF AMERICAN SAMOA UNDER U.S. ADMINISTRATION

##### Administration by the Department of the Navy

President McKinley's directive endowing the Navy with hegemony over American Samoa ignored the fact that the tripartite treaty of 1899 did not give the United States title to the islands but merely announced a renunciation of German and British "rights" in the eastern Samoan group.<sup>1</sup> The executive order by McKinley also trampled the "sovereignty" of Samoa as officially recognized in the treaties of 1878 and 1889. Pursuant to the executive order the Secretary of the Navy, John D. Long, issued the order stating that...

...the Island of Tutuila, of the Samoan Group, and all other islands of the group east of Longitude 171 degrees west of Greenwich, are hereby established into a Naval Station to be known as the Naval Station, Tutuila, and to be under the command of a Commandant.<sup>2</sup>

The inconsistent policy of the United States was ameliorated somewhat by the cession in April of 1900 of the islands of Tutuila and Aunu'u by the Samoan high chiefs. In the cession document the Samoan chiefs asked the United States for:

(a) the promotion of the peace and welfare of the people of

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<sup>1</sup>31 Statute 1878.

<sup>2</sup>This Secretarial Order is found in The Code of American Samoa of 1949, p. iii.

Tutuila; (b) the establishment of a good and sound government; (c) the preservation of the rights and property of these inhabitants.<sup>1</sup>

The more conservative Manua Islands consisting of the three small islands of Tau, Ofu, and Olosega, lying 60 miles to the east of Tutuila were less eager to act. However, through an instrument of cession dated July 14, 1904, the King of the Islands of Manua, Tuimanua, and his lesser chiefs gave the Manua group to the United States "to erect the same into a territory or district of the said Government." The agreement further provided that "...the rights of the Chiefs in each village and of all people concerning their property according to their customs shall be recognized."<sup>2</sup>

Strangely enough, the United States failed officially to recognize the cessions until 1929, when by a joint resolution approved February 20, 1929, the cessions were "accepted, ratified, and confirmed, as of April 10, 1900, and July 16, 1904, respectively. The resolution at the same time, indirectly confirmed the validity of the Navy's jurisdiction, in effect since February of 1900, by asserting that...

Until Congress shall provide for the government of such islands, all civil, judicial, and military powers shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.<sup>3</sup>

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<sup>1</sup>Ibid., pp. iii-v.

<sup>2</sup>Ibid., pp. 6-7.

<sup>3</sup>45 Statute 1253.

The Congress has never picked up its option, and the President continues to be the final authority. From 1900 to 1951 he delegated his authority to the Secretary of the Navy, who subsequently appointed the Naval Governors. Since 1951 the delegated power has reposed in the Secretary of the Interior and in the latter's civilian appointees.

Upon acquiring the Samoan wardship the Navy initially pleaded with the Congress to establish a civil government, so that proper provision could be made for education and other essential improvements.<sup>1</sup> The undefined status of American Samoa obstructed the administration of justice. The application of military laws to civilians was not proper, but it was almost as difficult to attempt to impose existing local laws. At this early time there was no provision for appeal. Captain Sebree, who was the second Commandant of the naval station, was uncertain of his authority beyond the bounds of the government owned land; he was afraid that he might be sued for false imprisonment or for collecting fines without legal authority.<sup>2</sup>

In 1903, a bill passed the Senate which would have given the sanction of Congress to the government by the executive, but the bill never was passed by the House. Four years later in 1907 the Navy for the last time appealed to the Congress for appropriate action which would include a statement formally

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<sup>1</sup>Perkins, Denial of Empire, p. 275.

<sup>2</sup>Ibid.

accepting the Samoan Islands and a provision for some form of government. President Theodore Roosevelt and his Secretary of War, Elihu Root, caused such recommendation to cease. The Secretary of the Navy was asked by Roosevelt to remain silent on this particular issue: "Do not urge any action on Congress. Things are going on well there (in Samoa) at the present."<sup>1</sup>

The attitude of Secretary Root on this matter is well-stated in the following quotation:

If left alone Congress will probably do nothing about providing a form of government for the Islands. There are few members of either House who are competent to devise a form of government and they are otherwise occupied.... The inactivity of Congress must be deemed to be an approval of the continuance of the existing government. It is very desirable that this should be so. It is quite improbable that if Congress were to undertake to form a government it would be as good as the one which now exists. They usually make a mess of it when they undertake anything of that kind.<sup>2</sup>

The first Commander of Tutuila, Commander Tilley, was advised to "at all times exercise care to conciliate and cultivate friendly relations with the natives."<sup>3</sup> It was Tilley's intention to preserve those good traditions which were revered by the Samoans and to eliminate those which were objectionable.

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<sup>1</sup>Elting E. Morison, ed., The Letters of Theodore Roosevelt (Cambridge, Massachusetts: Harvard University Press, 1952), Vol. VI, p. 989.

<sup>2</sup>Philip C. Jessup, Elihu Root (New York: Dodd, Mead Publishers, 1938), Vol. I, p. 349.

<sup>3</sup>Captain T. F. Darden, USN (Ret.), Historical Sketch of the Naval Administration of the Government of American Samoa, April 17, 1900 --- July 1, 1951 (Washington: Government Printing Office, 1952), p. xiii.



Even though the governors intended to make only essential modifications of the Samoan customs, in reality they prohibited some of the significant customs. Commander Tilley held the Malaga, or mass visitation, to be a deterrent to good work habits, and the ceremonial presentations of fine mats to be wasteful and extravagant. The first general fono, which was an annual meeting of Samoan matais to "advise" the governor, agreed unanimously to halt these practices. This was the "suggestion" of Commandant Tilley. According to Darden the naval method of administration from the beginning until the end was based on the principle of "indirect rule" which meant, at least in theory, that purely local matters were left in the hands of the traditional chiefs.<sup>1</sup> The obedience of the Samoans to the suggestions of Commander Tilley indicates that indirect rule was really nearer to absolutism, although at the same time it demonstrates the difficulty involved in giving more than the facade of self-government.<sup>2</sup>

The decade beginning in 1920 brought major manifestations of disaffection in American Samoa. The result of this discontentment was the creation of a native organization, the Mau, which agitated for American citizenship and the elimination of naval government. The Mau had a disastrous effect on the economic development of the islands, because a committee

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<sup>1</sup>Ibid., p. 5.

<sup>2</sup>Perkins, Denial of Empire, p. 277.

of chiefs met in almost continuous sessions "with the result that no work was accomplished anywhere throughout the islands. Copra cutting was at a stand-still, which caused a severe financial business depression."<sup>1</sup>

A good deal of the agitation of the Mau came from outside Samoa. These people lived in Hawaii and California, and they had ties with Samoa through blood or by a claim to land by family inheritance or both. They carried on a propaganda campaign, both in the press and in Washington, designed to demonstrate that the naval government was illegal and tyrannical. These "outside agitators" became known as the California Mau. The objective of this campaign was to discredit the naval administration, and thus they hoped to gain possession of land for speculative purposes. Under naval and Samoan custom there could be no alienation of the land; even though some of these claimants were part Samoan they were not entitled to possess the land.<sup>2</sup>

This campaign was furthered by the efforts of a newly-appointed executive officer at the naval station and by the activities of a family named Ripley who were interested in developing a Copra plantation and commercial trade. The governor, Terhune, was in poor physical and mental condition and

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<sup>1</sup>U.S. Department of Navy, A General Report by the Governor of American Samoa 1926 (Washington: Government Printing Office, 1927), p. 56.

<sup>2</sup>C. Hartley Grattan, The Southwest Pacific Since 1900 (Ann Arbor, Michigan: University of Michigan Press, 1963), p. 466.

allowed the situation to get out of his control. Apparently a number of the Samoans believed that United States citizenship and a civil government would afford them greater benefits and attention from Congress. Just prior to the arrival of a court of inquiry, the governor committed suicide. The court made a thorough investigation and exonerated the governor of malfeasance but criticized him for his lack of tact and firmness. The court found that the source of the unrest stemmed from the activities of an American civilian and two naval officers. As a result of the investigation, one naval officer was court martialed and dismissed, another relieved from duty at the station, and the American civilian was deported.<sup>1</sup>

In 1929 the sessions of 1900 and 1904 were accepted and a joint commission of members of Congress and Samoan chiefs was created. This commission was headed by Senator Hiram Bingham, who was born in Hawaii of American missionary parents. The purpose of the commission was to investigate the conditions in Samoa and to make recommendations regarding further legislation.<sup>2</sup>

In hearings before the commission Governor Stephen V. Graham, who was an exceptionally liberal Navy officer, first stated the accomplishments of Naval administration, and secondly he went on to indicate the Navy was totally unsuited for this

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<sup>1</sup>Gray, Amerika Samoa, pp. 191-199.

<sup>2</sup>45 Statute 1253.

type of assignment.

Under the difficulties attending the supplanting of such a tribal form of government as existed formerly in these islands by a government meeting the requirements of western civilization, it would be very hard to see how better results could have been obtained.

In continuing his testimony he pled for a civilian government stating that:

...the general trend of Navy attitude, discipline, externalization, arbitrary tendency intrinsically unfits the Navy Department from securing good results in the rule of any primitive people. The underlying principle of the Navy is to obey authority without question. The trend and training, education and experience of Navy officers would lead one to: 'Command your inferiors; obey your superiors.' Changing policies to suit conditions is foreign to their consciousness.

The governor is clothed with too great discretionary powers--he may change every law in the codification, even that which established the form of government.... The only restraint is that of the Secretary of the Navy.

The governor exercises the sole legislative power. This combination of legislative and executive functions, unguided and unrestricted by a constitutional instrument, presents an unusual principle of government...out of harmony with the spirit of the Constitution.

The government has not only been autocratic, but unstable and vacillating. Each governor has had his own separate policy, and the rules and regulations of Samoan life and activities might be one thing today and the reverse tomorrow. This same oscillating, arbitrary system has permeated the entire naval supervision of the islands.

The Samoans have not been permitted to manage their own affairs, nor to enjoy the fundamental principles of the Constitution, which guarantees to every individual 'life, liberty, and the pursuit of happiness.'<sup>1</sup>

The report of the commission included a proposed organic

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<sup>1</sup>American Samoa: Hearings before the Commission Appointed by the President of the United States in accordance with Public Resolution No. 89, 70th Congress...and Public Resolution No. 3, 71st Congress (Washington, D.C.: Government Printing Office, pp. 278-279.

act for American Samoa. The following represent some of the more significant features:

- 1) A grant of United States citizenship to persons wholly or partly of Polynesian blood residing in American Samoa February 20, 1929;
- 2) A bill of rights following the usual pattern for unincorporated possessions;
- 3) A grant of full legislative power to the fono, including the power to override the governor's veto by a two-thirds vote, with reference thereafter to the President;
- 4) Appointment of a governor and attorney general by the President with the advice and consent of the Senate, the governor to be an active, retired, or reserve officer of the army or navy, or a civilian, at the discretion of the President;
- 5) A chief justice appointed by the President with the advice and consent of the Senate; appeals from the high court to the United States district court for Hawaii;
- 6) No person not a citizen of Samoa to be permitted to own land or to lease it for a period of more than 20 years--a provision designed to continue a policy of 'Samoan land for the Samoans' consistently practiced by the navy.<sup>1</sup>

An interesting aside on this issue of organic legislation is found in the contrasting views of two well-known anthropologists, Margaret Mead on the one hand and Felix Keesing on the other. Ms. Mead believed that it was a wise adaptation of American institutions and ideas to meet the particular conditions of the natives. Mr. Keesing, on the other hand, was skeptical of the ability of the Samoans to function pragmati-

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<sup>1</sup>The American Samoan Commission Report, S. Doc. No. 249, 71st Cong., 3rd Sess., at pp. 7-14 (1931).

cally using American legislative models. He felt that there would be much difficulty arising from the power allowing the fono to override the governor's veto.<sup>1</sup>

A bill to put the recommendations of the Bingham Commission into legislative effect was defeated in five successive Congresses. One objection stated to civilian government for the area was that it would be cheaper to allow the Navy to operate the government. In 1932 the Senate passed a bill giving American Samoa organic legislation, but it was defeated in the House the next year. Much of the stated opposition was based on the fact that "the change would arouse alarm in foreign quarters, not identified by name."<sup>2</sup> Lest Japan be antagonized, the Congress deferred from extending the Bill of Rights to Samoa in conjunction with their decision to refrain from establishing fortified bases in the Pacific.<sup>3</sup>

The real source of opposition to the bills granting Samoa greater self-government seemed to be the Navy Department. Documentation of this allegation is not complete but former governors expressed their opposition to this legislative proposal.<sup>4</sup> The officer in charge of the Naval "Territorial"

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<sup>1</sup>Margaret Mead, "Civil Government for Samoa," The Nation, CXXXII (1931), 226-228; Felix Keesing, Modern Samoa, pp. 209-211.

<sup>2</sup>Earl S. Pomeroy, "The American Colonial Office," Mississippi Valley Historical Review, XXX (March, 1944), 528.

<sup>3</sup>Ibid.

<sup>4</sup>Perkins, Denial of Empire, p. 284.

Office testified in 1932 that the proposed government was too complex and would probably produce chaos, but he offered no objection to the extension of a bill of rights since it was not believed that this would obstruct the present administrative policies. After the defeat of this proposed legislation, Congress ignored American Samoa until after the Second World War.<sup>1</sup>

There were two significant political reforms during the period of Naval Administration, but they were not effected by the Congress. These changes were made by the Department of the Navy. Following the recommendations of the Bingham Commission, a bill of rights was drafted and incorporated into the Code of American Samoa. The other revision was the separation of the position of judge and secretary of native affairs, which had previously been held by one person.<sup>2</sup>

On February 23, 1948, Secretary of the Navy John L. Sullivan, by official directive, amended the Code of American Samoa to provide for a bicameral legislature with advisory capacities. Within the provisions establishing this new legislative body, resolutions approved by its membership could theoretically become a part of Samoan law if approved by the Naval Governor.<sup>3</sup> Even though the primary and final control

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<sup>1</sup>Ibid., p. 285.

<sup>2</sup>Gray, Amerika Samoa, p. 231.

<sup>3</sup>Code of American Samoa, 1949, Chapter 3, Sections 47, 75-84.

of the government continued to rest with the Naval Governor, this broadening of native Samoan advisory responsibilities provided a sizable concession by the Department of Navy.

Officially the Department of Navy summarized their decision to provide a bicameral legislature for Samoa by stating that: "The annual Fono, which acts in an advisory capacity to the Governor, has voted to reorganize into a more democratic body in preparation for the ultimate assumption of legislative power."<sup>1</sup> This attitude of willing accommodation by the Navy, however, must be viewed within the context of prior conditions.

"The Second World War aroused the Samoans, as it did many others whose horizons of hope and expectation had been limited by ignorance of the outside world, to want to share in a more exciting and more abundant way of life."<sup>2</sup> This is reflected in the political demands of the Samoans following the war. On two separate occasions during 1945, Samoan assemblies appealed to the Navy for American citizenship and a greater measure of self-government. Again in November of 1946 the Samoan Fono (or Assembly of Chiefs) adopted a similar request.<sup>3</sup> These were not pretentious petitions: "The Secre-

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<sup>1</sup>U.S. Department of the Navy, Annual Report of the Secretary of the Navy for the fiscal year 1948 (Washington: Government Printing Office, 1949), p. 95.

<sup>2</sup>Perkins, Denial of Empire, p. 285.

<sup>3</sup>Roy E. James, et al., America's Pacific Dependencies, p. 106.



tary of the Navy pursuant to executive orders of the President was charged with the responsibility of administering the civil affairs of the people of Guam and Samoa. In his capacity as governor of an island population of American nationals it was his responsibility" to inform the President and Congress "of the wishes of the people he governs and to protect to the fullest the civil liberties and basic freedoms of these non-self-governing peoples. Among the rights of all Americans is the right to petition the Congress of the United States."<sup>1</sup>

Congress, however, did not learn of the Samoan petitions until March 31, 1947. On that date, while addressing his fellow colleagues in the House of Representatives, Norris Poulson of California presented the Samoan pleas to the Congress. Relevant to his membership on the official investigating committee headed by Secretary of the Interior Julius A. Krug, he was reporting their inspection of the non-self-governing possessions of Guam and Samoa. Representative Poulson charged in his concluding remarks that "the knowledge of the Samoan requests had been deliberately withheld from the Congress of the United States by the Navy Department, James Forrestal presiding."<sup>2</sup>

Although Congressman Poulson later publicly absolved

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<sup>1</sup>Norris Poulson, Congressional Record, 80th Cong., 1st Sess., (March 31, 1947), p. 2900.

<sup>2</sup>Ibid.

Secretary Forrestal of deliberately withholding information, he continued to press for congressional action against the "Naval autocracy in Guam and Samoa."<sup>1</sup> In the Senate less than a week later Senator Hugh Butler repeated Congressman Poulson's demand for congressional action arguing that "the Naval Governments of Guam and American Samoa...are undemocratic and unAmerican. They are absolutisms beyond compare. We should act now to eliminate these monstrosities from the American system."<sup>2</sup>

Outside the halls of Congress similar expressions were reported by the press. Former Secretary of the Interior Harold L. Ickes in August of 1946 authored perhaps the most sensational and spirited indictment against what he characterized as the Navy's policy of tyranny in Guam and Samoa: "A policy scorning every concept of due process of laws and almost every principle of democracy."<sup>3</sup>

While many writers concurred with Mr. Ickes' verbal castigation of the Navy,<sup>4</sup> others such as John P. Marquand

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<sup>1</sup> ~~Norris~~ Poulson, Congressional Record, 80th Cong., 1st Sess., (April 3, 1947), p. A1487.

<sup>2</sup> Hugh Butler, Congressional Record, 80th Cong., 1st Sess., (April 9, 1947), pp. 3219-3220.

<sup>3</sup> Harold L. Ickes, "The Navy at its Worst," Collier's Vol. 118, (August 31, 1946), pp. 22-23.

<sup>4</sup> Among the articles critical of the Naval administrative policies are: Rupert Emerson, "American Policy Toward Pacific Dependencies," Pacific Affairs, Vol. 20 (September 1947), p. 262; Jules France, "Tropical Isle," New Republic, Vol. 116 (April 14, 1947), pp. 46-47; In addition, the New York Times fanned the fire with a series of critical editorials.

wrote of the contributions which the Navy had made as an administrator in the Pacific and the problems which had been overcome. Inevitably, numerous shades of logic were to be found within the broad spectrum between those in favor of and those opposed to the Navy's policies. An analytical argument in behalf of the Navy, submitted by Earl S. Pomeroy, illustrates the subtlety which some writers achieved while discussing the elements of the dispute. Mr. Pomeroy presented the idea that "the governments of Guam and Samoa are not Naval governments, as opposed to civil governments; they are civil governments administered through the Navy Department."<sup>1</sup>

The journalistic flavor and creative argumentation surrounding those discussions accentuated the tenuous status of the Navy's administrative policies in Samoa and other Pacific possessions following World War II. Understanding that this was an uncertain, apprehensive period for the Navy helps to clarify the rationale prompting the Naval governments

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<sup>1</sup>Earl S. Pomeroy, "The Navy and Colonial Government," United States Naval Institute Proceedings, Vol. 71 (March, 1945), p. 295. Other writers supporting the Navy Department policies were: Thomas K. Hitch, "Administration of U.S. Pacific Islands," Political Science Quarterly, Vol. 61 (September 1946), pp. 384-407; Felix M. Keesing, "Administration in Pacific Islands," Far Eastern Survey, Vol. 16 (March 26, 1947), pp. 61-65; John P. Marquand, "Why the Navy Needs Aspirin," Harpers Magazine, Vol 135, (August, 1947), pp. 160-170; John Useem, "Americans as Governors of Natives in the Pacific," Journal of Social Issues, Vol 2, (August, 1946), pp. 39-49; Secretary of the Navy Forrestal provided for his own defense in a letter to the New York Times: James Forrestal, "Naval Government in the Pacific," New York Times (September 24, 1946), p. 28.

to assume "a new benevolence"<sup>1</sup>towards its wards.

