COLONIAL LAND POLICY AND CULTURAL CHANGE IN THE NORTHERN MARIANA ISLANDS

By

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ABSTRACT

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For over four hundred years, colonial governments in the Northern Mariana Islands controlled resource development through the enforcement of land policy. While largely economic in nature, these land policies resulted in dramatic cultural changes for the native Chamorro people. However, as a self-determined United States territory, the indigenous government of the Northern Marianas has expropriated this framework of colonial land policy and transformed it into a protective tool against foreign exploitation. This thesis assembles an original and comprehensive analysis of Spanish, German, Japanese, and American colonial land policies and their connection to the documented cultural changes experienced in the Northern Mariana Islands.

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Introduction

For over four-hundred years, resource development in the Northern Mariana Islands was directed by colonial governments through the enforcement of land policies. While largely economic in nature, these land policies resulted in dramatic cultural changes for the native Chamorro people. However, employing the concept of self-government as a United States territory, the indigenous government of the Northern Marianas has expropriated this framework of colonial land policy and transformed it into a protective tool against foreign exploitation.

While a great deal of historical research has been done on the foreign administration of the Northern Marianas, no substantial analysis of colonial land policy has been published. Colonial ethnographic reports and modern oral histories present a detailed record of the numerous changes to the Chamorro culture.[1] This thesis presents an original and comprehensive analysis of Spanish, German, Japanese, and American land policies and their connections to the documented and ongoing cultural changes experienced in the Northern Mariana Islands.

Few histories of the Marianas examine the impact of colonial land policy on cultural change.[2] This thesis argues that foreign regulation of indigenous land use was a primary agent of cultural change during the colonial era of Northern Marianas history. Through removal from ancestral lands, forced urbanization, alterations to traditional

agriculture, and mandated participation in foreign economies, these colonial land policies greatly impacted the Chamorro lifestyle and permanently altered the indigenous culture.

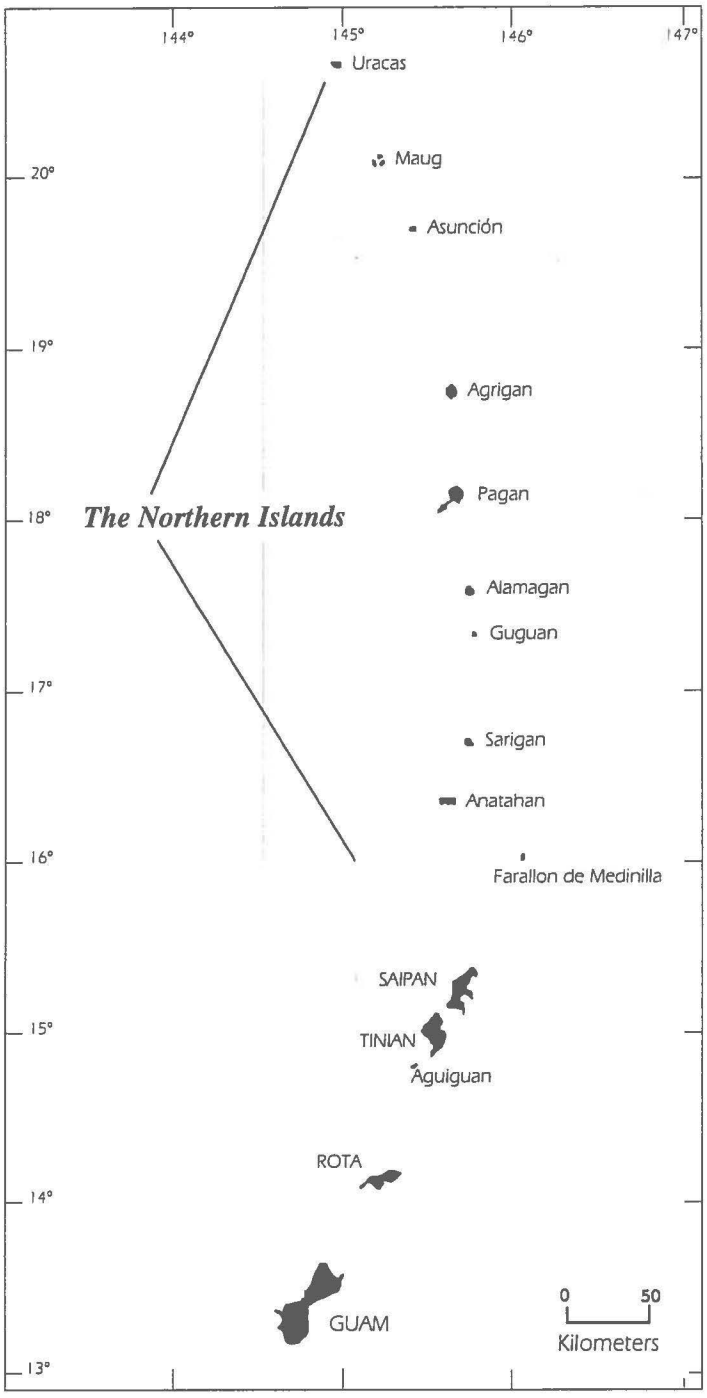
The United Nations defines land policy as "an expression of the government's perception of the direction to be taken on major issues related to land use and the proposed allocation of the national land resources over a fixed period of time."[3] Similarly, political scientist Benjamin Davy elucidates that the function of land policy is to "control the definition and allocation of land rights and establish private and common property relations in land."[4] This thesis uses the term "colonial land policy" in reference to any land restriction introduced in the Northern Marianas by an agent of a foreign government.

Each foreign administration of the Northern Marianas advanced colonial goals through the regulation of indigenous land use. These policies were introduced in the form of military orders, imperial decrees, local laws, and homesteading agreements. While previous histories have largely focused on the colonial administrations themselves, this examination centers on the cultural changes that resulted from foreign regulation of indigenous land use in the Northern Marianas.

Although the Marianas archipelago includes the island of Guam, the focus of this thesis is the distinct colonial and cultural history of the islands between Rota and Uracas, comprising the present-day United States Commonwealth of the Northern Mariana Islands (figure 1.1). Although Guam and the Northern Marianas share the Chamorro culture and have similar status as United States territories, they have divergent colonial histories, particularly since the 1898 partition of the Marianas under the Treaty of Paris.[5]

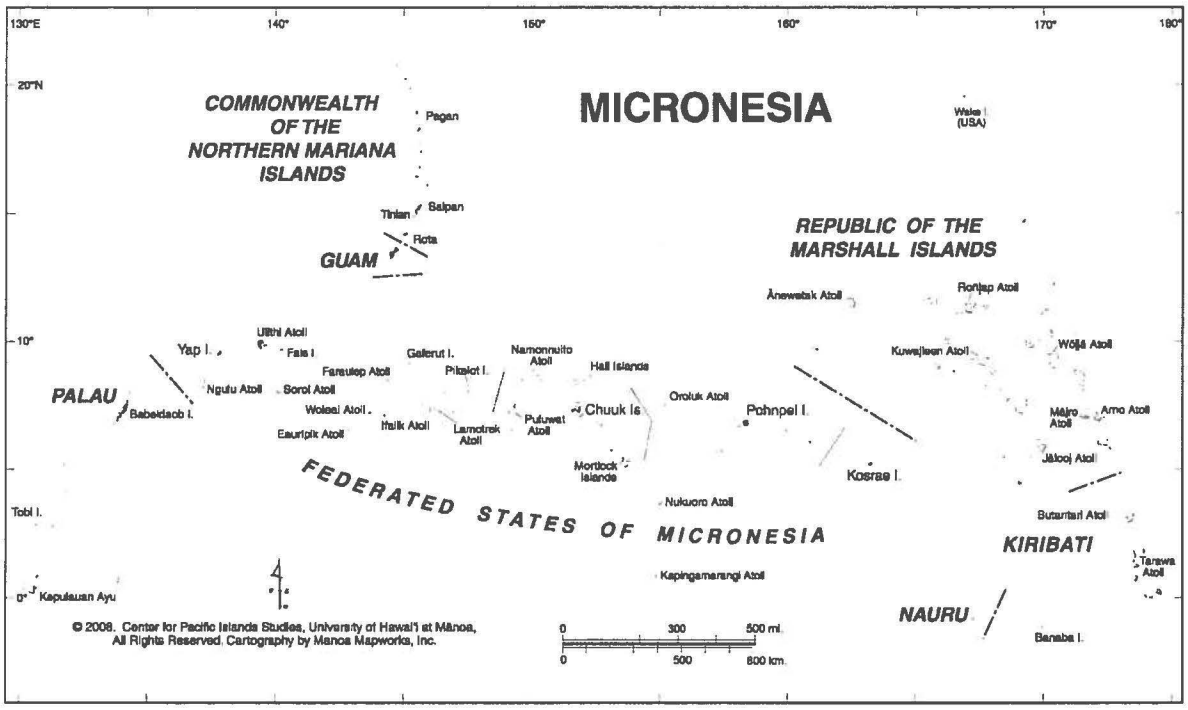
Throughout this thesis, the term "Marianas" refers to the archipelago inclusive of Guam, while "Northern Marianas" refers to the fourteen islands of the present-day Commonwealth of the Northern Mariana Islands.

Figure 1.1. Map of the Marianas archipelago, Gani Islands identified as "Northern Islands." Image reprinted from Russell, "Gani Revisited."



A detailed examination of pre-contact land tenure permits an accurate understanding of the cultural impact of foreign land policy in the Northern Marianas. These traditional patterns of land use in the Northern Marianas are deeply rooted in the Austronesian culture that spread through Micronesia and the western Pacific, reaching the Marianas in approximately 1500 BCE.[6] Archeological evidence suggests that this insular region was populated by a common ancestral group, likely part of the "Out of Taiwan" theory of Austronesian migration.[7] On disparate islands this seafaring culture diverged and developed into the antecedents of the modern cultures of Micronesia (figure 1.2).

Figure 1.2. Political Map of Micronesia. Image reprinted from Center for Pacific Island Studies, University of Hawai'i, accessed April 14, 2016, http://www.hawaii.edu/cpis/PacificMaps.htm



Throughout the pre-colonial period, the majority of the Chamorro population resided on the principle islands of Saipan, Tinian, and Rota. The small volcanic islands north of Saipan, collectively known as the "Gani Islands," were largely inhospitable to Chamorro settlers.[8] With little arable land, the distant Gani Islands historically had few inhabitants.

Several notable connections link the Chamorro culture of the Northern Marianas to the Austronesian expansion. The Chamorro language, a member of the Western Malayo-Polynesian subgroup of the Austronesian language family, closely associates the Marianas with this pattern of migration.[9] Additionally, archeological evidence from the Marianas indicates a shared Austronesian technological culture through the presence of characteristic tools and pottery.[10]

Many of these connections to a common Austronesian heritage are also evident in the ancient cultures of the Marshall and Caroline islands. The Chamorro culture of the Northern Marianas includes many common elements found in other Micronesian cultural groups, such as ancestor veneration, a strict social structure, monolith construction, a seafaring lifestyle, and an emphasis on oral traditions. Pacific anthropologist Glenn Peterson argues that all Micronesian societies represent a single path of divergence from the Austronesian root culture.[11]

However, several technological and cultural developments in the Northern Marianas distinguish the ancient Chamorros from the greater Austronesian diaspora. While bearing some similarities to stone monoliths found throughout the Pacific region, the production of *latte* stone substructures in traditional Chamorros houses is unique to

the Marianas.[12] A feat of prehistoric engineering, many *latte* stones are still standing despite intensive American aerial bombardments during World War II.

In contrast to other Micronesian populations, archeological evidence indicates that the Chamorros of the Marianas were actively cultivating rice at the time of Western contact.[13] Rice would later become a staple grain throughout the Pacific region through exchanges with visiting traders. While the indigenous rice industry was eliminated centuries ago by colonial land seizure and the imposition of plantation agriculture, imported rice remains central to the diet of modern Chamorros.

A great deal of early Marianas culture was characterized by impermanent social and economic structures. Marriages and adoptions were informal social contracts that were easily and unceremoniously altered. Warfare between rival clans consisted of brief skirmishes that ended quickly at the first death or serious injury.[14] These traditions later proved incompatible with colonial modes of marriage, war, and land ownership which were often permanent and unalterable commitments.

The ancient Chamorros of the Northern Marianas held several spiritual beliefs that guided land use. The practice of ancestor worship often involved the burial of a deceased relative near the homes of their descendants. Powerful ancestral spirits known as *manganiti* were believed to inhabit these remains and the land that contained them.[15] Matrilineal clans commonly lived together to ensure communal access to these burial sites for ritual communication with the *manganiti* spirits. Contrastingly, malevolent spirits known as *anite* were commonly associated with dark jungles and remote

locations.[16] This duality of spiritual beings mirrored the dichotomy between sacred familial land and perilous unknown areas of the islands.

Early European accounts indicate the presence of an advanced medicinal culture practiced by the Chamorros of the Northern Marianas. Practitioners of this craft, known as *suruhanu* healers, utilized foraging skills and land knowledge to locate medicinal plants.[17] The preparation of *amot* herbal medicine is still practiced in the Northern Marianas; however, this practice has been heavily impacted by the colonial enclosure of the commons and introduction of foreign medicine.

Land use and inheritance in the Northern Marianas was traditionally guided by a matrilineal system of clan kinship. While no single leader held absolute power, female elders were regarded as the head of each kinship group. Land was owned jointly by the clan and distributed by decision of the female matriarch.[18] This mode of land distribution was largely eliminated by Spanish land regulations. The Spanish *partido* system mandated patrilineal descent of property and surnames, resulting in a system of equal land inheritance that diminished the importance of female clan leadership.[19]

The tripartite caste system of the early Chamorros also impacted land use in the Northern Marianas. Coastal lands were exclusively used by the high status *matua* group, while less valuable inland areas were inhabited by the lower-ranking *atchoat* and *mangatchang*.[20] In his 1602 account of the Northern Marianas, Franciscan Friar Juan Pobre de Zamora identified the low-caste Chamorros specifically by the location of their land, stating "they consider the people who live in the jungles and hills to be of a lower status, and they call them *mangatchang*."[21]

Prior to colonial contact, in approximately 1100 CE, Chamorro patterns of land use were dramatically altered by changes in the indigenous lifestyle. Archeological evidence suggests a transition to stable settlements through the presence of large and immovable pottery, intensive agriculture, and the construction of massive *latte* stone monoliths as substructures to large permanent houses.[22] During this time, the seafaring Chamorros founded larger settlements in the Northern Marianas and developed a greater dependence on agricultural land.[23]

The establishment of these larger settlements increased the importance of land ownership as the population rose. Traditionally relying on spear fishing and foraging, *latte* period Chamorros employed higher caloric-yielding agricultural techniques such as net fishing and cultivation of starchy tubers and rice.[24] The rise of intensive agriculture increased the importance of arable land, leading to inter-clan warfare over land disputes. In most cases these conflicts were governed by the caste system. Lower ranking clans were impelled to resettle in the less desirable inland areas and, in some cases, to the rocky Gani Islands north of Saipan.[25]

The ownership of ancestral land was an extremely important component of traditional Chamorro culture. It provided sustenance through foraging, farming, and access to the sea. Additionally, the size and location of one's land held a great deal of social significance as it communicated kinship and status to the community. Most importantly, the land was a spiritual link to ancestral *manganiti* that guided Chamorro society.

After centuries of development, many of these traditional practices were substantially altered or supplanted entirely by colonial land policies introduced by successive waves of imperialistic invaders, which provides the temporal and cultural logic for this study. The chapter structure of this thesis follows the chronology of four foreign administrations of the Northern Marianas. This chronological structure is crucial since many land policies were a reaction to, or a continuation of, the land regulations of the previous colonial government.

Chapter Two details the Spanish conquest of the Northern Marianas and the introduction of foreign land regulation. The Spanish did little to develop their territories in the Marianas until the establishment of a Jesuit mission in 1668. The Spanish mission policy of *reduccion* or "indian reduction" to Catholic villages was practiced throughout the Spanish empire and brutally applied in the Northern Marianas. These Spanish policies decimated the traditional Chamorro system of land tenure and facilitated the imposition of foreign social and religious values on a landless people.

Chapter Three analyzes the German land policies introduced in the Northern Marianas. Unlike the Spanish, the German administration offered several indigenous land protections including the establishment of a land distribution program and the prohibition of foreign land ownership. Despite these protections, the German colonial government utilized unpopular revocable land titles and seized ownership of all undeveloped land in the Northern Marianas. These policies resulted in increased Chamorro land ownership and redefined land as a source of economic, rather than cultural, value.

Chapter Four details the interwar land policies introduced by the Japanese administration of the Northern Marianas. Under the supervision of the League of Nations, the Japanese government retained many of the land policies and protections of the previous German administration. However, new Japanese laws introduced in 1931 allowed foreign land ownership in the Northern Marianas for the first time since Spanish rule. Through the sale and lease of homestead land, Chamorros became firmly involved in the Japanese cash economy and developed an increased reliance on imported goods.

