

COMMITTEE ON CULTURE, ARTS, & INTERNATIONAL AFFAIRS  
Wednesday, March 23, 2022  
10:40 AM

Dear Chair Gates, Vice Chair Tam, and Members of the Committee:

My name is Keoni Moen Williams and I write in support of HCR 160, Celebrating the ties between Hawai'i and the FAS, and urging a renegotiation of the Compacts.

I write in support of this resolution through three main lenses. First, I write as the son of a woman who emigrated to Hawaii from the island of Chuuk in the Federated States of Micronesia to seek a better future. Second, I write as a United States citizen born and raised in Honolulu, Hawaii, who is a proud product of our public school system. Third, in my capacity as a law school student and member of the next generation of Hawaii.

First, as the son of a woman who emigrated to Hawaii from Micronesia, I consider myself a product of the relationship between Freely Associated States and the State of Hawaii. My middle name, Moen, is the former name of my mother's home island, now known as Chuuk, in the Federated States of Micronesia. My first name, Keoni, was given by my "calabash" family, the 'ohana who hired my mother for their small business upon her arrival in Honolulu. Although she was barely able to speak English at first, she was grateful for the work and remained loyal to that locally owned family business for more than thirty years. Her story is not uncommon in Hawaii.

Second, as a product of the public school system here in Hawaii, I have witnessed first-hand the way Micronesian students were treated by peers and even teachers. I personally avoided these stereotypes because I am of mixed race and do not fit the stereotype of a typical "Micronesian" student. I often wonder what my academic and professional trajectory may have been if I did. Micronesian students were not the most promising students when I was in high school. Adults lowered their expectations of them. In turn, they lowered their own expectations. It was a vicious cycle. One day in high school, I came home to my mother watching a re-run of "Papa Mau: The Wayfinder" on PBS Hawaii. She beamed with pride in a way I had never seen before.

Third, as a law student and member of the next generation of Hawaii, I believe in peace, civil rights, and integrity. Congresswoman Patsy T. Mink once said that "We have to build things that we want to see accomplished, in life and in our country, based on our own personal experiences . . . to make sure others . . . do not have to suffer the same discrimination." HCR 160 is but one canoe in the legislative ocean that seeks to ensure a better future for the next generation. Too many canoes like this one have never reached shore and their navigators have lowered their expectations. It is a vicious cycle.

Kinisou Chapur,



Keoni Moen Williams

**HCR-160**

Submitted on: 3/22/2022 10:01:57 AM

Testimony for CAI on 3/23/2022 10:40:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kristen Young	Individual	Support	Written Testimony Only

Comments:

I support HCR160 which celebrates the long and rich history of Micronesians in Hawai‘i, our ties to the COFA states, and combats discrimination against COFA state citizens.

If my perception of people from the region referred to as Micronesia were only based on stereotypes and comments I heard from the general public, I would likely not have a good impression of Micronesians. But I’ve been fortunate to meet and know many people from Micronesia—ranging from adults who’ve spent most of their life in Micronesia and moved to Hawai‘i for other opportunities, to their children who’ve grown up in Hawai‘i and call this place home.

Through my work at Lāna‘i Union Church (made up of a large Kosraean community) and Central Union Church of Honolulu (which has an active Pohnpei Ministry), I’ve experienced firsthand their care and hospitality, the pride they have in their culture, and the joy they bring to the surrounding community. I’ve also come to learn of some of the unique challenges they face by living away from their home islands which have been negatively impacted through history by foreign powers such as the United States.

The complex COFA relationship has significant value and impact on all of the nations and people involved. Aside from the benefit to the United States, the contributions to our local economy, the hard data that proves the importance of our relationship with COFA nations, our Micronesian siblings have much to share, including their vibrant culture, unique wisdom, and community values.

We must celebrate our ties with all the people of Oceania and actively combat all forms of discrimination against COFA state citizens, not because their islands grant geo-strategic advantages, but because it’s the right thing to do. Please support HCR160. Mahalo, kulo, kalahngan for your consideration.

Kristen Young  
Honolulu resident

**HCR-160**

Submitted on: 3/22/2022 10:17:52 PM

Testimony for CAI on 3/23/2022 10:40:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Suzanne Vares-Lum	Individual	Support	Written Testimony Only

Comments:

I, Suzanne P. Vares-Lum, respectfully submit testimony in support of HCR160 as the renewal of the Compacts of Freely Associated States is critical to regional security and the future economic prosperity of the Republic of the Marshall Islands, the Federated States of Micronesia and the Republic of Palau.

Given the renewal year of 2023 for RMI and FSM fast approaching, any delay could have significant impacts on regional assurances of the United States.

Having a lead negotiator with the authorities needed to make decisions on behalf of the United States will be critical to the process. I further offer that East-West Center that was established by Congress to build understanding between peoples and nations through cooperative study, research and dialogue, could be a location to resume Compact negotiations.

East-West Center's Pacific Islands Development Program, which serves as the official secretariat of the Pacific Islands Conference of Leaders (PICL) could provide advice and assistance as the US continues its negotiation with key leaders of the FAS.

Please feel free to contact me at (808)690-0982 or svareslum@gmail.com if I can answer any questions.

March 22, 2022

House Committee on Culture, Arts, and International Affairs  
Hawaii State Capitol

Re: HCR160 written testimony

To whom it may concern:

My name is Dallin J. Prisbrey, I am currently a law student at the University of Hawai'i at Mānoa William S. Richardson School of Law. I am writing to provide written testimony prior to the CAI hearing scheduled for March 23, 2021; specifically, I would like to provide written comments supporting the resolution “celebrating the ties between Hawai'i and the Freely Associated States.”

While it is a much-needed step in the right direction, the resolution as currently written does not do justice to the ancient ties between the peoples and islands of Hawai'i and Micronesia. Nor does it mention the long-standing diplomatic relationships between the sovereigns of Micronesia and Hawai'i, which can be traced back at least as far as the reign of King Kamehameha III and included the establishment of a consular post in the Marshall Islands over 140 years ago. This long diplomatic relationship culminated with the signing of the Hilo Accords—which could be analogized to a Micronesian declaration of Independence— on 9 April 1978 at the Lagoon Hotel in Hilo, Hawai'i. The resolution rightly highlights the sharing of knowledge between Micronesia and Hawai'i, but does not adequately address the two way cultural exchanges initiated by Hawaiian missionaries (developing written Micronesian languages) and Micronesians laborers (introducing iconography now synonymous with Hawai'i ), nor does it highlight the educational links between the islands, or their shared struggles for civil rights.

The Freely Associated States are more than just “geo-strategic” areas of importance— they are some of the state of Hawai'i's closest neighbors and are inhabited by the linguistic, cultural, and biological relatives of Native Hawaiians. The Hawai'i legislature should not denounce racism against Micronesians because their islands are important to the United States military, it should denounce racism against Micronesians because it is morally wrong. The resolution should recognize Micronesians' shared humanity, and their successful fight for the ideals of freedom and democracy that Hawai'i holds dear.

Just as Polynesian ancestors used the Islands of Micronesia as waypoints, modern Micronesians are using Hawai'i as a place to adjust course, weather the storm, restock provisions, and seek spiritual protection. Although HCR 160 is largely a symbolic gesture, it can serve as a stepping stone towards re-conceptualizing the Micronesian presence in Hawai'i and returning the Hawaiian Islands to a central place in the development of a visionary future for Oceania.

Please find below a thorough explanation of my reasoning along with appropriate citations.