Conceivably, the acquisition in trust of the former Japanese mandates--the Carolines, the Marianas, and the Marshalls--did serve in an appreciable measure to accentuate the congressional, journalistic, and public interest concerning future administrative policies in the American possessions of Guam and Samoa. But the essential criteria determining post-war colonial policy in Samoa involved the controversial nature of the government which the Department of the Navy had established therein. In October of 1945 President Truman constituted the Secretaries of State, War, Navy, and Interior as an ad hoc committee to make recommendations relating to the future role of such governments in Guam, Samoa, and the Trust Territory of the Pacific Islands.<sup>2</sup>

During early 1947 two additional investigating bodies were assigned to study the Naval administrations of Guam and Samoa. The Secretary of the Navy, James V. Forrestal, on January 8, 1947, appointed a civilian committee headed by Ernest M. Hopkins, former President of Dartmouth College, to make a personal inspection of both Guam and Samoa. At approximately the same time, Secretary Krug's committee was also conducting their investigation.

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<sup>1</sup>Roy E. James, et al., America's Pacific Dependencies, p. 129.

<sup>2</sup>Julius W. Pratt, America's Colonial Experiment, p. 230.

The Hopkins Committee report, dated March 25, 1947, recommended that the territories of Guam and American Samoa be given citizenship and an organic act.<sup>1</sup> Although Secretary Krug's report was never officially released, there is no doubt that he also advocated the enactment of organic legislation for Guam and American Samoa.<sup>2</sup> By June of 1947 the committee of Cabinet members appointed by President Truman recommended:

- 1) Separate organic legislation for Guam to provide civil government and to grant citizenship, a bill of rights, and legislative powers to Guamanians should be enacted this session. In recent hearings on such organic legislation, the Departments have recommended the transfer of administration from the Navy Department to a civilian agency designated by the President at the earliest practicable date, the exact date to be determined by the President.
- 2) Organic legislation for American Samoa, providing civil government and granting citizenship, a bill of rights, and legislative powers, should be prepared by the Navy and Interior Departments and presented to the next session of Congress.
- 3) Suggestions for organic legislation for those Pacific islands placed under United States trusteeship are in preparation by the Department of State for presentation to Congress, provided favorable congressional action is taken on the trusteeship agreement to be shortly presented for approval.
- 4) The Navy Department should continue to have administrative responsibility for Guam and American Samoa on an interim basis pending the transfer to a civilian agency of the Government at the earliest practicable date, such

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<sup>1</sup>U.S. Department of the Navy, Hopkins Committee Report for the Secretary of the Civil Governments of Guam and American Samoa, March 25, 1947, (Naval Air Station, Moffett Field, California), p. 54.

<sup>2</sup>Roy E. James, et al., America's Pacific Dependencies, p. 91.

date to be determined by the President. With respect to the trust territory, a similar transfer should be effected by the President at the earliest practicable date.

5) Provided Congress acts favorably on the trusteeship agreement, an Executive Order should be issued when the agreement enters into force, terminating military government in the trust territory and delegating civil administration to the Navy Department on an interim basis, subject to the conditions set forth in paragraph 4.<sup>1</sup>

Each of the recommendations proposed by the investigative groups called for significant alterations of the Naval-administered form of government that had been maintained in Samoa. In addition, a number of bills proposing liberalization of the government of American Samoa were placed before the 80th Congress. The approval and creation of a bicameral legislature in 1948 became essentially a conciliatory gesture on the part of the Navy against this volatile background. Congress, the press, and the special investigations had already made the Navy sensitive to the waves of the future.

Spokesmen for American Samoa related their apprehension concerning the proposed congressional legislation.<sup>2</sup> The Samoan leaders who had asked for an advisory legislature, at the same time requested a "continuance of the United States Navy in American Samoa under a naval civil administration." In February of 1948, some 93 chiefs asked that all bills in

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<sup>1</sup>G. C. Marshall, "Report of the Secretary of State," Department of State Bulletin, June 29, 1947, pp. 1312-1313.

<sup>2</sup>Roy E. James, et al., America's Pacific Dependencies, p. 130.

Congress relating to Samoe, specifically the issue of citizenship as well as an organic act, be held in abeyance for a decade or more. In November the Samoan chiefs requested that "the form of government in force since its inception on February 25, 1948, be continued forevermore." A congressional investigating committee discovered that Samoans were fearful that too much rather than too little would be done to define their civil status.<sup>1</sup> The matai feared that the prohibition of involuntary servitude might restrain their customary authority, which was demonstrated to the Congressmen when men were required to take part in the sword dance and group singing, with arbitrary fines for those who failed to appear. The Samoans on Manua were especially desirous of being left alone. A high chief of Manua wrote that he could not "help expressing the fear that is behind my own mind that the coming too soon of a change will only sow the seed for an unhappy and vanishing Samoan."<sup>2</sup> Concerning citizenship, the investigating committee felt that it should be tabled because it might obstruct the possibility of a possible union between Eastern and Western Samoa. When Congress passed an Organic Act for Guam and gave its residents citizenship in 1950, sections giving special protection to the Guamanians were challenged and ultimately deleted from the legislation. Samoan

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<sup>1</sup>Perkins, Denial of Empire, p. 287.

<sup>2</sup>Ibid.

chiefs were afraid of similar results, and they opposed any further consideration of an Organic Act unless they could be given assurance of protective provisions.<sup>1</sup>

Without waiting for the Congress to enact organic legislation, President Truman in May of 1949 had directed the Secretaries of the Navy and the Interior to prepare for the transfer of both Guam and American Samoa from the Navy to the Department of the Interior.<sup>2</sup> The transfer occurred then without congressional legislation; rather civilian government came to American Samoa by executive order. On July 3, 1951, President Truman issued the order to effect the change of administration.<sup>3</sup>

#### Administration by the Department of the Interior

In Secretarial Order No. 2657, signed on August 29, 1951, by R. D. Searles, Acting Secretary of the Interior, the limits of authority for the Government of American Samoa were outlined anew. Some of the significant changes included: a directive that initial contacts of substance by the island

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<sup>1</sup>Keesing and Keesing, Elite Communication in Samoa, p. 257.

<sup>2</sup>Harry S. Truman, "Letter to the Secretary of the Interior on the Transfer of the Pacific Islands to Civilian Administration," Public Papers of the President, 1949 (Washington: Government Printing Office, 1950), p. 254.

<sup>3</sup>U.S. President, Executive Order 10264, "Transfer of the Administration of American Samoa from the Secretary of the Navy to the Secretary of the Interior," Federal Register, XVI, No. 128, July 3, 1951, 6417, 6419.



government with Federal agencies other than Interior were to go through the Office of Territories of the Department of the Interior;<sup>1</sup> another change required that communications of insular authorities with foreign governments were to be cleared through Interior for transmittal by the Department of State, "unless some other procedures [were] approved by the Secretary of the Interior"; and that the budget for the territorial judiciary was to be drafted by the Chief Justice of American Samoa, and then submitted for Interior's approval by the Governor of American Samoa--and as a separate item in the annual Samoan budget.<sup>2</sup>

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<sup>1</sup>By Secretarial Order No. 2942, dated May 27, 1971, the responsibilities for administration of the U.S. territories and the Trust Territory of the Pacific Islands were transferred as of July 1, 1971, to the newly created Deputy Assistant Secretary for Territorial Affairs, under the Assistant Secretary for Public Land Management. The primary objective of this reorganization was to change the nature of territorial assistance and services from what previously were principally custodial and administrative services to services oriented toward the providing of adequate, high-level professional and technical assistance. Since 1969, much progress has been made in developing within each territorial government the capabilities for internal administrative self-sufficiency, thereby greatly reducing, or even eliminating, the need for much of the assistance of this nature formerly provided by the Office of Territories. This reorganization provides departmental staff who aid in the provision of essential professional and technical skills, and assistance. This staff works directly with territorial administrators, with much of their effort of an on-site personal assistance basis. Found in: U.S. Congress, Senate, Committee on Appropriations, Office of Territories, Hearings, before a subcommittee of the Committee on Appropriations, Senate, on H.R. 9417, 92d Cong., 1st Sess., 1971, pp. 3961-3964.

<sup>2</sup>U.S., Secretary of the Interior, Secretarial Order 2657, "Government of American Samoa," Federal Register, XVI, No. 173, September 6, 1951, p. 9052.

Early in 1953 both the legislature and the judiciary underwent extensive reorganization. The upper house, the House of Ali'i, now became a Senate of fifteen chiefs chosen in "open meetings" according to traditional custom; and the House of Representatives was reduced to a membership of eighteen Samoans elected by secret ballot which was the first secret general election in Samoan history, with five elected from each of the three districts, one from Swains Island, and two from those permanent residents not living under the matai system. The election was considered to be a great success. Of interest was the fact that of the sixteen men and two women who were first elected to the reorganized House of Representatives, "twelve of those elected, including two women, were not holders of Samoan chiefly titles [matais]."<sup>1</sup>

The judicial system under the reorganization consisted of a High Court with a Chief Justice assisted by four Associate Judges, and five District Courts, each presided over by an Associate Judge unless the Chief Justice chose to sit simultaneously with him. The Chief Justice, appointed by the Secretary of the Interior, was the only "statesider" serving on any of the courts. The Associate Judges were appointed by the Governor, upon recommendation by the Chief Justice.<sup>2</sup> The High Court had three divisions: trial, pro-

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<sup>1</sup>U.S. Department of Interior, Annual Report of the Governor of American Samoa, 1953 Washington: Government Printing Office, 1954), p. 4.

<sup>2</sup>Ibid., pp. 7-8.

bate, and appellate. The trial court was composed of the Chief Justice and at least one Associate Judge from a District Court; the probate court consisted of the Chief Justice only. The appellate court comprised the Chief Justice and at least two Associate Judges. The only appeal from the appellate division was from a decision affirming the death sentence; the appeal went to the Secretary of the Interior. Samoans participate in all cases with the exception of particular probate cases.<sup>1</sup>

It has been judicially declared by the courts that the fundamental human rights of the American Samoans are protected by the Constitution of the United States. The American Samoan Bill of Rights modeled after the Bill of Rights in the Constitution also guarantees the protection of the fundamental human rights of the people of American Samoa.<sup>2</sup>

However, the Chief Justice is appointed by the Secretary of the Interior and owes him primary responsibility and there is no provision for appeal. The village courts were abolished.<sup>3</sup>

In 1953 the Governor, Richard B. Lowe, suggested that the Samoan people consider the drafting of a constitution for the territory. The legislature welcomed the idea and petitioned the Governor to send the proposal on to the Secretary of the Interior, who promptly approved it. A constitutional committee was then created, and in June of 1954 began work

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<sup>1</sup>Ibid.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid.

on the fashioning of Samoa's first constitution.<sup>1</sup>

After six years of starts and stops, the Constitution was drafted and presented for approval in 1960. Ratified and approved by Secretary of the Interior, Fred A. Seaton on April 27, 1960, and adopted by the Constitutional Convention of the Samoan people that same day, the Constitution went into effect on October 17, 1960.<sup>2</sup>

Under this Constitution, the legislature could no longer be considered merely an advisory body. Article II, Section 9, provided among other changes that:

Every bill, having passed both Houses, shall be signed by the President of the Senate and the Speaker of the House, and shall, before it becomes a law, be presented to the Governor for his approval. If he approves it, he shall sign it and it shall become a law, and he shall deposit it in the office of the Secretary of American Samoa. But if it be not approved by him, he shall return it with his objections to the House in which it originated, which shall enter the same in their journal. Any bill not returned by the Governor within 20 days, after having been presented to him, shall become a law, whether signed by him or not, unless the Legislature by adjournment prevent such return, in which case it shall not become a law unless the Governor, within 45 days after adjournment shall sign it, in which case it shall become a law in like manner as if it had been signed by him before adjournment; and the Governor shall deposit it in the office of the Secretary of American Samoa.

Not later than 14 months after the bill has been vetoed by the Governor, it may be passed over his veto by a two-thirds majority of the entire membership of each House but may not be so re-passed at the same session at which originally passed.

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<sup>1</sup>U.S. Department of Interior, Annual Report of the Governor of American Samoa, 1954 (Washington: Government Printing Office, 1955), pp. 2-3.

<sup>2</sup>Ibid., (1961), p. 8.

A bill so repassed shall be re-presented to the Governor for his approval. If he does not approve it within 20 days, he shall send it together with his comment thereon to the Secretary of the Interior. If the Secretary of the Interior approves it within 90 days after its receipt by him, it shall become a law; otherwise it shall not.

In the event that the Governor has submitted to the Legislature proposed legislation which he has designated as urgent, and the Legislature has failed to pass the same in its original form or an amended form acceptable to the Governor at the session in which it was submitted, the Governor may himself, with the approval of the Secretary of the Interior, promulgate such proposed legislation as a law.<sup>1</sup>

The membership of the Legislature under the 1960 Constitution consisted of sixteen Senators, all of whom were to be "elected in accordance with Samoan custom by the county council of the county he is to represent;" and Representatives not to "exceed 24" in number who were to be elected by secret ballot of the "qualified electors." Swains Island was accorded the option of having a Delegate in the House, elected in "open meeting," who would be afforded all privileges except that of voting. Each Senator was to serve for a term of four years, except the additional Senator from the Western District, whose term, like that of the Representatives and any Delegate from Swains Island, was limited to two years.<sup>2</sup>

No one holding any other public office was to be eli-

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<sup>1</sup>1960 Constitution of American Samoa, Article II, Section 9, as found in Oren E. Long and Ernest Gruening, Study Mission to Eastern (American) Samoa, Report to the Committee on Interior and Insular Affairs, U.S. Senate, 87th Congress, 1st Sess., Senate Document No. 38 (Washington: Government Printing Office, 1961), p. 172.

<sup>2</sup>Article II, Sections 2-6, as found in ibid.

gible, while in that position, to membership in either house of the legislature. Elections were to be held biennially in each even-numbered year beginning on the first Tuesday after the first Monday in November and would extend not longer than three weeks thereafter.<sup>1</sup>

In 1966 a new constitutional convention was convened, as required by the 1960 constitution; at that time the Samoan representatives drafted a revision of the 1960 charter. It was ratified in the general election of that year, approved by the Secretary of the Interior on June 2, 1967, and went into effect on July 1, 1967.<sup>2</sup>

Among the more significant changes were those affecting the legislature. The Senate was now to consist of eighteen members, "Three from the Manu'a District, six from the Western District, and nine from the Eastern District." As before they were to be chosen by county councils. House Membership was fixed at twenty, elected by secret ballot from seventeen specified districts, plus any Delegate from Swains Island elected in open meeting. Senators and Representatives alike were to be "reapportioned by law at intervals of not less than five years."<sup>3</sup> Elections would extend to as much as four

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<sup>1</sup>Ibid.

<sup>2</sup>U.S. Department of Interior, Annual Report of the Governor of American Samoa, 1967 (Washington: Government Printing Office, 1968), p. 10.

<sup>3</sup>Constitutional of American Samoa, Revised 1966, Article II, Section 2.

weeks following the first Tuesday after the first Monday in November, not three weeks as stipulated in the 1960 Constitution.<sup>1</sup>

Provisions concerning the Governor's veto powers were substantially revised, not only in terms of time limits but also with reference to repassage of vetoed bills--they now could be repassed at any session of the legislature. The revised section states:

Every bill, having passed both Houses, shall be signed by the President of the Senate and the Speaker of the House, and shall, before it becomes a law be presented to the Governor for his approval. If he approves it, he shall sign it and it shall become a law, and he shall deposit it in the office of the Secretary of American Samoa. But if it be not approved by him, he shall return it with his objections to the House in which it originated which shall enter the same in their journal. Any bill not returned by the Governor within 10 days (Sundays excepted) after having been presented to him, shall become a law, whether signed by him or not, unless the Legislature by adjournment prevent such return, in which case it shall not become law unless the Governor, within 30 days after adjournment shall sign it, in which case it shall become law in like manner as if it had been signed by him before adjournment; and the Governor shall deposit it in the office of the Secretary of American Samoa.

Not later than 14 months after a bill has been vetoed by the Governor, it may be passed over his veto by a two-thirds majority of the entire membership of each House at any session of the Legislature, regular or special. A bill so repassed shall be re-presented to the Governor for his approval. If he does not approve it within 15 days, he shall send it together with his comment thereon to the Secretary of the Interior. If the Secretary of the Interior approves it within 90 days after its receipt by him, it shall become a law; otherwise it shall not.<sup>2</sup>

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<sup>1</sup>Ibid., Section 4.

<sup>2</sup>Ibid., Article II, Section 9.

Another change in the new Constitution allows the American Samoa Legislature to appropriate funds that are raised from local sources; the Legislature did not have this authority before this change.<sup>1</sup>

The new Constitution also gives the legislature a new role in the preparation of the territory's budget. This process was previously done by the Governor and the Secretary of the Interior, but the new Constitution requires the Governor to submit a preliminary budget plan to a special session of the legislature, which may make recommendations. The Governor may adopt their recommendations, but if he does not adopt them, he must forward those recommendations with the final budget to the Secretary of the Interior.<sup>2</sup>

Another section gives the President of the Senate and the Speaker of the House of Representatives an equal voice with the Governor in choosing a legislative counsel.<sup>3</sup>

In July of 1971 the legislature began operating under a constitutional change proposed in Senate Joint Resolution No. 5 of the Second Regular Session of the Eleventh Samoan

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<sup>1</sup>Ibid., Article II, Section 1.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid., Article II, Section 20. "The position of legislative counsel shall be a full-time position and compensation for the counsel shall be budgeted by the Governor at a grade level equivalent to that of the highest grade Assistant Attorney General of the Government of American Samoa. The legislative counsel shall also be the director of the Legislative Reference Bureau."



Legislature and approved by the voters in the 1970 general election. The annual 40-day regular session was eliminated in favor of two 30-day regular sessions to be held each year the first beginning on the second Monday in January each year and the second session to begin on the second Monday in July of each year.<sup>1</sup>

In March of 1970 several laws were enacted expanding the judiciary. A traffic court, a small claims court, and a matai title court were created. And village magistrates were to be named in every village to handle minor infractions of the law. Two months later the High Court itself established a legal aid and lawyer referral system.<sup>2</sup>

In 1969 a Political Status Commission, consisting of legislators and "concerned citizens," was created by the legislature. A year later that commission recommended in its report that American Samoa remain an unincorporated and unorganized territory for the present, but it also called for the popular election of the Governor by 1976.<sup>3</sup>

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<sup>1</sup>"American Samoa Legislature Begins Full-Time Session," State Government News, Vol. 14, No. 8 (August, 1971), p. 3.