Chapter Five concludes this analysis of colonial land policy in the Northern Marianas through an examination of the American land regulations introduced after World War II. Similar to the land polices of Germany, the United States administration distributed homestead land, reinstated restrictions on foreign landownership, and introduced the first legal definition of "indigenous" for the purposes of securing land rights. However, the American military internment of the entire indigenous population from June of 1944 to July of 1945 severely disrupted the native system of land tenure. The United States also seized large parcels of land on several islands for the construction of military installations. Under the protection of the United Nations and the Trust Territory of the Pacific Islands provisional government, the Chamorros of the Northern Marianas grew increasingly distrustful of foreign land policy control.

Finally, Chapter Six analyzes the land policies of the indigenous legislatures of the postwar Northern Marianas. The establishment of the Congress of Micronesia in 1964 and the Northern Marianas Commonwealth legislature in 1976 mark the end of colonial land policy in the islands. Indigenous land policy includes several aspects of the

German and American land protections, but also reestablishes elements of Austronesian land tenure, such as the recognition of collective land ownership.

A reoccurring theme in foreign land regulation of the Northern Marianas is the alienation of indigenous land. A common occurrence through the colonial era, the term "land alienation" describes the erosion of indigenous land rights through foreign acquisition of native land. Land policy researcher Kenneth R. Simsarian defines the experience of land alienation as "the transferal of ownership of rights in the land, and the loss of rights which effectively makes one an alien, or foreigner, in the land."[26] Marginalized under several foreign occupations, Northern Marianas Chamorros were systematically rendered landless and culturally eclipsed by colonial societies. The theme of colonial land alienation would become a driving force in the construction of indigenous land policy as a United States commonwealth.

A common colonial land policy was the seizure of native land through the principle of *terra nullius*, the nationalization of seemingly unused land by right of occupation.[27] This practice was utilized to expand the landholdings of foreign administrations and militaries; however, this was a substantial violation of the traditional Chamorro patterns of land use. These annexations diminished communal access to traditionally shared lands and greatly accelerated the process of land alienation.

While limited research has examined the colonial land policies of the nearby island nations of Fiji and Vanuatu, this topic is largely absent from the historiography of the Northern Marianas.[28] This is likely due to the size and complexity of the research question. Foreign land policies were introduced in the Northern Marianas over a four

hundred and fifty year period and issued in several colonial languages. Due to these constraints, Northern Marianas colonial histories often examine foreign administrations individually rather than comprehensively.[29]

A notable exception to this research trend is the 1994 essay "Patterns of Colonial Rule in Micronesia," by Pacific historian David Hanlon.[30] Hanlon's piece examines the motivations of Micronesian colonizers and the political transition between foreign administrations. However, due to Hanlon's broad focus, his essay yields little information concerning the Northern Marianas or the impact of colonial land policy on the Chamorro culture.

The historical examination of land tenure in the Northern Marianas is limited to two publications produced by the Trust Territory government. Both documents briefly summarize the patterns of land use throughout the colonial era. Published in 1958 and 1969, these short histories were an attempt to reconstruct indigenous land tenure following the wholesale destruction of land records during the American invasion of the Northern Marianas.

Trust Territory staff anthropologist Richard G. Emerick's essay "Land Tenure in the Marianas" was published in a 1958 report on Micronesian land customs. Emerick's essay briefly summarizes the preceding centuries of colonial land policy to provide background on the nascent Trust Territory land regulations.[31] While Emerick's short essay presents the most detailed history of land use on Saipan, Tinian, and Rota, his analysis is limited to patterns of land tenure, rather than the specific cultural changes that resulted from the introduction of colonial land policies.

Similarly, Trust Territory Land Commissioner James B. Johnson's eleven-page "Land Ownership in the Northern Marianas, an Outline History" was distributed as a public information pamphlet in 1969.[32] Johnson's ephemeral publication devotes only a few paragraphs to the land policies of each colonial administration of the Northern Marianas. However, Johnson's pamphlet includes an extensive appendix of translated land laws, title deeds, and homesteading permits from several colonial governments.[33] While Johnson's publication is hardly a detailed history, his collected source documents are extremely valuable to any researcher of colonial land policy in the Northern Marianas.

While the historical record does not provide a comprehensive analysis of colonial land policies, several thorough accounts of Chamorro cultural practices were recorded during the colonial era. The earliest of these accounts include the voyage logs of trade ships and the annual reports of the Spanish Jesuit mission.[34] These early European observations of Chamorro culture provide valuable glimpses of the indigenous lifestyle before Spanish subjugation in the late 17th century.

German Marianas District administrator Georg Fritz was an adroit observer of Chamorro culture and language. Based on his research in the Northern Marianas, Fritz produced a Chamorro-German dictionary, grammatical analysis, and ethnography of the Chamorro people in 1904.[35] Several years later in 1915, Japanese ethnographer Akira Matsumura recorded his impressions of the Chamorro culture. Published as *Contributions to the Ethnography of Micronesia*, Matsumura noted the changing customs of the Northern Marianas Chamorros.[36] However, Matsumura largely dismissed the

Chamorro culture as a Spanish-indigenous amalgam that did not warrant comprehensive study.

Following World War II, University of Chicago anthropologist Alexander Spoehr conducted cultural research in the Northern Marianas from November 1949 to October 1950.[37] Publishing *Saipan: Ethnology of a War-Devastated Island* in 1954, Spoehr's analysis of the Chamorro culture noted the changing patterns of land use following the American invasion of Saipan and Tinian.[38]

Spoehr's research is augmented by several oral history projects that present an indigenous perspective on cultural change in the Northern Marianas.[39] Chamorro historian Keith L. Camacho has published several examinations of postcolonial Chamorro culture.[40] However, Camacho's work primarily focuses history and culture of Guam Chamorros, often excluding the Northern Marianas and its distinct colonial and political history.

Despite the detailed historical and anthropological record attesting to the persistence of Chamorro culture, the historiography of the Northern Marianas frequently features claims that the indigenous culture was obliterated following the "fatal impact" of the Spanish empire. Researching Chamorro culture in the years following World War II, American psychologists Alice Joseph and Veronica Murray stated that the Chamorros of the Northern Marianas had "no aboriginal culture sufficiently intact."[41] Similar sentiments were expressed by historian Karl R. Wernhart in 1972, claiming that "the Chamorro culture of the Marianas in Micronesia disappeared long ago."[42] As recently as

1999, anthropologist Robert C. Kriste observed "their indigenous culture was long gone, and they [the Chamorros] were among the most westernized of all Pacific Islanders."[43]

These statements depict the complete assimilation of Chamorro culture into an evolving colonial society, confirming an observation by Marianas anthropologist Vicente M. Diaz that "with few exceptions, anthropologists have overlooked the Chamorros."[44] Although Catholicism and Spanish naming conventions are characteristic of contemporary Chamorro culture, many indigenous traditions survived the colonial era.[45] The *suruhanu* medicinal culture is still practiced alongside modern western medicine.[46] Pre-colonial spiritual practices, including ritual communication with ancestral spirits, are still present in modern Chamorro culture.[47] Despite the incredible population decline under the Spanish land policy of *reduccion*, the Chamorro language continues to be spoken throughout the islands.[48]

Most importantly, the recent historical record increasingly includes the voices of Chamorro scholars and policy makers. Throughout the colonial era, the history of the islands was composed by foreigners. Some of these authors were openly hostile to the indigenous culture, such as the Spanish Jesuits, or generally indifferent, such as Matsumura. Under the post-World War II protection of the United Nations, the indigenous population of the Northern Marianas became increasingly involved in the academic self-representation and political self-determination of the Chamorro people.

The land policies of the colonial era left an indelible imprint on the Chamorro culture of the Northern Marianas. Despite the claims to the contrary by several anthropologists, the Chamorro culture did not cease to exist under foreign domination.

Rather, the Chamorro culture was shaped by colonial land policy and later reinvigorated by the policies of the indigenous government.

Chapter 2:

Spanish Land Policy, 1521 – 1898

Controlling the Marianas archipelago for nearly four hundred years, the Spanish imperial government replicated its practice of centralization begun in the Western Hemisphere and eventually regulated all aspects of colonial life in Micronesia. Not only did the Spanish crown's administrators have little regard for indigenous land traditions, but the state-supported Jesuit mission actively sought to alter native customs as well. Both the colonial government and the Marianas mission utilized land policy to regulate the indigenous relationship with the land of the Northern Mariana Islands.

The Chamorro culture underwent several major changes during the Spanish colonization of the Mariana Islands. Many of these changes were the result of religious policies and land restrictions imposed by the Jesuit mission in the late 17th and early 18th century. The policy of *reduccion*, the concentration of the indigenous population in mission villages, nearly eradicated the Chamorro culture and depopulated the archipelago north of Rota for a century.

The Mariana Islands were nominally claimed by Spain during Magellan's 1521 landfall on the northwestern shore of Guam.[1] Angered by Chamorro traders that boarded Magellan's ship, the Spanish dubbed the archipelago *las Islas Ladrones*, or "Islands of

the Thieves."[2] Settlement of the islands developed slowly over several centuries, largely in support of the Spanish commercial empire in the Philippines.

An important step in Spain's subjugation of the Marianas came fifty years after Magellan's voyage. In return for undertaking a personally-financed expedition to the Marianas, Spanish colonist Miguel Lopez de Legazpi was appointed Captain General and Governor of the Ladrones in 1569. When conferring this lifetime appointment to Legazpi, King Phillip II of Spain instructed him to continue to explore and colonize the islands "in our name, and at your own cost."[3] The following year, Phillip II issued the first colonial land policies in the Marianas, instructing Legazpi to establish towns and acquire arable land for the use of the Spanish settlement.[4]

Phillip II's 1570 decree also included several land protections for the native Chamorros. When establishing villages, Legazpi was instructed to "not occupy or take possession of any private property of the Indians" and that "thorough good treatment should be shown to them."[5] While the initial land policies of King Phillip II respected Chamorro land rights, these protections were only extended to those Chamorros who were willing to convert to Catholicism.

The Spanish imperial obligation to proselytize the Catholic faith was reflected in Legazpi's instructions. Phillip II included a mandate to "reduce the Indians to a civilized life, and endeavor to separate them from their vices, sins, and evil customs."[6] Despite the king's order, the following century of Spanish rule resulted in little interaction between the Spanish settlers and the indigenous population. Aside from the opportunity to trade

for iron tools during the annual galleon visit, the Chamorros of the Marianas rarely interacted with the pre-mission Spanish administration.

However, the visiting galleons were commonly accompanied by Spanish priests who introduced the Chamorro traders to the basic rites of Catholicism. Diego Luis de Sanvitores, a Jesuit priest, visited the islands in 1662 and petitioned King Phillip IV for permission to establish a Catholic mission in 1664.[7] This mission would eventually promulgate land policies and brutal depopulation orders that would result in the near eradication of the Chamorro people and culture.

Returning to Spain to secure funding, Sanvitores found patronage for the mission from Spanish Queen Regent Mariana. Renaming the islands *las Islas Marianas* in honor of her support, Sanvitores returned to Guam in 1668 to establish both a Catholic mission and the first major colony in the islands.[8] The resultant Marianas mission operated for only a few decades, but radically altered the indigenous culture of the islands.

Land restrictions were a key component of the pacification and conversion of the rebellious Guam Chamorros, a pattern that would be repeated in the Northern Marianas. Adhering to the *reduccion* model, the natives were removed from their ancestral lands and assigned living space in one of the six mission-controlled villages throughout the island. This policy of "indian reduction" was practiced extensively throughout the Spanish empire, particularly in the larger colonies of the western hemisphere.[9] Rendered landless by these policies, the Chamorros of Guam were forced to participate in plantation agriculture under the supervision of priests, lay ministers, soldiers, and converted Chamorros.[10]

Within the cloistered mission villages, the Austronesian culture of the Chamorros was incrementally deconstructed through the imposition of Spanish customs and religious practices. This period of land alienation and forced conversion resulted in dramatic cultural change.[11] The Chamorro language, spiritual beliefs, sexual practices, patterns of food production, and traditional system of land tenure were permanently altered by mission policies.

The Spanish *reduccion* was impelled by both religious and economic considerations. Religiously, the Jesuit priests desired this concentration of the Chamorro population in order to effectively promote Catholic practices and monitor native behavior. Economically, the *reduccion* allowed the small Spanish colonial government to centralize the indigenous population, diminishing the need to patrol the large island of Guam.

In the mission villages, the Spanish military could easily suppress uprisings and rebellious Chamorros were kept away from dense jungles where they had a tactical advantage.[12] The initial subjugation of Guam proved only partially successful as many Chamorros resisted the *reduccion* policies of the Jesuit mission. Rebellions and skirmishes with colonial authorities continued on Guam until 1684.[13]

The nascent Marianas mission rarely enforced *reduccion* policies in the Northern Marianas due to their distance and inaccessibility from Guam. Many rebel Guam Chamorros fled to the Northern Marianas and continued to practice a traditional lifestyle, fostering a culture of resistance to Spanish rule. This Northern Marianas opposition to the Spanish mission was well-known to the colonial administration and Catholic

leadership. Writing in 1690, Catholic priest Luis Morales noted "the Northern Islands are full of Indians who have fled there … rebellious ones."[14]

While the Northern Marianas were initially excluded from the *reduccion*, a change in colonial leadership brought widespread enforcement of this policy throughout the archipelago. Arriving in 1680, Guam garrison Commander Joseph de Quiroga y Losada was a zealous Catholic and skilled military commander. Quiroga would carry the mission policy of *reduccion* to the Northern Marianas through military conquest.

The enforcement of land policy in the Northern Marianas proved exceptionally difficult, both for the Jesuit mission and Commander Quiroga. Attempts to peacefully engage the Northern Marianas Chamorros were abandoned after the murder of missionaries stationed on Tinian in 1668, Anatahan in 1669, and Saipan in 1671.[15] During these forays north, anti-Spanish violence continued on Guam resulting in the death of mission founder Diego Sanvitores in 1672.[16]

Following the failure of the Jesuit mission in the northern islands, Commander Quiroga began using the Spanish military to extend the policy of *reduccion* into the Northern Marianas. Rota, a longstanding refuge for dissident Guam Chamorros, was quickly pacified after the arrival of the Spanish military in 1682. Following the pattern established on Guam, Rota Chamorros were forced from their ancestral lands and reduced to two mission villages.[17] The establishment of the villages Sosa and Agusan on Rota mark the first enforcement of a colonial land policy in the Northern Marianas.

After the pacification of Rota, Quiroga attempted to further advance the *reduccion* throughout the Northern Marianas in 1684. The indigenous inhabitants of both Rota and

Tinian avoided direct confrontation with the Spanish by unequivocal but tactically-clever surrender, accepting the permanent presence of priests and soldiers. However, on both islands these Spanish emissaries were quickly massacred after the departure of Quiroga's military force.[18]

Exploiting Quiroga's apparent success on Tinian and Rota, Saipan Chamorros feigned a similar surrender as subterfuge. Mounting a successful counteroffensive, the Saipan Chamorros forced Quiroga to abandon his assault and return to Guam.[19] Defeated on Saipan and deceived on Tinian and Rota, Quiroga's 1684 attempt to enforce Spanish land policy in the Northern Marianas resulted in complete failure.

Preoccupied with continuous rebellions on Guam, Quiroga abandoned the reduction of the Northern Marianas for a decade. Following the death of Governor Damian de Esplana in August of 1694, Quiroga was recognized as Interim Governor of the Marianas.[20] Receiving 90 soldiers from the Council of the West Indies "to proceed forward with those reductions," Quiroga once again sought to bring the Chamorros of the Northern Marianas under the control of the Spanish colonial government.[21]

Utilizing his authority as Governor, Quiroga began the enforcement of a punitive land policy in 1695: the complete depopulation of the Northern Marianas. Quiroga recounted this second major foray north to King Carlos II in a May 22, 1696 letter.[22] Quiroga's assault on Saipan was swift and decisive. Faced with annihilation, the Chamorro clan leaders surrendered, agreeing to abandon their lands and relocate to the Spanish villages.

Returning to Tinian, Quiroga's forces found the island uninhabited. In advance of the Spanish arrival, the entire Chamorro population of Tinian had taken shelter on top of Aguigan, an isolated island with no natural harbor for the Spanish craft to land. However, the Tinian Chamorros were not able to defend their position of advantage against the Spanish *arquebus* muskets.[23] The battle on the cliffs of Aguigan marked the final act of organized resistance to colonial rule and policy in the Northern Marianas.

The Gani Islands north of Saipan were sparsely populated and seldom visited by the Spanish (figure 1.1).[24] Due to his failures at establishing mission villages on these remote islands in 1684, Quiroga ordered the complete depopulation of the Gani Islands and the relocation of all Chamorros to the mission villages of Saipan and Guam.[25] This policy of depopulating remote islands to enforce colonial control would later be repeated by the American administration of the Northern Marianas following World War II.