Sincerely,  
Dallin J. Prisbrey

## Introduction: Hawai'i as a waypoint in our Sea of Islands

In 2020, a story was reported by a handful of outlets about three stranded mariners that were rescued from an island in Micronesia thanks to an 'SOS' Etched in Sand.<sup>1</sup> The brief story outlined that the men were “traveling from Pulawat<sup>2</sup> to Pulap atolls in the Federated States of Micronesia... when they sailed off course and ran out of fuel,” and quoted the Australian and U.S. pilots who located the “castaways” on the beach of Pikelot Island.<sup>3</sup> It was likely no accident that those men ended up on Pikelot; nor was the situation as alarming as portrayed. Had any reporting been done,<sup>4</sup> the significance of Pikelot in the Carolinian navigating tradition would have quickly become evident— that one can sail from Poluwat to Pikelot by steering towards the setting Pleiades,<sup>5</sup> that once after being caught in a typhoon master navigator Mau Piailug and seven other crewman survived on Pikelot for seven months,<sup>6</sup> that the passage is “commonly held to be so navigationally straightforward” that “parties frequently set out towards Pikelot from Puluwat on the spur of the moment and when drunk on palm toddy [and] they always arrive,”<sup>7</sup> that Pikelot has been used as an intermediate waypoint for long voyages between the Carolines

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<sup>1</sup> Rachel Treisman, STRANDED MARINERS RESCUED FROM ISLAND IN MICRONESIA, THANKS TO 'SOS' ETCHED IN SAND, NPR (2020), <https://www.npr.org/2020/08/04/899190239/stranded-mariners-rescued-from-island-in-micronesia-thanks-to-sos-etched-in-sand> (last visited Dec 8, 2021)

<sup>2</sup> The modern spelling is Poluwat or Polowat, although formerly spelled as Puluwat. *See e.g.*, Julia Watson, Despina Linaraki, & Avery Robertson, *Lo-TEK: Underwater and Intertidal Nature-Based Technologies*, in SEACITIES (Baumeister, Bertone & Burton, eds. 2021).

<sup>3</sup> Treisman, *supra* note 1.

<sup>4</sup> In what can only be characterized as an indictment of the state of local journalism, the Saipan Tribune, Guam Daily Post, and Pacific Daily News all “reported” on the story yet failed to recognize the connection between the Carolines, Pikelot, and their home archipelago of the Marianas. THREE STRANDED MARINERS ARE RESCUED FROM FSM ISLAND, Saipan Tribune (2020) <https://www.saipantribune.com/index.php/three-stranded-mariners-are-rescued-from-fsm-island/>; THREE RESCUED FROM ISLAND IN YAP AFTER S.O.S. MESSAGE SPOTTED IN SAND, Pacific Daily News (2020) [https://www.guampdn.com/news/local/three-rescued-from-island-in-yap-after-s-o-s-message-spotted-in-sand/article\\_56832a74-8b74-5068-b620-caf184b8d3fb.html](https://www.guampdn.com/news/local/three-rescued-from-island-in-yap-after-s-o-s-message-spotted-in-sand/article_56832a74-8b74-5068-b620-caf184b8d3fb.html); RESCUE TEAMS SPOT SOS, RESCUE STRANDED MARINERS, Guam Daily Post (2020) [https://www.postguam.com/news/local/rescue-teams-spot-sos-rescue-stranded-mariners/article\\_82726514-d5e3-11ea-890f-9f97b7e149ea.html](https://www.postguam.com/news/local/rescue-teams-spot-sos-rescue-stranded-mariners/article_82726514-d5e3-11ea-890f-9f97b7e149ea.html)

<sup>5</sup> David Lewis, WE THE NAVIGATORS 50-51 (1994).

<sup>6</sup> They survived on “sweet tuba and turtle” which was a diet so rich they didn’t fit into their clothes when they were discovered by canoes from Poluwat. Steve Thomas, THE LAST NAVIGATOR 188 (1987)

<sup>7</sup> Lewis, *supra* note 5, at 51.

and the Marianas for hundreds of years,<sup>8</sup> and that navigators can routinely make “landfall within a stretch of 20 miles to one side of [the] 500-yard-long islet—after 450 miles across wind and current.”<sup>9</sup>

Waypoints such as Pikelot have been essential to life in the Pacific, “allowing navigators to adjust their courses, to await conditions favorable to continuing onward, to restock provisions, [and] to offer prayers for protection.”<sup>10</sup> Over 1,000 years ago, Polynesian voyagers used the Line Islands of Kiribati as waypoints as they traveled to Hawai‘i.<sup>11</sup> Many residents of this state think Micronesia and Hawai‘i have come together only recently, the one forced upon the other by a distant but neglectful federal government.<sup>12</sup> However, that is not true. For over a millennium, the peoples and lands of Hawai‘i and Micronesia have been intertwined.<sup>13</sup> Today, the 10,000 I-Kiribati of Micronesian descent spread throughout the Phoenix and Line Islands remain the closest neighbors of Hawai‘i.<sup>14</sup> Hawai‘i and Micronesia share an ancient connection, and just as the Islands of Micronesia once served as a waypoint for their Polynesian ancestors, today Hawai‘i has become a waypoint for many Micronesian descendants as they attempt to navigate an uncertain future.

The histories of Hawai‘i and Micronesia are interconnected, which as this Committee has rightly concluded, is increasingly relevant in light of the modern trend of anti-Micronesian hate

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<sup>8</sup> Anne Di Piazza & Erik Pearthree, *An Island For Gardens, An Island For Birds And Voyaging*, 110 J. Polynesian Voyaging Soc. 50-51 (2001).

<sup>9</sup> Lewis, *supra* note 5, at 220.

<sup>10</sup> Piazza & Pearthree, *supra* note 8.

<sup>11</sup> *Id.*

<sup>12</sup> Adam Keawe Manalo-Camp, *There are Many Ties Between Hawaiians and Micronesians*, Honolulu Civil Beat (2018) <https://www.civilbeat.org/2018/09/there-are-many-ties-between-hawaiians-and-micronesians/> (“Contrary to popular belief, Micronesians are not recent immigrants to Hawai‘i.”)

<sup>13</sup> Piazza & Pearthree, *supra* note 8; Mike T. Carson, *Cultural Affinities Of Monumental Architecture In The Phoenix Islands* 107 J. Polynesian Society 61-77 (1998); Glenn Petersen, TRADITIONAL MICRONESIAN SOCIETIES 17,25 (2009) (noting Polynesian settlement in Pohnpei and I-Kiribati in Polynesia).

<sup>14</sup> Kiribati Nation Statistics Office, *Kiribati 2020 Population and Housing Census provisional figures* (2020) <https://nso.gov.ki/population/kiribati-2020-population-and-housing-census-provisional-figures/>.

in Hawai‘i.<sup>15</sup> Although HCR 160 is largely a symbolic gesture, it can serve as a stepping stone towards re-conceptualizing the Micronesian presence in Hawai‘i, and bring to fruition the seeds of Hawaiian Pan-Oceanianism that were planted by the Hawaiian Kingdom, especially during the reign of King Kalākaua.

## History of Hawai‘i and Micronesia

Native Hawaiian scholar Maile Arvin has described that, in the eyes of the West, Polynesia (and by implication Micronesia) is a project, not a place.<sup>16</sup> Some scholars have debated if Micronesia is merely a “figment of ethnographers imaginations,”<sup>17</sup> and if such a thing as a unified Micronesian culture or ethnicity even exists.<sup>18</sup> The term Micronesia itself is of Latin origin, first used around 1840, formed on the model Polynesia— micro meaning small and the Greek *nēsos* meaning island.<sup>19</sup> At the most reductive level, Oceania has been subdivided into three parts— first between Polynesia (“many islands”) and Melanesia (“islands inhabited by blacks”), with the remainder labeled Micronesia— sometimes treated as a separate region, sometimes as a subregion of Polynesia.<sup>20</sup> This division has been criticized as problematic for several reasons, especially the artificiality of the lines imposed on the region by foreigners and the explicitly racial nature of the divisions.<sup>21</sup> Under this paradigm, Micronesia has been

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<sup>15</sup> See e.g. Charles R. Lawrence III, *Local Kine Implicit Bias: Unconscious Racism Revisited (Yet Again)* 37 Haw. Law Rev. 457-500.

<sup>16</sup> Maile Arvin, *The Polynesian Problem and Its Genomic Solutions* 2 Native American & Indigenous Studies 27 (2015) [hereinafter *Polynesian Problem*].

<sup>17</sup> This conclusion was offered by David Hanlon in 1989, *Micronesia: Writing and Rewriting the history of a non-entity* 12 Pac. Studies 1-21, and today one need only talk to a student of Pohnpeian descent at Washington Middle or of Marshallese descent at Waipahu High on O‘ahu to be disabused of the notion that “Micronesian” has been limited to the sphere of academia.

<sup>18</sup> Petersen, *supra* note 13 at 12-13.

<sup>19</sup> *Micronesia*, Online Etymology Dictionary <https://www.etymonline.com/word/micronesia>

<sup>20</sup> *Polynesian Problem*, *supra* note 16, at 27; Lorenz Gonschor, *A POWER IN THE WORLD: THE HAWAIIAN KINGDOM IN OCEANIA* 185-86 (2019).