<sup>2</sup>United Nations, General Assembly, Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, American Samoa and Guam: Working Paper Prepared by the Secretariat, Document A/AC. 109/L. 717, 1 July 1971, p. 5.

<sup>3</sup>U.S., Congress, Senate, Committee on Appropriations, Hearings, before the Subcommittee on Appropriations for the Department of the Interior and Related Agencies for Fiscal Year 1971, on H.R. 17619, 91st Cong., 2nd Sess., pt. 1, p. 440.

In November of 1970, High Chief A. U. Fuimaono, Director of Agriculture, was elected in the islands' first territory-wide election as American Samoa's first official representative in Washington. He was entrusted with representing "the view of the Samoan people before all branches and agencies of the Federal Government including the Interior Department and Congress."<sup>1</sup>

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<sup>1</sup>Washington Post (November 16, 1970), p. A9.

## CHAPTER IV

### ECONOMIC DEVELOPMENT OF AMERICAN SAMOA

#### Human Resources

In discussing the economic development of American Samoa a few observations from the most recent full scale study of the Samoan economy are in order. In spite of the remoteness of American Samoa geographically, its economy is fundamentally tied to that of the United States. Although the territory still retains aspects of a developing area, "it is essentially a U.S.-linked economy that, by chance, is set geographically in the underdeveloped world,"<sup>1</sup> American Samoa is quite different from its Polynesian neighbors because of a variety of factors. Some of the more significant factors include: 1) the 70 cent. per hour territorial minimum wage and the \$1.10 per hour minimum cannery wage; 2) a rapidly rising per capita income that is already several times higher than those in surrounding islands; 3) the significant infusions of financial assistance from the United States government; 4) a Hawaiian and West Coast escape valve for its population; 5) the marketing advantages conferred by its special

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<sup>1</sup>U.S. Department of Commerce, Economic Development Administration, Economic Development Program for American Samoa, Wolf Management Services, Contract No. 8-35341 (Washington, D.C.: Government Printing Office, February, 1969), p. 3.

relationship to the United States (for example, its ability to develop a "domestic" tuna canning industry which affords certain financial advantages); 6) the considerable power that a United States airline brings to bear in its favor on regional travel and tourism patterns; and 7) the potential advantages that the territory's special legal status provides for certain United States businesses.<sup>1</sup>

The population growth in American Samoa has a high correlation with employment, to the extent that lack of employment opportunity appears to produce an emigration rate which is equivalent to 85 per cent of the natural increase in the population over extended periods of time. This was the actual experience of the islands in the 1950-60 decade. About 24 per cent of the entire population of American Samoa emigrated during this period. The pattern shows that mainly family units left, with only the very old returning. The data indicates that the inclination to emigrate was particularly strong in the 20-39 age groups, especially among Samoan men --more than 50 per cent of whom left the islands. Also significant were the numbers of young women who left, taking their infants and young children along with them.<sup>2</sup>

Currently natural population growth is estimated at 3.77 per cent. Without a parallel increase in job opportuni-

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<sup>1</sup>Ibid.

<sup>2</sup>Ibid., pp. 29-30.

ties American Samoa will become even more dependent on the United States for financial assistance. This situation will undoubtedly hamper the political aspirations of American Samoans for a greater degree of self-government.

While the islands have a 3.77 per cent annual rate of natural increase, the migration factor is very important in population estimation. There is a high inverse correlation between emigration and local economic activity and employment. In 1940-50, there existed a period of high economic growth and low migration; in 1950-60, when the reverse was true, population only increased 6 per cent and there was an absolute decline of almost 20 per cent in the number of males aged 20-39 in the territory. The fiscal year 1967-68 saw a surge of economic activity which brought about a population rise of 10 per cent. Although voluntary emigration relieves population pressure, the Government of American Samoa has the responsibility to see that these emigrees do not merely migrate to poverty; thus the role of adequate education for a technological society becomes paramount in economic planning.<sup>1</sup>

The Wolf Management Services suggested a simple means of population control. The first suggestion is the continuation and expansion of a family planning information program. The second suggestion is that an effort be made to expand the employment at a realistic rate.<sup>2</sup>

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<sup>1</sup>Ibid., p. 4.

<sup>2</sup>Ibid., p. 40.

In discussing the economic system of Samoa one must consider the role played by the aiga and the matai. The aiga means the extended family and the head chief is the matai of that Aiga. Although in recent years the boundaries of custom have expanded to accommodate some of the individual aspirations characteristic of a cash society, the tradition of distributing all of the aiga's income through the matai presents some lingering problems for economic development. Apparently the distribution aspects of the ancient Samoan economy were founded on the fact that most products that were caught or gathered or grown by the family were highly perishable. Fish and fruits spoil quickly in the tropics, so it is more reasonable to distribute them immediately among members of the aiga than to try to store a portion of the crop for future use. The fishing and growing seasons are continuous throughout the year; there is no unproductive winter for which food must be stored.<sup>1</sup>

In the past, the Samoan solution to achieving a fair distribution of the yield was to entrust the decision about sharing resources to the wisest, most responsible member of the group--the matai. Despite the fact that in this system the choice cuts of meat and more generous portions of vegetables often tended to end up in the hands of the highest

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<sup>1</sup>Keesing and Keesing, Elite Communication in Samoa, pp. 79-80.

ranking members of the household, the matai distribution system appeared to work rather satisfactorily until the advent of a money economy in which Samoans began to work for wages.<sup>1</sup>

In the present-day economy, the growing numbers of Samoans working for the government or for business firms face a serious conflict in deciding between the old practice of turning over all income to the matai and the newer possibility of determining for oneself how to spend the dollars. Some others give a portion and save the remainder, sometimes surreptitiously, for personal use in the future, and still others keep all of their income, giving funds to the matai only when a family emergency appears to require it.<sup>2</sup>

In many cases, as money economy expands to encompass new communities, the islanders' old system of distributing family resources is suffering an agonizing period of change. The problem of motivating aiga members who are required to give all income to the matai is a complex one. "When an American Samoan derives little personal benefit from the wages he earns, his incentive to work more diligently, or in more de-

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<sup>1</sup>John Griffin, Samoa of Samoa (New York: Alicia Patterson Fund, December 1969), p. 7.

<sup>2</sup>In general, the old customs are most prevalent at the greatest distances from centers of cash economic activity. The matai's economic function is principally that of a land manager in the Pago Pago area, while tradition may survive intact in parts of the Manu'a Islands.

manding occupations, can be vitiated."<sup>1</sup>

American Samoan attitudes toward labor, property, authority, hierarchies, and individual initiative hold important inferences for economic development. Concerning the Samoan attitude on labor, observers have indicated that many Samoans are indolent. In Western tradition this attitude has its drawbacks because it reduces the effectiveness of economic effort. Samoans certainly follow a more leisurely work schedule than has been the ideal in more Western societies, but their less frantic pace is generally considered a natural result of the physical environment in which Samoan culture has evolved. In a tropical island atmosphere requiring little effort to feed, clothe, and shelter the community, one might logically expect work to be viewed as not so important as in a society that has developed in less fertile terrain, under severe weather conditions, and with a short agricultural season available each year. The idea that hard work should be regarded as a virtue, in and of itself, is not a customary part of the Samoan value orientations. However, Samoans do work diligently and for long periods of time at occupations that have significance for them; for example, during former days when women spent many hours laboring to make pandanus

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<sup>1</sup>U.S. Department of Commerce, Economic Development Administration, Economic Development Program for American Samoa, p. 54.



leaf floor mats, or presently when Samoans work in the fish-room and packing operations of the Pago Pago Harbor cannery complex.

The traditional authoritarian and centralized European or Japanese public agency or business concern, with subordinates unquestioningly performing as directed by their superiors, is more akin to the social structure with which Samoans are most familiar, rather than the more flexible and more decentralized structure of American enterprise. The youth most highly regarded by older members of the Samoan community is usually the one who adheres closely to the fa'a Samoa (the Samoan way) by honoring and obeying people of greater age and rank than his own. As a result, the Samoan employee often accepts authority more willingly and politely than his American counterpart, but he is also less self reliant and tends to use less initiative in the accomplishment of a particular task.<sup>1</sup>

In examining the economy of American Samoa one finds that the role of education is vital. In order to compete in a modern technological system the level of educational development is paramount. Prior to the arrival of missionaries in the 1830's, there were no schools, no textbooks, and no professional teachers in Samoa. Young people learned vocations by working alongside their parents. Children learned social customs, the citizen's duties, and consumer skills by imitating

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<sup>1</sup>Ibid., p. 63.

their elders, and through constant instruction from older sisters and brothers who were charged with supervising the young. The complexities of Samoan genealogy and the chieftain system were learned from the lengthy recitations of talking chiefs on ceremonial occasions. To a marked extent, this informal community education is still the most important source of learning about vocational, citizenship, social and consumer roles for the bulk of Samoan society.<sup>1</sup>

Samoans are keenly aware of the value of a modern education and the government has made school attendance compulsory for all children up to sixteen years of age. In addition, an ambitious program of adult education is pursued. Educational functions are guided by the Department of Education in the government, whose director is appointed by, and directly responsible to, the governor of American Samoa.<sup>2</sup>

In 1970, after an executive and legislative study of several proposals, the University of Hawaii was chosen as educational consultant to American Samoa. During this year plans were made to start American Samoa's first community college and after an absence of seven years, to reinstate vocational

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<sup>1</sup>Ibid., p. 65.

<sup>2</sup>U.S. Department of Interior, Annual Report of the Governor of American Samoa, 1970 (Washington, D.C.: Government Printing Office, 1971), pp. 17-21.

training in the four high schools.<sup>1</sup>

Special emphasis currently is being placed on an Early Childhood Education Program for approximately 2,200 pre-school children attending 85 village centers with 85 trained parent teachers. There are also some 200 Samoan men and women in teacher training for the village program.<sup>2</sup>

On the secondary level, several directional changes have been initiated. Because English language and structure was not given proper emphasis in prior years, students' poor English language skills do not enable them to assimilate lesson content. This is the primary reason for the low levels of achievement attained by the Samoan student. As a result, it has been extremely difficult for these graduates to successfully obtain employment or to further their education in off-island schools. As a result of this situation greater emphasis is being placed on the development of students' English skills by using English-speaking native classroom teachers for intensive instruction. Vocational training, essentially eliminated in 1964 when television schooling was begun, has been re-introduced to meet the expanding economic needs of the territory. In 1972 pre-vocational training at the highschool

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<sup>1</sup>United Nations, General Assembly, 22d Session, 1 July, 1971, Report of the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, A/AC. 109/L. 717, p. 9.

<sup>2</sup>Ibid.

level was given increased emphasis to enable high school graduates to obtain semi-skilled employment or further their training in the Community College of American Samoa.<sup>1</sup>

The initiation of the Community College is fiscal year 1971 with full implementation programmed in fiscal year 1972 is designed to help meet the employment and income projections by providing a skilled labor force. In fiscal year 1971, the operation of the Community College was substantially more successful than anticipated. The full-time equivalent enrollment was 464 students with 375 being enrolled in occupational programs. In fiscal year 1972, it was expected that 600 students would be enrolled in the Community College with approximately 425 graduating by 1974. Additional training will be derived from extension services in both fisheries and agriculture and on-the-job training. All these programs are to be coordinated by the territory-wide government employment office which was established in 1972.<sup>2</sup>

#### Infrastructure of Economic Development

American Samoa's natural resources consist in the main of its people and magnificent scenic beauty. It has no known mineral deposits. Although most of the territory's 76.2 square

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<sup>1</sup>U.S. Congress. House, Committee on Appropriations, American Samoa. Hearings before subcommittee of the Committee on Appropriations, House of Representatives, 92d Cong., 1st Sess., March, 1971, pp. 587-588.

<sup>2</sup>Ibid.

miles of land is mountainous and unsuitable for agriculture, there appears to be sufficient land and water resources for agricultural production that will be needed for the foreseeable future. The soil ranges from rich alluvial valleys to tuff plains. Tropical fruits and vegetables can grow quite well in the valleys, although organic matter content is quickly depleted from the soil if fertilizers are not used.<sup>1</sup>

The South Pacific Commission is an inter-governmental organization established after World War II to promote the development and progress of the peoples of the South Pacific. The Commission is an advisory and consultative body which supports and complements the programs of its participating governments through the exchange of information, furnishing of technical assistance, and various modest projects in the fields of economic and social welfare and development. The Commission sponsors research; conducts technical conferences and training courses; supplies technical advice to local governments; acts as a clearing house for scientific and technical information particularly applicable to the Pacific area; and brings together the several Pacific peoples at all levels in seminars, study groups, conferences and meetings.<sup>2</sup>

The Commission is the only international organization

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<sup>1</sup>John W. Henderson, et al., Area Handbook for Oceania, pp. 470-474.

<sup>2</sup>U.S. Congress, House, South Pacific Commission, H. Rep. 1523 to Accompany H. J. Res. 1162, 91st Cong., 2d Sess, 1970, pp. 1-2.

whose charter embraces specifically and exclusively the Pacific area. The geographical scope of the Commission includes 16 territories: the Territory of Papua and New Guinea, New Caledonia, French Polynesia, Wallis and Futuna Islands, Cook Islands, Niue, Tokelau Islands, Fiji, British Solomon Islands Protectorate, Gilbert and Ellice Islands, New Hebrides Condominium, and the U.S. administered territories of American Samoa, Guam and the Trust Territory of the Pacific Islands. In addition, the Kingdom of Tonga participates to some extent in Commission activities.<sup>1</sup>

The member governments of the South Pacific Commission contribute to a common fund in the following fixed percentages: Australia, 31 per cent; United States, 20 per cent; United Kingdom, 17 per cent; New Zealand, 16 per cent; France, 14 per cent; Western Samoa and Nauru, 1 per cent each. The assessed budget of the Commission for calendar year 1960 was \$996,800 of which the United States share was \$199,360.<sup>2</sup>

The Government of American Samoa has made relatively little use of the South Pacific Commission. The expertise needed by American Samoa is usually of a more sophisticated and specialized nature than is available from that source which, of necessity, is staffed to face the major problem of the South Pacific which is the need to elevate a subsistence economy to one of a peasant level. More useful help

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<sup>1</sup>Ibid.

<sup>2</sup>Ibid., p. 2.

generally is received by the territory from other agencies such as the University of Hawaii and its East-West Center.<sup>1</sup>

American Samoa enjoys a greater economic level of prosperity than do the neighboring islands of Western Samoa. For example, wages in American Samoa are three to four times that of any area in the South Pacific. Minimum wage in American Samoa ranges from 50 cents to 88 cents per hour. This creates a problem since aliens want to come into American Samoa because the wages are higher than in Western Samoa where the prevailing wage is approximately 30 cents per hour. Almost 200 people visit American Samoa monthly. Most of these people come from Western Samoa to visit relatives, but many attempt to stay and work for short periods of time.<sup>2</sup>

Another illustration of American Samoa's economic standing is found in its per capita income, which is about \$500 for a population of 30,000.<sup>3</sup> Western Samoa's per capita income is estimated at \$75 for a population of 140,000.<sup>4</sup>

American Samoa's status as a United States possession is the chief reason for its advantageous position in

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<sup>1</sup>U.S. Department of Commerce, Economic Development Administration, Economic Development for American Samoa, p. 117.

<sup>2</sup>U.S. Congress, House, Committee on Appropriations. Hearings before the Subcommittee on Appropriations, Department of the Interior, Monday, March 8, 1971, p. 724.

<sup>3</sup>Ibid., p. 730.

<sup>4</sup>U.S. Department of State, Background Notes - Western Samoa, December, 1971, p. 4.

intercontinental air traffic. Pan American Airways is making the territory a focal point in its South Pacific operations, and its effort is being seconded by American Airlines. As of August, 1972, Pan American made four flights a week to Pago Pago, while American Airlines had two flights a week. To a visible extent, Pago Pago's fabled harbor, which was the original source of Western interest in Tutuila, is still a main reason for its frequency as a port of call for United States and foreign vessels.

The roads on Tutuila bring most of the island's population within easy and speedy access to its administrative and business center, but with the ruggedness of Tutuila's terrain, villages that are as few as several miles away from a good road exist in semi-isolation. The basic cause for poor inter-island transportation within the territory is economic in origin. Clearly the cost of providing frequent inter-island transportation and a comprehensive road system for the rugged Manu'a islands is difficult to justify solely on the basis of current economic activity. Yet if transportation does not exist to carry the current or potential agricultural products of those islands to market on Tutuila, the economic development of the area will not excel and Manu'a will continue to lose their population to Tutuila.<sup>1</sup>

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<sup>1</sup>U.S. Congress, Senate, Committee on Interior and Insular Affairs, Study Mission to Eastern (American) Samoa, by Senators O. E. Long and E. Gruening, Committee Print, 87th Cong., 1st Sess., 1960, pp. 44-46.



The transportation problem of the Manu'a group revolves about its lack of a wharf. A 1954 attempt by the Department of Public Works to build a wharf on Ta'u at Faleaseo failed. Under current conditions, a vessel, when it comes to Ta'u to pick up or deliver passengers and cargo, has to anchor a considerable distance offshore beyond the reef and wait for the longboats to bring the people and goods to be loaded. The trip in a longboat from the shore to the vessel is precarious, most often encountering high waves and rough seas. At best, the transfer between longboat and vessel is difficult. Frequently it is impossible.<sup>1</sup> Thus transportation to Manu'a remains irregular and undependable in the absence of wharves. Until they are built, Manu'a will be effectively shut off from American Samoa's future progress in economic development.

Recently in subcommittee hearings Governor Haydon indicated that American Samoa had received some \$500,000 annually for three years from the Department of Transportation to fund the widest road on the island which meets federal inspection standards. Furthermore it provides for an easier access to Tutuila for commercial activity.<sup>2</sup>

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<sup>1</sup>Ibid., pp. 48-50.

<sup>2</sup>U.S. Congress, House, Committee on Interior and Insular Affairs, Samoan Elected Governor, Hearings, before a subcommittee of the Committee on Interior and Insular Affairs, House of Representatives, on H.R. 12493, 92d Cong., 2d Sess., 1972, p. 17.

Communications within American Samoa are almost entirely the function of the Government of American Samoa, which operates the telephone and telegraph, including domestic and overseas services, radio and television broadcasting, and the newswire service. There are two newspapers on Tutuila. One of the papers, the News Bulletin, is published by the Samoan Office of Information in the government. It is an English-language daily with a circulation of around 2,000 per issue. The other newspaper, the Samoa Times, is a private, independent weekly published in both English and Samoan. According to its owners, the weekly circulation is 8,000 copies.<sup>1</sup>

One source of contention in American Samoa has been the dual wage scale which paid a Samoan with the same qualifications as a palagi (statesider) a much lower salary. Even though this dual compensation system existed the native salaries were still much higher than those in the surrounding region. Since the appointment of Governor John M. Haydon in August of 1969, this inequity has been virtually eliminated. The effect of this policy change has been the successful recruitment of qualified Samoans to fill needed positions in American Samoa. Many of these positions involve the replacing of a palagi with a native Samoan, which prior to the

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<sup>1</sup>John W. Henderson, et al., Area Handbook for Oceania, p. 487.

equalization of the wage scale, was very difficult to do. An example of the wage inequity is found in the hiring of physicians. The contract salary of a palagi physician was \$24,000, while a Samoan physician with the same qualifications would be paid only \$8,000. Generally the wages in the public and private sector of American Samoa are acceptable to the Samoans.