After decades of resistance to the Spanish policy of *reduccion*, the Northern Marianas were fully subjugated by the late 17th century. Saipan and Rota were reduced to two mission villages, whereas Tinian and the Gani Islands were fully depopulated. Declaring his operation a success in a 1696, Quiroga noted that the Chamorro population was limited to the islands of Saipan, Rota, and Guam.[26] Archbishop Diego Camacho confirmed Quiroga's pacification of the Northern Marianas in a letter to the king the following year.[27]

Following the Spanish depopulation of Tinian and the Gani Islands, Saipan quickly became a remote outpost in an empty archipelago.[28] After only a few months of supervising the two mission villages of Saipan, Jesuit priest Gerard Bowens requested

that the island's population also be moved to Guam. With limited personnel to enforce mission policies, Bowens could not prevent Chamorro defection from the villages. Bowens reported that Gani islanders commonly escaped and returned to their home islands, while Saipan Chamorros simply left the village and returned to their ancestral land.[29]

Through defection and disease, the Chamorro population of Saipan dwindled. Confined to villages in close contact with foreign soldiers and priests, the Chamorros of Saipan were particularly susceptible to colonial diseases. Bowens' reports note that only 700 Chamorros were housed in the mission villages of Saipan. Combined with the 1,200 Chamorros expelled from the Gani Islands and the 1,600 Chamorros on Guam, the total indigenous population of the Marianas archipelago in 1698 had dropped to less than 4,000.[30]

By 1730, the dwindling Saipan mission was abandoned and the remaining Chamorros were relocated to the mission villages of Guam.[31] With the exception of two villages on Rota, the evacuation of Saipan left the Northern Marianas completely depopulated. Due to this final depopulation order, the Mariana Islands north of Rota would remain empty for over a century.

Enforcement of the *reduccion* policy on Saipan, Tinian, and the Gani Islands was the most brutal application of colonial land policy in Northern Marianas history. While Spanish religious policy certainly dismantled aspects of the Chamorro culture, the forced removal from ancestral land accounted for a great deal of cultural change. Deported to Guam, the Northern Marianas Chamorros were required to participate in the Spanish

system of plantation agriculture, resulting in the loss of traditional patterns of land use and ownership.

Due to conflict with Spanish authorities and the dwindling Chamorro population, the Jesuits were expelled from the Marianas in 1769.[32] The end of the Marianas mission resulted in relaxed land policies and greater indigenous access to the deserted Northern Mariana Islands. The Spanish government issued fewer land restrictions on the indigenous Chamorros and also allowed limited settlement of the Northern Marianas by refugees from the Caroline Islands.

Following a devastating typhoon, islanders from the Caroline atolls voyaged north to the Marianas to seek refuge from the Spanish government. The Carolines were also part of the Spanish empire, but, due to the lack of a permanent Spanish presence, the inhabitants of these islands were largely spared the *reduccion* and colonial disease experienced in the Marianas. With Spanish approval, refugees from the Caroline Islands were resettled on Saipan as early as 1815.[33] While these islanders shared a distant Austronesian heritage with the Chamorros of the Marianas, they were a distinct linguistic and cultural group.

Spanish naval Commander Francisco Lazcano named the scattered coral atolls in southern Micronesia *las Islas Carolinas* in 1686 in honor of King Carlos II.[34] While the inhabitants of the islands self-identified as *Refaluwasch*, they were referred to by the Spanish as *Carolinos*. The term "Carolinian" would come to describe a diverse social and linguistic group in the Northern Marianas with ancestral roots in the low-lying islands between modern day Yap and Chuuk (figure 1.2). The Spanish government

authorized the Carolinians to establish farming settlements on Saipan and Tinian to provide food for the Guam colony. Colonial correspondence indicates steady Carolinian resettlement to the Northern Marianas continued throughout the mid-19th century.[35]

Foreigners to the region, the Carolinians existed as social outsiders throughout the colonial era of the Northern Marianas. They maintained expert maritime skills and practiced an ancient Austronesian culture with few foreign influences. Simultaneously, the Chamorro culture was greatly impacted by the land policies of each successive colonial administration. Following the *reduccion,* the Chamorros of the Northern Marianas had far more experience interacting with colonial administrations and adopting foreign customs than their Carolinian neighbors.

While the status of the Carolinians would fluctuate dramatically throughout the colonial era, they were the sole occupants of the Northern Marianas from 1815 until the decline of the Spanish empire in the late 19th century. Chamorros began to return to Saipan as representatives of the Spanish government and as Catholic overseers of the Carolinian settlers. In 1865, the population of Saipan consisted of 424 Carolinians and only nine Chamorros.[36] The growing Chamorro minority had increased to 128 by 1869, mostly living near the Carolinian village of Arabwal.[37] After a century of exile on Guam, the indigenous Chamorros began to resettle their native islands.

The expulsion of the Jesuits and the decline of the Spanish empire quietly eliminated the policy of *reduccion* in the Marianas. However, the enforcement of this policy had rendered the Chamorros of the Northern Marianas landless and dependent on a

system of plantation agriculture. To remedy this situation, the Spanish government established a system of land grants based on long-term occupancy of crown land.

These Spanish land grants introduced the western concept of permanent individual land ownership in the Northern Marianas. Unused public lands could be claimed by individuals under a possessory title, which would be converted to a permanent title of ownership after twenty years of occupancy.[38] However, as the Marianas were a remote colonial outpost with few administrators, the occupancy rules of the land grant system were not consistently enforced.[39]

This Spanish land distribution program was extremely small, allocating only seventy-one parcels on Saipan and eight on Rota.[40] However, Chamorro participation in the program indicates an increasing acceptance of the Spanish concept of private land ownership. Additionally, this limited Spanish recognition of indigenous land rights signifies the elevated status of converted Chamorros in colonial society.

The enforcement of Spanish land policies in the Northern Marianas resulted in innumerable changes to the indigenous Chamorro culture. The Spanish policy of *reduccion* decimated traditional practices by removing the Chamorros of the Northern Marianas from their ancestral lands. First confined to mission villages, then deported from their home islands to Guam, the maritime culture of the Northern Marianas Chamorros was heavily impacted by this process. Landless and isolated from their traditional lifestyle, the mission was then able to enforce religious policy on a culturally fractured people.

One of the decisive factors in the Spanish subjugation of the Chamorro people was the dramatic population decline following the *reduccion*. Modern scholarship places the population of the Marianas between 24,000 and 28,000 at the establishment of mission in 1689.[41] By 1700, after the full reduction of the Northern Marianas, this number had dropped to 8,000.[42] Following two decades of religious subjugation and epidemic disease, the 1722 Spanish census reported a total Chamorro population of only 1,936.[43]

The imposition of the Spanish religious and social norms directly impacted the relationship of the Northern Marianas Chamorros with the land. While the Chamorro concept of land ownership was historically less rigid than European property notions, the *reduccion* shattered the continuity of ancestral land tenure. The matrilineal inheritance of land, common throughout Austronesian cultures, was replaced with the patrilineal Spanish *partido* system.[44] This system of inheritance mandated the equal division of land between all children, displacing traditional notions of collective ownership and diminishing the importance of matrilineal clan affiliation in Chamorro culture.[45]

Despite forced participation in the colonial economy, the Chamorros demonstrated little interest in foreign currency. Writing to King Carlos II in July of 1697, Archbishop of Manila Diego Camacho reported that the Chamorros were "not at all fond of money; rather, they scorn it."[46] Camacho noted that the Chamorros vastly preferred to engage in traditional patterns of bartering rather than cash transactions.

In the cloistered mission villages of Guam, the Northern Marianas Chamorros were assigned living space by Catholic overseers, a practice which violated several

Chamorro patterns of land use. This forced urbanization contravened the Chamorro custom of living in small communities based on matrilineal affiliation. Living in extended families also ensured shared access to spiritually-potent ancestral remains that were typically buried on communal land.[47] The Spanish practice of assigned living space also violated the traditional caste system in which high-ranking clans lived on the coast while low-ranking groups lived in the rocky interior or on less-fertile islands.[48]

The landless Chamorros were compelled to practice Spanish agriculture and live in villages far from the ocean. Before removal from their land, Northern Marianas Chamorros largely cultivated durable tubers, breadfruit, coconuts, and rice.[49] Traditional farming techniques utilized in Northern Marianas subsistence agriculture were lost as the mission authorities required the production of Spanish colonial staples such as maize.

While the land restrictions and religious policies of the Spanish colonial government resulted in substantial cultural change, it is crucial to note that a remarkable amount of Austronesian tradition survived the *reduccion*. Many aspects of Chamorro spiritual practices, traditional medicine, and language endured the Spanish conquest and depopulation of the Northern Marianas. These traditions were carried on by descendants of the approximately 2,000 Chamorros that survived the Marianas mission.

The land policies of the Spanish colonial government resulted in massive cultural changes for the native Chamorro people. Land regulations issued by the Marianas mission fractured traditional patterns of land use through indigenous removal. At the arrival of the German colonial government in 1899, the Northern Marianas Chamorros were already practicing a recognizably European system of land use.

Chapter 3

German Land Policy, 1899 - 1914

The German administration of the Northern Marianas brought a brief but dramatic period of land policy change. Intending to increase indigenous participation in the copra industry, the German government established a homesteading system on Saipan and Tinian, increasing native access to land ownership. Most importantly, German law recognized the Chamorros as the rightful inhabitants of the islands and prohibited the purchase of land by foreigners. This policy would come to be the foundation of both colonial and indigenous land regulation in the Northern Marianas over the following century.

The German goals in Micronesia were largely agricultural and starkly contrasted the Spanish administration's economic and religious objectives. While the Spanish presence was largely tied to the galleon trade and the promulgation of the Catholic faith, the German interest was solely in arable land and exportable commodities.[1] The development of a western notion of private landownership amongst the Chamorros was central to German imperial objectives in the Northern Marianas. As with the Spanish, the German colonial government utilized land policy to advance these hegemonic goals.

Defeated in the Spanish-American War, Spain forfeited its imperial possessions largely to the United States. After nearly four centuries of Spanish control, the social and political future of the Marianas archipelago was determined by the 1898 Treaty of Paris. Article II of this document transferred ownership of the majority of Spain's overseas

colonies to United States. In addition to Spanish holdings in the Caribbean and the Philippines, this acquisition included "the Island of Guam in the Marianas or Ladrones."[2] However, this agreement did not include any of the Mariana Islands north of Guam.

The American acquisition of Guam fractured the political and social unity of the Marianas Chamorros. By politically separating Guam from the remainder of the Marianas archipelago, the 1898 Treaty of Paris not only partitioned the island chain, but created a social division between the Chamorros of Guam and of the Northern Marianas. While still unified by language and culture, the indigenous people of the Marianas were governed under separate foreign administrations.[3]

Spain's remaining imperial possessions in Micronesia were sold to Germany soon after the Treaty of Paris was finalized. The Spanish-German Treaty, signed on February 12, 1899, transferred ownership of the Caroline, Marshall, and Mariana Islands "except the island of Guam, in consideration of compensation of 25,000,000 pesetas."[4] Emperor Wilhelm II soon issued a decree declaring the region a German protectorate and "under our imperial protection from the moment of hand-over to our administration."[5]

To actuate this transfer of ownership, Rudolpf von Bennigsen was quickly named Governor of Micronesia and dispatched to the region to secure the German acquisition of the islands. Bennigsen's written report of his ceremonial tour was one of the first German accounts of the Northern Marianas. His recorded observations foreshadow several German land policies and their cultural impact in the Northern Marianas.

Arriving on Saipan October 17, 1899, he noted the agricultural potential of the island, but disparaged the character of the native population. Remarking on the German

goal of enlisting a native workforce, Bennigsen noted "the present inhabitants of the island are very lazy and indolent."[6] While the land was almost entirely undeveloped for agriculture, Bennigsen noted that the economic goals of the German government would require strategic alterations to the local culture. In his written account, Bennigsen remarked, "To increase agriculture some gentle force will need to be exerted, which the administration will easily achieve in view of the completely peace-loving and yielding nature of the natives."[7]

Bennigsen recorded similar observations during his October 26, 1899 visit to Tinian. He noted, "It is hoped that German efficiency and good German administration will succeed in retuning Tinian and the thinly populated Saipan to high standards of cultivation through means of immigration and economic development."[8]

Bennigsen's vision of a productive copra industry would require vast quantities of labor to clear the dense jungles and cultivate tracts of coconut trees. While intensive agriculture had never been a part of Chamorro culture, the German government induced widespread indigenous cooperation not by force, but through the distribution of land. The resultant homesteading program dramatically increased native landholdings in the Northern Marianas and solidified western concepts of land ownership previously introduced by the Spanish.

Under Spanish colonial law, Chamorro families could request a title of ownership for tracts of land after twenty years of constant use and development. However, the Spanish process of land registration was unsystematic and resulted in an inequitable distribution of land. During the Spanish administration, the majority of privately-owned

land was obtained by a few powerful Chamorro families. Upon acquisition of the Northern Marianas, the German government revoked many of the larger Spanish land grants.[9] Owners of Spanish land titles were allowed to retain any cultivated tracts, but land that was not developed for agriculture or actively occupied was expropriated by the colonial government.

The revocation of Spanish land titles set a precedent of German nationalization of unused land in the Northern Marianas. A 1903 decree by Imperial Chancellor Bernhard von Bülow declared all unused and unoccupied land in the protectorate under the sole ownership of the German government.[10] This exercise of eminent domain also served the colonial goal of increasing the amount of state-owned land, a practice that would be repeated during the Japanese and American administrations of the Northern Marianas.

The German expropriation of unoccupied land demonstrated the conflict between European and indigenous definitions of land ownership. The German government defined any land as unused that was not dedicated to intensive agriculture and accompanied by a documented claim of private ownership. However, this disregarded the Micronesian practice of maintaining undeveloped land for hunting, foraging, and collective use.

These ancient practices were further eroded under the German homesteading program. Under this agrarian reform policy, small tracts of the newly-expanded public domain lands were distributed to Chamorro and Carolinian residents of Saipan and Tinian. Participating farmers were given exclusive access to a hectare (2.47 acres) of state land; after five years of consistent occupation and development, the homestead title

was converted to a deed of permanent ownership.[11] The German homesteading program greatly increased native access to land ownership and constituted the first foreign attempt at agrarian reform in the Northern Marianas.

As the program developed, several additional requirements were added. In 1903, Marianas District Administrator Georg Fritz introduced a requirement that ¼ of each hectare of homestead land be planted with exportable crops.[12] Those that did not comply with this regulation were obligated to work on a government farm or forfeit the title to their homestead land.

This land policy had the dual purpose of creating exportable commodities and also developing indigenous interest in a cash economy. Traditionally, rice and turtle shell products were used by Chamorros as a form of ceremonial currency.[13] However, several colonial accounts noted the general disinterest of the Chamorros in European coinage and cash transactions. In his 1903 ethnographic study of Chamorro culture, German administrator Georg Fritz noted that "money is hardly valued because it is not absolutely needed for survival."[14] Indigenous systems of trade were largely based on the social capital obtained through the exchange of favors, rather than tangible currency.

As the homesteading program grew in scope and participation, a greater number of requirements were added before permanent property rights were transferred to a native owner. A Saipan homesteading agreement endorsed on November 28, 1912 detailed the expectations of the program participant.[15] This agreement conferred one hectare of undeveloped jungle land to Chamorro farmer Joseph de Leon Guererro and outlined the

several requisite conditions for full ownership under the rules of the homesteading program.

This 1912 homestead agreement confirms the imperial policy of mandatory and immediate cultivation of all homestead lands. The agreement states, "The cultivation of the property shall begin immediately otherwise after the expiration of one year beginning this date the land will revert to the government."[16] Additionally this document notes that deeded land can be seized by the German government in the event that the homestead operator leaves the island before three years of continuous cultivation has passed.[17]

These revocable homestead agreements introduced a concept that would become central to indigenous land use in the colonial Northern Marianas: conditional ownership. Many of the early 20th century Chamorros participating in the homestead program had witnessed the German liquidation of the Spanish land grants on Saipan, Tinian, and Rota. As indicated in the de Leon Guererro homestead agreement, indigenous farmers were aware that the colonial authorities had the power to seize private property and revoke homestead titles. This uncertainty was likely compounded by the long gestation time of coconut palms, requiring many years to reach maturity on land that could be summarily seized by a foreign government.

The Carolinian culture of the Northern Marianas was largely incompatible with the German homesteading system. Due to their limited contact with the Spanish mission, the Northern Marianas Carolinians retained much of their traditional Austronesian culture. Carolinian land tenure involved collective ownership of land by matrilineal clans and the western notion of permanent individual land ownership was particularly

foreign.[18] The German issuance of a single title to the eldest male of a family violated these Carolinian concepts of land ownership. However, by this time, much of the land on Saipan, Tinian, and Rota was owned by Chamorros due to their higher level of participation in Spanish and German land distribution programs.

A German land policy that greatly impacted the demographics of the Northern Marianas was the relocation of Carolinian refugees. Several devastating typhoons impacted the German Caroline Islands in the early 20th century. As a humanitarian effort, the German colonial government authorized limited Carolinian resettlement to government-owned lands on Saipan from 1907 to 1909.[19] This resettlement created a brief Carolinian majority, reducing the Chamorro population to a demographic minority for the second time in Northern Marianas history.