<sup>21</sup> For their part, some take issue with the term Micronesia as being dismissive of their homelands as small and insignificant. See e.g., Gonschor, *supra* note 20, at 154 (quoting Anote Tong former president of Kiribati “we are large ocean states.”)

sometimes defined by what it is not— those islands that are not within the “Polynesian triangle” and that are also not inhabited by peoples with Papuan ancestry. Yet, even if one were to assume the term Micronesia was exclusively a geographical designation, its borders become blurred. Kiribati sits in all four hemispheres, extending well into the “Polynesian Triangle,” and having historical contact with the prototypical Micronesian islands of the Rālik and Ratak chain<sup>22</sup> while also being visited by raiding parties from the prototypical Polynesian islands of Samoa and Tonga.<sup>23</sup> Palau has had historic contact with the Philippines.<sup>24</sup> The clean lines on the map lose meaning when one considers the large I-Kiribati population in the heart of Polynesian Tuvalu,<sup>25</sup> Micronesian and Polynesian outliers along the coast of New Guinea and the Solomons,<sup>26</sup> Polynesian outliers in the Federated States of Micronesia,<sup>27</sup> and the long history of Polynesian interaction with the “Melanesian” islands of Fiji.<sup>28</sup> Despite these fuzzy boundaries, there are five islands nations (Marshall Islands, Kiribati, Nauru, Palau, and the Federated States of Micronesia) and two U.S. affiliated territories (Guam and the Commonwealth of the Northern Marianas) that identify as being part of Micronesia.<sup>29</sup> As a geographic term, Micronesia can be used to refer to the geographic region that includes the islands, atolls, reefs, and oceans within the political boundaries of these countries and U.S. affiliated islands. At its broadest, the term Micronesian

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<sup>22</sup> Lewis, *supra* note 5, at 202, 369. The Rālik and Ratak chain compose the modern day Republic of the Marshall Islands.

<sup>23</sup> Arthur Grimble, *From Birth to Death in the Gilbert Islands*, 51 J. Royal Anthro. Inst. of Great Britain and Ireland 25-54 (1921).

<sup>24</sup> Lewis, *supra* note 5, at 273, 305-06

<sup>25</sup> Petersen, *supra* note 13, at 17,25.

<sup>26</sup> Lewis, *supra* note 5, at 375, 396.

<sup>27</sup> Petersen, *supra* note 13, at 17, 29-30

<sup>28</sup> Lewis, *supra* note 5, at 303. Even the Polynesian Cultural Center on the campus of BYU-Hawai‘i includes Fiji.

<sup>29</sup> Through their participation in international fora such as the Micronesians Presidents’ Summit or the Micronesian Games. See e.g. Embassy of FSM, *20th Micronesian Presidents’ Summit Succeeds at Strengthening Solidarity, Concretizing Subregional Initiatives* (2021) <https://fsmembassy.fm/20th-micronesian-presidents-summit-succeeds-at-strengthening-solidarity-concretizing-subregional-initiatives/>; Radio New Zealand, Sport: Marshall Islands to host 2022 Micronesian Games (2018) <https://www.rnz.co.nz/international/pacific-news/363034/sport-marshall-islands-to-host-2022-micronesian-games>.



encompasses any person that traces their ancestry to the indigenous inhabitants of those islands and atolls.

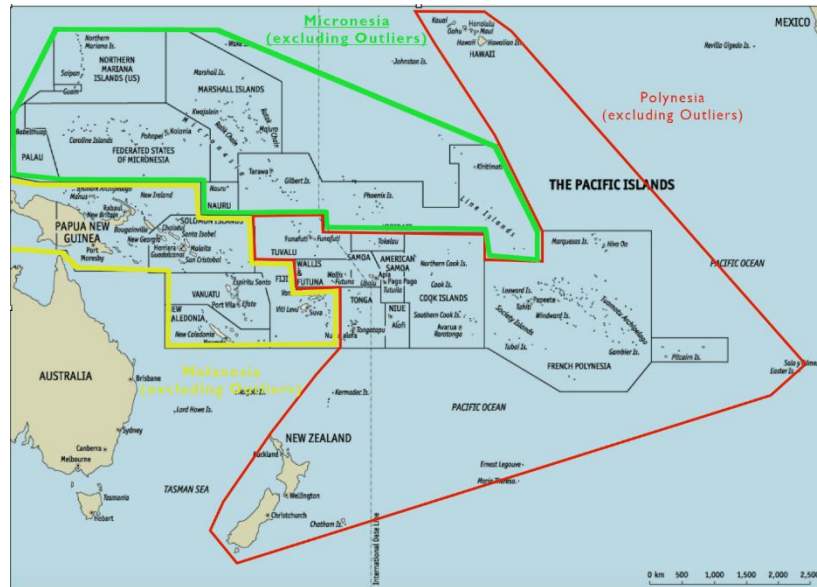


Figure 1 Map of Oceania. Adapted from Martin W. Lewis, *Additional Oddities of Kiribati’s Line Islands* <https://www.geocurrents.info/place/australia-and-pacific/additional-oddities-of-kiribatis-line-islands>

### Shared Austronesian Beginnings

Recent developments in linguistics and DNA have done much to develop new theories about the peopling of Remote Oceania and provide glimpses into the lives of the ancient peoples of the Pacific. In the process, however, they have further blurred the traditional lines between Polynesia, Micronesia, and Melanesia. Due to the perceived difficulty of performing archaeology in the Pacific, especially on low lying atolls that have been continuously inhabited for hundreds of years, the field of linguistics emerged as one of the earliest ways of studying the peopling of the Pacific.<sup>30</sup> The study of languages spoken by the contemporary indigenous inhabitants of Pacific islands led to the coining in 1899 of the term "Austronesian" ("south wind" and "island") to refer to the family of related languages spoken in the Malaysian Peninsula, Madagascar,

<sup>30</sup> John Lynch, Malcolm Ross & Terry Crowley, *THE OCEANIC LANGUAGES* 119 (2013).

Sunda Islands, Moluccas, Philippines, and Pacific.<sup>31</sup> Continued linguistic study began to coalesce around the “Out of Taiwan” hypothesis that Austronesian speaking peoples were descended from a pool of ancestors who began voyaging from the island of Formosa.<sup>32</sup> The linguistic approach does lead to some surprising results, however; while most Micronesian and Fijian-Polynesian languages are branches of the Oceanic subgroup, the Chamorro and Palauan languages are independent branches of the Malayo-Polynesian language family.<sup>33</sup> Thus, a purely linguistic analysis would tend to undermine the neat bifurcation of Micronesia and Polynesia into discrete and unified regions and suggests that Kānaka Maoli and Marshallese may be more closely related than Chamorro and Carolinian.

Recent breakthroughs in DNA analysis have built upon linguistic theories and have shown the lines drawn between Micronesia and Polynesia are largely non-existent from a biological perspective.<sup>34</sup> The theory that, at present, is most supported by available evidence is the settlement of most of Remote Oceania was by a group of Austronesian speaking people that began on the island of Formosa and moved south and east through the Philippines, Papua New Guinea and the Solomons.<sup>35</sup> Along this path there were several jumping off points that led to the settlement of islands north of the equator: the first came from the Philippines with the settlement

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<sup>31</sup> *Id.* at 1-4.

<sup>32</sup> Peter Bellwood, *A Hypothesis for Austronesian Origins* 26 *Asian Perspectives* 107-117.

<sup>33</sup> Alexander D. Smith, *The Western Malayo-Polynesian Problem*, 56 *Oceanic Linguistics* 435–490 (2017).

<sup>34</sup> JS Friedlaender, *et al.*, *Correction: The Genetic Structure of Pacific Islanders*. 4 *PLOS Genetics* 10 (2008) ; Su & Underhill *et al.*, *Polynesian origins: insights from the Y chromosome* 97 *Proc Natl Acad Sci* 8225-8228 (2000).