The Department of Public Works concentrated on twenty-three major projects during the fiscal year 1970. For example, the Eastern District road on Tutuila was paved to Tula, and work was completed on the extensions of primary and secondary roads throughout the territory. Village trails in the Manu'a Islands and on Tutuila were graded, widened, and extended.<sup>1</sup>

A major problem has been water rationing, even though this area has a heavy rain fall. Potential water resources were increased by approximately one million gallons per day, primarily as a result of additional wells, enlargement of the Vaipito Reservoir, and extension of the island-wide water system.<sup>2</sup>

Sewer improvements, one of the long-term major programs continuing in public works, was advanced by the completions of the Aunu'u sewer system and the Aua sewer outfall. Extension of the main Pago Pago Bay Area main sewer line was completed to the head of the bay. Another objective of

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<sup>1</sup>U.S. Department of Interior, Annual Report of the Governor of American Samoa, 1970, p. 25.

<sup>2</sup>Ibid.

the Haydon administration was the effort to develop local firms as sources of construction work for both government and non-government projects. During fiscal 1970 eight contractor licenses were issued from twenty-six applications. Prior to this time the Department of Public Works was about the only construction company. In addition to its roles as a major construction company and operator of all of the territory's utility services, it is the largest single employer of manpower--accounting for almost one-half of the total of those employed by the government of American Samoa. This department is organized into five divisions: Construction, Engineering, Contract Administration, Marine Railway, and Maintenance and Operations. Thus one can easily determine that the Department of Public Works is perhaps the most pervasive government entity in the islands of American Samoa.<sup>1</sup> During fiscal 1970 the first contract for construction of a government building was awarded to a private contractor and a program has been developed which will encourage this practice. Governor Haydon hopes to improve the economy through the encouraging of private industry.<sup>2</sup>

The traditional system of American Samoan land identification is characterized by an implicit assumption that the

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<sup>1</sup>U.S. Department of Commerce, Economic Development Administration, Economic Development for American Samoa, p. 136.

<sup>2</sup>U.S. Department of Interior, Annual Report of the Governor of American Samoa, 1970, p. 27.

basic claim of each aiga (extended family) is recognized by every other, that all land is claimed, and finally that all land, regardless of the nature of its terrain, is usable.

Before the heavy migrations of the 1950s removed the major portion of a generation from the islands, the "implicit assumption" system worked fairly well. Most family claims were known by name, and vaguely defined boundaries were widely accepted. Samoan custom recognized no variation in land value according to location or utility for specific purposes. Land held by a matai in the name of his aiga was rarely transferred for any purpose, and it was only with the coming of the Westerners that the concept of land title and tenure as commodities was introduced.<sup>1</sup>

The first U.S. Navy administration decided that the provisions of the deeds of cession with respect to the preservation of Samoan customs could best be served by formally recognizing the importance of communal land and traditional systems of tenure. As a result, almost immediately upon raising the flag over American Samoa in 1900, the first U.S. Naval Governor promulgated the Native Lands Ordinance as Regulation No. 4, which forbade the alienation of land from native ownership.<sup>2</sup>

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<sup>1</sup>U.S. Department of Commerce, Economic Development Administration, Economic Development for American Samoa, p. 160.

<sup>2</sup>Ibid.

The language of the original Navy regulation was substantially retained by the legislature of American Samoa when in 1949 it enacted an Alienation of Communal Lands law. The law states, in part, that:

Alienation of land in American Samoa is prohibited except under the following conditions and circumstances. It is prohibited for any matai of a Samoan family who is, as such, in control of the communal family lands or any part thereof, to alienate such family lands or any part thereof to any person without the written approval of the Governor of American Samoa.

It is prohibited to alienate any lands except freehold lands<sup>1</sup> to any person who has less than one-half native blood.<sup>2</sup> If such a person has any non-native blood whatever, it is then prohibited to alienate any native land to such person unless he was born in American Samoa, is a descendant of a Samoan family, lives with Samoans as a Samoan, and has lived in Samoa for more than five years and officially declared his intention of making American Samoa his home for life. If such a person who has any non-native blood whatever marries another person who has any non-native blood whatever, the children by such a marriage cannot inherit land unless they are at least one-half native blood.<sup>3</sup>

In general, the structure and administration of American Samoa's land laws and traditions have had two major impacts, one positive and the other negative. The positive effect of this land policy has been to preserve the Samoan way of life as far as possible in the light of increasing and sometimes adverse pressures for change. The aiga system is

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<sup>1</sup>Freehold lands are described as those included in court grants before 1900.

<sup>2</sup>Here the Naval Regulations read "three-quarters native blood."

<sup>3</sup>Ibid., p. 161.

still strong and is a powerful force for the social and psychological well-being of the Samoan people. The negative impact has been the effective withdrawal of land as a source of capital. Land may not be used as collateral since the lender has no recourse to foreclosure in the event of default. This in turn has hampered the construction of adequate housing for Samoans and militates against the growth of local commerce and industry; it also can make more difficult the expansion into economic operations of Tutuila's fledgling "commercial" farms.<sup>1</sup>

Wolf Management Services Economic Development Report suggests some possible alternatives to the sale of land and yet provides the local economy with the capital needed for economic growth which will enable American Samoa to become more politically self reliant. The Report suggests that lease-holds are completely valid capital assets--provided that they may be exchanged in a relatively free market. The existence of such a market would not imply that Samoan families would lose their land; rather it would mean that the aiga and their matais would learn to "(a) recognize the value of land, (b) extract a fair price for its use, (c) identify it to avoid future litigation, and finally (d) exercise their right to use it as they see fit--as long as their proposed land use was consistent with the common good."<sup>2</sup> As of 1972 there

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<sup>1</sup>Ibid., p. 163.

<sup>2</sup>Ibid., p. 164.

was general agreement that modifications would have to be made in the land-tenure practices. Insofar as elected representatives and local chiefs fairly represent their constituencies, it appears that the citizens of the territory are ready to engage in a more productive use of their land.<sup>1</sup>

The Government of American Samoa is financed directly by Federal appropriations, Federal grants-in-aid, and local revenues. The direct Federal appropriations pay for the operation of the Governor's office, the legislature, and the judiciary. Because the Government of American Samoa attempts to satisfy most major voids within the community, the Federal grants-in-aid augmented by rising local revenues cover basic infrastructure and financial needs and also the normal governmental activities undertaken at municipal, county, and state levels. Thus, the Government of American Samoa operates the communications system, the electrical power system, the territory's development department, its telephone company, its hospital, the Department of Agriculture experimental farm, and functions as a contractor, among other things.<sup>2</sup>

In committee hearings in the spring of 1972 Governor Haydon elaborated on the financial structure of American Samoa. He indicated that \$2 out of every \$3 in the budget of American

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<sup>1</sup>Assistant to High Chief A. U. Fuimanono, Delegate-At-Large, private interview held in Washington, D.C., June, 1972.

<sup>2</sup>U.S. Department of Commerce, Economic Development Administration, Economic Development for American Samoa, p. 170.



Samoa came from the Federal Government either by direct appropriation or other Federal grants. Little private grant money exists in this area. The total operating budgets for the last three fiscal years was \$15 million in 1970; \$19 million in 1971; and \$24 million in 1972. Governor Haydon estimated that the budget for fiscal 1973 would be \$29 million dollars.<sup>1</sup>

There are only four sources of local revenue which provide the \$1 out of \$3 spent by the Government of American Samoa. The main source is a basic income tax of 2½ per cent which is levied on everyone. The income tax has been in effect only since 1960. Prior to that time little revenue was raised. The source of corporate taxes comes from two canneries which are big shippers of tuna. Port charges and airport charges make up the rest of the local revenue sources.<sup>2</sup>

In summarizing the financial picture of Samoa, Governor Haydon stated:

With the much heavier infusion of Federal funds and other Federal programs this past 2½ years, basically to provide roads and sewer systems, and water systems, that just weren't there, that money in turn generates additional local revenue through the form of income tax and spending power, so that at an economic level, the real income of Samoa is vitally dependent on the number of dollars that flow in from the United States.<sup>3</sup>

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<sup>1</sup>U.S. Congress, House, Committee on Interior and Insular Affairs, Samoa Elected Governor, Hearings, p. 16.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid.

### Areas of Economic Potential Resources

Tourism is American Samoa's major potential growth industry. Per dollar of investment and per unit of Government of American Samoa effort that is expended on its behalf, tourism will do more to accelerate American Samoa's economic growth than any other single endeavor.<sup>1</sup> Within the short-range future it can be the major source of new employment and income in the territory, and a powerful generator of revenue for the government. However, proper planning is necessary in order that tourism enhance rather than disrupt fa'a Samoa (the Samoan way). In compliance with the recommendations of the Wolf Management Report Governor Haydon has moved to expand the facilities of the Pago Pago Inter-Continental Hotel from its present 101 room to a 200 room facility. However, under the Haydon administration tourist development will be "planned" and "orderly." With over 16,000 overnight tourists in 1971, the tourist business expanded some 40 per cent from the previous year. No structure of over three stories in height is currently permitted and only then when the structure is built next to a mountain. In elaborating his policy in regard to tourist development Governor Haydon commented:

...we will have a slow growth in hotel rooms over the next few years. No doubt about it. We don't want to concrete over downtown Pago instead of trying to rebuild it and trying to make it look like it did 50 years ago because it is the most beautiful harbor in

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<sup>1</sup>U.S. Department of Commerce, Economic Development Administration, Economic Development for American Samoa, p. 194.

the South Pacific.<sup>1</sup>

The tuna cannery complex is the mainstay of the private economy of American Samoa. In fiscal year 1967, it accounted for all but \$78,900 of the territory's \$27,243,600 of exports, for well over one-half of direct private sector employment and salaries, for about three-quarters of the corporate income taxes for the government.<sup>2</sup>

Although the North Pacific tuna fishery has been active since the opening of the 20th century, the South Pacific fishery was established only 14 years ago--in American Samoa. Before the Second World War there was only infrequent fishing for tuna in the South Pacific. With the ratification of the Japanese Peace Treaty in 1952, however, Japanese fishermen began to exploit the area. Seven Japanese tuna boats came two years later to form the nucleus of what has become the American Samoa tuna cannery complex.<sup>3</sup>

The territory's tuna fishery began with much difficulty. In 1948, the Secretary of the Navy issued a policy directive to the Governor of American Samoa authorizing the entry of commercial enterprise when such enterprises would

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<sup>1</sup>U.S. Congress, House, Committee on Interior and Insular Affairs, Samoa Elected Governor, Hearings, p. 17.

<sup>2</sup>U.S. Department of Interior, Annual Report of the Governor of American Samoa, 1967, pp. 44-45 and Appendix X.

<sup>3</sup>U.S. Department of Commerce, Economic Development Administration, Economic Development for American Samoa, p. 234.

not be harmful to the American interests or to the interest of the indigenous population. Soon after the policy directive was issued the Navy property at Atu'u on the north shore of Pago Pago Bay was leased to Island Packers Inc., a firm financed by Rockefeller Foundation funds for the purpose of establishing a fish cannery using Samoan labor. The cannery and the purchase of a fleet of fishing vessels cost approximately \$2,000,000.<sup>1</sup>

The company attempted to catch tuna in Samoan waters by conventional American surface fishing methods--live bait fishing and purse seining. The planned output did not materialize because of the lack of bait and the problems encountered in locating large schools of the fish. Except for two trial runs which caught about three tons of fish each, the cannery never operated. It ceased operations in 1950, went into bankruptcy, and eventually the cannery equipment was sold at salvage value to the Governor of American Samoa, which owned the buildings as well as the land.<sup>2</sup>

The Government of American Samoa was conscious of the importance of fishing as a natural resource and for this reason purchased the cannery equipment to prevent its being dismantled and sold abroad, after which the government concentrated on attracting American canning companies. In 1952 the government offered the cannery for lease, but there were no

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<sup>1</sup>Ibid.

<sup>2</sup>Ibid.

bidders at that time. Progress was not made until after the U.S. Commissioner of Customs ruled in May, 1953, that fish caught in foreign waters could be landed and processed in American Samoa and that its products could enter the American market duty-free. After this decision, a second offer for bids was extended and the Van Camp Sea Food Co. obtained the lease, effective January 1, 1954. The following year, operations began with fish delivered under contract by the small fleet of Japanese longline vessels. In 1963, a second tuna cannery, Star-Kist Samoa, Inc., began operations close to the Van Camp plant, and in 1964 the American Can Company of Samoa erected a plant between the two canneries and started producing the cans in which the tuna is packed. All three firms hold leases on government owned land.<sup>1</sup>

The current Van Camp and Star-Kist leases expire in 1993. Van Camp pays a minimum annual rent of \$20,000 or a specified amount of tuna, whichever yields the greater revenue to the government. The firm has been granted tax exemptions and other liberal benefits by the Industrial Incentive Act of American Samoa. It started paying the corporate income tax in 1963; its exemption period from other taxes extends until April 30, 1973. Under the Star-Kist lease, \$168,000 was paid to the government for existing buildings and prepaid rent and an additional amount of \$2,000 per year is being paid.

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<sup>1</sup>Ibid., p. 235.

Star-Kist was fully exempt from income taxes until the end of February, 1968. The American Can Company's tax exemption status was effective until 1967.<sup>1</sup>

Thus tourism and the fishing industry represent the major economic potential resources for the area. Agriculture has traditionally been held in a second class position and as such it has never been a very developed occupation in the area. The total imports to American Samoa in 1971 were \$19,556,873; the total exports from American Samoa in 1971 were \$41,396,235. Of the total exports over 95 per cent was accounted for in canned tuna.<sup>2</sup>

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<sup>1</sup>Ibid.

<sup>2</sup>U.S. Department of Interior, Annual Report of the Governor of American Samoa. 1971, p. 62.

## CHAPTER V

### UNITED STATES ADMINISTRATION OF THE PACIFIC TRUST TERRITORY

#### Background to the Trust

Since the Second World War, the United States has maintained possession of a group of Pacific islands known collectively as Micronesia. These islands were formerly held by the Japanese under the League of Nations mandate system. After the way, the United States gained these islands as a strategic trust under the auspices of the United Nations. Thus this area, for all practical purposes, is under the suzerainty of the United States. Currently the Trust Territory has gained prominence because of its desire for greater self-government and in some sections of the area independence is being demanded. Due to the strategic nature of the area and the withdrawal of United States forces from the mainland of southeast Asia, it seems apparent that the United States will need the area for maintaining military bases, other than Guam, and that the United States still considers itself a Pacific power. That the United States intends to remain in the Pacific was reiterated by Marshall Green, Assistant Secretary for East Asian and Pacific Affairs:

We are a Pacific power, we have important interest in the Pacific, the whole Pacific Basin, and I think it well

that we remain in our current positions in the western Pacific, but we would hope under the Nixon doctrine to share the responsibilities with more and be able to draw back somewhat.<sup>1</sup>

For comparative purposes, it is instructive to examine the administration of this area by the United States. The area differs from American Samoa in many ways: 1) its population is much greater than that of American Samoa, 2) its area is much larger than that of American Samoa, 3) its location is much more strategic than that of American Samoa, and 4) its legislative body is more politically advanced than that of American Samoa.

There are, of course, a number of fundamental similarities: 1) both are Pacific territories, although the Trust Territory is in the region called Micronesia while American Samoa is located in Polynesia; 2) both areas are heavily dependent both politically and economically on the United States; 3) both desire greater amount of self-government and participation in the determination of their respective destinies while for the most part stopping short of complete independence.

The terms Micronesia and the Trust Territory of the Pacific Islands are today used synonymously. This area includes the islands of three archipelagoes--the Marshalls, the Carolines, and the Marianas with the exception of Guam which is an unincorporated territory of the United States--lying

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<sup>1</sup>U.S., Department of State, Department of State Bulletin, Vol. LXVI, No. 1712, April 17, 1972, p. 575.



north of the equator and considerably west of the Hawaiian Islands. The Trust Territory has six administrative districts. Within the Caroline archipelago there are four districts--Palau, Yap, Truk, and Ponape. The districts of the Marshall Islands and the Mariana Islands repose in separate archipelagoes of the same names. The provisional headquarters of the Trust Territory Administration is on Saipan, Mariana Islands District.<sup>1</sup>

As previously noted, the Marshall, Caroline, and Mariana Islands are located north of the equator and west of the 180th meridian, in the North Pacific Ocean. They lie scattered over an oceanic area larger than the United States, but altogether comprise a land area of only about 700 square miles. The Trust Territory covers some 3 million square miles of land and ocean in total.<sup>2</sup> There are more than 2,000 separate islands over the total area, but only some 98 of these islands are inhabited.

The Marshall Islands are on the easternmost tip of the three archipelagoes which comprise the Trust Territory. They consist of two nearly parallel chains of islands which stretch from north to south, an eastern or Ratak and a western or Ralik chain. The twenty-nine atolls and five individual

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<sup>1</sup>U.S., Department of State, 23rd Annual Report, Trust Territory of the Pacific Islands (Washington, D.C.: Government Printing Office, 1970), p. 1

<sup>2</sup>John Wesley Coulter, The Pacific Dependencies of the United States (New York: Macmillan Company, 1957), p. 163.

low islets incorporate nearly seventy square miles of arid land area, yet this group covers a sea area of over 180,000 square miles.<sup>1</sup>

The Caroline Islands stretch in a narrow belt for a span of 22,000 miles from east to west, just north of the equator. The group consists of thirty atolls, twelve single low coral islands, one single high volcanic island, and the four complex congregations of islands--Ponape, Truk, Yap, and Palau.

Truk is perhaps the most fascinating of the island complex in Micronesia. Rather than being an atoll, it is a collection of high volcanic and low coral and sand islands and reefs enclosed by a barrier reef, on which there are nearly fifty low coral and sand islets. The barrier reef bears a close likeness to an atoll, but the presence of the high islands within the lagoon eliminates the use of this term. Several entrances are provided through the reef into the lagoon, which allows ample anchorage for large ships.<sup>2</sup>

Palau, the largest complex in the Carolines, stretches for 104 miles from the northern side of Velasco Reef to the southwest corner of Angaur Island. The largest island in this complex is Babelthaup, which not only is one of the highest islands in the Trust Territory (700 feet) but also has one

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<sup>1</sup>Douglas L. Oliver, ed., Planning Micronesia's Future (Honolulu, Hawaii: University of Hawaii Press, 1971), p. 1

<sup>2</sup>Ibid.

of the largest land masses, comprising some 153 square miles.<sup>1</sup>

The mariana Islands comprise the southern third of the summits of a narrow range of volcanic mountains which extend southward from the southeastern corner of Honshu Island, Japan. Since this archipelago runs in practically a straight line and is composed of strictured islands, it occupies a sea area of only a few thousand square miles.<sup>2</sup>

The composition of the island soil is either coral or igneous in nature. The soils of the high islands are usually more fertile, while the coral origins of the low islands limit their productive capacities. The islands with the most concentrated inhabitants tend to be the atolls. Mineral resources on the islands are scant due to their geological formation. Today agriculture, complemented by the oceanic resources, provides the bulk of the Trust Territory's livelihood. After the Second World War, the mining of manganese in the Marianas and the mining of low grade bauxite deposits on Babelthuap, in addition to the cessation of the exploitation of Angaur's phosphate beds left the Trust Territory with increased economic strength.<sup>3</sup>

The population of the Trust Territory is classified as Micronesians, except for about 1,000 Polynesian inhabitants of the outlying islands of Kapingamarangi and Nukuoro and a

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<sup>1</sup>Ibid., p. 2.