Throughout German Micronesia, land ownership was restricted to the indigenous population of each island district. This land policy was communicated throughout the German empire via colonial newspapers as early as 1900.[20] These land policies were unpopular with German nationals in the Northern Marianas, many of whom publicized their dissent in the colonial press.

While the colonial government attempted to attract German farmers to Micronesia, few were willing to relocate to the region. The difficulty of farming in the Northern Marianas was discussed in the *Deutsches Kolonialblatt* newspaper as early as 1903.[21] Despite the hardships of copra farming in Micronesia, some Germans attempted to develop small tracts of state land leased from the colonial government.

An analysis of the colonial press yields several examples of German settlers renouncing policies that prohibited foreign land ownership in the Northern Marianas. Hermann Costenoble, an early German settler to Saipan, was openly critical of German land policies in the Northern Marianas. Costenoble contended that the German land restrictions unfairly benefited the Chamorros and discouraged German settlement.

Costenoble specifically noted that foreigners were not allowed to purchase government land or natively-held land, a policy which he believed reduced German nationals to tenant farmers.[22] Costenoble's criticisms of German land policy in the Northern Marianas were echoed by fellow settler P. Daschel. After a failed attempt to gain land rights on Saipan, Daschel published similar complaints in the *Koloniale Zeigtshrift* newspaper in 1904.[23]

German Marianas District Administrator Georg Fritz defended these policies in a response printed in the Berlin newspaper *Globus* in 1906. Fritz stated that it was crucial to maintain the trust of the native people through the protection of their land rights. This trust would be immediately fractured if their lands "were taken away and given to immigrant white settlers."[24]

Due to the small population of Chamorro farmers and the disinterest of European expatriates, the German copra industry was plagued by labor shortages. In order to bolster the cultivation of land and production of exportable goods, the German administration recruited Guam Chamorros to settle in the Northern Marianas by inviting them to participate in the established homesteading program.

The success of these recruitment efforts was largely due to the dissatisfaction of Chamorros on Guam with the American administration of the island. The American military government pressured indigenous Guamanians to abandon their cultural practices and accept American modes of dress, communication, and authority. Dissident Chamorros and Carolinians immigrated to the Northern Marianas seeking land and relative cultural freedom under the German administration as early as 1900.[25]

The immigration of Guam Chamorros resulted in a dramatic population increase and the first introduction of American culture and language into the Northern Marianas. Micronesian historian Dirk H.R. Spennemann estimates that Chamorro settlers from Guam accounted for a 25% population increase between 1899 and 1904.[26] Another small increase was recorded in 1912 in the months before the American government closed Guam to foreign ships. This migration of Americanized Chamorros from Guam established English as a common second language amongst the indigenous population of the Northern Marianas.

At the time of the German purchase of the Northern Marinas in 1899, few Chamorros held documented land titles. The Spanish *reduccion* and conquest of the Marianas had destroyed the matrilineal system of land inheritance common throughout the Austronesian cultures of Micronesia. This traditional mode of land tenure was replaced by the Spanish patrilineal *partido* system which divided land titles equally amongst Chamorro children. The German administration conducted the first cadastral survey of the Northern Marianas, which recorded these indigenous land titles.

Documented Chamorro land ownership in the Northern Marianas increased dramatically due to widespread participation in the German homesteading program. To oversee the issuance of these titles, a German land registry was established on Saipan in 1900. While the majority of Chamorros were landless at the end of the Spanish era, Marianas District Administrator Georg Fritz noted in 1904 that most Chamorros had acquired a land title from the German land distribution program.[27]

These documented land titles indicate growing indigenous participation in a European system of land ownership. Though many of these titles were subject to revocation, they constituted the first widespread Chamorro acquisition of land in the colonial Northern Marianas. These titles would be extremely important in maintaining indigenous land rights throughout future colonial administrations.

Though the land policies of the German colonial government were purely economic in scope, they resulted in a significant cultural impact on the Chamorro people. The concept of private land ownership was established through indigenous participation in German land distribution programs, which included legal protection against foreign land alienation.[28] Additionally, the land policies of the German administration resulted in an increased indigenous interest in cash wages, government employment, and imported goods.

Marianas District administrator Georg Fritz had a profound academic interest in the Chamorro people. While stationed on Saipan, Fritz developed a competency for the native language, publishing a dictionary and grammatical analysis of Chamorro in

1904.[29] Based on historical research and his personal observations, Fritz additionally published a German-language ethnography of the Chamorro people the same year.[30]

Fritz's study of the Chamorro culture indicated a growing interest in imported commodities during the German administration of the Northern Marianas. He noted that most Chamorro households contained religious icons and tools manufactured in Europe and purchased through catalogs.[31] Fritz also found that less durable goods such as cloth, toys, and fishing supplies were imported from Japan and sold to the natives by visiting Japanese traders.[32] Many of these imported goods were incorporated into traditional industries such as net fishing and home construction.

Despite centuries of colonial contact, the Chamorros of the Northern Marianas had remained largely resistant to a cash economy. In 1697 the Spanish Archbishop of Manila Diego Camacho had noted a universal Chamorro disinterest in colonial currency.[33] Two centuries later, Georg Fritz made a similar observation indicating an ongoing resistance to foreign notions of currency.[34] However, some German-speaking Chamorros were able to secure employment with the colonial government. The resultant wages were exchangeable for Japanese and German commodities, creating an economic incentive for participation in the colonial system of cash transactions.

The brief German administration of the Northern Mariana Islands introduced several land policies which greatly impacted the indigenous culture. These land policies encouraged Chamorro participation in a cash economy through increased land ownership and the mandated cultivation of exportable crops. Additionally, the German policy prohibiting foreign land ownership in the Northern Marianas would be the basis for

analogous Japanese and American policies. A similar version of this German policy would later be incorporated into modern Northern Marianas land tenure by the indigenous government in the late 20th century.

While the German efforts to establish a copra industry largely failed, the associated agricultural homestead program was the first large-scale distribution of land titles in the Northern Marianas. This increase in natively-owned homesteads solidified the western notion of private and permanent land ownership. However the revocability of these titles and the German liquidation of the Spanish land grants instilled a greater sense of land insecurity and conditional ownership.

Fear of land loss through transactions with foreign administrations would become an ongoing and profound concern for the Chamorros of the Northern Marianas. The most enduring land policy of the German administration was the restriction of permanent land ownership to the indigenous population. This policy would be carried over *in toto* by the Japanese civil government, United States military government, and reestablished by the indigenous Commonwealth government.

Chapter 4:

Japanese Land Policy, 1914 - 1944

Japanese land policies introduced in the Northern Marianas utilized economic incentives to secure massive amounts of arable land for the state-sponsored sugar industry. Through the sale and lease of indigenous homesteads, the Chamorros became increasingly urbanized and alienated from the land. Under Japanese land regulations, the spiritual and cultural value of indigenously-owned land was supplanted by its newly-expanded economic value.

Japan's control of the Northern Marianas arose from global political changes following World War I. After Germany's defeat, its colonial territories were occupied by a coalition of Allied governments. By 1914, all German Pacific territories north of the equator were under the control of the Japanese military.[1] Japan sought League of Nations approval to permanently annex the islands of Micronesia, including the Northern Marianas.

The occupation of Micronesia was the product of an aggressive Japanese policy of imperial land expansion known as *nanshin*. At the heart of this strategy was the extension of the Japanese empire throughout the islands of the southwestern Pacific.[2] The undeveloped islands of Micronesia were ideal for the establishment of economic and military installations, creating a Japanese stronghold in the western Pacific.

Speaking at the Paris Peace Conference in 1919, Japanese ambassador Makino Nobuaki asserted that the indigenous inhabitants of the Micronesian islands would greatly benefit from Japanese annexation. Nobuaki claimed that Japan intended to "protect these islanders and improve their living conditions by making her possession of these islands definite."[3] The 1919 League of Nations Covenant did not authorize widespread annexation of former German possessions; rather, it established a system of "mandates" in which Allied nations were allowed to govern former German colonies occupied during the course of World War I.

The mandate system was promoted as a paternalistic relationship between an occupying force, or "Mandatory," and the indigenous subaltern. This proscribed social dynamic is evident in Article 22 of the League of Nations Covenant. This section notes that the sparsely populated Pacific islands "can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population."[4]

Under these terms, Japan was given a "Class C" mandate to administer the islands of German Micronesia under Japanese law. This mandate provided freedom of religion for all indigenous inhabitants and prohibited alcohol consumption, forced labor, and military conscription.[5] Furthermore, this agreement required the Japanese government to submit annual reports detailing their compliance with the mandate.[6] These reports, written in English, provide a detailed record of the land policies introduced by the Japanese colonial government and the resulting cultural changes experienced by the Chamorro people.

The Pacific mandate has been extremely contentious in Micronesian historiography. Japanese military historian Mark R. Peattie referred to the post-World War I mandates as a "fig leaf" covering the annexation of territories by Australia, New Zealand, and Japan.[7] Pacific historian David L. Hanlon described the relationship between the mandatory power and indigenous population as a "fictitious guardianship."[8] Hanlon also noted that the Pacific mandate was merely a *post facto* legitimization of the Japanese occupation of German Micronesia. As noted by these historians, the Pacific mandate created a hegemonic structure that did not include Chamorro or Carolinian notions of land tenure and use.

Under the provisions of the League of Nations mandate, Japan was free to develop these newly-acquired islands with few restrictions. The low-lying Northern Marianas were of particular interest to the Japanese colonial government. Topographically ideal for the production of sugar cane, Japanese land policies would soon transform the desolate islands of Saipan, Tinian and Rota into a densely-populated agricultural district.

With the support of the colonial government, Japanese industrialists quickly established a thriving sugar industry in the Northern Marianas. American-educated agricultural entrepreneur Matsue Haruji founded the *Nanyo Kohatsu Kaisha* (South Seas Development Company, or NKK) on Saipan in 1921.[9] Wishing to avoid the German failures at enticing indigenous labor, Matsue contracted thousands of Okinawan laborers to clear jungles, construct railroads, and cultivate sugar cane. At the height of Japanese migration, over 96,000 Japanese laborers relocated to Micronesia, with 43,457 residing on Saipan at the time of the final Japanese report to the League in 1937.[10] The

subsequent land reclamation and intensive agricultural development resulted in major alterations to the landscape and indigenous culture of the Northern Marianas.

Under Matsue's supervision, the sugar industry proved immensely successful in the Northern Marianas. By 1930, sugarcane cultivation was underway on Saipan, Tinian, and Rota, and the NKK was perpetually in need of more arable land. The majority of Japanese state land in the Northern Marianas was obtained from the German government upon its surrender at the conclusion of World War I. In multiple reports to the League of Nations, the Japanese colonial government cited the 1919 Treaty of Versailles to support their nationalization of this land.[11] On the subject of land transfer, the Treaty of Versailles states that "all property and possessions belonging to the German Empire or to the German States situated in such territories shall be transferred with the territories to the Mandatory Power."[12]

In order to delineate state land and privately-held land, Japanese cadastral surveys were conducted throughout the Northern Marianas. However, similar to German cadastral surveys, conflicting cultural definitions of ownership complicated this process. Japanese surveyors assumed that undeveloped land was unused by the natives and thus forfeit to the colonial government.[13] Japanese economist Tadao Yanaihara noted in 1939 that Japanese surveyors likely acted in the interest of the colonial government by first establishing the boundaries of state land before demarking private land.[14]

While the Japanese government authorized large land acquisitions for the benefit of the NKK, the colonial administration also provided several protections for indigenous landowners. A 1925 report to the League of Nations noted that "rights already acquired

concerning land by virtue of old custom or German Laws are generally recognized."[15] This Japanese recognition of German land titles concentrated a significant amount of arable land in the Northern Marianas under indigenous ownership.

The lands conferred by the Treaty of Versailles quickly proved insufficient to meet the needs of the rapidly-expanding Japanese sugar industry. However, natively-owned real property could not be nationalized by the Japanese government due to the restrictions of the League of Nations mandate.[16] In order to increase the amount of state-controlled arable, the Japanese government introduced land regulations that gave the colonial administration the exclusive right to purchase indigenous land. This created a land system in which state land could be expanded, but indigenous land could only be reduced.

The policies regarding native land transactions evolved several times throughout the thirty-year Japanese administration of the Northern Marianas. While German-issued land titles were upheld, the colonial government strictly regulated the native ability to sell and trade land. The earliest Japanese regulation of indigenous land use was reported to the League of Nations in 1925: "As for land owned by natives, in order to protect their interests, they are prohibited from selling, transferring or mortgaging it to anyone (Japanese or foreigner) except natives. As for other agreements concerning their land, they are held null and void unless permission has been obtained from the authorities and registered. But between natives no such restriction is laid down."[17] This initial land policy exerted total Japanese control over land use in the Northern Marianas, eliminating the ability of Chamorros and Carolinians to engage in land transactions without bureaucratic approval.

This prohibition on foreign landownership in the Northern Marianas can be seen as a continuation of the German policy of exclusive indigenous ownership of private lands. While natives were free to trade land among each other, no foreign citizen was allowed to purchase or lease private land. In their communications with the League, Japan carefully articulated its role as a benevolent protector, claiming that these policies were in place to protect the natives from foreign exploitation. They reported that the Chamorros of the Northern Marianas had "little idea" of land rights and were "easily cheated" in land dealings.[18]

In this dichotomous Japanese land system, all real property was either owned by the imperial government or by natives with German land titles. Since the sugar industry relied on imported Okinawan labor, there was no program to distribute state land to indigenous farmers. This closed system of land transfers greatly contrasted the German system, which relied on a land distribution program to encourage indigenous agricultural production. Under these policies, the dwindling pool of native land was slowly absorbed into Japanese state land.

The transactional rights of natives were expanded slightly in a 1930 revision of colonial policy. The introduction of a new law enabled natives to make limited contracts for "ordinary small transactions and contracts for labour for a period not exceeding one year," allowing for greater agency of indigenous individuals within the Japanese colonial system.[19] However, their ability to gain income from private land leases to foreigners remained strictly prohibited. The colonial government justified the restrictions placed on indigenous land owners to the League of Nations in 1930, stating that the natives were

"still backward in intellect" and unable to conduct land transactions without state approval.[20]

The increasing need for arable land in the Northern Marianas soon prompted additional alterations to colonial land policy, including the establishment of a land reclamation program. The dense jungles of the Northern Marianas were a particular hindrance to the agricultural aspirations of the Japanese government and the NKK. A land policy was introduced to provide a government subsidy of thirty yen "when more than one hectare of land is cleared in a year for the plantation of sugar cane." In its report to the League of Nations in 1930, the Japanese government noted that 25,508 yen were paid in land reclamation subsidies in 1929 alone.[21]

Despite the policy of subsidized land reclamation, the NKK quickly exhausted the supply of available government land. The rapidly-expanding sugar industry was enclosed by the only remaining uncultivated land in the Northern Marianas, the privately-owned land of the indigenous population. However, colonial law prohibited the lease or sale of native land to parties other than the Japanese government.

In order to accommodate the needs of the NKK, the Japanese colonial government quietly removed the prohibition on foreign landownership in the Northern Marianas. In its 1931 report to the League of Nations, the Japanese government described the previous land restrictions as a temporary measure to protect the native population "due to their lack of economic and legal knowledge."[22] An updated policy enabled "native landowners to sell, transfer or make their landed property the object of security" and introduced a detailed procedure for the purchase and lease of native-owned

lands by foreigners.[23] This 1931 revision of the indigenous land laws formally ended the land alienation protections established during the German administration.