<sup>35</sup> Lipson, *et al.*. *Reconstructing Austronesian population history in Island Southeast Asia*, 5 *Nat Comm.* 4689 (2014). There is some debate regarding the advisability of referring to an “Austronesian People. *See e.g.* Wilhelm Solheim II, *ORIGINS OF THE FILIPINOS AND THEIR LANGUAGES* (2006): (“I emphasize again, as I have done in many other articles, that ‘Austronesian’ is a linguistic term and is the name of a super language family. It should never be used as a name for a people, genetically speaking, or a culture. To refer to people who speak an Austronesian language the phrase ‘Austronesian-speaking people’ should be used.”)

of the Marianas,<sup>36</sup> followed by Palau and Yap.<sup>37</sup> The next came from the Solomons and Vanuatu that led in waves to the settlement of Micronesia proper,<sup>38</sup> culminating with the settlement of the Polynesian homeland.<sup>39</sup> Importantly, this theory suggests that the islands of eastern Micronesia and Polynesia were settled by peoples who shared common ancestors, spoke a common language, and embarked on their voyages from the same places.

Science is not, however, a basis to justify the recent trend in both Hawai‘i and Guam of othering Micronesians, and in the latter case to even go so far as to claim that Chamorros are not Micronesian.<sup>40</sup> Analysis of mitochondrial DNA has found significant admixture between the earlier peoples who settled the Marianas and the later peoples who settled the Caroline islands.<sup>41</sup> Perhaps the most revolutionary<sup>42</sup> recent development is a 2020 a study “that did a complete mtDNA and genome-wide SNP comparison of the remains of early settlers of the Mariana Islands with the remains of early Lapita individuals from Vanuatu and Tonga [and] found that both groups had descended from the same ancient Austronesian source population in the

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<sup>36</sup> It is nearly impossible to use terms that are both devoid of colonial connotation—such as the Carolines or Marianas archipelagos being named for Spanish monarchs— and avoid anachronistic references to modern day countries, territories, and states that were foreign concepts to the indigenous people of the region. See e.g., Dirk H.R. Spennemann, *The Sea - The Marshallese World*, in DIGITAL MICRONESIA-AN ELECTRONIC LIBRARY & ARCHIVE (Dirk H.R. Spennemann ed., 2000) (concluding that there has never been a fixed term in the Marshallese language that encompasses all the atolls which today make up the R.M.I.)

<sup>37</sup> Michiko Intoh, *Human Dispersals into Micronesia*, 105 *Anthropol. Sci.* 15, 15-28 (1997).

<sup>38</sup> *Id.*

<sup>39</sup> A.G. Ioannidis *et al.*, *Paths and timings of the peopling of Polynesia inferred from genomic networks* in *Nature* **597**, 522–526 (2021).

<sup>40</sup> S.A. Smith & H Castañeda, *Nonimmigrant Others: Belonging, Precarity and Imperial Citizenship for Chuukese Migrants in Guam* 44 *PoLAR*, 38-155. (2021); Lawrence, *supra* note **Error! Bookmark not defined.**

<sup>41</sup> M.G. Vilar, *et al.*, *The origins and genetic distinctiveness of the Chamorros of the Marianas Islands: An mtDNA perspective*. 25 *Am. J. Hum. Biol.* 116-122 (2013). This is yet another example of modern science confirming what indigenous people had long known and preserved through their oral tradition, which in this case spoke of over 500 years of sustained and frequent contact within the western Carolines (i.e. between Palau, Yap, Chuuk and their outer islands) and between the Marianas and Western Carolines. See W. H. Alkire, *Central carolinian oral narratives: Indigenous migration theories and principles of order and rank* 7 *Pacific Studies* 1 (1984).

<sup>42</sup> Ethical considerations notwithstanding. See e.g., AD Cortez *et al.*, *An ethical crisis in ancient DNA research: Insights from the Chaco Canyon controversy as a case study*. 21 *J. Soc. Archaeology* 157-178 (2021). doi:10.1177/1469605321991600

Philippines.”<sup>43</sup> That study’s authors have turned the distinction between Polynesia and Micronesia on its head, suggesting the possibility that early Lapita Austronesians may have been direct descendants of the first navigators to land in the Marianas—in other words, perhaps all Pacific Islanders are descended from “Micronesians.”

Despite these insights, as late as 2013 it had been written that, “Micronesians may closely resemble Polynesians in culture, society and ethnicity, but they have little to do with Polynesians. Micronesians were never a part of Lapita culture.”<sup>44</sup> Such conclusions are inherently contradictory<sup>45</sup> and require willful ignorance of multiple data points including Polynesian voyagers settling the islands of Nukuoro and Kapingamarangi,<sup>46</sup> Nauru being settled by both Micronesian and Polynesian people,<sup>47</sup> I-Kiribati presence in the northern islands of Tuvalu,<sup>48</sup> and raiding parties from the Polynesian heartland into the Gilbert Chain culminating in a Samoan ruling class.<sup>49</sup> Further suggestion of interaction before European contact is suggested by the oral tradition of Pohnpei, which speaks of the founders of Nan Madol as arriving from a distant place,<sup>50</sup> while one clan on Kosrae traces their ancestry to “Tonga” or the south.<sup>51</sup> In the Line Islands—which are within the political boundaries of Kiribati and have a Micronesian population currently in excess of 10,000<sup>52</sup>—Polynesian burials, altars, and other archaeological

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<sup>43</sup> Irina Pugach, *et al.*, *Ancient DNA from Guam and the Peopling of the Pacific*, 1 Proceedings of the National Academy of Sciences 118.

<sup>44</sup> Steven Roger Fischer, *A HISTORY OF THE PACIFIC ISLANDS*. 28 (2013). Lapita culture refers to the prehistoric Austronesian speaking people who left ceramic objects throughout several Pacific Islands that have been dated between 1600 BC and 500 BC. *See e.g.*, Christophe Sand *Evolutions in the Lapita Cultural Complex: A View from the Southern Lapita Province* 36 *Archaeology Oceania* 65-76 (2001).

<sup>45</sup> Two pages later Fischer concluded that “it appears reasonable to see eastern Micronesian settlers hailing from the Lapita people or their Austronesian descendants.” *Supra* note 44, at 30.

<sup>46</sup> Peterson, *supra* note 13, at 29-30.

<sup>47</sup> *Id.* at 26; *Nauru* in *THE STATESMAN’S YEARBOOK* 2022 825-27 (2021).

<sup>48</sup> Peterson, *supra* note 13, at 25-26.

<sup>49</sup> Alaima Talu *et al.*, *KIRIBATI: ASPECTS OF HISTORY* 7-11 (1984).

<sup>50</sup> David Hanlon, *UPON A STONE ALTER* 9 (1988).

<sup>51</sup> Ward H. Goodenough, *Sky World and This World: The Place of Kachaw in Micronesian Cosmology* 88 *American Anthropologist* 551, 556 (1986).

<sup>52</sup> *Supra* Note 14.

evidence have been found.<sup>53</sup> In the Phoenix Islands of Manra and Orona, also within modern Kiribati, archaeological sites have suggested distinct groups of settlement from both Micronesia and eastern Polynesia.<sup>54</sup> At least one author has suggested the feasibility of contact between the Marshall Islands and Hawai‘i,<sup>55</sup> while another points to the Kualii‘i genealogy chant of the 17th century to buoy a suspicion that there were periodic voyages and exchanges between Hawai‘i and Micronesia.<sup>56</sup>

It is the system of traditional navigation that further erases any distinction between Micronesia and Polynesia. As one leader on the subject concludes, “it would overstep the evidence if one were to speak of separate or typical Polynesian and Micronesian systems. Navigation seems to have been equally efficient in both areas, and the techniques were often identical.”<sup>57</sup> While many questions still remain—at least in western minds—about the timing of the peopling of the Pacific, and current evidence indicates that it took hundreds if not thousands of years to establish permanent populations throughout all the islands now inhabited, it should not be forgotten that even the longest of open water voyages could have been made by a master navigator in around a month.<sup>58</sup>

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<sup>53</sup> Ben. R. Finney, *Recent Finds From Washington And Fanning Islands*, 67 J. Polynesian Society Vol. 70-72; Piazza & Pearthree, *supra* note 8.

<sup>54</sup> Mike T. Carson, *Cultural Affinities Of Monumental Architecture In The Phoenix Islands*, 107 J. Polynesian Society 61-77 (1998); H. E. Maude, *The Colonization Of The Phoenix Islands*, 61 J. Polynesian Society (1952).