<sup>2</sup>Ibid.

<sup>3</sup>Norman Meller, The Congress of Micronesia (Honolulu, Hawaii: University of Hawaii Press, 1969), p. 2.

scattering of individuals of other racial groups. There are nine major languages and a number of dialects spoken in the Territory. The population of the Trust Territory equaled 107,054 as of 30 June 1971, as compared with 102,250 in 1970. Population was distributed in the six governmental units as follows: Mariana Islands, 13,076; Palau, 12,686; Yap, 7,369; Truk, 29,334; Ponape, 21,423; and Marshall Islands, 23,166.<sup>1</sup>

The common link among all the islands known as the Trust Territory is the foreign bondage which has characterized the history of this area. In 1494 according to the Treaty of Tordesillas the entire Pacific Ocean nominally came under Spanish influence. The Spanish prerogative over the Marianas, the Carolines, and the Marshalls was questioned during the later part of the 19th century. As a result of German desire for her "share" of colonies, in 1885 she took possession of the Marshalls. With the defeat of Spain by the United States in 1898 Guam, Puerto Rico, and the Philippines were lost to the United States. In 1899 Spain sold the Marianas and the Carolines to the Germans and then withdrew from the Pacific.<sup>2</sup>

With only minimal objectives in mind the Spanish

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<sup>1</sup>United Nations, Trusteeship Council, 39th Session, 3 May 1972, Outline of Conditions in the Trust Territory of the Pacific Islands, T/L. 1170, p. 2.

<sup>2</sup>Coulter, Pacific Dependencies of the United States, p. 171.

colonial policy followed goals of pacification, Christianization of the natives, and maintenance of a way station for Spanish ships. In contrast to Spanish policy Germany initiated a Western system of law and order and concentrated upon the economic growth of Micronesia through copra production and the promotion of commerce. The natives were forced to plant coconut trees under penalty of retribution by the German officials. By using indirect administration and applying autocratic direction, efficient administration was maintained.<sup>1</sup>

With Japan's entrance into the First World War, her hegemony over Micronesia was virtually assured. By 1920, the Japanese had been given formal jurisdiction over Micronesia under a class C mandate from the League of Nations. This designation indicated that the people were not considered capable of self-governance in the foreseeable future. Micronesia was administered by a civil administration from 1922 until Japan's withdrawal from the League in 1935. Japan was embarking upon her expansion on the China mainland at this time, and her admirals viewed the Pacific islands as a strategic screen protecting her from attack in the event of a future conflict. After 1935 she moved to fortify selected islands. Of these Truk in the central Carolines was considered

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<sup>1</sup>Herold J. Wiens, Pacific Island Bastions of the United States (Princeton, New Jersey: D. Van Nostrand Company, 1962), p. 40.

to be the most impregnable at the time when military aircraft had not yet been developed to its present potent level of proficiency.<sup>1</sup>

The greatest difference between Germany's approach to governing the Trust Territory and Japan's approach was that Japanese settlers migrated in large number of the larger islands of the Carolines and Marianas--particularly Saipan, Tinian, the Palaus, Truk and Ponape. The result of this colonization was that by the beginning of World War II Japanese resident civilians outnumbered the natives and on some islands far exceeded them.<sup>2</sup>

During their period of rule the Japanese provided a number of benefits which are still remembered by some Micronesians today. For example, in the area of education the Japanese stressed their own language and the advancement of vocational education. A number of community services were also provided such as health care and electricity in the more metropolitan areas. For the most part Micronesians benefited indirectly by the Japanese effort to expand the infrastructure of the economy for their own purposes. The result of these efforts was modern transportation and communication.

The emphasis placed upon cash cropping of copra and tapioca (manioc) gradually moved many of the Micronesians to ever greater dependence upon a money economy, an appre-

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<sup>1</sup>Ibid., p. 41.

<sup>2</sup>Meller, Congress of Micronesia, p. 11.

ciation of the efficiency of the machine age, and a reliance upon its products.<sup>1</sup>

After the American victory in 1945, American military forces occupied the Trust Territory. With over 6,000 Americans killed in the capturing of Micronesia, the United States was certainly not willing to give up this hard won real estate.<sup>2</sup> However at the same time the United States denied intentions of territorial aggrandizement. The problem was resolved through the establishment by the United Nations of a trusteeship system. The trusteeship agreement held by the United States is the only one of its kind in that it is a strategic trust. This special category was established for the United States in an area which was deemed vital to its security. Implicit in this trust agreement was the right of the United States to install and maintain military bases and forces in the territory. The administering authority was entitled to:

1. establish naval, military and air bases and to erect fortifications in the trust territory;
2. station and employ armed forces in the territory;
3. make use of volunteer forces, facilities and assistance from the trust territory in carrying out the obligations towards the Security Council....<sup>3</sup>

When the Trusteeship Agreement came into force in 1947,

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<sup>1</sup>Ibid., pp. 13-14.

<sup>2</sup>Ibid.

<sup>3</sup>U.S., Department of State, Trusteeship for Former Japanese Mandated Islands, Treaties and Other International Acts Series 1665, Pubn. 2992 (1948), p. 2.

the United States Navy continued to administer the islands. In 1951 the responsibility for administration was turned over to the Department of the Interior. The headquarters, then in Honolulu, was transferred to Guam in 1954 and finally to Saipan in 1962.

After a decade and a half of United States administration, the policy toward the Trust Territory was characterized by frugality and nondisturbance of the Micronesians. The strategy was designed to encourage the development of a modernized native society by encouraging only that which is believed desirable in the native culture. It was opposed to the idea of assimilation into the metropolitan country, in this case the United States. Professor Norman Meller, a specialist in this field, has suggested that the United States policy followed what might best be called the "zoological park" idea. This approach to colonial rule suggests that the governing authority should not disturb the native culture. Rather, it becomes the function of the authority to preserve the culture from outside intrusions, and so the standard of living should be set no higher than the people will be able to maintain with their particular resources.<sup>1</sup>

Another viewpoint refers to this type of administrative policy as the "squirrel philosophy"--

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<sup>1</sup>Douglas L. Oliver, ed., Planning Micronesia's Future Honolulu, Hawaii: University of Hawaii Press, 1971), p. ix.



The islands became a treasured "nut" to be buried in the South Seas and not to be disturbed until "winter" when the hardships of political climate would stimulate growing hunger for a reliable western Pacific defense line.<sup>1</sup>

Some of the specific criticisms of the U.S. administration revolve around the arbitrary treatment of the Micronesians. They were moved off the island of Bikini and placed on Rongerik and Kili; they were evacuated from Eniwetok and relocated on the now rat-infested island of Ujelang, 300 miles from the nearest island and 600 miles from the District center; they were forced from Kwajalein and deposited on Ebeye, which for years was a ghetto of the most appalling sort. "Nothing we have done or failed to do in 22 years has caused so much bitterness as this arbitrary removal of people from their land without adequate compensation."<sup>2</sup>

On the positive side of the ledger, U.S. accomplishments have cost very little. They have created democratic institutions including legislative bodies; they have created the embryo of a free press; and they have encouraged the principle of free speech.

Popularly elected Municipal Councils and District Legislatures are well established. The Micronesian Congress, consisting of a 12-member senate (two from each

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<sup>1</sup>Vincente T. Blaz and Samuel S. H. Lee, "The Cross of Micronesia," Naval War College Review (June, 1971), p. 64.

<sup>2</sup>Philip W. Quigg, "Coming of Age in Micronesia," Foreign Affairs, Vol. 47, No. 3 (April, 1969), p. 501.

District) and a 21-member House, is now in its fifth session. Its legislative powers are heavily circumscribed and subject to veto by the High Commissioner, but the Congressmen are gaining experience and emerging as a focus of pressure on the Trust Territory government.<sup>1</sup>

### Political Development of the Trust

During the period of Naval rule, Interim Regulation 4-48 established a Legislative Advisory Committee, which included five members appointed by the high commissioner from among the heads of Territorial departments. Its function was to "draft regulations, process laws, and consider legislation it deemed desirable for the Trust Territory, as well as to discuss and advise the high commissioner on policy issues." While heads of divisions which handled native affairs were placed on this committee, there were no indigenes appointed.<sup>2</sup>

In 1952, with the Department of Interior in control, the Legislative Advisory Committee was replaced by the heads of departments serving as the High Commissioner's Council. While the concept of appointing indigenous people was still being pressed, High Commissioner Thomas opposed this move which effectively blocked the proposal. Through the urging of the United Nations on December 22, 1952, the Code of the Trust Territory was promulgated. This event was to mark the end of the Legislative Advisory Committee.<sup>3</sup>

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<sup>1</sup>Ibid., pp. 497-498.

<sup>2</sup>Meller, Congress of Micronesia, p. 181.

<sup>3</sup>Ibid., p. 182.

The first direct representation of Micronesians in a Territory-wise meeting occurred in Guam in September of 1949. This event took place at a semi-annual conference of civil administrators, when administration personnel and two natives from each district met chiefly to talk about economic problems of the respective areas. This meeting stood as a model for the future Territorial legislature in that it provided an opening for indigenous representatives to communicate local wants and desires. However, no comparable meeting was called until 1953. In July, 1953, as one means of promoting the concept and practice of self-government among the Micronesians, two representatives from each of the five administrative districts attended what was titled the "First Trust Territory Conference of Self Government" held on Truk.<sup>1</sup>

Three years passed before another such meeting was called. Although both Micronesian delegates and American advisors anticipated that these conferences would be more frequent, it was the viewpoint of the high commissioner that little positive results had come from this meeting on Truk and thus no more were held until 1956.

In 1956 the high commissioner gathered together an inter-district conference of Micronesian leaders at the Trust Territory Headquarters at Guam. This was an antecedent to a Territorial legislature. The second inter-district conference occurred in 1957 and in testimony before the Trusteeship

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<sup>1</sup>Ibid., p. 183.

Council was described as "the outstanding event of the year." Almost all major problems were discussed, and recommendations were sent to the High Commissioner. At the third meeting, which occurred in 1958, the representatives demonstrated a concern for problems common to the entire territory as opposed to simply focusing on their particular districts. At this meeting the delegates changed their title to the Inter-District Advisory Committee to the High Commissioner which represented a maturity in their institutional growth. Three years later, in 1961, the delegates reconstituted themselves as the Council of Micronesia and chose one of their members as chairman. At this time resolutions were formally delivered to the high commissioner after having been approved by the Council. American personnel continued to advise and work with the group, but the fact that the chairmanship was assumed by a Micronesian signified that the power was changing to the native membership. Also important was the fact that by this time district legislatures began to press the council to expedite action which they desired.<sup>1</sup>

In 1964 the Secretary of the Interior promulgated Secretarial Order No. 2882 creating the Congress of Micronesia and granting legislative authority to that body. Concerning the duties and functions of this territorial government there are nine major responsibilities: 1) construction and maintenance of primary roads and harbour facilities; 2) control of

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<sup>1</sup>Ibid., p. 185.

banking; 3) organization of business corporations, business associations, credit unions and cooperatives, insurance, sale of securities, and public utilities; 4) control of the establishment of business under which importing and exporting licenses shall be issued; 5) making of grants to districts and municipalities; 6) exclusive control of import, export, and income taxes; 7) support of all judicial activities except for assistance from municipalities; 8) support of public education and public health; and 9) law enforcement.<sup>1</sup>

Being a bicameral legislature, the Congress of Micronesia is made up of a Senate and a House of Representatives. The Senate membership totals twelve with two elected at large from each of the six districts for four-year terms. The House of Representatives has twenty-one members, which are elected for two-year terms from single-members election districts. Each of the six administrative districts is divided into election districts of approximately equal population. The current apportionment of representatives is as follows: Yap, two; Palau, three; Mariana Islands, three; Ponape, four; Marshall Islands, four; and Truk, five. Secretarial Order No. 2918 as amended provides that election districts shall be reapportioned every ten years on the basis of population, but each administrative district shall be entitled to a

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<sup>1</sup>U.S., Department of State, 23rd Annual Report, Trust Territory of the Pacific Islands, p. 18.

least two representatives. The first such reapportionment was to be made in 1971.<sup>1</sup>

Secretarial Order No. 2918 effected two major changes in the Congress of Micronesia. Under the order the Congress, in each odd-numbered year, meets in regular session beginning the second Monday in January and continuing for not more than 15 consecutive calendar days. The Congress also convenes each year on the second Monday of July for not more than 45 days. The High Commissioner may call a special session whenever he deems it in the public interest.<sup>2</sup> The second major change was making membership in the Congress of Micronesia a full-time job, thereby forbidding any member of Congress to receive additional compensation from the Trust Territory Government or any political subdivision thereof.<sup>3</sup>

The first general election took place in January, 1965, following which general elections have been held biennially. Concerning the election process, a candidate's reputation, position in the community, and traditional ties appear to be important in gaining public support. Political campaigning began over a decade ago with a great deal of variety occurring in the different districts. For example, in the

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<sup>1</sup>John R. Steincipher, ed., Code of the Trust Territory of the Pacific Islands, Vol. I (Seattle, Washington: Book Publishing Company, 1970), p. 32.

<sup>2</sup>Ibid., p. 33.

<sup>3</sup>Ibid.

Mariana and Palau districts campaigning usually is lively, while in the rest of the districts the campaigning is much more sedate in its nature. Free radio time was given to the candidates to explain their individual positions and programs. Only two districts out of the six, Mariana Islands and Palau, have organized registered political parties. The Mariana Islands District has two political parties: the Popular Party and the Territorial Party. An indication of their strength was that in recent years no candidate for public office had run independently of the parties. In Palau, there are two parties, the Liberal Party and the Progressive Party, which have been active since 1963.<sup>1</sup>

The legislative strength of the Congress of Micronesia covers all appropriate areas of legislation, except that no legislation may be inconsistent with treaties or international agreements of the United States, United States laws applicable to the Territory, executive orders of the President of the United States and orders of the Secretary of the Interior, or Sections 1 through 12 which is the Bill of Rights of the Trust Territory Code. Also the Congress is prohibited from imposing any tax upon property of the United States or of the Territory, nor may it tax the property of non-residents at a higher rate than that of residents.<sup>2</sup>

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<sup>1</sup>United Nations, Trusteeship Council, 39th Session, 3 May 1972, Outline of Conditions in the Trust Territory of the Pacific Islands, p. 4.

<sup>2</sup>Ibid.

Prior to the creation of the Congress of Micronesia, the power of legislation rested with the High Commissioner of the Trust Territory. Now, except for emergency measures the Congress has replaced the High Commissioner's lawmaking function. The exception to this is in dealing with measures which the High Commissioner considers to be emergency in nature. If the Congress refuses to act on such a measure then the High Commissioner can declare it law by executive order.

The lack of control over federal funds appropriated for running the Trust Territory government curtails the scope of the Congress, for in the American system of government the power of administrative oversight is only effectively exercised when buttressed with control over the public purse.<sup>1</sup>

The executive authority rests with the High Commissioner who is appointed by the President of the United States. A headquarters staff and six district administrations, all functioning under the Trust Territory Code, operate under the High Commissioner. The Office of the High Commissioner consists of the Deputy High Commissioner, the Executive Officer, the Attorney General, the Special Consultant, the Program and Budget Officer, and the Directors of Education, Finance, Health Services, Personnel, Public Affairs, Public Works, Resources and Development, and Transportation and Communications.<sup>2</sup>

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<sup>1</sup>Norman Meller, "American Legislatures in the Pacific," State Government, Vol. XLII (Summer, 1969), p. 189.

<sup>2</sup>United Nations, Trusteeship Council, 39th Session, 3 May 1972, Outline of Conditions in the Trust Territory of the Pacific Islands, p. 20.



The High Commissioner's relationship with the Congress of Micronesia established in Secretarial Order 2918 provides that at any time during a legislative session the High Commissioner may submit proposed legislation to the Congress.<sup>1</sup>

Section 4, Part III, provides that before finally submitting to the Secretary of the Interior the annual request for U.S. funds for the government of the Territory, the High Commissioner must present a preliminary budget plan to the Congress of Micronesia. The plan outlines the proposed claims for U.S. funds as well as the High Commissioner's requests to the Congress of Micronesia for appropriation of funds raised from Territorial revenue laws. The Congress reviews and may then make recommendations on those sections of the budget relating to expenditures of funds to be appropriated by the U.S. Congress. The High Commissioner must transmit to the Secretary of the Interior any such recommendations he does not adopt. The Congress may take whatever action it considers appropriate on the High Commissioner's request for appropriations of locally derived revenue.<sup>2</sup> With the objective of encouraging participation by the Micronesians, the executive branch has made it a matter of policy that the

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<sup>1</sup>U.S., Congress, House, Committee on Interior and Insular Affairs, Territories Orientation Briefing. Hearings, before a subcommittee of the Committee of Interior and Insular Affairs, House of Representatives, Serial No. 92-6, 92d Cong., 1st Sess., 1971, p. 109.

<sup>2</sup>Ibid.

final Trust Territory budget request for federal funds is a product of the combined efforts of the executive and legislative branches of the government both at the district and the territorial levels.<sup>1</sup>

Section 13, Part III of Secretarial Order 2918, provides that the High Commissioner has the power to approve or disapprove every bill passed by the Congress. He may also veto items of appropriation of money within bills otherwise approved. He must veto a bill within 10 consecutive calendar days, unless the Congress, by adjournment, prevents its return; otherwise it becomes law. If adjournment prevents return of a bill, it becomes law if the High Commissioner signs it within 30 days after it has been presented to him. The Congress may repass a bill vetoed by the High Commissioner. If within 20 days the High Commissioner does not approve a bill so passed, he must send it with his comments to the Secretary of the Interior who either approves or disapproves the bill within 90 days after its receipt.<sup>2</sup>

While examining the development of political institutions, it is important to note the increased effort by the United States Congress to build up viable infrastructure so that increased self-government might be more feasible. It

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<sup>1</sup>United Nations, Trusteeship Council, 39th Session, 3 May 1972, Outline of Conditions in the Trust Territory of the Pacific Islands, p. 21.

<sup>2</sup>U.S., Congress, House, Committee on Interior and Insular Affairs, Territories Orientation Briefing. Hearings, p. 111.

was during the Kennedy Administration in 1962 that the appropriations to the Trust Territory began to increase in any sizeable amount. Prior to that time Congressional appropriations for this area had stabilized at around \$7,000,000 for the whole area. In 1962 the Kennedy Administration increased the appropriation to some \$17.5 million. In addition to the increased appropriations, a presidential commission, headed by Arthur M Solomon, conducted an in-depth survey of the territory in 1963. "For security reasons, perhaps relating to the good name of the United States in the United Nations and inconvenient domestic criticism, the whole Solomon report has been declared confidential."<sup>1</sup> Since 1962 appropriations have steadily increased. In 1972, according to Representative Julia Hansen, chairman of the subcommittee on appropriations for Micronesia, the estimated appropriation was \$59,739,000. This figure does not include funds that are received by grants from other Federal Agencies.<sup>2</sup>

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<sup>1</sup>Thomas R. Adam, Western Interest in the Pacific Realm (New York: Random House, 1967), p. 175. It is interesting to note that recently Micronesian firebrands attending the University of Hawaii have claimed to possess a copy of the Solomon Report and that it suggests that Micronesia must become an integral part of the United States, thus precluding any type of independence.