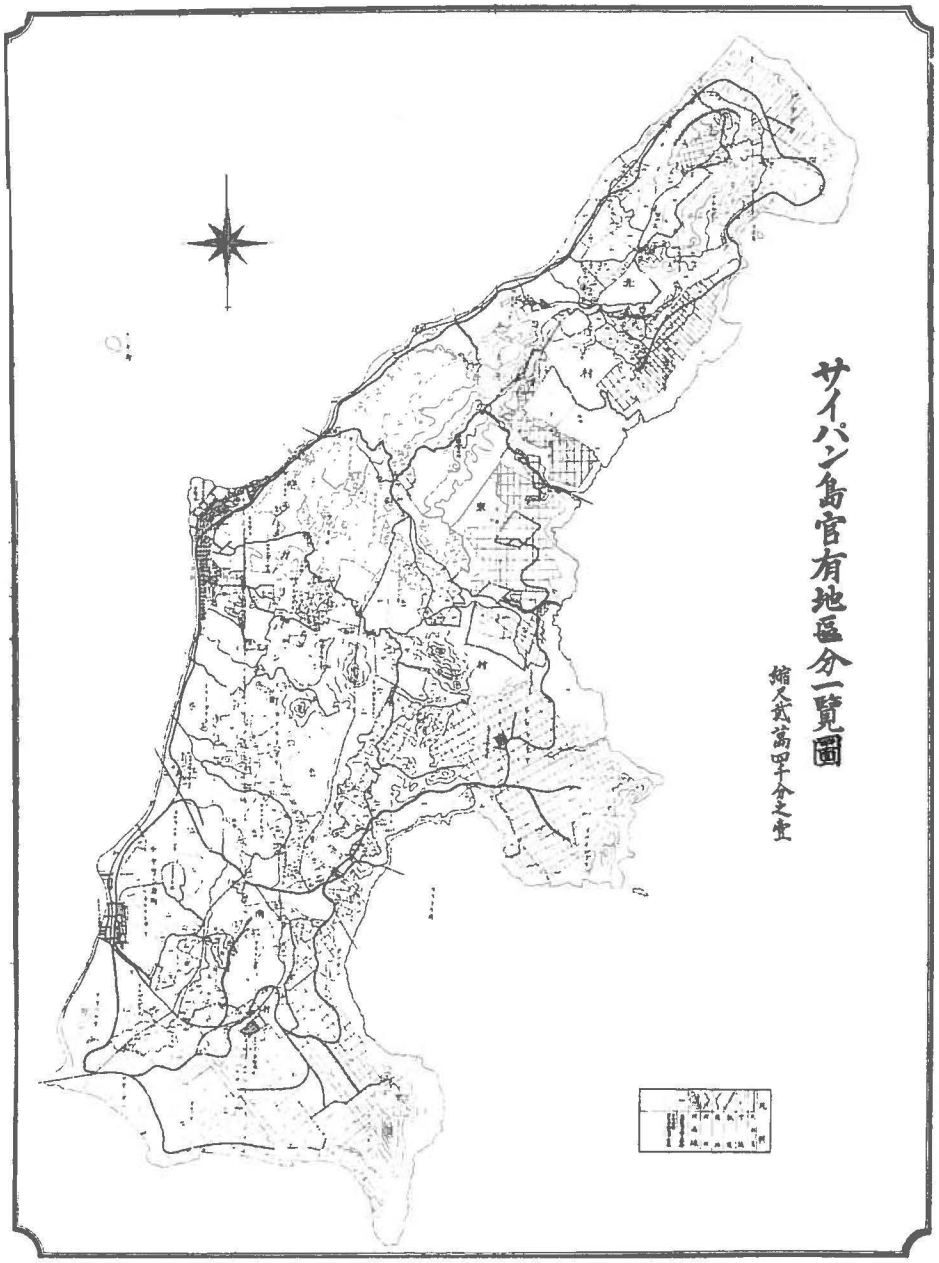
The alteration of this policy provided significantly greater financial benefits for the Chamorros of the Northern Marinas than the Carolinians. Arriving in the Marianas in the mid-19th century, the Carolinians had far less interaction with the Spanish and German colonial governments. The greater integration of the Chamorros into colonial culture resulted in increased land acquisition through Spanish land grants and the German homesteading program.[24] Since the majority of the privately-held property in the Northern Marianas was owned by the Chamorros, few Carolinians profited from these 1931 changes in Japanese land policy.

The lease of indigenous land to corporations and sharecroppers resulted in the first consistent cash income for native landowners. In a 1934 economic assessment of the Japanese mandated islands, Tokyo economics professor Tadao Yanaihara noted that the native participation in lease agreements was an "indication of an advance toward a monetary economy."[25] Yanaihara also predicted that the increased Chamorro interest in a cash income would prompt the colonial government to remove any remaining restrictions on indigenous land sales in the near future.

The relaxed Japanese policy on foreign land ownership accelerated the process of indigenous land alienation in the Northern Marianas. Annual reports indicate that 284 hectares of native land were leased or sold to Japanese farmers in 1935.[26] An additional 435 hectares were leased to foreign sharecroppers in 1936, followed by the lease of 105 more hectares in 1937.[27] Yanaihara's 1939 report indicated that the Japanese government

was already in possession of 78% of the land on Saipan, 88% of the land on Rota, and 100% of the land on Tinian.[28] It was later estimated by University of Michigan geographer Neal M. Bowers that 85-90% of the indigenous population of the Northern Marianas leased some portion of their to the Japanese sugar industry (figure 4.1).[29]

Figure 4.1. Japanese cadastral map of Saipan, 1941. Reprinted from the Commonwealth of the Northern Mariana Islands Archives.



Japanese colonist Hiroto Tsukahara's oral history indicates that alcohol was often used to coerce land transactions with Chamorro property owners. Holding several positions in the colonial government on Saipan, Tsukahara observed the Japanese practice of giving "alcoholic drinks to an islander in order to obtain their land or cajole their land from them."[30] This practice was a substantial violation of the League of Nations mandate.

The 1931 land policy revision inadvertently resulted in several major changes to the Chamorro culture of the Northern Marianas. Following the sale or lease of farmland, many landless Chamorros migrated to the Japanese villages of Garapan and Chalan Kanoa on the western coast of Saipan. Residing in an urban environment and dependent on a cash income, the Chamorros began to develop a greater interest in the imported goods and culture of Japan.

When Japan acquired the Northern Marianas, most Chamorros were subsistence farmers on small parcels of land with little interest in colonial currency. Less than two decades later, the majority of Chamorros were urban landlords, renting their German homestead land to the sugar industry and working for cash wages. The foreign acquisition of native land resulted in dramatic cultural and lifestyle changes for the Chamorros of the Northern Marianas.

Japanese regulation of indigenous life was greatly impacted by political and military changes in the years preceding World War II. Despite their withdrawal from the League of Nations in early 1933, Japan continued to occupy the territories of the Pacific mandate, including the Northern Marianas. The final 1937 report to the League of

Nations contained a haunting addendum in response to international concerns of Japanese militarization in the mandated islands: "As of 1922 the entire naval contingent stationed in the Islands was withdrawn. Since then, absolutely no military or naval forces have been stationed there. No military or naval bases nor any fortification has even been maintained or newly-built within the Territory. Again, the natives have never been subjected to military training."[31]

This final report to the League of Nations coincided with a dramatic shift in Japanese imperial policy. As feared by the League of Nations, the Japanese military began to increasingly define colonial policy following the 1937 invasion of China.[32] Despite reporting to the League of Nations that no natives were subjected to military training, seventy-five Northern Marianas Chamorros participated in the December 10, 1941 invasion of Guam, acting as interpreters and overseers of Chamorro prisoners of war.[33] After years of military escalation and construction, the Japanese civilian government was suspended in March of 1944 when martial law was declared throughout the Northern Marianas.[34]

Under the military government, the limited protections of native land rights in the Northern Marianas were severely diminished. The procedures for the transfer of indigenous land established in 1931 were often disregarded as lands deemed important for defense were summarily seized from indigenous owners. The confiscation of native land increased rapidly as military fortifications were constructed along the coastlines of the Northern Marianas.

Oral histories gathered from Chamorro survivors of World War II indicate that the Japanese military did little to inform the indigenous population of the impending invasion. In 2002 Ecolastia Tudela Cabrera recalled, "The Japanese would tell the Chamorro people nothing about the war and I couldn't read kanji. The people were very quiet, but when they started building the airfield I knew something was coming."[35]

In addition to the construction of military installations on private land, the Japanese military also engaged in the seizure and fortification of Chamorro homes in the villages of Garapan and Chalan Kanoa. The oral history testimony of Chamorro World War II survivor David Sablan indicates that "some of the bigger homes owned by the natives in Garapan were also taken over by the Japanese and we were among those victimized by this move."[36] The account of Chamorro landowner Juan Blanco also confirms this practice, noting that the military seized his family home in Garapan in 1942.[37]

While the Carolinians of Saipan held little land during the Japanese administration, they were subjected to wartime abuses as well. Carolinian World War II survivor Felipe Iguel Ruak noted that the Japanese military forced members of his family to participate in the construction of fortifications throughout the islands. Despite the League of Nations ban on forced labor in Article III of the Pacific mandate, Ruak states that his family members were never paid for their labor.[38]

The land policies of both the Japanese colonial government and military administration resulted in several major cultural shifts for the Northern Marianas Chamorros. These changes include increased social stratification, greater reliance on

cash wages and imported commodities, a heightened interest in government employment, and the indigenous recognition of land as a tradable commodity.

The overall increase in social stratification during the Japanese administration of the Northern Marianas was directly linked to land ownership. For the first time in Northern Marianas history, private landownership resulted in substantial financial gain. Traditionally, land was largely valued for agricultural and spiritual purposes, but after the 1931 revision of Japanese land restrictions, real property was easily monetized. Wealth gaps quickly developed between Chamorro families based on the size and value of their land holdings.

While wealth gaps separated landed and landless Chamorro families, greater social distance also developed between the Chamorros and Carolinians of the Northern Marianas. The Carolinians had migrated to the Northern Marianas after the collapse of the Spanish mission and thus were spared the policy of *reduccion* and forced integration to a foreign culture. The Carolinian adherence to traditional Austronesian practices placed them decidedly outside of Japanese colonial society. In a 1925 report to the League of Nations, the Japanese colonial government described the Chamorros as "gentle and industrious" while characterizing the Carolinians as "in a low stage of civilization...they are as yet a primitive people."[39] While the Northern Marianas Carolinians maintained much of their traditional culture, they were not as successful at acclimating to the changing colonial environment as the internationalized Chamorros.

Cultural observations of the Northern Marianas were recorded in 1915 by visiting Japanese ethnographer Akira Matsumura. Observing the Catholic Chamorros of Saipan,

Tinian, and Rota in European attire, Matsumura dismissed them as culturally derivative of Spain and did not make a detailed study of Chamorro society.[40] Matsumura instead focused his research on the comparatively exotic and uncolonized Carolinians. Several cultural researchers throughout the 20th century would repeat Matsumura's dismissal of the Chamorros as a purely colonial people, obscuring the surviving Austronesian aspects of the Chamorro culture in the historical record.[41]

Conversely, the Carolinians of the Northern Marianas were seldom employed by the Japanese, working only as menial laborers and stevedores.[42] While urban Chamorros were excluded from most government employment, many integrated into colonial society by working as nurses, teachers, mechanics, and police officers. Many of these positions were low-level government occupations, though never in positions of authority and always under the supervision of a Japanese administrator.

Japanese land policies also increased indigenous reliance on imported food and commodities in the colonial Northern Marianas. As early as Magellan's contact with the Chamorros in 1521, imported goods had been present in the islands. Imported tools and food were available in small quantities during the Spanish and German administrations of the Northern Marianas. However, the indigenous population existed largely outside of the formal economic structures of these European regimes and rarely had the financial means to purchase these items.

Several factors contributed to the increase in indigenous use of imported goods during the Japanese administration. The proximity of the Northern Marianas to Japan facilitated the import of significantly more goods than the previous European

administrations. Also, the thriving export economy of the Northern Marianas and presence of thousands of Japanese laborers created a large market for these products. Soon after the 1931 land policy revision, most Chamorros were in possession of modest cash incomes and living closely with Japanese settlers in the villages of Garapan and Chalan Kanoa. For the first time in Northern Marianas history, Chamorros had consistent access to imported food, tools, and other commodities.

However, the increased dependence on a cash economy and imported goods diminished many traditional cultural practices. Several of these practices were already fractured by the Spanish policy of depopulation and German emphasis on monocultural copra production. Under the Japanese administration, many traditional farming, fishing, and foraging practices were abandoned in favor of imported commodities.[43]

This reliance on imported goods proved disastrous during the economic and social exclusion of the Chamorros in the months preceding the 1944 invasion of Saipan and Tinian by the United States. Forced out of the villages by the Japanese military, the indigenous population survived the invasion by hiding in inland caves and foraging at night though active battle fields. Visiting the Northern Marianas immediately following the end of World War II, medical researchers Alice Joseph and Veronica Murray found that the urbanized Chamorros had higher rates of malnutrition than the Carolinians who retained their traditional foraging practices.[44]

Despite the hardships of World War II and the low status of the indigenous population in colonial society, the Japanese administration is often remembered fondly by Chamorro survivors. In 1949, American ethnographer Alexander Spoehr noted a

prominent nostalgia for the "Japanese times" among Northern Marianas Chamorros. Noting the lack of wage labor in the post-war economy, Spoehr observed "if the NKK came back today people would be happy to lease land and work for wages."[45] Similar values were expressed in the oral history of Chamorro survivor Lucia A. Dueñas. Interviewed in 1994, Dueñas recounted, "The living condition was very good during the Japanese Administration. The groceries were cheap. If you have land you can lease it out and you do not have to work until it is time again to renew the lease."[46]

Many of the cultural changes recorded during this time period were directly tied to indigenous participation in the Japanese economy. Following the 1931 land policy revision that permitted native landowners to sell or lease their land to foreigners, many Chamorros had the financial means to live a non-agrarian life in the Japanese towns of Saipan. Financially secure through land transactions and wage labor, few Chamorros were interested in returning to an agricultural lifestyle.

Indigenous notions of land ownership and value were fractured by the Spanish and German administrations of the Northern Marianas. Traditional land concepts were further deconstructed as the Japanese administration encouraged landholding Chamorros to sell their homesteads to the expanding sugar industry. The spiritual and familial value of the land was superseded by its economic value under the land policies of the Japanese colonial government.

Chapter 5:

American Land Policy, 1944 – 1964

Beginning with the annexation of Guam in 1898, the United States has maintained a powerful political and military presence in the Mariana Islands. However, the first significant American contact with the Chamorros of the Northern Marianas occurred during the chaos of the June 15, 1944 invasion of Saipan and Tinian. The subsequent American military government of the Northern Marianas would introduce destructive land policies such as indigenous internment, widespread nationalization of private land, and arable destruction through military occupation. However, the American-led Trust Territory of the Pacific Islands government would also undertake the first redistribution of state land since the German administration and reinstate the prior restrictions on foreign land ownership.

The transfer of power between Japan and the United States was a bloody and destructive moment in the colonial history of the islands. In the final years of the Japanese administration, indigenous rights were greatly reduced as World War II spread throughout the Pacific region. In the months preceding the American invasion of Saipan and Tinian, native land rights were suspended by the Japanese military. All civilians, including Chamorros and Carolinians, were expelled from the coastal towns of Saipan, Tinian, and Rota.[1] This exclusion order was given to accommodate the influx of 45,000 Japanese soldiers and the military fortification of coastlines and likely invasion points.[2]

While indigenous land rights were largely respected during the Japanese administration, this exclusion order left the native people of the Northern Marianas refugees in their own islands. The Chamorros had been enticed from their farmland by Japanese lease agreements, then expelled from the villages by the Japanese military. Banned from the coasts, most sought refuge in the interior of the island, particularly in the expansive cave systems found on Saipan and Tinian.

Before the United States Navy reached the Northern Marianas, a land policy concerning the indigenous population was already in place. This order, given on May 8, 1944, approximately one month before the June 15th invasion of Saipan, instructed Marine Corps Civil Affairs staff to "remove natives, and where practicable, their belongings, from combat zones to places of relative safety designated by the assault commander."[3]

Under this order, military personal encountering Chamorros and Carolinians were instructed to remove them from hiding places and escort all civilians from the battlefield. However, the "place of relative safety" referenced in the pre-invasion order would in fact be a hastily-constructed internment camp. With no advance plan for the management of non-combatant natives, the American military would incarcerate all Chamorro and Carolinian survivors for an entire year.

Despite the documented pre-invasion planning, American management of the civilian population quickly proved disastrous. The challenges of establishing a civilian refugee center during an amphibious invasion were staggering. Without adequate personnel or supplies, the temporary camp was overwhelmed by the daily arrival of

hundreds of refugees.[4] At the conclusion of hostilities, this camp held nearly 18,000 civilians, including 2,230 Chamorros and 800 Carolinians.[5]

A distinct problem in the establishment of this camp was the widespread distrust of the invading American military. The Japanese, Korean, and indigenous populations of the Northern Marianas had been exposed to years of Japanese military propaganda warning of American cruelty. This issue was compounded by the practice of State Shinto among civilians which conferred semi-divine status to the Japanese emperor and discouraged any form of surrender to foreign invaders.[6]

As outlined in pre-invasion orders, the Naval Civil Affairs division was tasked with the establishment of a permanent civilian internment camp. Five days after the invasion of Saipan, all refugees were relocated to the marshlands adjacent to Lake Susupe near the heavily-bombarded village of Chalan Kanoa. In order to reduce camp hostilities, three partitioned areas were constructed, segregating Japanese, Korean, and indigenous captives.[7] A microcosm of United States culture and law, the establishment of "Camp Susupe" marked the beginning of the American administration of the Northern Marianas.

The aerial bombardment and amphibious invasion of Saipan and Tinian severely degraded the arable land of these islands. The sugar fields which fueled the Japanese interest in Northern Marianas were strewn with corpses and unexploded ordnance. The destruction of nearly all physical structures made shelter a major concern of the post-invasion administration. A November 17, 1944 naval inspection report grimly stated that "Enemy property, aside from land, has ceased to exist."[8]

The civilian internment policies of the United States military concentrated the indigenous population on Saipan, depopulating several islands in the process. Under these regulations, the small native population of Tinian was evacuated to Saipan and interned in Camp Susupe.[9] Similarly, the military government depopulated the Gani Islands in September of 1945, relocating all inhabitants to the internment camp on Saipan.[10] This policy of depopulating remote islands and concentrating landless natives in foreign villages closely mirrored the mission system of the Spanish *reduccion.*

While prisoners in Camp Susupe, the indigenous internees were allowed limited employment opportunities with the United States military. A native police force was trained by the United States Navy to monitor the Japanese and Korean camps.[11] Expeditions to the depopulated Gani Islands were accompanied by several Chamorro and Carolinian "scouts" to search for Japanese holdouts and non-combatant survivors.[12] Indigenous knowledge of the island terrain and Japanese fortifications proved invaluable on these missions.