<sup>55</sup> Dirk H.R. Spennemann, *Traditional and Nineteenth Century Communication Patterns In The Marshall Islands*, 4 Micr. J. Human. & Soc. Sci 25, 26 (2005); *see also* Lewis, *supra* note 5, at 197 (“the Hawaiian chain extends for more than 1,000 miles in the direction from West northwest to east southeast of this, 340 miles consists of high islands rising to 13,000 feet, with active volcanoes. The whole chain is marked by islands, atolls, reefs, shoals, wind shadows, and wave interference phenomena. The extent of these blocks is such that considerable errors in tracking and dead reckoning can be absorbed, and arrival in the block can be rendered navigationally certain, even from a great distance, insofar as certainty can ever exist for small vessels on the open sea.”)

<sup>56</sup> Manalo-Camp, *supra* note 12.

<sup>57</sup> Lewis, *supra* note 5, at 353- 54.

<sup>58</sup> *See generally* Sam Low, HAWAIIKI RISING 313 (2013). The 1980 voyage of Hōkūle‘a took 31 days to travel from the Big Island of Hawai‘i to TikiHau in the Tuamotus, a distance of over 2000 miles. Although Thompson had the benefit of modern navigational charts to prepare his course, this voyage took place a mere four years after he first sailed on a voyaging canoe in any capacity; whereas a master navigator would have had the benefit of an entire lifetime’s accumulation of knowledge and skills. In 2007 Hōkūle‘a’s voyage from Kawaihae, Hawai‘i to Majuro, Marshall Islands lasted 26 days. Polynesian Voyaging Society, *Ka‘iulani’s Hokule‘a reports: 2/18, 2/19, 2/20, and*

Native Hawaiians and Micronesians are indigenous peoples that have inhabited their islands from time immemorial. Linguistically and biologically, they are relatives. Culturally, the similarities of their precontact life ways are striking— food,<sup>59</sup> land tenure,<sup>60</sup> navigation,<sup>61</sup> and government<sup>62</sup> point to Micronesians and Native Hawaiians having much more in common than separate. Turning more specifically to the histories of Hawai‘i and Micronesia, we see a story where their histories are bound together by the ocean.

### The Seas Bring Us Together, They Do Not Separate Us<sup>63</sup>

The written histories of Hawai‘i and the islands of Micronesia begin on parallel tracks that are separated by a little more than a century. The first European to land in Guam was Magellan in 1521,<sup>64</sup> while in Hawai‘i it was Cook in 1778.<sup>65</sup> Both European explorers met untimely fates at the hands of indigenous peoples,<sup>66</sup> albeit Magellan’s was at the hands of the Chamorro’s Philippine cousins. From the 1600s to the 1800s, the North Pacific saw colonial struggle, in many ways the process of colonization that was seen in Micronesia was later mirrored in Hawai‘i— after first contact with European explorers came the interposition of beachcombers, shipwrecked crews, traders and missionaries.<sup>67</sup>

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2/21-on our way to Pohnpei (2007) archived at

<https://web.archive.org/web/20100707022335/http://pvshawaii.squarespace.com/2007blog-Hōkūle‘a/post/196780>.

<sup>59</sup> Petersen, *supra* note 13, at 108; Kathryn J. Orr, ABOUT HAWAIIAN FOODS AND ANCIENT FOOD CUSTOMS (2018).

<sup>60</sup> Petersen, *supra* note 13, at 85- 124; Jon M Van Dyke, *Who Owns the Crown Lands of Hawai‘i* 1-29 (2008).

<sup>61</sup> See generally Lewis, *supra* note 5.

<sup>62</sup> Petersen, *supra* note 13, at 125-186; Gonschor, *supra* note 20, at 16-24.

<sup>63</sup> Taken from Constitution of the Federated States of Micronesia, pmbl.

<sup>64</sup> Carlos Madrid, *Ferdinand Magellan*, Guampedia <https://www.guampedia.com/ferdinand-magellan/>

<sup>65</sup> Noenoe K Silva, ALOHA BETRAYED: NATIVE HAWAIIAN RESISTANCE TO AMERICAN COLONIALISM 15-44 (2004).

<sup>66</sup> *Id.* at 16-22; Madrid, *supra* note 64.

<sup>67</sup> Silva, *supra* note 65, at 15-44; Francis X. Hezel, THE FIRST TAINT OF CIVILIZATION 87-319 (1983) [hereinafter FIRST TAINT OF CIVILIZATION].

In the Marianas and throughout Micronesia, missionaries pioneered the way for European traders.<sup>68</sup> Just as the Spanish priests presaged Spanish armadas,<sup>69</sup> American protestants paved the way for the American Navy.<sup>70</sup> Due to their skill on the water, crews of Hawaiians and Micronesians were common on foreign ships.<sup>71</sup> Within the first generation after European contact in Hawai‘i, *Kanaka ‘oiwi* were interacting with Micronesia; one of the earliest written accounts of this Hawaiian-Micronesian interaction is from 1810, when “a group of Hawaiians sailing on an American vessel attempted to colonize Agrihan” in the Marianas, but were expelled by Spanish authorities.<sup>72</sup> It was Christian missionaries, however, who forged the earliest and most robust ties between Hawai‘i and Micronesia, “In 1852, the American Board of Foreign Missionaries — the same Calvinists that came to Hawai‘i in 1820 — set up a mission station in the Carolines.”<sup>73</sup> The Hawaiian Missionary Society worked with the ABCFM throughout Micronesia, beginning at Pohnpei and Kosrae with Native Hawaiians working alongside American ministers.<sup>74</sup> What may have been the first official correspondence between a Hawaiian and Micronesian sovereign was the letter from Kamehameha III to King Lupalik I of Kosrae that served as the “foundational document for the mission.”<sup>75</sup> Although the earliest Native Hawaiian missionaries in the Carolines saw little success, with several of them dying in the mission field,

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<sup>68</sup> See e.g., FIRST TAINT OF CIVILIZATION, *supra* note 67, at 197-226.

<sup>69</sup> Rainer F. Buschman, Edward R. Slack Jr. & James B. Tueller, NAVIGATING THE SPANISH LAKE 97-118 (2014).

<sup>70</sup> Van Dyke, *supra* note 60, at 124- 28.

<sup>71</sup> See generally David A. Chappell, DOUBLE GHOSTS: OCEANIAN VOYAGERS ON EUROAMERICAN SHIPS OCEANIAN VOYAGERS ON EUROAMERICAN SHIPS (1997).

<sup>72</sup> Gonschor, *supra* note 20, at 46. Native Hawaiians would later establish a permanent presence in the Bonin Islands, which while controlled by Japan (thus falling outside of this paper's definition of Micronesia) are geologically part of the Marianas chain and show prehistoric evidence of Chamorro presence. *Id.*; Akira Goto, *Oceanic Encounter with the Japanese: An Outrigger Canoe-Fishing Gear Complex in the Bonin Islands and Hachijo-Jima Island*, 39 *Terra Australis* 154 (2013).

<sup>73</sup> Manalo-Camp, *supra* note 12.

<sup>74</sup> Nancy J. Morris & Robert Benedetto, NĀ KAHU: PORTRAITS OF NATIVE HAWAIIAN PASTORS AT HOME AND ABROAD 17 (2019). Although many of the Anglo missionaries viewed Native Hawaiian missionaries as little more than servants. *Id.* For their part, the Pohnpeians seemed to hold Native Hawaiians in high regard. Hanlon, *supra* note 51, at 101 (“Pohnpeians offered them land, titles, and a place of respect in Pohnpeian society.”)

<sup>75</sup> Gonschor, *supra* note 20, at 47.

those who expanded into the Marshall Islands accomplished much.<sup>76</sup> Hezekiah Aea “mastered Marshallese in only a few months,” opened schools, helped to develop a Marshallese orthography, and printed the first Marshallese language literature.<sup>77</sup> Nineteen Hawaiian missionary families traveled to the Northern Gilberts and functioned there largely independent of *haole* supervision— Native Hawaiian missionaries would play an outsized role throughout the Gilbert Islands and would remain in Kiribati even after the fall of the Hawaiian Kingdom.<sup>78</sup> Future Queen Kapi‘olani would sail with her first husband aboard the missionary ship, *Morning Star*, throughout the Gilbert Islands in 1857.<sup>79</sup> The Hawaiian presence was not without its difficulties however, and two missionaries on Tabiteuea became involved (and according to some were provocateurs) in deadly religious wars.<sup>80</sup>

European and American entrepreneurs would also bring Micronesia and Hawai‘i together in the mid-19<sup>th</sup> century, which saw the rise of sugar plantations<sup>81</sup> and whale hunting.<sup>82</sup> The latter led to interactions and dispersion on an individual level around the Pacific,<sup>83</sup> while the former saw the first instance of organized mass migration.<sup>84</sup> Both voluntary and forced<sup>85</sup> labor saw

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<sup>76</sup> Morris & Benedetto, *supra* note 74, at 17.