<sup>2</sup>U.S., Congress, House, Committee on Appropriations, Trust Territory Appropriation Hearings, before a subcommittee of the Committee on Appropriations, House of Representatives, 92d Cong., 2d Sess., 1972, p. 528.

Other actions by Congress have shown that the United States currently has an increased awareness of its ward in the northern Pacific. In 1964 Congress created an economic development fund for the Trust Territory. By 1972 the fund has grown to about \$1.9 million. On March 8, 1972, Congress completed action on S 860 part of which authorized a \$3.1 million appropriation for the economic development fund, which increases the fund authorization level to \$5. million. This same legislation authorized some \$25 million for war damage claims that had been pressed by the Micronesians since after World War II.<sup>1</sup>

Thus, it can be observed that the United States, for a variety of reasons, has recently tended to focus a good deal of attention on its Micronesian ward. While authorizations and appropriations for other Federal projects are being reduced, the aid to the Trust Territory is being augmented.

#### Future Alternatives for the Trust Territory

With the increased political and institutional development of the Micronesia, growing pains have resulted. After many years of admitted neglect, the United States has initiated many programs to bridge the needs of today with the neglect of yesterday. However, many Micronesian leaders have become dissatisfied with their present status and in 1969 with

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<sup>1</sup>Pacific Trust Territory," Congressional Quarterly Weekly Report, Vol. 30 (March 18, 1972), p. 607.

the approval of the Secretary of the Interior the Congress of Micronesia authorized a commission to study the problems of future status for the area. After one year of study and consultation the Future Political Status Delegation of the Congress of Micronesia presented its findings to the Congress. The alternatives acceptable to the Micronesians include: 1) complete independence, 2) free association.<sup>1</sup>

Having gained certain experience in democratic procedures and institutions from the American occupation, the advocates of independence wish to practice the tenets of self-government. It is their purpose to build a nation based on similar cultures and customs but without a common language other than English.

Those who advocate complete independence do not consider it necessary to master their economic problems before they gain independence. The assumption is that the islands can somehow furnish self-subsistence to their growing number of inhabitants. Nevertheless, in the face of the heavy cost of education, public health, transportation, communications, social services and public works, which require substantial subsidies from the United States Congress, it is difficult to envision an independent Micronesia with the ability to maintain itself financially. The United States could remove its

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<sup>1</sup>Congress of Micronesia, Political Status Digest (3d Regular Sess., July 1970), pp. 21-26.

installations, which would mean economic ruin for the area unless some other nation offered subsidies in exchange for similar facilities or penetration, thus threatening the strategic protection presently given to the United States by the islands.

The reaction of the United States to the above proposal included the following:

...disregarding security considerations, the United States does not believe that independence will be a realistically appropriate status, considering the particular circumstances of the Trust Territory, for some time to come; and the United States would be remiss in its responsibilities to say otherwise.<sup>1</sup>

The second proposal by the Political Status Delegation was that of Free Association. A major difference between those who favor Independence and those favoring Free Association is that the former seem intent on reversing the Westernization of Micronesia and focusing instead on restoration of the native culture. This would reestablish the close association of clan members, which Western education has tended to weaken, and assure the paramount position of the native chiefs and elders. Those favoring Free Association are resigned to the influx of tourists and to the commercial environment which will be generated. The advantages of such a position lie in the fact that Micronesia would be an "independent" state and yet would be able to maintain the assistance from the Congressional coffers.

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<sup>1</sup>Ibid., p. 29.

In explaining the definition of the Free Association, the Political Status Delegation referred to Resolution 1541 of the 15th General Assembly of the United Nations. The concept of Free Association, as defined by this United Nations resolution, has several essential features.<sup>1</sup> The first is that the relationship is free and voluntary. It is freely and voluntarily entered into by the inhabitants of the area, and either side is free to terminate it at any time. Another major feature is that the people of the free associated state have full and unqualified powers in their internal affairs, which includes the power to amend their constitution without the intervention on the part of any second party. Another feature is that the former administering authority retains only its powers and responsibilities in relation to the free associated state which are agreed upon in a compact between the two parties. The final feature, from the Micronesian point of view, is that the relationship of free association is to be created through negotiation and to be written into a formal compact which would protect the rights and obligations of each party.<sup>2</sup>

The primary purpose of Free Association is to enable the people of the free associated state to advance from a colonial status to a new and free status which satisfies their basic aspirations to rule themselves and protects their individuality and cultural characteristics,

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<sup>1</sup>Ibid., p. 9.

<sup>2</sup>Ibid., p. 10.

while recognizing the practical considerations which must apply to a territory of small population and limited resources. The greatest advantage in this arrangement is that it in no way hinders a further move either to closer association with the former administering authority, to association or federation with neighboring states or territories, or to sovereign independence.<sup>1</sup>

The expressed delegation of powers, which the Micronesians expect under this new status include the following:

- 1) Authority to apply for full or associate membership in United Nations Specialized Agencies or similar international organizations.
- 2) Authority to arrange or permit visits by representatives of such organizations in which it has membership.
- 3) Authority to negotiate and conclude trade agreements with other countries which relate to the treatment of goods.
- 4) Authority to arrange or permit visits by commercial representatives of the free associated state to any other country, or vice versa.
- 5) Authority to conclude agreements of local concern with any members of the Commonwealth or any remaining United Kingdom territory in the Caribbean.
- 6) Authority to conclude agreements on aid, cultural, or scientific subjects with any member of the Commonwealth or with the United States, or with any international organization to which the United Kingdom belongs.
- 7) Authority<sup>2</sup> to conclude emigration agreements with other countries.

The reaction of the United States to this proposal by the Congress of Micronesia was an implied rejection and a counter proposal. The United States offered a new status which

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<sup>1</sup>Ibid.

<sup>2</sup>Ibid., p. 18.



was termed Commonwealth. The United States reply indicated that it was not obligated to offer Micronesia a status of Free Association. Even though these words were used in the United Nations resolution, they were not included in the Trusteeship Agreement or were they included in provision of the United Nations charter. The proposed Commonwealth status would provide for greater self-government for the Micronesians somewhat on the order of the status of Puerto Rico.

The Micronesian leaders rejected the United States offer of Commonwealth status and currently negotiations are being conducted between the two parties. President Nixon in 1971 appointed Franklin H. Williams as a special Ambassador to negotiate a settlement with the Micronesian delegation.<sup>1</sup> Ambassador Williams is the head of the Asia Foundation and as of August 1972 was continuing a dialogue with the representatives of Micronesia.

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<sup>1</sup>Robert Trumbull, "Micronesia Plan Produces Rifts," New York Times, January 9, 1972, p. 14.

CHAPTER VI  
NEW ZEALAND'S ADMINISTRATION  
OF WESTERN SAMOA

Mandate Period

After the tripartite convention of 1899, Germany's possession of Western Samoa was given legal international validity. New Zealand had long coveted Western Samoa, but due to the lack of interest by Great Britain, New Zealand was not able to realize her desires. With the outbreak of the First World War, New Zealand seized the opportunity to act and in August of 1914 occupied Western Samoa.

A military administration was created by the New Zealand Expeditionary force, which occupied Western Samoa in August of 1914 and remained until May of 1920. The German administrative structure was retained and the military government "carried on the essential administrative affairs of the country under laws left by the Germans."<sup>1</sup> For the Samoans, the transfer of power had little effect of their daily lives. The new situation simply meant that the ruling power was now the King of England rather than the Kaiser.<sup>2</sup> The white element

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<sup>1</sup>New Zealand, First Report on the Mandated Territory of Western Samoa, 1922, p. 2.

<sup>2</sup>Felix M. Keesing, Modern Samoa (London: Allen and Unwin, 1934), p. 95.

of the population was calm concerning the transfer of power.

The British, French, and most other nationalities were pleased, while the Germans settled down and contented themselves with fiery arguments on the war in Europe. They felt that Britain had entered the war in order to obtain German colonies--a not unreasonable contention considering their situation.<sup>1</sup>

The New Zealand expeditionary force was given the area as a category "C" mandate on May 7, 1919. However the official confirmation by the League Council did not occur until December 17, 1920. New Zealand was given "full powers of administration and legislation" over Samoa and was to govern Samoa "as an integral portion of the Dominion of New Zealand."<sup>2</sup>

The mandate was accepted directly by New Zealand after some pressure from Australia and South Africa. In 1919 the Samoan Constitution Order was passed by the New Zealand Parliament. This Order provided for the acceptance of the mandate by the crown in the interest of New Zealand.<sup>3</sup> There was some degree of concern over the legal position of New Zealand in Samoa. This concern was alleviated in March of 1920 with the issuance of an Imperial Order-In-Council which gave the

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<sup>1</sup>L. P. Leary, *New Zealanders in Samoa* (London: William Heinemann, 1918), p. 245, quoted in Joseph J. Arden, The Political Development of Western Samoa From Mandate to Independence (unpublished Ph.D. dissertation, University of Oklahoma, 1964), p. 44.

<sup>2</sup>W. H. Crocker, "The Mandate for Samoa," New Zealand Affairs, Institute of Pacific Relations (Christchurch, New Zealand: L. M. Isitt, Ltd., 1929), p. 182.

<sup>3</sup>Ibid.

Parliament of New Zealand "full power to make laws for the peace, order and good government" of the area, limited only by the restrictions set down by the Treaty of Peace and the mandate text. At this point the Parliament of New Zealand repassed the 1919 Constitution Order as "The Samoan Act, 1921," and this act, although amended in subsequent years, provided the administrative framework which served for Western Samoa during the mandate period.<sup>1</sup>

On the first of May, 1920, New Zealand's military administration in Western Samoa ended and a civil administration was instituted as was provided for in the 1919 Constitutional Order and the March 11, 1920, Imperial Order-In-Council. New Zealand considered the goal of the new civil administration as being "to institute a reasonable and effective Government based on the principles of the Mandate."<sup>2</sup> The mechanisms of the government of Western Samoa was comprised of an "Administrator, a Legislative Council, the Samoan Council of Deputies, or Fono of Faipules, and the Samoan Fautua. These institutions were supplemented by central and local agencies and officials and by a judicial system."<sup>3</sup>

For more than twenty-five years New Zealand adminis-

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<sup>1</sup>Joseph J. Arden, The Political Development of Western Samoa From Mandate To Independence (unpublished Ph.D. dissertation, University of Oklahoma, 1964), p. 44.

<sup>2</sup>Ibid., p. 58.

<sup>3</sup>Ibid.

tered Western Samoa as a League Mandate. This Mandate began after the conclusion of the First World War and continued until the mandate system was replaced by the trusteeship system of the United Nations after the Second World War. During this period the New Zealand administration made increased economic progress but had difficulty with political and social problems. As a result a native protest movement, the Mau, developed and continued for almost a decade. This opposition movement had a significant detrimental effect on the effectiveness of the mandate government and focused international attention on the plight of Western Samoa. The Mau movement, initially started by discontented Europeans and Samoan half-castes but ultimately including more than 90 per cent of the Samoans, represents the most significant political-social consequence of either the mandate or the trust periods.<sup>1</sup>

The Mau's main objective was summed up in its slogan of "Samoa for the Samoans" and as most nationalistic movements it never really defined well its specific goals and purposes.<sup>2</sup>

The decision by the New Zealand administration in 1926 to assist the Samoans in the marketing of their copra was the spark which ignited the flame of the Mau movement. The protest came from the white traders, who at this point had gained a monopoly in the purchasing of copra. The administration justified its decision alleging that the traders

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<sup>1</sup>Ibid., p. 78.

<sup>2</sup>Ibid., p. 87.

were exploiting the Samoans therefore making governmental assistance necessary.<sup>1</sup>

One of the first public gatherings which voiced open opposition to the New Zealand administration occurred in Apia on October 15, 1926.<sup>2</sup> This gathering was called by the three elected European members of the Legislative Council headed by Olaf F. Nelson, who was a Swedish-Samoan half-caste and one of the most influential members of the Samoan community. This meeting called for legislative and administrative changes and represented cohesive cooperation between Samoans and the white members of the community.<sup>3</sup>

The Mau organization grew markedly toward the end of 1926. In June of 1927 the New Zealand Minister for External Affairs, Mr. W. Nosworthy, arrived in Apia to investigate the situation.<sup>4</sup> Nosworthy met with Nelson, the Citizens' Committee, and other leaders of the Mau; but no understanding could be reached as Nosworthy simply insisted that the whites stop agitating the Samoans while Nelson continued to repeat the same Samoan and non-Samoan grievances. In July, 1928, Nelson traveled to New Zealand to press his grievances, but the only result of this effort was a bill passed by the New Zealand legislature which gave the Administrator, subject to

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<sup>1</sup>Ibid., p. 85.

<sup>2</sup>J. B. Condliffe, New Zealand in the Making (London: Allen and Unwin, 1957), p. 408.

<sup>3</sup>Arden, Political Development of Western Samoa, p. 86.

<sup>4</sup>"New Zealand: The Trouble in Samoa," The Round Table, p. 197.

approval by the Governor-General, the power to deport any resident European in Samoa for up to five years and also the power to move a Samoan from one locality to another for as long as two years.<sup>1</sup>

Throughout the mandate period there was a great deal of indecision on New Zealand's part as to how to handle the Mau discontent and other internal problems. The New Zealand administration neglected to gain the confidence and support of the non-Samoan elements of the population. Perhaps this segment of the population could have well served to provide the leadership needed during this period of change. For the most part, however, the half-caste Samoans were alienated by the New Zealand administration and thus refused to cooperate with the authorities during most of the mandate period.<sup>2</sup>

One of the most significant deficiencies in the mandate administration was the diffusion of authority and responsibility within the hierarchy of administration that stretched from Apia to Wellington to Geneva. Through the centralized type of administration centering in Wellington, the New Zealand hierarchy seemed to indicate that the Administrator in Samoa was of little importance in decision making. This undermined the Administrator in the eyes of the Samoans. After 1923 the New Zealand government gave increased responsibilities to

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<sup>1</sup>Ibid., pp. 197-200.

<sup>2</sup>Arden, Political Development of Western Samoa, p. 97.

minor officials. While judging by Western standards these duties would not seem very difficult, to the Samoans the inspection of plantations and the collection of taxes proved most difficult to carry out effectively. Although any imposed system would be new to the Samoans, "perhaps a no less comprehensible form of government" could have been "devised for a Polynesian people than the impersonal mandates system."<sup>1</sup>

The New Zealand administration of Western Samoa was not totally unsuccessful although the problems were certainly existent. On the positive side of the administrative ledger New Zealand's colonial approach was much less rigid than that of the previous German administration. The New Zealand policy was one of paternalism as opposed to outright exploitation as advocated by the Germans. However, in the short run New Zealand's adherence to democratic principles caused her discomfort due to the internal turmoil which was allowed to occur. Even at the zenith of the internal and external Mau discontent "no censorship restrictions were imposed on Samoans or visiting journalists."<sup>2</sup>

New Zealand spent money on raising the level of Samoan health and educational standards, which was beneficial to the local culture. Also there was a degree of responsibility

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<sup>1</sup>Felix M. Keesing, Modern Samoa, p. 104.

<sup>2</sup>Arden, Political Development of Western Samoa, p. 101.



given to the Samoans in conducting their own affairs which extended, to a limited degree, the legislative and administrative experience of the indigenous population. Finally, in examining the administration of other mandates by other countries, "Western Samoa may well have been fortunate to have been administered by New Zealand."<sup>1</sup>

#### Trust Period

Western Samoa became a United Nations trust territory on December 13, 1946. The trusteeship agreement for Western Samoa was approved by a vote of forty-one to six, with the Soviet bloc in opposition.<sup>2</sup> Western Samoa retained this position until its independence which occurred January 1, 1962.

In examining the Trust Period it is instructive to compare the characteristics of the Trust agreements with that of the Mandate agreement. The Charter of the United Nations set up the Trusteeship Council as one of the six principle organs of the United Nations; and the procedure, membership, and powers were specific. In contrast, the League Covenant made the Permanent Mandates Commission very much a subsidiary body to the League Council and the League Council organized the Permanent Mandates Commission as well as giving it general powers.<sup>3</sup>

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<sup>1</sup>Ibid.

<sup>2</sup>New York Times, December 14, 1946, p. 1.

<sup>3</sup>James N. Murray, The United Nations Trusteeship System Urbana: University of Illinois Press, 1957), p. 44.

The Mandates Commission had been comprised of specialists assigned on the basis of their individual achievements and competence, and were not representatives of any country. The United Nations departed from this procedure and provided that the membership of the Trusteeship Council should include only representatives of nations.<sup>1</sup> Also the entire trusteeship system was given greater power when compared to the mandate system by the Trusteeship Council's power to "provide for periodic visits to the respective trust territories."<sup>2</sup> The Permanent Mandates Commission had not controlled the power of on-the-spot inspection, and its effectiveness was greatly hindered through its lack of first-hand knowledge. The trusteeship system changed this weakness, and the information provided by the visiting missions was of considerable import to the Trusteeship Council in the administration of its oversight function.

As Professor Murray suggests, the United Nations trusteeship system depicted a decided advance over the mandate system of the League of Nations. The trusteeship system was more flexible, guaranteed the peoples of the trust areas more rights, particularly political rights, and gave a more powerful mechanism for the protection of those rights and for the oversight of the entire system.<sup>3</sup>

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<sup>1</sup>United Nations Charter, Chapter XIII, Article 86.

<sup>2</sup>Ibid., Article 87.

<sup>3</sup>Murray, The United Nations Trusteeship System, p. 45.

On December 13, 1946, the General Assembly approved the text of the trust agreement for Western Samoa. Besides being bound by the basic objectives of the United Nations (see Article 76 of the UN Charter) New Zealand was required to guide the political destiny of Samoa towards independence as soon as it was practically possible.

The trust agreement differed from the mandate agreement only to a small degree with two significant exceptions. The mandate terms provided no reference to the subject of self-government, whereas under the trusteeship New Zealand was obliged to promote self-government or independence in Western Samoa. Also Western Samoa was no longer to administered as an "integral" territory of New Zealand. The second major difference was that the trusteeship agreement provided that New Zealand could establish naval, military, and air bases in Western Samoa.<sup>1</sup> From this point on there was no question of the Western Samoans gaining their independence; the only question was when it could be accomplished and by what specific steps.

For over fifteen years New Zealand administered Western Samoa as a trust territory. During this period New Zealand was committed to a policy of increased political development for Western Samoa, and thus the political institutions of Western Samoa were almost in a continuous state of change until

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<sup>1</sup>Arden, Political Development of Western Samoa, p. 132.

independence was achieved in 1962.