The privileges of internees were expanded in September of 1944. Trusted civilians, Japanese and indigenous, were allowed to leave the camp on supervised work details to farm small plots of land.[13] Naval historian Dorothy E. Richard noted that the assignment of each farmer to a specific plot was intentionally done to create an "illusion of ownership" for the landless natives.[14]

Similar to the Spanish mission villages of the late 17th century, the Chamorro internees were expected to acculturate quickly to the dominant colonial society. Relocated to the newly-constructed Camp Chalan Kanoa on November 15, 1944, the

indigenous internees were assigned small western-style houses constructed from imported lumber.[15] Living in unfamiliar homes and eating imported American food, the Chamorros of the Northern Marianas were once again landless and immersed in a foreign culture that had claimed their islands.

Isolated from their land and way of life, the Chamorro residents of the newly-established Camp Chalan Kanoa began to question their prolonged internment. A November 1944 report by Inspector General of the United States Pacific Fleet J.F. Shafroth noted that the "Chamorros are not to be regarded and treated as enemy aliens," urging the naval command to establish a land title commission and compensate native landowners for any property occupied by the military.[16] A report issued the following month by Chief of Naval Operations L.S. Sabin confirmed that Chamorro landowners would eventually be compensated for any land appropriated by the United States military.[17]

As the majority of Japanese land records were destroyed during the invasion, the United States military government attempted to determine the scope of indigenous land ownership through oral testimony. Indigenous internees were asked to declare "real property ownership" upon arrival at Camp Susupe.[18] In the absence of Japanese and German land records, the naval government would attempt to substantiate these initial land claims over several years. The review of these title claims constituted the first American recognition of indigenous land rights in the Northern Marianas.

Land degradation was one of the primary challenges to indigenous land use following the American invasion. While the Japanese had expanded the arable of the

Northern Marianas through subsidized land reclamation, intensive sugar farming had degraded much of this land (figure 5.1). These changes were further compounded by pre-invasion construction of administration buildings, airfields, and defensive fortifications by the Japanese military.[19] The poor condition of the land and a general lack of labor resulted in severe food shortages following the American invasion. The restoration of Saipan, Tinian, and Rota to agricultural self-reliance was a major objective of the naval administration.

Postwar land use in the Northern Marianas was further complicated by the widespread occupation of privately-owned land by the United States military. The island of Tinian was particularly impacted by large-scale military construction projects. The Navy Construction Battalion converted the northern half of Tinian into a massive B-29 airfield and fuel storage system, permanently altering the landscape of the island.[20] In August 1945, this airfield served as the staging area for the atomic attacks on Hiroshima and Nagasaki.

Many of these quickly-executed construction projects involved "coralizing" arable land to form rudimentary roads and landing strips. The land was first bulldozed and then covered with crushed and calcified coral to form a loose-packed surface similar to gravel.[21] A 1984 archeological survey determined that the 1944 construction of Isley Airfield in southern Saipan shifted 1,516,851 cubic yards of soil and deposited 1,391,747 cubic yards of coral.[22] These military construction techniques left the land unsuitable for farming in the postwar years and destroyed property boundary markers, further complicating the determination of land titles.

The first major postwar land assessment was completed over ten months in 1947 by University of Michigan geographer Neal M. Bowers. This study was commissioned in response to a United Nations directive that the economies of all occupied nations be restored to their prewar condition. The Bowers report noted that this goal was likely impossible in the Northern Marianas due to extensive land damage and the dramatic population decline from wartime casualties and postwar repatriations.[23]

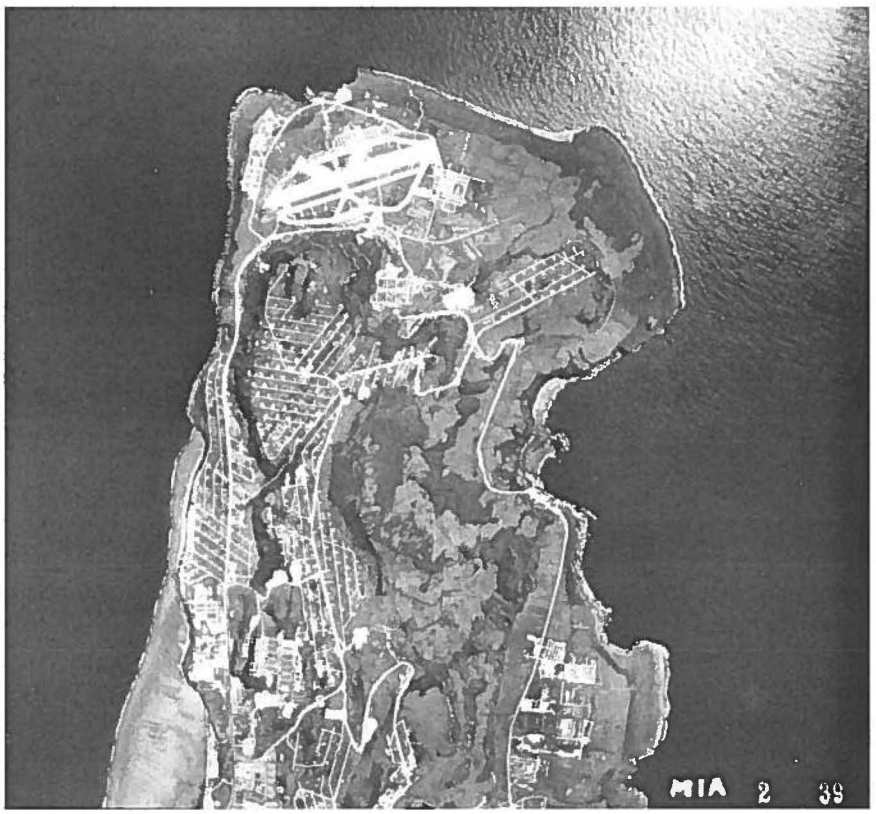
The Bowers report determined that the economy of the Northern Marianas would not stabilize until the naval government settled the land claims of the indigenous population. Unlike other Micronesian cultures, Bowers noted that the Chamorros of Saipan held "modern concepts" of land ownership, including the distinction between public and private land and notion of sole permanent possession.[24] However, due to the history of colonialism in the Northern Marianas, many Chamorros were suspicious of foreign occupiers "requiring land deeds, titles, and leases; and possessing power to alienate used or unused land."[25] Older Chamorros had personally witnessed the seizure of privately-owned land by the German, Japanese, and American governments and their militaries. This fear of foreign occupation later defined the indigenous land policies of the Commonwealth of the Northern Mariana Islands.

Following the invasion of Saipan and Tinian, the United States military quickly annexed large tracts of land for the construction of munitions dumps, airfields, and administration buildings (figure 5.2). The Bowers report stated that the United States military was using 40% of the land on Saipan at the conclusion of World War II.[26] Military construction in the Northern Marianas was deemed crucial to the successful

Pacific Campaign; however, this process significantly violated the land rights of the indigenous population.

Figure 5.1. United States reconnaissance photo of northern Saipan, May 29, 1944. Land use in this image includes a small runway, several roads, and extensive sugar cane fields. Image reprinted from the Commonwealth of the Northern Mariana Islands Archives.

Figure 5.2. Comparison photo of northern Saipan May 9, 1945. United States military installations cover the majority of arable land, including an expanded airfield and munitions storage. Image reprinted from the Commonwealth of the Northern Mariana Islands Archives.



Several attempts were made to resolve land claims throughout the principle islands of Saipan, Tinian, and Rota. The Land Title Commission was established in 1944 by the naval government to determine the patterns of landownership practiced in the Northern Marianas prior to the invasion. In order to validate a land claim, the commission required a deed or certificate of ownership endorsed by the Japanese government, a reference to ownership in the surviving records of the NKK, or oral testimony from three adjoining landowners.[27] Since few records survived the invasion, most land decisions were based on oral testimonies.

Title determination testimony was gathered during several hearings held between October 1944 and February 1945. These hearings were scheduled to record the testimony of Japanese and Korean civilians before their repatriation in 1945. A second session of oral testimony was gathered from Chamorro and Carolinian survivors between 1947 and 1948. However, after hundreds of hearings only nineteen land titles were determined by this commission.[28] Years after the invasion, the majority of the Northern Marianas Chamorros remained landless.

When released from Camp Chalan Kanoa in July of 1945, few Chamorros were able to return to their land. Most did not have legal documents to support their land titles due to the extensive destruction of homes and Japanese administration buildings on Saipan. Once again landless, most Chamorros remained in the Chalan Kanoa area after their release from the internment camp.

While the military government endeavored to resolve the morass of indigenous land claims, two policy changes were introduced to restructure land use in the Northern Marianas. The first was a December 1946 order by the Deputy High Commissioner stating that military necessity was no longer an acceptable justification for the appropriation of native land.[29] This was the first United States land policy in the Northern Marianas that restricted the ability of the military to seize indigenous property.

The second major land policy was the establishment of a homesteading program to encourage subsistence agriculture amongst Chamorro and Carolinian survivors. This program was intended to increase local food production in the Northern Marianas, provide cash income for the natives, and reduce dependence on American aid. However,

this program was largely ineffective and attracted few participants. Since the 1931 revision of Japanese land regulations which allowed the transfer of native property to foreigners, few Chamorros had consistently engaged in agricultural work. As many Chamorros were employed in some capacity by the naval government, there was little incentive to return to an agricultural lifestyle.

This program was also hindered by its use of revocable homesteading permits instead of permanent deeds of title. While in possession of a homesteading permit, the bearer had exclusive access to a parcel of public land. However, if a title determination by the Land Claims Commission impacted the parcel's boundaries, the homesteading permit could be revoked with thirty days' notice.[30]

The land policies of previous colonial administrations had greatly increased the indigenous interest in permanent land ownership. Particularly during the Japanese administration, Chamorro landowners utilized their real property for rental income, not for subsistence farming.[31] The naval government encouraged homesteaders to cultivate coconut palms as a high-yield crop that was well-suited to the tropical climate. However, indigenous farmers were well aware these native trees often required several years of maintenance before edible fruit was produced. Laboring for years on land which could be seized with only thirty days' notice did not appeal to Chamorros, many of whom had come to rely on employment with the United States naval government.

Participation in the homesteading program was consistently low from 1947 to 1949. However, a significant increase of homestead permits was recorded in 1950, the

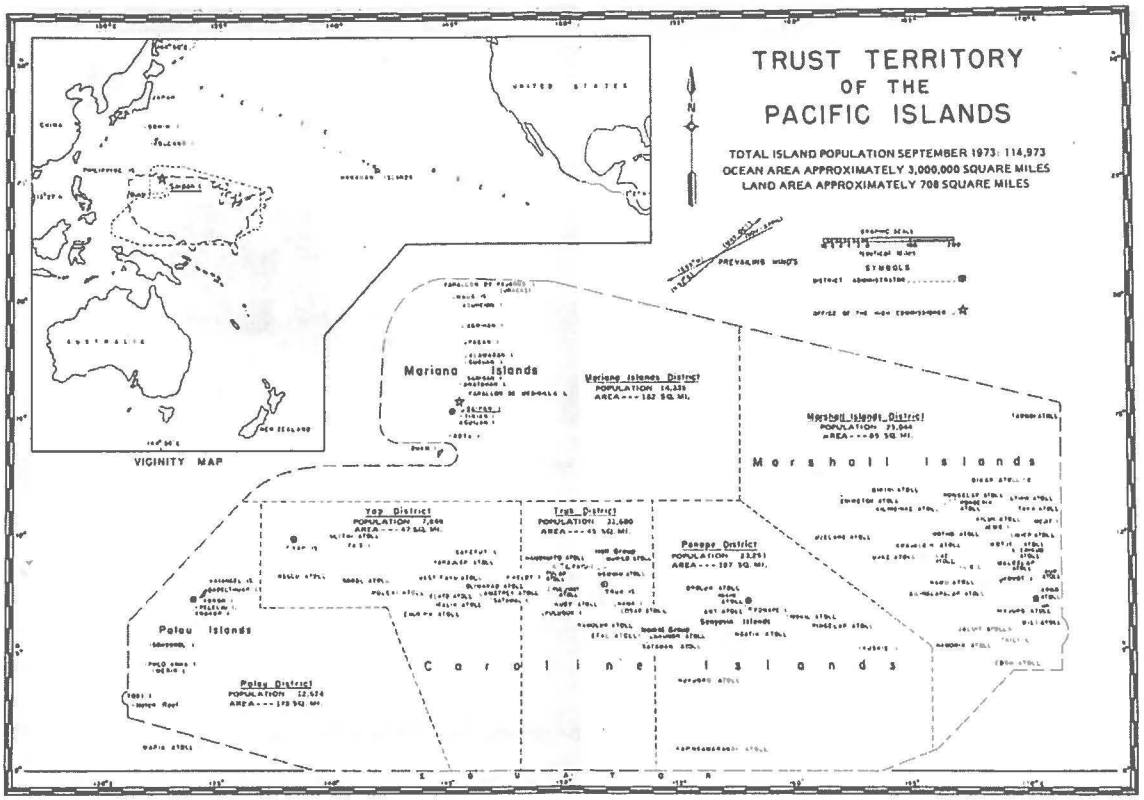
same year the American naval base on Saipan was closed.[32] With fewer options for wage labor, many Chamorros began participating in the unpopular homesteading program.

While the United States retained administrative control of the Northern Marianas from the 1944 invasion until the self-determination of the islands in 1975, the United Nations closely supervised American policy in the region. The 1945 United Nations Charter identified global decolonization as a primary objective of the intergovernmental organization. However, Chapter XI "Declaration Regarding Non-Self-Governing Territories" of this document authorized member states to continue to administer areas occupied during World War II "whose peoples have not yet attained a full measure of self-government."[33]

In order to define and regulate these state relationships, the United Nations Charter established an international trusteeship system that included all territories "detached from enemy states as a result of the Second World War."[34] Under this arrangement, the administering nation operated under the authority of the United Nations Trusteeship Council. This internationally-authorized foreign occupation bore several similarities to the post-World War I mandate system of the League of Nations. Both banned full annexation of detached territories, but permitted the occupying state to administer all political, social, and military institutions. However, a fundamental difference was that the United Nations trusteeship was defined as a terminal relationship, aiming to "develop self-government … and to assist in the progressive development of their free political institutions."[35]

To better administer these detached territories, the United Nations declared several "strategic areas" to be placed under a single trusteeship agreement. Security Resolution Twenty One, issued on April 2, 1947, defined the Trust Territory of the Pacific Islands as "consisting of the islands formerly held by Japan under mandate in accordance with Article 22 of the Covenant of the League of Nations."[36] Already in possession of these islands, the United States was designated as the administering authority of the Trust Territory of the Pacific Islands (figure 5.3).[37]

Figure 5.3. Trust Territory of the Pacific Islands map. Reprinted from *Statistical Atlas of Economic Indicators for Trust Territory of the Pacific Islands.*



This strategic area included the three major archipelagos of Micronesia: the Marshall, Caroline, and Mariana Islands (excluding Guam, governed separately as a United States territory since 1898). Through decades of self-determination, these island districts diverged into the modern day sovereign nations of the Republic of Palau, the Federated States of Micronesia, the Republic of the Marshall Islands, and the United States Commonwealth of the Northern Mariana Islands (figure 1.2).

Decolonization and the recognition of indigenous land rights were central themes in the United Nations trusteeship system. Under the provisions of Security Council Resolution Twenty One, all trusteeship agreements required administering nations to "protect the inhabitants against the loss of their land and resources."[38] Admiral L.E. Denfeld, the first High Commissioner of the Trust Territory of the Pacific Islands, issued *Proclamation No. 1* addressed "To the People of the Trust Territory of the Pacific Islands" to announce the initiation of the trusteeship relationship. This document reiterated the goals of the United Nations Security Council by inclusion of the statement "Your existing customs, religious beliefs and property rights will be respected."[39]

Prior to the establishment of the Trust Territory, land policies in the Northern Marianas were defined by the Naval Civil Affairs Division and issued as military orders. While these constitute the earliest American land policies in the Northern Marianas, they were typically short-term solutions to complex land tenure issues. The Trust Territory of the Pacific Islands was a more permanent governmental body and issued several comprehensive land policies.