<sup>77</sup> *Id.*

<sup>78</sup> *Id.* at 17-19. Daniel Mahihila served on Saiana from 1892 until 1904. *Id.* at 19.

<sup>79</sup> George S Kanahale, EMMA HAWAI‘I’S REMARKABLE QUEEN 130 (1999).

<sup>80</sup> Morris & Benedetto, *supra* note 74, at 19; Kealani Cook, *Ke Ao a me Ka Pō: Postmillennial Thought and Native Hawaiian Foreign Mission Work*, 67 *American Q.* 887-912 (2015).

<sup>81</sup> Susan Schenck, *A Short History of Sugarcane in Hawai‘i*, Hawai‘i Agriculture Research Center. [https://www.atacori.co.cr/biblioteca/History\\_of\\_Sugarcane\\_and\\_HARC\\_3.pdf](https://www.atacori.co.cr/biblioteca/History_of_Sugarcane_and_HARC_3.pdf)

<sup>82</sup> FIRST TAINT OF CIVILIZATION, *supra* note 67, at 132- 42.

<sup>83</sup> See e.g., Hanlon, *supra* note 51, at 64 (noting that in the middle decades of the nineteenth century men from Hawai‘i lived on Pohnpei).

<sup>84</sup> Manalo-Camp, *supra* note 12.

<sup>85</sup> Regarding the selfdom discussed practice of blackbirding, or kidnapping islanders to sell them into forced labor, Bennett observes that,

[T]he Gilbertese had experienced labour recruitment by the notorious Peruvian 'black-birders' in 1863 and the Fijian and Samoan ships in the 1860s and 1870s. There appears to be little doubt that numbers of these early recruits to Peru were kidnapped. It would be reasonable to assume that some of the Gilbertese had an inkling of what lay before them in Hawai‘i should they choose to go there. Any gaps in their knowledge were filled by Hawaiian missionaries, the majority of whom were against the immigration.



Micronesians coming to Hawai‘i to work on plantations, beginning in 1877 when 55 Kiribati plantation contract laborers were brought to Hawai‘i on *The Stormbird*.<sup>86</sup> As noted by Manalo-Camp, “This marked the first wave of Micronesian immigrants to Hawai‘i — which is almost never mentioned in Hawai‘i history books.”<sup>87</sup> Over the next eight years, over 1,500 Micronesians were brought to Hawai‘i; by the 1880s, there was a substantial Micronesian population in Hawai‘i.<sup>88</sup> According to Manalo-Camp, “Many of these early Micronesians did not return to the homelands but mixed with Hawaiians and adopted Hawaiian names. Sometimes, they would adopt the Hawaiian wife’s last name or the last name of a Native Hawaiian missionary who baptized them or chose a last name that began with the letters *e* or *p*.” Considering current sentiments, it is rather ironic that the decline in Micronesian laborers was attributed to the fact that Micronesian plantation workers “had a habit of running away from the plantation and being hidden by Hawaiians” and too easily blended in with the Native Hawaiian population.<sup>89</sup>

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Immigration, 'Blackbirding', Labour Recruiting? The Hawaiian Experience 1877-1887 11 J. Pac. Hist.16 (1976). As it relates to I-Kiribati labor in Hawai‘i Bennet concludes that,

[F]ew cases of actual 'blackbirding' of unwilling recruits or minors in the Gilberts are recorded. Where these occurred there was usually no missionary nearby. On missionary-less Nonouti, in September 1880, a boy was recruited without his father's consent by the Stormbird on its sixth voyage (June 1880-January 1881). The most serious case in Gilbert Islands recruiting was that involving the government agent Henry Freeman. Based at Jaluit in the Marshalls, he went out regularly in recruiting vessels. When recruiting he appears to have resorted frequently to both lies and coercion to inveigle the Gilbertese aboard ship. Freeman was also directly involved in the 'purchase' of Gilbert Islands labourers, recruited under false pretences” *Id.* at 7.

<sup>86</sup> Manalo-Camp, *supra* note 12.

<sup>87</sup> Manalo-Camp, *supra* note 12. While undoubtedly the first wave, I-Kiribati laborers were likely not the first Micronesians in the Hawaiian kingdom, naturalization records show Keinuku from Ascention (1856) [possibly the alternate name for Pohnpei (“Ascension”) or “Asuncion” in the Marianas]; various naturalized citizens from Guam, as early as Dec 18., 1844; Taysaqui, C. from the Marianas (1851); and five individuals naturalized from “Ocean Island” as early as 1850 (Ocean Island is an alternate name for Banaba, which is claimed by Kiribati). *Registry of Naturalized Subjects in the Hawaiian Kingdom (circ. 1840-1893)* <https://www.hawaiiankingdom.org/info-registry.shtml>. Perhaps the most logical inference is that Micronesians have been living in Hawai‘i for as long as Hawaiians have been living in Micronesia. Another example of prior Micronesian inhabitants of Hawai‘i is the penultimate *tokosra* (king) of Kosrae who lived in Honolulu from 1863 to 1890. Gonschor, *supra* note 20, at 147.

<sup>88</sup> Manalo-Camp, *supra* note 12; *see also In re Kamarawa*, 6 Haw. 386, 386-87 (1883) (“It appears that in December, 1879, on the arrival of a number of Gilbert Islanders to the Board of Immigration, a married couple among them, Ti Tau and Toaua, from Apaiang, gave their daughter to a Hawaiian woman, Kealoha, and her husband, Makanui.”); *Caplan v. Hoffschlaeger* 2 Haw. 691, 692 (1863).

<sup>89</sup> Manalo-Camp, *supra* note 12.

Sustained contact between Hawai‘i and Micronesia not only resulted in the spread of Christianity, but also cultural exchange: Hawaiians brought skirts, mu‘umu‘u, and written language to much of Micronesia, while Micronesians introduced “certain hair comb designs, new lei making designs,<sup>90</sup> the iconic coconut ‘bras’ and the thinner raffia ‘grass skirts.’”<sup>91</sup> That Micronesians are responsible for the introduction of iconography that have become, for better or worse, synonymous with the Hawaiian islands has largely gone without critical examination.<sup>92</sup>

### Kalākaua and Hawaiian Pan-Oceanianism

Although the Marianas and the rest of Micronesia had been in contact with Europeans for nearly 250 years longer than Hawai‘i, or perhaps because of this, it was a unified Hawaiian archipelago that would emerge as “the most developed hybrid state of Oceania.”<sup>93</sup> The Kingdom of Hawai‘i served as a model for freedom and self-determination throughout the Pacific.<sup>94</sup> During the 1850s, Hawaiian diplomat Charles St. Julian began formulating the idea that it was Hawai‘i’s *kuleana* to assume a leadership position among the nations of Oceania.<sup>95</sup> In 1857, St. Julian wrote that, “the natural mission of the Hawaiian nation seems to be that of political and social leadership among its southern brethren, who have as yet no recognized international rights... such a confederation would be a power in the world in the real as well as in the political

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<sup>90</sup> Although today some market these simply as “Hawaiian Micro” leis, perhaps as an attempt to obfuscate their Micronesian origins. See e.g., <https://www.etsy.com/listing/589163429/fresh-lei-micro-ginger-wrap-choose-your>

<sup>91</sup> Manalo-Camp, *supra* note 12.

<sup>92</sup> Manalo-Camp, *supra* note 12; see e.g. Greg Dvorak, CORAL AND CONCRETE: REMEMBERING KWAJALEIN ATOLL BETWEEN JAPAN, AMERICA, AND THE MARSHALL ISLANDS 180-82 (2018).

<sup>93</sup> Gonschor, *supra* note 20, at 41.

<sup>94</sup> See e.g. James J Jarves, THE POLYNESIAN, (May 24, 1845) (commenting on the opening of the Hawaiian legislature, “a similar scene probably never before occurred near the waters of the Pacific and certainly constitutes an important feature in the history of Polynesia. May other indigenous nations arise and follow the example until all this extensive portion of the globe rejoices under free and constitutional governments.”) quoted in Gonschor, *supra* note 20, at 46.