In 1947 a Development Plan provided for three basic constitutional changes. The first change provided that the former administration of Western Samoa henceforth was to be referred to as the "government" and the Administrator was to be given the title of "High Commissioner," in order to affirm the changed relationship between New Zealand and Western Samoa. The second change established a Council of State which included the High Commissioner and the Honorable Fautua (High Chief). This Council was established as an advisory body to assist in the direction of policy affairs. The third and most significant constitutional change came in the abolishment of the ineffectual Legislative Council which with the "advise and consent" of the former Administrator had promulgated the laws. In its place a Legislative Assembly was established with real legislative powers and a majority of Samoan members.<sup>1</sup>

The New Zealand Parliament approved this plan in November of 1947 providing for its implementation in March of 1948. The Samoans were, for the first time, in a position to exert substantial pressure and were even able to determine the direction of government policy. From this point on the Samoans gained more than mere nominal authority. The fact

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<sup>1</sup>J.W. Davidson, "Political Development in Western Samoa," Pacific Affairs XXI (June, 1948), p. 146.

that the Legislative Assembly would be composed of a Samoan majority was a significant step in the evolution of Independence. Also of import was the statement in the 1947 Act that this was only the first of many concessions to the Samoans, the final concession being that of independence.

After a visitation to Western Samoa by a United Nations mission in July of 1950, the New Zealand government, following the mission recommendations, established an Executive Council in Western Samoa. The Executive Council was composed of three Samoan members of the Legislative Assembly also appointed by the High Commissioner but on the nomination of the elected Samoan members of the Assembly, the two Fautua (High Chiefs), the High Commissioner, three official members appointed by the High Commissioner, and one European member of the Assembly also appointed by the High Commissioner on the nomination of the other European members.<sup>1</sup>

The duties of the newly created Executive Council were delineated as "to confer and advise the High Commissioner on the forming, determining, and implementing of policy of the Government of Western Samoa."<sup>2</sup> As time passed, this new governmental structure gave the Samoans an additional forum for influencing policy matters and also provided invaluable

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<sup>1</sup>New Zealand, Report to the General Assembly of the United Nations on the Administration of Western Samoa, 1952, p. 36.

<sup>2</sup>Ibid., p. 37.

experience for decision making.

In 1953 the Prime Minister of New Zealand, the Right Honorable S. G. Holland, issued a statement which became known as the "Development Plan" for Western Samoa. It was this pronouncement that mobilized the centrifugal forces into the increasing momentum for independence. This statement included political, economic, and social goals. In the political area New Zealand was to help Samoa develop:

(1) A strong, responsible, and representative central government whose authority is accepted by the community, and which is Samoan in outlook, personnel, and in the bases of its powers.

(2) A united population comprising all Samoan citizens, regardless of race.

(3) The administrative machinery, the institutions, and the knowledge necessary for the solution of the political, social, and economic problems that will come during the next generation.<sup>1</sup>

The Prime Minister's pronouncement also called for a constitutional convention representing all sections of Samoan society to be held before the end of 1954 and specified "that the convention should consider a constitutional plan for the future state of Western Samoa."<sup>2</sup>

In November of 1954 the long-awaited constitutional convention got underway and lasted until December 23, 1954. The convention and its adoptions represented a blend of Western political thought and practice, and fa'a Samoa (the Samoan way) methods. The Convention's proposals included:

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<sup>1</sup>Arden, Political Development of Western Samoa, p. 154.

<sup>2</sup>Ibid.

(1) A special relationship should be maintained with New Zealand; (2) a single Legislature should replace the present Legislative Assembly and Fono of Faipules and should be composed of 41 Samoan members (to be increased to 45), five European members and two official members; it should have full power to make all laws necessary for the peace, order and good government of Western Samoa, subject only to the restriction of a suggested suspensory veto of the Head of State and to any restrictions which might be advisable due to the relationship with New Zealand; and it should eventually have full power to amend the Constitution; (3) in the Samoan constituencies only Samoan matais should have the right to vote or to be nominated as candidates for election; (4) the two present Fautua should together be the first Head of State; they should act together and with equal power and their term should be for life; (5) a premier and cabinet should control the executive government from the time that the new legislature is established; (6) the Government of Western Samoa should control its own Public Service, and a public service commissioner should be appointed by the Government of Western Samoa and should be subject to any directions on policy matters that he might receive from that Government.<sup>1</sup>

In spring of 1956, the New Zealand Parliament passed legislation which approved in principle all of the proposals of the 1954 Constitutional Convention. Specifically the Executive Council, which had been an advisory body, was to become "the principal instrument of policy of the High Commissioner in his administration of the Executive government of Western Samoa."<sup>2</sup> The overall result of the legislation was to convert

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<sup>1</sup>Yearbook of the United Nations, 1955 (Lake Success, New York: Department of Public Information, United Nations, 1956), pp. 290-291.

<sup>2</sup>New Zealand, Report to the General Assembly of the United Nations on the Administration of Western Samoa, 1956, p. 12, as quoted in Arden, Political Development in Western Samoa, p. 168.

the Executive Council from a strictly advisory committee into an executive structure with significant power and to provide for the establishment of cabinet government.

In October of 1957 the New Zealand Parliament passed the Samoan Amendment Act of 1957. This legislation expanded the Executive Council, abolished the Fono of Faipules, and reconstituted the Legislative Assembly. The Assembly was changed to include:

(1) Forty-one Samoan elected members representing single member constituencies elected for a period of three years.

(2) Five Europeans elected for a period of three years.

(3) Not more than three official members to hold office during the High Commissioner's pleasure.<sup>1</sup>

The prior Legislative body had "consisted of the members of the Council of State, twelve Samoan members nominated by the Fono of Faipules, five European members elected for a period of three years, and not more than six official members; thus the new Assembly greatly increased the representation of the Samoans."<sup>2</sup>

Because of the great progress of Samoan self-government, in September of 1959 the New Zealand Parliament enacted additional legislation which virtually gave Western Samoa full internal autonomy. The legislation provided for a cabinet type government to be established in October of the same year. The law provided that the Prime Minister was to be selected

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<sup>1</sup>Ibid., p. 170.

<sup>2</sup>Ibid.



by the Legislative branch from among its membership and the Council of State would make the official designation. After his selection the Prime Minister had the power to choose nine Legislative Assembly members to comprise his cabinet.<sup>1</sup> In line with parliamentary form of government, the cabinet was directly responsible to the Legislative Assembly. The cabinet retained its power only so long as it maintained the confidence of the Legislative Assembly.

The three-membered Council of State was given the power of executive government and given those prerogatives exercised by the High Commissioner. This Council consisted of two Samoan leaders and the High Commissioner. The decisions of the Council were made on the basis of majority rule. This body functioned much as a constitutional sovereign. While this Council had the power to ask for a review of the decisions by the Executive Council, the Council of State could not override the decisions of the cabinet.

The 1959 legislation significantly altered the structure of the Executive Council and the High Commissioner. The revised structure provided for members of the cabinet and members of the Council of State to sit jointly. The policy-making function of the Executive Council was removed. The

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<sup>1</sup>New Zealand, Report to the General Assembly of the United Nations on the Administration of Western Samoa, 1959, p. 20, as quoted in Arden, Political Development of Western Samoa, p. 173.

functions left to the Council were largely procedural. First, the Council of State could not act except on advice tendered by the Executive Council--which, in practice, only meant upon the advice of the Cabinet--and secondly, the Council could review cabinet decisions although it could not veto or alter them.<sup>1</sup>

The role of the High Commissioner had transformed greatly. He functioned, at this point, as a representative of New Zealand in Western Samoa. The High Commissioner was thus responsible for defense and foreign affairs, and he functioned as the central communication link between New Zealand and the government of Western Samoa. Apart from the above mentioned functions the Commissioner's role was consultative.<sup>2</sup> The final significant change provided by the 1959 legislation was the elimination from the Legislative Assembly of the official government members. The result was the "Assembly consisting of forty-one Samoan members and the five European members. The legislative powers of the Assembly were not enlarged; already it could legislate with respect to all matters except defense and foreign relations."<sup>3</sup> From this point on, then, the Samoans were in control of their government and to a degree their future direction.

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<sup>1</sup>Ibid., p. 174.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid.

Independence Period

In 1955 New Zealand had indicated that with the granting of cabinet government the trusteeship agreement would be ended and New Zealand would bow out of Western Samoa. Therefore, between 1959 and 1962 the transition to independence took place.

Prior to the establishment of cabinet government a "Working Committee on Self-Government" was established. This Committee was set up to evaluate the constitutional problems involved in the transition to independence, and the Committee was charged to develop a temporary constitution to be presented to a Samoan constitutional convention. Another matter for consideration was the future relationship between Western Samoa and New Zealand.

Due to the granting of cabinet government by New Zealand, the Working Committee had a model to examine and to evaluate. This period of observation was important for the Committee to formulate its recommendations to the constitutional convention.

In the spring of 1959 the United Nations sent a visiting mission to Western Samoa. The mission found that the Samoans were in full support of the governmental changes and the participation by the Samoans had been greatly increased in the governing of their own affairs.

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<sup>1</sup>Ibid., p. 179.

In August of 1960 a second Constitutional Convention was held. Within two months the completed constitution was formally adopted and signed.<sup>1</sup>

The machinery of the government created by the constitution almost paralleled that governmental structure that was set up after the creation of cabinet government. "In fact, the only difference was that on the attainment of independence the Council of State was to be replaced by the Fautua acting as Head of State. Otherwise the structure remained unchanged."<sup>2</sup>

As a result of the United Nations visit in the spring of 1959, Western Samoa was required to hold a plebiscite based on universal suffrage. The Prime Minister of Western Samoa and the New Zealand government indicated that no such plebiscite was necessary since representation through the Legislature and the 1960 Constitutional Convention had indicated the Samoan's desire for independence. However, the United Nations required that the plebiscite be held on May 9, 1961, under the auspices of a United Nations Plebiscite Commissioner.<sup>3</sup>

Over eighty-seven per cent of the eligible adults voted in the plebiscite. The first question was, "Do you agree with the Constitution adopted by the Constitutional Convention

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<sup>1</sup>New Zealand, Report to the General Assembly of the United Nations on the Administration of Western Samoa, 1960, p. 13.

<sup>2</sup>Arden, Political Development of Western Samoa, p. 200.

<sup>3</sup>Yearbook of the United Nations, 1960, p. 480.

of 28 October 1960?: 31,426 for; 4,909 against. The second question was, "Do you agree that on 1 January 1962 Western Samoa should become an independent State on the basis of that Constitution?" 29,882 for; 5,108 against.<sup>1</sup>

With the overwhelming approval by the Samoan population of the plebiscite questions, the final steps to complete independence were near. From this point three official actions were required:

(1) action by the Trusteeship Council recommending to the General Assembly that the trusteeship agreement be terminated; (2) the passage by the New Zealand Parliament of implementing legislation abrogating all New Zealand's powers over Western Samoa; (3) the passage by the United Nations General Assembly of a resolution terminating the trusteeship agreement as of January 1, 1962.<sup>2</sup>

By October of 1961 all of the above steps had been taken, and on January 1, 1962, Western Samoa became recognized as a fully independent state.

Since Western Samoa was not a wealthy country, she signed a treaty of Friendship with New Zealand which provided that New Zealand would act as a channel of communications between the Government of Western Samoa and the Governments and international organizations outside the immediate area of the Pacific Islands.<sup>3</sup>

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<sup>1</sup>Arden, Political Development of Western Samoa, p. 202.

<sup>2</sup>Ibid., p. 203.

<sup>3</sup>U.S., Department of State, Background Notes--Western Samoa, December 1971, p. 4.

In 1970 Western Samoa became a member of the Commonwealth of Nations but has not joined the United Nations due to lack of adequate funds. Western Samoa does, however, obtain assistance from the United Nations agencies in "planning and promoting economic and social development and has joined the World Health Organization (WHO), the Economic Commission for Asia and the Far East (ECAFE), and the South Pacific Commission."<sup>1</sup>

In examining the administration of Western Samoa by New Zealand a number of important factors should be noted. A major indication of a change in traditional paternalism came after 1945. Specifically the New Zealand government indicated that the Samoans themselves should take part in and responsibility for their own future. The result was an increasing participation by the Samoans concerning various constitutional changes which led to greater self-determination. "Basically, New Zealand did the most difficult thing of all; she accepted the fact that her ideals and values might not be the same as those of the Samoans and then was willing to let the Samoans be their own guide and pacer."<sup>2</sup> Also helpful in the smooth transition to independence was the spelling out of a time-table for specific procedural steps. This reaffirmed New Zealand's commitment to Samoan

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<sup>1</sup>Ibid., p. 4.

<sup>2</sup>Arden, Political Development of Western Samoa, p. 214.

independence.

Two criticisms leveled at the New Zealand government were: (1) that the pace for independence was too rapid, and (2) that New Zealand had not provided adequately for Western Samoa's economic development. The first criticism came from the conservative quarter of the British population. The second criticism was probably more valid; however, the "fever" for political independence was high among the Samoans themselves and it does not seem likely that they would have waited the additional time in order to build up their economy to a more substantial level.

## CHAPTER VII

### CONCLUSION

#### Evaluation of United States Colonial Policy

Today American Samoa remains an unincorporated and unorganized territorial possession of the United States. The legal status has not changed since Congress recognized formally the acquisition of American Samoa in 1929. Any policy evaluation relative to United States Colonial Policy in this area is difficult because of the degree of subjectivity involved. In our relationship with American Samoa governmental policy goals have not been specific.

During the first half of the twentieth century American Samoa was operated within a military structure, with little participation by the indigenous population. While a degree of educational and economic improvement was made, primarily the Naval Commandant perceived his function as being one which provided for law and order for the inhabitants of the area.

One of the positive aspects of the United States presence in American Samoa is the high standard of living for the population which is a direct result of Congressional funding. Over two-thirds of the Samoan budget is provided for by the United States. Employment is so attractive that several



hundred Western Samoans have taken up temporary residence in American Samoa for jobs.

Educational training has been expanded and school is virtually compulsory from first grade through secondary education. There is an island-wide television network which brings educational training to the various segments of the population which would otherwise be deprived. New high schools and in 1971 a new Community College was established. The Community College is designed to prepare American Samoan students for technical positions but also has limited offerings in the liberal arts.

Internal improvements have been made within the last ten years, 1963-1973. For example, new roads were built from Pago Pago to connect the outlying districts of Tutuila. There exist some fifty miles of all-weather paved roads with Congress providing \$500,000 per year for road improvements and expansion of new roads. Major items of concern for the physical infrastructure include better water quality control, the development of sewage plants, power development, and improved communications.

Since the Department of the Interior assumed control over the territory, American Samoans have been given a greater voice in the governing of their own affairs. Although a completely democratic system will be difficult because of the Matai system, certain democratic procedures and institutions

have been initiated. The lower House of the Fono is elected on the basis of universal suffrage. The upper House, however, maintains the Samoan way of life by limiting candidates to the Matai level only. Any future political system for this area must take into account the Matai chief and his powers and privileges. It will be difficult for the Matai to give up his position in the social structure and his power over land use. With the pressing economic problems, however, the Matai may possibly be willing to compromise on these issues.

As of the spring of 1972 the issue of Samoans electing their own Governor was the subject of Congressional Subcommittee Hearings in Washington, D.C. The Samoan attitude on this issue is not, at this time, unified. In an interview with a government official, the author found that many government workers feared that an elected governor would terminate all government employees who were not related to the elected Samoan Governor. On the other hand, according to a survey by this government official, the merchants were anxious for an elected Governor, hoping that they would gain more influence and thus be able to raise prices. The present Governor, John M. Haydon, is opposed to the popular election of a Governor at this time. Governor Haydon and the Interior Department as well, believe that the Samoans need additional political education and practical experience before attempting self government. Also the Department of Interior feels that as

long as the United States is providing over two-thirds of the Samoan budget, there must be some form of accountability, which would be a problem with an elected Governor. A final point put forth in opposition to Samoans electing their Governor at this time is the need to further develop the physical infrastructure which is important for economic stability.

A major negative feature of the United States administration of American Samoa has been the lack of clarification of United States goals and policy in this area. While the initial acquisition was based on a mixture of commercial and strategic interests, the ensuing years brought little real development either in the commercial or military field. The naval coaling station which was established there became the political and economic center for the islands. However, the naval commanders were not prepared to handle the social, political, and economic problems which arose. This was especially true in the field of individual rights and liberties of the people. Also the Commanders had a difficult time in receiving specific orders from Washington relative to the manner of handling local problems.

As a result of Washington's neglect, the Naval Commanders had virtual dictatorial powers, which were reinforced by the advent of the Second World War. In 1930 there was a Congressional investigation into the Naval administration of the area. Although this investigation uncovered many irregular-

ities in the Naval administration, there were those in Congress who feared that extension of civil liberties to the inhabitants of this area might antagonize Japan. Therefore, after the 1930-31 Congressional investigation, the issue of extension of civil liberties and expanded self-government for American Samoans was legislatively dead.

Political and social advancement during the first half of the Twentieth Century was practically non-existent. The responsibility for administrative inaction does not seem to rest on one single segment alone, rather simultaneously with the Naval Commanders, the Congress, and the Samoan chiefs.

Certainly the Naval Commanders with their near absolute power and authoritarian nature of the military organization, must assume some degree of responsibility for the lack of political and social development. It seems, however, that a greater criticism must be laid at the feet of Congress and the President for lack of directive policy in this area. Even after the Mau uprising, when the attention of Congress was turned to American Samoa, no fruitful legislation was forthcoming. The fear of offending Japan, and also the influence of powerful friends of the Navy, stifled any Congressional action. A third focal point of responsibility must rest with the Samoan chiefs themselves. Under the Matai system the chiefs at all levels receive certain material and political benefits. Therefore these hereditary chiefs, who number in

the hundreds, provide a significant conservative bulwark which places heavy emphasis on custom and tradition. It is difficult for the Matai chiefs to give up their traditional position in the Samoan system for the advantages of a technological society. Thus, the Matai system serves as an obstacle to an expanded democratic system. Although currently, as stated in the 1966 revised Constitution for American Samoa, both male and female are eligible to run for office and to vote, candidacy in the upper house of the Fono (legislative body) is restricted to titled chiefs while in the lower house this restriction does not apply. In 1969 the Fono established a political status commission to study the political problems of American Samoa. One of the recommendations of this commission was that "both Houses of the Samoan Legislature be popularly elected...."

Other disadvantages of the current Samoan political situation include the fact that the Governor is a political appointee so that with a change in national administration comes a change in governors. Also the Governor holds a great deal of power as was displayed when the Department of Interior recalled the Chief Justice. The judge had handed down a ruling which was favored by the Speaker of the House of Representatives and the President of the Senate but was publicly condemned by Governor Haydon.

In recent years, there have been significant develop-

ments toward self-government for American Samoa. With the adoption of the first Samoan Constitution in 1960, the Samoans were given an opportunity to revise this document through procedures which require the ultimate approval by a majority of the Samoans voting on the recommended amendments to the Constitution. In 1966 this Constitution was revised to meet the needs of the Samoan people. For example, under the new Constitution the legislature was required to reapportion itself at intervals of not less than five years. The Governor's powers were somewhat restricted, mainly dealing with the veto time limitation; and under the new Constitution the vetoed bills could be repassed at any session of the legislature. The first Constitution had been more restrictive.