"Trust Territory Policy Letter, P-1," issued by Deputy High Commissioner C. H. Wright on December 29, 1947, included the first land policies introduced by this interim government. This document outlined a plan for land use in the Northern Marianas and included several land protections for indigenous landowners. "Trust Territory Policy Letter, P-1" also introduced three key land policies: the immediate cessation of military land seizure, the codification of local land concepts, and protection against indigenous land alienation.[40]

Stating that the "guiding principle of land policy is to safeguard native land rights and land ownership," Policy Letter P-1 included several land protections for indigenous Micronesians. This document noted that the German and Japanese policy of nationalizing seemingly unused land had disregarded Micronesian concepts of land use and ownership.[41] Despite this acknowledgement, this policy document also stated that the interim government would retain ownership of these lands and administer them for the benefit of Trust Territory citizens. Many of these lands would later be included in Trust Territory land distribution programs.

While most of these initial Trust Territory land policies were based on western concepts of land ownership, this document did allow for limited incorporation of indigenous land customs. A section titled "Codification of Local Land Concepts" authorized District Administrators to seek community input on traditional patterns of land tenure and incorporate them into local land regulations.[42] This policy promoted both indigenous self-determination and encouraged native political participation. Previously allowed only limited political representation in Camp Susupe, this regulation marked the first Chamorro participation in land policy construction.

"Trust Territory Policy Letter, P-1" addressed the rampant United States military use and seizure of privately-owned land throughout Micronesia. This policy document required all future military operations to be conducted exclusively on government-owned land.[43] Additionally, this policy stipulated that all private land occupied by the military should be returned to its documented owner immediately. In the case of permanent installations, this policy authorized compensation in the form of a cash payment or the deed to a comparable tract of land.

A final section titled "Alienation of Native's Lands" introduced two major regulations that would have enduring importance in the development of postcolonial land policy in the Northern Marianas. First, land ownership throughout the Trust Territory of the Pacific Islands was limited to the native inhabitants of each island district. Except for short-term leases approved by the District High Commissioner, "title to land now owned by natives shall not be transferred to non-natives."[44] Second, this policy introduced the first definition of "native" in regards to landownership.

These land alienation protections were strikingly similar to the German prohibition of foreign land ownership throughout the islands of Micronesia. This German policy was initially upheld by the Japanese civil government until a 1931 revision permitted the transfer of indigenous land to foreign owners.[45] Following three years of piecemeal American military policies, these protections were restored and expanded by the Trust Territory government.

In a subsequent land alienation policy issued in 1948, the Trust Territory government limited its own ability to distribute public land ownership outside of

indigenous communities. This policy stated that the "transfer of such lands to non-native individuals or persons will not be considered valid."[46] These early Trust Territory land policies ensured that both public and private land was exclusively limited to native ownership.

The "Alienation of Native's Lands" section of Trust Territory Policy Letter, P-1 also introduced the first definition of "native" in regards to land ownership in the Northern Marianas. While all previous colonial administrations had issued policies detailing specific freedoms and restrictions for "natives," no prior administration had introduced a formal definition of this term. For the purposes of landownership, the Trust Territory government defined a native as either: an individual with no citizenship outside of the Trust Territory, an individual born in the Trust Territory, or a resident of the Japanese mandated islands before December 7, 1941 who maintained permanent residence in a Trust Territory district since September 1, 1946.[47]

This definition did not make specific ancestry requirements or specify a minimum "blood quotient" as requisite criteria for land ownership. However, since all foreign nationals had been deported from the former Japanese-mandated islands before September 1, 1946, only the remaining indigenous population was eligible for citizenship and land rights. Defining "native" would become an increasingly important and contentious topic during the self-determination of the Northern Marianas.

Prior to the establishment of the Trust Territory, the American homesteading system in the Northern Marianas attracted few indigenous participants. The revocable permit system proved unpopular with Chamorro farmers who were skeptical of foreign

land programs and temporary possession permits. Between 1953 and 1957, the American government on Saipan discontinued the waning homestead program by the strategic revocation of all outstanding permits.[48] The reclaimed arable was consolidated as public land and allocated to land title claimants through a newly-established land exchange program.

In the decade following the United States invasion of the Northern Marianas, few outstanding land claims had been substantiated. The deadlocked Trust Territory government sought to resolve all outstanding land claims and simultaneously encourage domestic agriculture through a system of land title exchanges. Under this program, indigenous petitioners who agreed to withdrawal their land claim were awarded with permanent ownership of an equitable parcel from available public lands. Through mutual agreement with the indigenous claimants, this program nominally solved the complex issue of disputed land titles by voiding all deeds issued during the German and Japanese administrations. The exchange agreement program was completed in 1956, distributing a total of 342 parcels of government land to Chamorros and Carolinians in the Northern Mariana Islands.[49]

The land policies introduced in the Northern Marianas by the United States Navy and later Trust Territory government resulted in significant changes to the Chamorro culture in the decades following World War II. The year of internment in Camp Susupe and Camp Chalan Kanoa was an abrupt period of acclimation to American culture and social expectations. The themes of forced migration, suspension of land rights, and constant foreign supervision closely mirrored the mission villages of the Spanish *reduccion*.

This year of internment also increased the Chamorro dependence on imported commodities. The destruction of Japanese supplies and the degradation of arable land during World War II resulted in a severe lack of food following the United States invasion of the Northern Marianas. Supplies of locally-produced food were exhausted in the first ninety days of the civilian internment. In order to sustain the captive population, the Navy Civil Affairs division relied solely on imported food to provision Camp Susupe.[50]

Restrictions on indigenous farming and reliance on imported American food rapidly changed the diet of interned Chamorros. Medical researchers Alice Joseph and Veronica Murray observed in 1947 that the Northern Marianas Chamorros had quickly adopted the American diet and maintained a reliance on imported food even after returning to their farms. While the Chamorros were historically a maritime society with close ties to the ocean, Joseph and Murray noted that fish was only consumed in the form of canned tuna imported from the United States.[51] Similarly, imported American food remains central to the Chamorro diet today, a process referred to by food policy researchers as "dietary colonialism."[52]

Several aspects of the internment camp were structured to promote American culture to the landless indigenous population. All internees were required to learn English and school attendance was mandatory for Chamorro children.[53] To promote an American affinity and lifestyle, the indigenous internees were confined in American-style houses, given American food, and instructed in American English. Chamorro historian Keith L. Camacho referred these Americanization efforts as "postwar manifestations of American overseas colonialism."[54]

American land policy and military activity in the Northern Marianas impelled several cultural changes in the post-internment years as well. Environmental damage caused by the invasion and subsequent construction of military installations had greatly reduced the ability of Chamorros to return to an agrarian lifestyle.[55] This lack of arable land in the Northern Marians increased Chamorro dependency on the American military for both food and income.

During the early years of the Trust Territory of the Pacific Islands, many Chamorros were employed by the naval government. The indigenous interest in cash wages and government employment had increased sharply during the Japanese administration of the Northern Marianas. While Chamorros were conspicuously barred from working directly for the Japanese government, the United States military had no such restrictions. A December 1944 report noted that 39% of interned Chamorro men and 67% of interned Chamorro women worked for the military government in some capacity.[56]

The wide availability of government employment resulted in a decreased interest in agricultural enterprises. Joseph and Murray noted in 1947 that a "large proportion" of Chamorros were still employed by the military government.[57] Spoehr's report in 1949 confirmed the Chamorro preference for government employment observing that "wage work is at present fixed in Chamorro values as a desirable thing."[58]

A culture of land insecurity prevailed during the postwar years as the United States military appropriated private land while simultaneously failing to resolve outstanding land claims. In 1944 alone, indigenous landowners saw their property seized

by the Japanese military, destroyed by the American military, then seized again for American military fortifications. Despite several promises to the contrary, the American military continued to appropriate privately-owned land until the 1947 introduction of "Trust Territory Policy Letter, P-1."

This sense of land insecurity was deepened by flawed American land policies that did not acknowledge indigenous traditions. While the exchange agreement system nominally solved the issue of outstanding land claims, it did not take into account the indigenous culture of land ownership in the Northern Marianas. These transactions simply voided outstanding land claims in exchange for a parcel of comparable size and quality. This practice did not account for the powerful spiritual and social value of land in both the Chamorro and Carolinian cultures. Land was traditionally linked to matrilineal clan membership and the physical location of one's land communicated both ancestry and social status within the community. The American land exchange system did not incorporate these values, further fracturing the traditional patterns of land use in the Northern Marianas.

As the final colonial power to introduce land policy in the Northern Marianas, the desultory American administration attempted to redistribute native land equitably following the wholesale internment of the indigenous population. However, Chamorro and Carolinian survivors of World War II were increasingly wary of foreign land seizures and fluctuating colonial regimes. The need for permanent legal protection of native land rights would come to be the defining characteristic of self-determination land policy in the Northern Marianas.

Chapter 6:

Indigenous Land Policy

While the United Nations trusteeship offered increased land protections for the indigenous population of the Northern Marianas, it also legitimized the ongoing American occupation of the islands. The 1964 establishment of the Congress of Micronesia transferred legislative power from the American government to the indigenous population, ending centuries of colonial land policy throughout the region. Although the United States maintains limited federal authority over the present-day Commonwealth of the Northern Mariana Islands, post-trusteeship land policies greatly extend land alienation protections while incorporating aspects of the Chamorro culture.

As specified in the United Nations Charter, the primary goals of the trusteeship system were the promotion of indigenous self-determination and global decolonization following World War II.[1] As a district of the Trust Territory of the Pacific Islands, the Northern Marianas were under the administrative control of the United States Navy from 1944 through 1951, followed by the United States Department of the Interior from 1951 until 1976.[2] The role of the United Nations Trusteeship Council was largely observatory and did not directly promote land policy within the postwar Trust Territories.[3]

Throughout the colonial era, land policies in the Northern Marianas were typically introduced by order of the military, decision of a government official, or decree of a

foreign leader. The participation of the Chamorro population in policy development was rarely sought by any foreign administration. While the Trust Territory invited limited review of land policy (such as the "Codification of Local Land Concepts" in "Trust Territory Policy Letter, P-1"), most Trust Territory land regulations were directly issued by the United States Navy or Department of the Interior.[4]

The first notable departure from this pattern of foreign land policy in the Northern Marianas followed the establishment of the Congress of Micronesia on September 28, 1964. This bicameral legislative assembly of indigenous delegates constructed land policies that were applicable throughout the six administrative districts of the Trust Territory of the Pacific Islands.[5] While the Department of the Interior appointed a High Commissioner with veto powers, legislative control was delegated to the indigenous population.

As defined by Department of the Interior Order 2882, the Congress of Micronesia consisted of twenty-one elected delegates representing each of the six administrative districts of the Trust Territory.[6] The collected output of this legislative body was codified as the *Code of the Trust Territory of the Pacific Islands* in 1966, 1970, and 1980.[7] This transfer of policy-making powers to the Congress of Micronesia signified the end of foreign regulation of land use in the Northern Marianas.

The principle land policy enacted by the Congress of Micronesia was the restriction of foreign land ownership in the Trust Territory of the Pacific Islands. This legislation reiterated land restrictions that existed in several forms since introduction by the German colonial government.[8] Codified as Title 57 of the Trust Territory Code, this

law stated "only citizens of the Trust Territory, or corporations wholly owned by citizens of the Trust Territory, may hold title to land in the Trust Territory."[9]

Without introducing specific ancestry requirements, Trust Territory citizens were defined as anyone who continuously resided in the islands from December 7, 1941 to September 1, 1946.[10] These requirements strategically excluded repatriated Japanese and Korean residents and also American servicemen.[11] This calculated residency requirement introduced a *de facto* policy of indigenous citizenship, ensuring native control of land ownership and policy.

Trust Territory citizens utilized their expanded political powers to demand the return of land seized by the United States military and the resolution of outstanding land title claims. While the Trust Territory government had previously endeavored to resolve land issues, title claims and boundary disputes were still commonplace. In response to these concerns, the Congress of Micronesia established several permanent land agencies. These included the Trust Territory Land Commission to adjudicate ongoing land claims and the introduction of District Land Offices in each of the six administrative districts.[12]

While the Congress of Micronesia functioned as a national legislature for the Trust Territory, the Mariana Islands District Legislature promulgated land policy exclusive to the Northern Marianas. Chartered on Saipan on January 7, 1963, this unicameral body consisted of sixteen representatives from the electoral regions of Rota, Tinian, Saipan, and the sparsely-populated Gani Islands.[13] While this legislative assembly existed only for thirteen years, the Mariana Islands District Legislature

introduced the first indigenously-constructed land policies specific to the Northern Marianas.[14]

As required by the United Nations, the United States proposed a comprehensive self-determination agreement for the Trust Territory of the Pacific Islands at the October 1971 Micronesian Status Negotiations in Hana, Hawai'i. Under this agreement, the amalgamated islands of the Trust Territory would become a single sovereign nation with defined economic and military ties to the United States through a "Compact of Free Association" agreement.[15] While several Trust Territory districts would later negotiate similar Free Association agreements with the United States, the Marianas District rejected this offer, alternatively seeking incorporation as a United States Commonwealth.

This rejected Compact of Free Association proposal included several land agreements between the United States and the prospective Micronesian nation. In recognition of national sovereignty, the United States guaranteed the transfer of all public lands to the newly-formed state.[16] Additionally, this proposal acknowledged the right of Micronesians to "control the sale of their land to aliens" through the development of local land regulations.[17]

However, this proposed Compact of Free Association also required the Micronesian government to negotiate leaseback agreements for any lands occupied by the United States military, including those in the Northern Marianas. While the United States military offered to relinquish a significant portion of the 4,000 acres it occupied on Saipan, the Free Association proposal mandated the leaseback of large land holdings on Tinian and the entire island of Farallon de Medinilla in the Gani Islands.[18] The Free

Association proposal did not delineate the specific military need for Farallon de Medinilla, simply stating "it is essential that we have the use of that island after the termination of the trust."[19]

Disinterested in permanent incorporation with the other five districts of the Trust Territory, the residents of the Mariana Islands District chose to seek an independent self-determination agreement with the United States. At the 1972 Micronesian Status Negotiations, Saipan delegate Eduardo Pangelinan requested diplomatic recognition of the Northern Marianas as distinct political entity autonomous from the other five Trust Territory districts.[20] Accepting this counter-proposal, United States ambassador to the Trust Territory Hayden Williams acknowledged that "it does not seem that the American policy of seeking a common solution for the entire Territory is any longer feasible or desirable."[21]

Newly-independent, the Marianas District quickly formed the Marianas Political Status Commission to negotiate an incorporation agreement with the United States. This draft agreement was unanimously approved by the Mariana Islands District Legislature on February 20, 1975 and endorsed by referendum vote on June 17, 1975.[22] The resultant status agreement, "A Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America" would be the primary legal foundation for indigenous land policy in the postcolonial Northern Marianas.

Accepted by the United States on March 24, 1976, the Covenant established the legal, economic, and military relationships between the Commonwealth of the Northern Marianas and the United States.[23] This agreement designated the Northern Marianas as

an unincorporated overseas Commonwealth and introduced two major land policies: enhanced land alienation protections for the indigenous population and the authorization of several land agreements with the United States military.

While the Covenant formally established the land rights of the indigenous Northern Marianas population, the United States utilized this agreement to obtain control of extensive tracts of land for military use. Similar to the military land requirements articulated in the initial 1971 Compact of Free Association proposal, the Covenant agreement conferred several long-term land leases to the United States military. In exchange for $20 million, Section 803 of the Covenant authorized fifty-year leases of Commonwealth land to the United States military. These leases included 177 acres at Tanapag Harbor on Saipan, 17,799 acres on Tinian, and the entire island of Farallon de Medinilla.[24]

Bearing strong similarities to the German policy prohibiting foreign land ownership in islands of Micronesia, Section 805 of the Covenant temporarily disallowed the sale of land in the Northern Marianas to non-natives. The section limited landownership to "persons of Northern Mariana Islands descent" for twenty-five years after the termination of the Trusteeship agreement.[25] While similar policies were upheld by the Japanese and American administrations of the Northern Marianas, the inclusion of Section 805 in the Covenant marks the first protective land policy introduced by the self-determined indigenous government.

An explanatory guide to the Covenant published by the Marianas Political Status Commission succinctly described Section 805 as an assurance that "the people of the

Northern Marianas will be able to retain the ownership of their most precious asset, their land."[26] However, the vaguely-defined land alienation policies of Section 805 would require further clarification and development by the indigenous government. The Covenant restrictions only applied to the first twenty-five years following the termination of the trusteeship.[27] Additionally, this section limited land ownership to "persons of Northern Marianas descent," but offered no definition for this term. The undefined descent rules and twenty-five year limitation on this policy would both be expanded and altered in the Commonwealth Constitution enacted the following year.

As stipulated by the Covenant agreement, the Commonwealth of the Northern Marianas drafted a state constitution establishing a "republican form of government with separate executive, legislative and judicial branches."[28] The nascent Northern Marianas Commonwealth Legislature authorized the election of forty-one delegates representing Saipan, Tinian, Rota, and the Gani Islands to participate in the first Constitutional Convention in 1976.[29] The resultant state constitution featured several major land policies developed by the indigenous delegates.