<sup>95</sup> Gonschor, *supra* note 20, at 41-42; although the Australia based St. Julian did not use the Hawaiian word *kuleana* he argued the Hawaiian Kingdom had a responsibility “as the first constitutional sovereignty of Polynesia, [to be] peculiarly bound to aid and to guide, as far as it can, the younger states of that vast region in their efforts for moral, social and political improvement.” *Id.* at 53.

sense of the term.”<sup>96</sup> It was also St. Julian who first developed a “political vision of an Oceania consisting of independent native-ruled states that would be unified in a type of confederation or league under the leadership of the Hawaiian Kingdom as its most politically and economically developed member.”<sup>97</sup>

Perhaps no individual better understood, or did more to put into practice, St. Julian’s ideas than did King Kalākaua. During his reign, pan-Oceanianist ideas spread to wider society, even the former Missionary Party “organ”<sup>98</sup>— the Pacific Commercial Advertiser— published an 1877 editorial fully endorsing a proactive-pan-Oceanianist foreign policy in light of the ongoing imperial interventions in Samoa:

If their Hawaiian kinsfolk and themselves [the Samoans] could come to some understanding about the adoption of a common Polynesian independent native national flag, subsequently to be unfurled over all the independent native Polynesian, Micronesian and Melanesian islands, we think that such a step could do no manner of harm whatever either to the Hawaiians or Samoans, and might ultimately prove the dawning day of a new era of grandeur for the native Polynesian people.

Kalākaua and his wife Kapi‘olani were acutely aware of Micronesians specifically— it was King Kalākaua who greeted the first I-Kiribati workers at the pier in Honolulu in 1877; and he and Queen Kapi‘olani would invite Micronesian chiefs and community leaders to ‘Iolani Palace.<sup>99</sup>

In 1878, a petition from Tabiteuea Atoll in the Gilbert Islands was received, asking for Hawaiian protection or outright annexation.<sup>100</sup> In 1881, a Hawaiian consular post was established at Jaluit Atoll in the Marshall Islands.<sup>101</sup> Additional petitions were received in 1882 and 1883

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<sup>96</sup> Gonschor, *supra* note 20, at 42.

<sup>97</sup> Gonschor, *supra* note 20, at 52.

<sup>98</sup> Gonschor, *supra* note 20, at 66. The Missionary Party refers informally to those “certain groups of Westerners unwilling to assimilate into [Hawaiian] society... who eventually perpetrated the so called bayonet coup against Kalākaua in 1887 and conspired with the United states to precipitate a military invasion of the islands and overthrow of Hawai‘i’s constitutional government in 1893. *Id.* at 8.

<sup>99</sup> Manalo-Camp, *supra* note 12.

<sup>100</sup> Gonschor, *supra* note 20, at 91.

<sup>101</sup> *Id.* at 48.

from Butaritari and Abaiang Atolls. In replying to the Gilbertese petitions Kalākaua “refused outright Hawaiian annexation but declared his intent to establish closer political relations with the island’s leaders and invited them to attend his coronation.”<sup>102</sup> In his response Kalākaua “addressed the Gilbertese rulers as his *hoahanau* (cousins) and identified Kiribati as *mokupuni a me lahui like* (kindred islands and people). In 1883 Alfred Tripp, a member of Kalākaua’s privy council, was commissioned as a special commissioner for Central and Western Polynesia, and despite a ship wreck in the Gilbert Islands, was able to communicate with all major chiefs of the archipelago and return to Hawai‘i with additional petitions asking for aid and/or protection.<sup>103</sup> That same year, the minister of foreign affairs for the Hawaiian Kingdom wrote a formal diplomatic protest to the governments of twenty-six countries against the colonial partitioning of the Pacific, and in 1885, H.A.P. Carter— the Hawaiian minister in Washington— was sent on a diplomatic mission to Great Britain where he was “promised British support for Hawaiian-led nation building in eastern Micronesia.”<sup>104</sup> In 1886, Kalākaua announced the creation of the *Oihana Kea Hoohanohano Alii o ka Hoku o Osiania* (Royal Order of the Star of Oceania) and commissioned John Edward Bush as, *inter alia*, High Commissioner to the Sovereign Chiefs and Peoples of Polynesia.<sup>105</sup> Bush would later appoint Hawaiian missionaries in Kiribati as consular agents to negotiate an anticipated annexation of the Gilbert islands.<sup>106</sup> In 1889, Abaiang petitioned the Hawaiian legislature directly in Gilbertese requesting they intercede on their behalf with the foreign diplomatic missions in Honolulu to obtain recognition of their independence.<sup>107</sup> By this time the “bayonet constitution” had rendered Kalākaua essentially

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<sup>102</sup> *Id.* at 91.

<sup>103</sup> *Id.* at 91.

<sup>104</sup> *Id.* at 92-93.

<sup>105</sup> *Id.* at 95.

<sup>106</sup> *Id.* at 96.

<sup>107</sup> The petition additionally requested the Hawaiian legislature design a flag for their atoll and print their legal code in Honolulu. *Id.* at 145.

powerless, and “Gilbertese leaders look[ed] for alliances with those Western powers they considered the least evil.”<sup>108</sup>

The great irony of modern anti-Micronesian sentiment in Hawai‘i is that were it not for the overthrow of the Hawaiian Kingdom, it is likely that the Polynesians and Micronesians of the Gilbert, Line, Phoenix, and Hawaiian Islands would have been unified into a single polity. This counterfactual stands in sharp contrast with the imperial project that actually unfurled throughout the Pacific. As Gonschor has persuasively argued,

Although Christian missionary discourse certainly had a problematic influence on Hawaiian pan-Oceanianism ... various incidents... offer evidence that [it] was not intended to serve Hawaiian imperial interest at the expense of other Islanders, and that Hawai‘i seriously cared for the Polynesian peoples of the region out of an altruistic sentiment of *kuleana*.<sup>109</sup>

Instead, with the fall of the Hawaiian Kingdom, which at least one author believes occurred with the acquiesce of European powers to streamline their own colonial projects in the Pacific,<sup>110</sup> Kiribati became a protectorate of Great Britain.<sup>111</sup> Despite British promises to support Hawaiian state building in the Marshalls, the *Irooj* of the Rālik and Ratak chain signed treaties of friendship with the German empire, and a Papal arbitration awarded the Carolines to the Spanish.<sup>112</sup> Germany expanded its protectorate to Nauru in 1888.<sup>113</sup> Spanish power in Micronesia lasted until the Spanish American war, which drew the colonial boundaries that shape the current landscape.<sup>114</sup> America inherited the Spanish claim to the Philippines and partitioned Guam from the rest of the Marianas.<sup>115</sup> Germany bought the rest of Spain’s claims in Micronesia: Palau, the

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<sup>108</sup> *Id.* at 145.

<sup>109</sup> *Id.* at 111.

<sup>110</sup> Gonschor, *supra* note 20, at 156-57.

<sup>111</sup> *Id.* at 145.

<sup>112</sup> Dallin Prisbrey, *Jodik: A Creative Proposal for Seeking Justice through Ānen Kio (Wake Island)* APLPJ (2022, forthcoming)

<sup>113</sup> *Nauru* in THE STATESMAN’S YEARBOOK 2022 825-27 (2021).

<sup>114</sup> Prisbrey, *supra* note 112.

<sup>115</sup> *Id.*

Northern Marianas, Yap, Chuuk, Pohnpei, and Kosrae.<sup>116</sup> Significantly, the acquisition of the Philippines provided the United States Congress with the political motivation to pass the Newlands Resolution, purportedly annexing the Hawaiian Republic after the Treaty of Annexation had failed to pass with the advice and consent of the Senate and Grover Cleveland had refused to move forward against the wishes of the Hawaiian people.<sup>117</sup> Thus, within a two week stretch in 1898, Hawai‘i and a portion of Micronesia both became part of the “American Lake.”<sup>118</sup>

### The American Lake

After Japan gained control of German Micronesia during WWI, both Hawai‘i and Micronesia saw similar paths of colonialism.<sup>119</sup> An interesting lead up to what some viewed at the time as an inevitable conflict between the Japanese and American empires<sup>120</sup> was the use of Native Hawaiians to colonize certain Line Islands as an American to attempt to legitimize their claim to them under international law.<sup>121</sup> As has been well documented, Hawai‘i and the islands of Micronesia were at the center of the clash between the Japanese and American empires.<sup>122</sup> The war between the two powers began with the coordinated Japanese assault on Pearl Harbor, Guam, and the American outpost in the Marshalls at Wake Atoll.<sup>123</sup> Japan would nominally unite Micronesia under its flag following its capture of Nauru and the population center of Tarawa

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<sup>116</sup> *Id.*

<sup>117</sup> Williamson B.C. Chang., *Darkness over Hawai‘i: The Annexation Myth Is the Greatest Obstacle to Progress*, 15 APILPJ 70 (2015).