In November of 1970, High Chief A. U. Fuimaono, Director of Agriculture, was elected in the islands' first territory-wide election as American Samoa's first official representative in Washington. His official title is the American Samoa Delegate at Large. His function is to act as a representative to the legislative and judicial branches in Washington, D.C. The Samoans hope to eventually receive official recognition of this office much like the Resident Commissioner of Puerto Rico. Currently the American Samoa Delegate at Large is allowed to testify before committees which deal with problems in American Samoa, and he also works with the Executive departments which have projects in this

The Judicial system also includes indigenous people at the lower and middle levels. The High Court is comprised of justices appointed by the Secretary of the Interior, while the District Courts consist of Samoan Judges. The High Court is relatively independent of the Governor and on occasion the two branches clash with the High Court superior in its area of jurisdiction.

#### Comparison of the Colonial Administrations of New Zealand and the United States

Western Samoa, which had been under the administration of New Zealand, was granted independence in 1962 but is economically substandard in the world community. American Samoa, which is under the administration of the United States, faces possible alternatives for the future of its political status. Before discussing those alternatives it is well to compare the history and the approaches of these two administering powers.

The demand for self-government in Western Samoa was clear and definite by 1944. This desire by the Samoan people was sympathetically received by Prime Minister Peter Fraser in his visit to Western Samoa in 1944. It was at this point that the New Zealand Prime Minister acknowledged and agreed that the Samoans should have independence. From this point forward it was only a matter of time before independence was to become a reality. New Zealand at this time did not seem to be as concerned with Western Samoa's economic stability

area. However, the Delegate at Large is not allowed to take an official position on an issue without direct authorization from the Fono. It is interesting to note that in the most recent hearings dealing with the popular election of a Governor for American Samoa the Delegate at that time (March, 1972), had not received any communication from the Fono; therefore he was unable to take a public position on the issue.

In 1971 a full-time salaried territorial legislative body with staff support was created. This provides an important step in the infrastructure of the self-government. Under the revised Constitution of American Samoa, the Fono is still composed of House of Representatives, which is popularly elected by the voters of American Samoa, and the Senate, which remains an appointed body composed of traditional Samoan family representatives. Although the Fono proposed an amendment to the Constitution which provided for full-time legislators, it did not change the qualification with respect to the Senate.

In the executive branch of the Government of American Samoa the United States has recently been active in replacing United States personnel with personnel from the area. The base compensation for these positions has been made equal to the previous American salary, and a retirement system has been introduced for all employees of the Government of American Samoa.



as with their plea for political independence. The thrust of their efforts, therefore, was toward establishment of self-government, not economic development.

After 1945 Western Samoa was administered as a United Nations trust territory under the guidance of New Zealand. Both New Zealand and Western Samoa were in agreement that complete independence would be the only satisfactory status. From 1947 to 1959 a number of constitutional changes were effected which provided the Western Samoans with the internal instruments for self-government. For example, in 1947 New Zealand announced a Development Plan which created a Council of State consisting of a High Commissioner and three High Chiefs.<sup>1</sup> This body was to act in advisory capacity to help in considering matters of policy. Also this Development Plan established a functioning Samoan Legislative Assembly.

In 1952 an Executive Council was formed to "advise" the High Commissioner on matters of policy. This Council broadened the participation of the Western Samoans in policy making. In 1954 the Samoans held a constitutional convention and wrote the document which proved to be the framework for future Samoan independence.<sup>2</sup> The Executive Council was changed from an advisory body to one which would initiate policy along with the High Commissioner. In 1957 the New

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<sup>1</sup>See Chapter VI, p. 165 of this dissertation.

<sup>2</sup>See Chapter Vi, p. 168 of this dissertation.

Zealand Parliament passed legislation expanding Samoan participation in the Executive Council and reconstituting the Legislative Assembly to increase the representation of the Samoans. By 1959 the New Zealand Parliament enacted legislation which gave Western Samoa virtual internal autonomy and changed the function of the High Commissioner to that of a representative of New Zealand to Western Samoa. It was not until 1962 that full independence was gained.

The government of Western Samoa is patterned after the parliamentary system much like that of the New Zealand government. New Zealand did provide allowances for local customs and institutions in that the Legislative Assembly is selected on a territorial basis by matai suffrage. In Western Samoa there are some 9,000 matais who participate in the electoral process. Also there are two members of the Legislative Assembly that are elected from the non-Samoan population.<sup>1</sup>

While the attitude of New Zealand toward Western Samoa was fully supportive of independence, the attitude of the United States toward American Samoa is supportive not of independence but of economic stability and educational-vocational sufficiency. The future status was not predetermined as in the case of Western Samoa; future status is still an active issue.

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<sup>1</sup>U.S., Department of State, Background Notes-Western Samoa, December, 1971, p. 3.

Although the Secretary of the Interior has indicated that the United States policy encourages increased self-government for both American Samoa and the Trust Territory of the Pacific, there is no current government policy which is actively moving toward full independence of either of these United States possessions. The explanation rests in the basic United States attitude toward these holdings and also in the attitude of American Samoa.

The people of Western Samoa pressed for independence; the people of American (Eastern) Samoa rejected independence as an alternative future status.<sup>1</sup> The Department of Interior does not consider full independence for the Samoans an imminent possibility. In comparing the difference in attitude and approach of New Zealand and the United States one finds that New Zealand moved to develop greater Samoan participation in policy making than did the United States. While the Department of Interior does agree in principle with the goal of increased Samoan governmental responsibility and the Samoans do actively participate in legislative functions, it opposes the election of a Governor (who is the chief policy maker) by the Samoans. This objection is based on the fact that some two-thirds of the budget of American Samoa comes from the federal government and the Governor needs to serve in an

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<sup>1</sup>Report from the Future Political Status Study Commission to the Eleventh Legislature of American Samoa, Second Regular Session, February 9, 1970.

oversight function. Although the Governor of American Samoa is a political appointee of the President and it has been difficult to maintain a consistent policy of any kind, the progress that has been made in American Samoa is due primarily to the initiative of a number of the Governors. An example of progress through the influence of a Governor is seen in Governor Lee, who served from May 1961 to July 1967. He pressed for many social and economic reforms in American Samoa and was successful in getting Congress to increase funding significantly. The 1961 appropriation of \$2,486,000 was increased in 1962 to \$9,500,000 largely through the efforts of Governor Lee.<sup>1</sup> Also the Governor imported forty additional teachers and provided the ground work for area-wide educational television, which today is the most technically advanced physical plant in the area. The United States has provided for almost universal education for the children of American Samoa. Almost 3,000 out of 3,500 children are enrolled in preschool education by way of area-wide educational television hook-up. With the recent change in the emphasis in American Samoan education, the secondary curriculum is more vocationally oriented than academically oriented which it is hoped will provide the territory with much-needed indigenous technicians. Governor Lee also laid the ground work for the Lyndon B. Johnson Tropical Medical Center which was finished in 1969.

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<sup>1</sup>Congressional Record, Appendix, House, August 9, 1962, p. A6099.

In American Samoa the primary power still rests in the hands of the Governor. Even though there is joint consultation between the Governor and the Members of the Fono in budgetary planning, the Governor remains the final authority on the islands. To illustrate the power of the Governor relative to other elements of the Samoan government, a recent event is most illuminating. The Judiciary of American Samoa is independent of direct control by the Governor. The Department of Interior appoints the Chief Justice and Associate Justices. Recently Associate Judge Goss rendered a decision which was in opposition to the point of view held by Governor Haydon. The Governor publicly called Judge Goss a "lousy judge" and urged his recall to the United States. Shortly thereafter the Interior Department announced that Judge Goss was being promoted to a position on the mainland-- "promoted" even though his salary remained the same. The Judge's recall was protested by the Judge himself and by the leadership of the Fono, but the protests were to no avail.<sup>1</sup> The point seems to be that the Governor has autocratic power, if he chooses to exercise it.

New Zealand was much more widely involved with the administration of Western Samoa than is the United States in American Samoa. For example, the Prime Minister of New Zealand made personal visits to Western Samoa, and the

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<sup>1</sup>Washington Post, September 4, 1971.

Parliament was kept apprised of political developments through the Office of Island Territories. In American Samoa the Governor bears primary responsibility and he reports annually to the Department of Interior. The fact that New Zealand is herself a small nation with Western Samoa being the major territorial responsibility probably made a difference in the amount of attention which New Zealand was able to devote to this area. The fact that Western Samoa was a territory in trust under the United Nations Trusteeship System provided an added impetus for New Zealand to facilitate the independence of Western Samoa.

American Samoa, on the other hand, is not subject to close examination of the United Nations; in fact, the United States considers American Samoa to be a domestic concern. The United States does, however, send information about the social, economic, and political progress of the area to the United Nations General Assembly. The Fono is bicameral and follows both the United States form of political institutions and the Samoan customs; i.e. the lower house is popularly elected and Senate members are selected from the Matai class only.

In examining the efficiency of United States colonial administration one finds that there has never been a "colonial office" as such and that, for the most part, the United States did not have any intentions of keeping their acquired terri-

tories for a permanent period of time. The result was that responsibility for acquired territories was divided among various Executive Departments. Specifically, the departments of state, interior, war, and navy were at one time charged with the administration of a territorial possession. Currently the administration of the remaining United States possessions is under the authority of the Department of the Interior.

With the Kennedy administration in 1962 a renewed interest in the Trust Territory of the Pacific developed. In recent years the Congress of Micronesia has been quite vocal in pressing for greater participation in the policy-making process. There have even been legislative proposals from the Congress of Micronesia calling for a "Declaration of Independence" from the United States. Currently, political status discussions are underway, headed by Ambassador Williams, who was appointed by President Nixon to negotiate with the leadership of the Congress of Micronesia.

Current negotiations are under the direction of an interagency group established on an ad hoc basis. This group is chaired by Secretary Loesch of the Department of Interior and the membership is comprised of representatives from the National Security Council, White House staff, and the Departments of Interior, State, Defense and Justice.<sup>1</sup>

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<sup>1</sup>U.S., Congress, House, Committee on Appropriations Hearings before the subcommittee on Appropriations for the Department of Interior for the fiscal year 1972, 92d Cong., 1st Sess., pt. 1, p. 524.

According to Assistant Secretary of Land Management Mr. Harrison Loesch, there are two key issues: the right of the United States to eminent domain; and the right of the Micronesians for free association--the "right of unilateral termination of any relationship with the United States."<sup>1</sup>

The Trust Territory presents a special case in that the United States holds this area as a strategic trust and the Department of the Interior has indicated that it is willing to provide increased appropriations<sup>2</sup> and to include the leadership of the Congress of Micronesia in formulating the annual budget, but the United States is unwilling to agree to any new situation which would jeopardize United States interests in the area.

The greatest benefit that Western Samoa has derived from being administered by New Zealand is that of political independence. However, the liability is that of a much lower standard of living and lower per capita income than is found in American Samoa. Perhaps the greatest benefit that American Samoa has derived from the United States Administration is that of a higher standard of living than its Western Samoan neighbors and one of the most advanced educational and medical physical plants.<sup>3</sup>

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<sup>1</sup>Ibid.

<sup>2</sup>Congressional economic assistance to the Trust Territory has increased from \$6,104,000 in 1962 to \$59,739,000 in 1972. Ibid., p. 528.

<sup>3</sup>See discussion in Chapter IV.



Alternatives for Future Political  
Status of American Samoa

One possible alternative for the political future of American Samoa is independence. Independence would allow this small insular country to draft its own constitution, have Samoans exclusively in charge of the government, and provide for choosing its own foreign policy. However, it appears that the disadvantages far outweigh the advantages of independence. For example, the economy of American Samoa without United States Congressional assistance would be devastated. Some two-thirds of the country's budget of approximately 37 million dollars is provided by the United States. With a small population and limited natural resources the standard of living would take a precipitous drop. Also the American Samoans would possibly lose their ability to freely emigrate to the United States. Another point to consider is the fact that an independent Samoa would be an easy target for any expansionist country who desired influence or dominance in the area. In any case, even if the Samoans by referendum chose independence, it is inconceivable that Congress or the President would permit such an action. Thus, it appears that independence is not a viable alternative for American Samoa.

Another possible political path for American Samoa is a union with Western Samoa. Western Samoa has much more arable land than American Samoa. As a single nation the two areas could pool their resources and possibly develop a strong

nationalism. Actually, there seems little enthusiasm on either the part of American Samoa or Western Samoa for any type of formal union. Both countries would stand to lose economically through such a union. For example, while American Samoa has a higher standard of living than does Western Samoa, without United States assistance the standard of living of American Samoa would be lower than that of Western Samoa. Not only that but the economies of both countries are primarily agrarian and would not be complementary. Thus, from Western Samoa's standpoint, to join with American Samoa would be to accept an economic liability on an already limited economy. From American Samoa's position, union with Western Samoa would mean little economic advantage and less control over her political affairs than currently exists under United States hegemony. While race, customs, and traditions are common to these two areas, circumstances and desires indicate that any type of political unity would not bring advantages to either country.

Another political alternative for American Samoa would be for the Congress to pass an Organic Act, which would make American Samoa an incorporated territory of the United States. Currently the only Congressional recognition of American Samoa's legal status is contained in the Act of February 20, 1929, which states that all civil, judicial, and military powers shall be vested in such person or persons as the President of the United States shall direct, until

such time that the Congress deems fit to establish a Government for American Samoa. An Organic Act for American Samoa would specifically define the rights and privileges of American Samoans by providing a permanent Constitution for American Samoa and would end the uncertainty which now exists over the extent to which the United States Constitution applies to American Samoa. With the passage of an Organic Act the reality of a popularly-elected governor would have a greater feasibility, much like Guam and the Virgin Islands under their Organic Acts. Another positive advantage of Organic status is the integration of the Samoan judicial system with that of the federal court system. This would allow individuals to appeal to higher courts outside the islands if not satisfied with local court decisions.

Perhaps the most serious drawback to Organic status would be the threat it would present to the traditional Samoan social structure. Currently 98 per cent of the land of American Samoa is owned by the indigenous population. With the change in legal status the land-tenure and the Matai-title systems might well be endangered. Also there is a fear that closer firm ties with the United States might cause excessive "Americanization" of the Samoan society and thus erode the customs and traditions--the Samoan way of life. Thus while Organic status has the advantage of clarifying Samoa's legal status relative to the United States and possibly increasing Samoan self-government, there is a distinct possibility that

this new arrangement might greatly endanger the very fabric of Samoan society, the Matai system.

A fourth alternative for the political future of American Samoa is that of Commonwealth status. This status is unique; currently only Puerto Rico enjoys this special relationship with the United States. A brief review of Puerto Rico's political background may be helpful in showing the advantages of Commonwealth status for American Samoa.

After the United States acquired Puerto Rico in 1898, civilian governors were selected by the President to administer the island. At the same time Puerto Rico was allowed a Resident Commissioner to sit in the United States Congress with a voice on the floor of the House of Representatives and membership in some of its committees, but without the right to cast a vote. In 1917 the Congress conferred citizenship on the inhabitants of Puerto Rico, and in 1948 the Puerto Ricans were given the right to elect their own governor..

The Commonwealth status for Puerto Rico became effective on July 25, 1952. One of the main concerns of the inhabitants was the desire to protect and preserve their Spanish-American cultural identity and at the same time continue a strong economic and political relationship with the United States. The Commonwealth has a republican form of government, with the traditional separation of the executive, legislative, and judicial powers, and separation of church and state. The civil and political rights of citizens are guar-

anted by a Bill of Rights in the Constitution.

The executive power is exercised by a Governor, who is elected by direct vote every four years. The Governor appoints, with the consent of the Senate of Puerto Rico, the members of his Cabinet, composed of the Secretaries of the nine executive departments.

The legislative power is located in a Legislative Assembly composed of a Senate of thirty-two members and a House of Representatives of sixty-four members elected by the people every four years.

The judicial system is composed of a Supreme Court, with the lower courts consisting of Superior, District, and Justices of the Peace. All judges are appointed by the Governor with the consent of the Senate of Puerto Rico. In cases involving the constitutionality of a law, decisions of the courts of Puerto Rico may be appealed as high as the Supreme Court of the United States.

In 1967 a Plebiscite was held to determine the popular attitude toward continuing the Commonwealth status, applying for Statehood, or seeking Independence. The results of the Plebiscite indicated that approximately 60 per cent of the electorate favored retention of the Commonwealth, while some 40 per cent preferred Statehood. Less than 1 per cent favored Independence.

The chief advantage that this political structure would have for American Samoa would be that the Samoans would

become completely self-governing. This would include the power to elect their own Governor and the Samoan Legislature would have complete autonomy in matters dealing with internal affairs.

Also Samoa could develop a tax and revenue system to meet its own needs. These financial levies would be set by the legislature, and all local revenue would be locally spent. Under Commonwealth status American Samoa would be eligible for participation in certain federally funded programs which are currently available to the Commonwealth of Puerto Rico but denied to the Territory of American Samoa. Another advantage of Commonwealth status would be the granting of United States citizenship to the people of American Samoa, although they would not be able to participate in Presidential elections.

One possible disadvantage of the Commonwealth status would be the gradual erosion of the land-tenure and Matai system of the Samoan society. This proposal, however, holds forth the greatest benefit for the Samoans.

The final suggestion that has been raised is that of American Samoa becoming a county within the state of Hawaii. This proposal would give Samoans full citizenship within the United States. They would be able to vote and to run for political office in positions where citizenship is a prerequisite. Also American Samoa would benefit from the increased resources of Hawaii which are much greater than those of Samoa. While American Samoa wouldn't have its own legis-

lature, it would have one or two seats in the state legislature. As a county, Samoa would have a county council or assembly which would be concerned with local issues much in the same manner as the current legislature. Hawaii has many skilled professionals such as educators, lawyers, doctors, engineers, etc., whose talents could be tapped for needs existing in American Samoa. However, within the state system, Samoans would be just another minority along with many other minorities. This political alternative might well cause the elimination of Samoans ethnically and culturally. There might also be an undesirable exploitation of the tourist trade to the detriment of the indigenous population under this system. Thus this alternative does not appear very desirable.

After investigating the above mentioned proposals, it seems to this author that the alternative of Commonwealth status holds the most promise for the future political structure of American Samoa. One of the primary problems at this stage of development is to build a greater economic base from which a stronger political position can be taken. Specifically, for American Samoa to develop a stronger physical infrastructure there is a need to develop water resources, sewage treatment, power, and communications. With these goals accomplished the area could compete more readily in a modern-day economic market, which is essential to its political development and self-government.

Presently, Samoans must lobby through their Delegate

at Large, or through the Department of Interior, or through the Hawaiian members of Congress to be included in many federal programs dealing with health, education, transportation, etc. With Commonwealth status American Samoa would be included in many more federal programs and probably Congress would grant official recognition to the Samoan Delegate at Large which would provide a direct voice of the Samoan people to the United States Congress.

Although there is some concern about the influence of increased "Americanization" on the customs and traditions of Samoa, Puerto Rico has been able to maintain its identity and yet enjoy many of the benefits which accrue from being in close association with the United States

Many of the young people of American Samoa are leaving and are not returning. If this trend is not altered by providing for them a more technical society which can use their acquired skills, then American Samoa will find itself with an older-age population which is unable to adapt to a modern type of economy. The present mood of Congress and the Department of the Interior is to provide greater economic development and local political participation in the various levels of government.

Commonwealth status will provide an avenue which will allow the United States to maintain its interests in the area and will allow enough latitude for the Samoan leadership to



modify its position relative to land tenure and the Matai system itself.

Thus, Commonwealth status appears to be the most viable alternative for the future of American Samoa.

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