Recorded in the *Journal of the Northern Marianas Islands Constitutional Convention of 1976*, the Committee on Personal Rights and Natural Resources noted the importance of the Covenant land restrictions in preventing the "economic and cultural displacement" of the native population.[30] Agreeing that "land is the only significant asset that the people of the Commonwealth have," this committee voted to restate the Section 805 land protections in the Commonwealth Constitution and remove the twenty-five year limit stipulated in the Covenant. Incorporated into the Commonwealth Constitution as

"Article XII: Restrictions on Alienation of Land," these updated land policies permanently prohibited foreign land ownership in the Northern Marianas.[31]

Additionally, Article XII clarified the Covenant land protections by introducing a specific legal definition of "Northern Marianas descent." Tasked with establishing this definition, the Constitutional Convention delegates considered several inclusion criteria, specifically: duration of residence, historical census data, and *jus soli* right of birth within the Northern Marianas.[32] Since many of these criteria could easily be met by non-indigenous residents of the Northern Marianas, the Constitutional Convention delegates utilized a combination of blood quantum and American citizenship as the defining characteristics of "Northern Marianas descent." In the final draft of the Commonwealth Constitution, land ownership is restricted to "a citizen and national of the United States and who is of at least one-quarter Northern Marianas Chamorro or Northern Marianas Carolinian blood."[33]

This policy was carefully constructed to limit landownership to the Chamorros and Carolinians of the Northern Marianas, but to also exclude the Chamorros and Carolinians of other Micronesian states. Carolinians residing on other Micronesian islands (such as Yap and Palau) would be excluded by this definition as they were not naturalized American citizens under the terms of the Covenant. Also, the Chamorros of Guam, while United States citizens since the "Guam Organic Act of 1950," would not meet the definition of "Northern Marianas Chamorro."[34]

A briefing paper from the Constitutional Convention indicates that the delegates considered several minimum blood quotients during the formation of this land policy.

This document noted that "the Constitution could permit any degree of Northern Marianas blood, however slight, to satisfy Section 805, or it could adopt a very stringent requirement such as one-half Northern Marianas blood."[35] The Committee on Personal Rights and Natural Resources cited the prevalence of marriages between indigenous landowners and citizens of the nearby Philippines as a distinct concern, since resultant children would be considered 50% Northern Marianas descent.[36] To accommodate the increase in international marriages in the Northern Marianas, this convention committee determined that a 25% blood quotient should be established as the minimum qualification for landownership.[37]

Colonial land policy in the Northern Marianas historically altered the indigenous culture, however, the drafting of the Commonwealth Constitution allowed the native population to affirm their shared values through the formation of inclusive land policies. While the history of the Northern Marianas is largely that of the indigenous Chamorro people, any exclusion of the transplanted Carolinian population would dishonor the shared experience of perseverance under colonialism, war, and self-determination. Article XII recognizes Northern Marianas Carolinian and Chamorro ancestry as equally valid for the purposes of landownership in the Commonwealth.[38] In contrast, Trust Territory land policies were written broadly for general applicability throughout six island districts and thus did not specify particular ethnic groups, only island of residence.[39]

The broad protections of indigenous land ownership included in the Commonwealth Constitution were amended several times to reflect social, political, and demographic changes in the Northern Marianas. The original 1976 Constitution allowed

corporations to own land in the Northern Marianas provided that the corporate structure "has directors at least fifty-one percent of whom are persons of Northern Marianas descent and has voting shares at least fifty-one percent of which are owned by persons of Northern Marianas descent."[40] The passage of Constitutional Amendment 36 at the 1985 Constitutional Convention increased these corporate requirements to "one-hundred percent of [directors] are persons of Northern Marianas descent and has voting shares one-hundred percent of which are actually owned by persons of Northern Marianas descent."[41]

Similarly, the definition of "Northern Marianas descent" was amended in 2014 to reflect the changing demographics of the Commonwealth. As noted in 1976 by the Committee on Personal Rights and Natural Resources, children of international marriages within the Northern Marianas complicated the determination of an a minimum blood quotient for land ownership.[42] House Legislative Initiative 18-1 authorized a 2014 referendum vote to amend the definition of "Northern Marianas descent" included in the Commonwealth Constitution. This amendment proposed replacing the requisite 25% indigenous blood quotient with the less stringent requirement that landowners possess "at least some degree of Northern Marianas Chamorro or Northern Marianas Carolinian blood or a combination thereof."[43] Receiving 6,177 votes in support and 5,624 votes against, the ratification of this constitutional amendment maintained the restrictions on foreign landownership in the Northern Marianas while acknowledging the changing demographics of the modern indigenous population.[44]

Protective land policies continue to be introduced by the Northern Marianas Commonwealth Legislature. Since its establishment in 1976, this legislative body of

indigenous representatives has introduced and revised several policies to ensure that the lands of the Northern Marianas remain accessible to the native population.[45] Many of these laws originated in the Congress of Micronesia, but have been subsequently updated to reflect the specific culture and history of the Northern Marianas.

The Commonwealth of the Northern Mariana Islands homesteading program is largely a reintroduction of a land distribution system established by the Congress of Micronesia. The modern homesteading program was updated to reflect the ancient traditions of the Northern Marianas in a 1990 Senate bill.[46] This program distributes homestead land to "any person who is 18 years of age or over, and who is a citizen of the Commonwealth and of Northern Marianas descent."[47] However, unlike colonial homesteading programs which issued ownership titles to a single male individual, this updated law allows for "clan, lineage, family or group of persons who collectively possess land rights established by local custom," to participate in the program.[48] Through the legislative process, indigenous representatives have strategically restored and protected the communal land customs of the Northern Marianas.

Postcolonial land policies are also utilized to maintain the culture of the Northern Marianas through the preservation of undeveloped islands. This process began in 1976 when the Commonwealth Constitution permanently designated several islands as uninhabited nature preserves. The islands of Mañagaha, Sarigan, and Maug were chosen as wildlife sanctuaries, accessible for only recreational and cultural purposes.[49] These protections were extended by the Commonwealth Legislature in 2006 to additionally protect the Gani islands of Uracas, Asuncion, and Guguan.[50] Several of these islands had been similarly depopulated by colonial land policies, such as the Spanish *reduccion* and

the American internment of indigenous survivors following World War II. Postcolonial land policies maintain these restrictions "for the preservation and protection of natural resources" rather than colonial need to consolidate and control the native population.[51]

Five decades of indigenous land protections have restored the majority of privately-owned land in the Northern Marianas to the native community. The 2000 federal census found that 83% of owner-occupied lands in the Northern Marianas were inhabited by Chamorros and Carolinians, despite constituting only 36% of the Commonwealth population.[52] Census figures also indicated that 78% of all occupied lands are leased from native landowners by non-indigenous residents.[53] Unlike the land policies of the colonial era, this modern land system ensures that indigenous landowners remain central to all Northern Marianas land transactions.

Postcolonial land policy in the Northern Marianas promotes the continued preservation of the Chamorro culture through a land tenure system that prevents the economic displacement of the indigenous population. The restoration of formerly alienated lands, coupled with the prohibition of foreign land control, ensures that the indigenous minority remains an integral component of the modern Northern Marianas economy. These policies establish a landed and politically-active indigenous population with the economic and legislative tools to prevent foreign land control.

The Chamorros of the Commonwealth of the Northern Mariana Islands have been largely successful in minimizing the amount of native land ceded to the United States military. In March of 2013, the Department of Defense issued a statement of intent to develop live-fire military training sites on the unpopulated areas of Tinian and Pagan.[54]

This action was met with widespread resistance from the indigenous population who quickly formed grassroots organizations Alternative Zero and PaganWatch to promote the cultural importance of these uninhabited areas and to protest the proposed military escalation.[55] The emergence of these organizations demonstrates the continued culture of resistance to military land seizures in the Northern Marianas.

The land policies of the indigenous Commonwealth government offer a stark contrast to those of the colonial era. Foreign land policies were largely introduced to expedite the colonial alteration of the islands. The Spanish *reduccion* was driven by the royal mandate to control and convert the indigenous population.[56] Both the German and Japanese land policies promoted agrarian reform and the aggressive development of an export economy. The United States, through the Trust Territory of the Pacific Islands government, primarily issued land policies that facilitated the ongoing military use of the islands.

However, postcolonial land policy in the Northern Marianas is characterized by the iterative restriction of foreign landownership, preservation of ancient ecosystems, and the codification of Austronesian land customs. While the colonial land policies applied in the Northern Marianas sought to alter the social and economic structures of the islands, the land policies of the indigenous government endeavor to preserve and reestablish native institutions.

Chapter 7:

Conclusion

Four centuries of colonial land policy extensively impacted the Chamorro culture of the Northern Mariana Islands. However, the Chamorro culture has retained several core Austronesian elements while simultaneously incorporating aspects of colonial cultures. These Austronesian values are reflected in the land policies of the indigenous government, constituting a modern form of resistance to foreign land regulation in the Northern Marianas.

As noted previously, anthropologists Kriste and Wernhart and psychologists Joseph and Murray claimed that the Chamorro culture was eliminated through centuries of colonial subjugation.[1] Although each foreign administration introduced dramatic cultural changes through land policy enforcement, this thesis has demonstrated that the core Chamorro culture and language have endured despite colonial alterations.

The cultural impact of four centuries of colonial land policy is clearly discernable in modern Chamorro culture. The contemporary indigenous population of the Northern Marianas is largely characterized by Catholicism, documented land ownership, and a dependence on cash wages and imported food. The cultural shift from a maritime Austronesian culture to a landed Christian society is closely correlated to the imposition of colonial land policy.

The widespread indigenous adherence to Catholicism would suggest that religion was the major agent of cultural change in the Northern Marianas. However, Spanish

missionary efforts failed for over a century until the introduction of aggressive land policies, specifically the *reduccion* to Guam and subsequent destruction of the indigenous system of land tenure. The Catholic conversion of the Chamorros was only attained after the land policies of the Spanish decimated the ability of the Northern Marianas Chamorros to resist religious subjugation.

Additionally, the modern Chamorro reliance on wages and formal land titles is a direct product of the German and Japanese introduction of land title registration and employment for colonial subjects. As in the precolonial era, oceanfront property is still highly prized by Chamorro landowners. However, this is not due to the traditional spiritual and caste significance of these coastal lands, but for their rapidly-appreciating economic value as tourism becomes the principle industry of the islands.

While matrilineal clan affiliation endures in modern Chamorro society, its cultural importance has been greatly diminished through the process of colonial land regulation. The recognition of clan membership was actively suppressed by the Spanish *partido* system of patrilineal land inheritance and wholly disregarded by later colonial land systems. The indigenous government of the Commonwealth of the Northern Marianas Islands has introduced legislation to return limited landowning rights to clans. However, centuries of colonial subjection severely weakened this concept in the modern indigenous culture. This institution carries great importance in the social and spiritual lives of Chamorro families, but is no longer the dominant social structure as it was in the precolonial era.

The colonial land policies introduced in the Northern Marianas can best be analyzed as a microcosm of the hegemonic goals of each foreign administration. These policies were largely introduced as either a military order or decision of a regional colonial official. With the exception of the instructions given by King Phillip II of Spain to Legazpi, foreign leaders rarely promulgated specific land policies in the Northern Marianas.[2] However, in all cases, these policies were intended to alter the subaltern Chamorro culture through political subjugation, religious conversion, and forced participation in a cash economy.

The land policies of the Spanish government nearly resulted in the complete destruction of the Chamorro people and culture. The policies of *reduccion*, island depopulation, and confinement to the mission villages of Guam decimated several aspects of the pre-contact Chamorro social system. Furthermore, the Spanish introduction of private land ownership fractured traditional family and community structures. Though greatly altered, the Chamorro culture survived the Spanish era despite a near-fatal population decline and four centuries of forced integration into colonial society.

The comparatively short and peaceful German administration of the Northern Marianas introduced land policies that further encouraged private land ownership and indigenous participation in a cash economy. Through mandatory agricultural production quotas and land distribution programs, German land policy impelled the Chamorro people to recognize increasingly western concepts of land use and ownership.

Japanese land regulation in the Northern Marianas systematically altered the Chamorro notions of land ownership and value. Land in the Northern Marianas was

traditionally held for its spiritual value and importance in matrilineal clan affiliation. 1931 policy revisions that allowed foreign citizens to purchase indigenous land quickly redefined land in the Northern Marianas as a tradable commodity.[3] These Japanese policies solidified the concepts of currency-based transactions and permanent land ownership to a Chamorro population that was increasingly landless, urbanized, and dependent on imported goods.

The United States military administration of the Northern Marianas was characterized by the destruction of arable land and the seizure of private property following the World War II invasion of Saipan and Tinian. The establishment of the United States-led Trust Territory of the Pacific Islands interim government introduced several indigenous land alienation protections and land distribution programs.[4] Increasingly skeptical, Trust Territory citizens utilized their expanded legislative powers to develop land policies that restricted the ability of foreign governments to regulate land use in Micronesia.

The analysis of modern Northern Marianas land policy presented in this thesis demonstrates that indigenous land policy can be seen as an expression of Austronesian values. This is particularly evident in the Commonwealth land policies that prohibit foreign land ownership, protect natural habitats from development, and reestablish the ability of matrilineal clans to own land.

The legislative protection of historical sites and six undeveloped Gani islands is particularly important in the context of traditional Chamorro spiritual practices and *suruhanu* medicine.[5] The preservation of unaltered lands is crucial for *suruhanu* healers

to gather and prepare traditional herbal medicines. Ancient *latte* sites and uninhabited jungles, traditional points of contact with ancestral *manganiti* spirits, were also preserved by these laws. These protections reestablished Austronesian values as a central component of postcolonial land policy.

With the exception of several rebellions during the early Spanish administration, the historical record includes few instances of Chamorro resistance against foreign dominion. Rather, there is a documented history of Chamorro collaboration with colonial governments as Catholic acolytes for the Spanish, translators and interrogators during the Japanese invasion of Guam, and scouts for the United States military.[6] However, the land polices of the Commonwealth of the Northern Mariana Islands, such as recognition of matrilineal clan landholding rights, now tend to strengthen Chamorro cultural institutions and preserve native sovereignty. Additionally, the land alienation protections included in Article XII of the Commonwealth Constitution constitute a form of postcolonial resistance, while simultaneously preventing foreign regulation of indigenous land.

The examination of colonial land policy presented here is limited by several factors, primarily the widespread distribution and destruction of Northern Marianas land records. While a large and diverse sample of colonial land policy is housed in the Commonwealth of the Northern Mariana Islands Archives on Saipan, a great deal of uncatalogued records are distributed across several continents and composed in at least five colonial languages. Additionally, the shifting foreign administrations, tropical climate, and World War II bombardments destroyed large quantities of these records. This thesis analyses archival documents housed in the Northern Marianas, Republic of

Palau, and the United States that have been translated into English. This analysis can be expanded by future researchers with language skills and access to international repositories containing untranslated land records and regulatory documents, such as the National Diet Library in Tokyo and the General Archive of the Indies in Seville.

Some indigenously-constructed laws bear strong resemblance to specific colonial land policies introduced in the Northern Marianas. The land alienation protections in Section 805 of the Covenant and Article XII of the Commonwealth Constitution are nearly identical to the German, Japanese, and American prohibitions of foreign land ownership in the Northern Marianas. However in a postcolonial context, these expropriated land policies are a mechanism of indigenous cultural and spiritual expression, rather than a tool of colonial domination.

While centuries of colonial land policy have strategically altered the native social system of the Northern Mariana Islands, the Chamorro culture was not destroyed as some researchers have claimed. Rather, these colonial land policies introduced foreign elements into an evolving culture which retained its core Austronesian values. While colonial land regulation intentionally dismantled aspects of the Chamorro culture, traditional patterns of land use were reestablished and preserved through indigenous reclamation of land policy.

NOTES

Chapter 1: Introduction

1. For ethnographic studies, see Georg Fritz, *Die Chamorro: Eine Geschichte und Ethnographie der Marianen* [*The Chamorro: A History and Ethnography of the Mariana Islands]* (1904; repr., Saipan, Commonwealth of the Northern Mariana Islands: Division of Historic Preservation, 1986); Akira Matsumura, *Contributions to the Ethnography of Micronesia* (Tokyo: Imperial University of Tokyo, 1918); Alexander Spoehr, *Saipan: Ethnology of a War-Devastated Island* (1954; repr, Saipan, Commonwealth of the Northern Mariana Islands: Division of Historic Preservation, 2000).

2. For administrative histories, see Dorothy Elizabeth Richard, *United States Naval Administration of the Trust Territory of the Pacific Islands* (Washington: U.S. Office of Chief of Naval Operations, 1957); Mark R. Peattie, *Nan'yō: The Rise and Fall of the Japanese In Micronesia, 1885-1945* (Honolulu: University of Hawai'i, 1988); Francis X. Hezel, *From Conquest to Colonization: Spain in the Mariana Islands* (Saipan, Commonwealth of Northern Mariana Islands: Division of Historic Preservation, 1989); Dirk HR Spennemann, *Edge of Empire: the German Colonial Period in the Northern Mariana Islands* (Albury, Australia: Retrospect, 2007).

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