<sup>118</sup> Hal M. Friedman, *GOVERNING THE AMERICAN LAKE: THE U.S. DEFENSE AND ADMINISTRATION OF THE PACIFIC BASIN, 1945-1947* (2007).

<sup>119</sup> Haunani-Kay Trask, *Settlers of Color and “Immigrant” Hegemony “Locals” in Hawai‘i* in *ASIAN SETTLER COLONIALISM* 45-62 (Fujikane & Okamura eds., 2008); Mark R. Peattie, *NANYO: THE RISE AND FALL OF THE JAPANESE IN MICRONESIA, 1885- 1945* 118-229 (1988).

<sup>120</sup> Prisbrey, *supra* note 112.

<sup>121</sup> Catherine Takata, *Restore The Hawaiian Names Of The Remote Pacific Islands*, Honolulu Civil Beat (2021). <https://www.civilbeat.org/2021/12/restore-the-hawaiian-names-of-the-remote-pacific-islands/>

<sup>122</sup> See e.g., Peattie, *supra* note 119, at 230-310.

<sup>123</sup> Prisbrey, *supra* note 112.

atoll in Kiribati.<sup>124</sup> The war would end after American bombers left the island of Tinian in the Marianas, ushering the world into the nuclear age.<sup>125</sup>

In the aftermath of the Second World War, the United Nations was formed, and the idea of decolonization began to take hold around the world.<sup>126</sup> The former Japanese mandate was made a “strategic” trust territory,<sup>127</sup> while Hawai‘i and Guam were inscribed upon the UN’s list of non-self-governing territories.<sup>128</sup> The Trust Territory of the Pacific Islands (“TTPI”) was initially administered by the U.S. Navy from Hawai‘i at Fort Ruger.<sup>129</sup> During these years, all of America’s Pacific possessions coped with the effects of militarization, but nowhere was that pain more acute than in the “Pacific Proving Grounds” where the United States conducted nuclear weapons tests that have forever destroyed, disfigured, and contaminated the atolls of Bikini, Enewetak, and Rongelap in the Marshall Islands.<sup>130</sup> Somehow able to largely evade scrutiny to this day are the nuclear tests that were conducted in the Line Islands under joint British-American operations.<sup>131</sup> This nuclear testing included Starfish Prime, launched from Johnston Atoll and visible in Hawai‘i a mere 900 miles away.<sup>132</sup>

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<sup>124</sup> Peattie, *supra* note 119, at 257-266. Although Japan never captured the entire Gilberts chain and left the Phoenix island of Kanton and line island of Kirimati open to Allied appropriation as essential airbases. *See Kanton Atoll, in ENCYCLOPEDIA BRITANNICA (2021)*, <https://www.britannica.com/place/Kanton-Atoll>; *Kiritimati Atoll, in ENCYCLOPEDIA BRITANNICA (2019)*, <https://www.britannica.com/place/Kiritimati-Atoll>.

<sup>125</sup> Prisbrey, *supra* note 112 (noting that Chuuk lagoon was originally slated as the first nuclear target before the success of Operation Flintlock).

<sup>126</sup> Julian Aguon, *On Loving the Maps Our Hands Cannot Hold: Self-Determination of Colonized and Indigenous Peoples in International Law*, 16 ASIAN PAC. AM. L.J 47-51 (2011).

<sup>127</sup> Prisbrey, *supra* note 112.

<sup>128</sup> Julian Aguon, *The Commerce Of Recognition (Buy One Ethos, Get One Free): Toward Curing The Harm Of The United States’ International Wrongful Acts In The Hawaiian Islands*, ‘Ohia 9 (2012); G.A. Res. 66 (I) (Dec. 14, 1946).

<sup>129</sup> FRANCIS X. HEZEL, STRANGERS IN THEIR OWN LAND: A CENTURY OF COLONIAL RULE IN THE CAROLINE AND MARSHALL ISLANDS 262 (1995) [hereinafter STRANGERS IN THEIR OWN LAND].

<sup>130</sup> *See e.g.* Walter Pincus, BLOWN TO HELL: AMERICA’S DEADLY BETRAYAL OF THE MARSHALL ISLANDERS (2021).

<sup>131</sup> Becky Alexis-Martin, *The atomic history of Kiritimati – a tiny island where humanity realised its most lethal potential*, The Conversation <https://theconversation.com/the-atomic-history-of-kiritimati-a-tiny-island-where-humanity-realised-its-most-lethal-potential-114870>. This includes a test at Johnston that could be seen from Hawai‘i. Jessica Terrell, *Offshore: When Hawai‘i Welcomed A Nuclear Blast* Honolulu Civil Beat (2018). <https://www.civilbeat.org/2018/02/offshore-when-hawai-i-welcomed-a-nuclear-blast/>

<sup>132</sup> Charles N. Vittitoe, *Did High-Altitude EMP Cause the Hawaiian Streetlight Incident?* (June 1, 1989).

It was during the early years of the trust period that many of Micronesia's brightest minds went to Hawai'i to pursue an education, following in the steps of Pohnpeian Oliver Nahnpei, who at the turn of the 20<sup>th</sup> century was perhaps among the first Micronesians to arrive in Honolulu to pursue an education.<sup>133</sup> In the late 1950s, Lazarus Salii (future president of Palau) attended the University of Hawai'i where he and his fellow classmates organized themselves into the Micronesian Club: Dwight Heine (Congress of Micronesia; District Administrator, Marshall Islands), Alfonso Oiterong (Vice President, Palau), David Ramarui (Congress of Micronesia; Palau Minister of Social Services), Tosiwo Nakayama (1<sup>st</sup> President, Federated States of Micronesia), Oscar DeBrum (Chairman, Nuclear Claims Tribunal), Leo Falcam (President, FSM), Bethwel Henry (Speaker FSM Congress), and Bailey Olter (President, FSM).<sup>134</sup> Many Micronesian leaders would look back on this time as their formative years, when they held long discussions on what the political future of their islands might be.<sup>135</sup> By 1964, the United Nations Trusteeship Council had been urging the United States for over a decade to organize a territory wide legislature, and "the growing clique of educated young Micronesians had spent evenings designing and redesigning just such a body at their political skull sessions in the University of Hawai'i dorms."<sup>136</sup> Later activism by Micronesian students at UH involved publishing a journal under the title *The Young Micronesian*,<sup>137</sup> and in 1971, publishing a copy of the now infamous "Solomon Report" that outlined the United States strategic plan of engineering economic dependence in the Trust Territory.<sup>138</sup> Status negotiations were held with TTPI representatives in

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<sup>133</sup> STRANGERS IN THEIR OWN LAND, *supra* note 129, at 296. Nahnpei either attended Punahou or Kamahamema. Gonschor, *supra* note 20, at 146; David Hanlon, *Another Side of Henry Nanpei* 23 J. Pac. Hist. 36-51 (1988).

<sup>134</sup> STRANGERS IN THEIR OWN LAND, *supra* note 129, at 296.

<sup>135</sup> *Id.*

<sup>136</sup> *Id.*

<sup>137</sup> *Id.* at 337-38.

<sup>138</sup> Friends of Micronesia, Micronesian Independent, & Tia Belau, *The Solomon report; America's ruthless blueprint for the assimilation of Micronesia* (1971). <http://hdl.handle.net/10524/23167>



1971 in Hana, Maui, to discuss future political arrangements with the United States.<sup>139</sup> On April 9, 1978, an agreement was reached on the basis for independence in Hilo.<sup>140</sup> These discussions would culminate in four separate agreements between the United States and the Commonwealth of the Marianas Islands (Covenant to Establish a Commonwealth, 1975), Federated States of Micronesia (Compact of Free Association, 1979), Republic of the Marshall Islands (COFA, 1979), and Republic of Palau (COFA, 1982).<sup>141</sup> Kiribati gained independence from Britain in 1979, while Nauru gained independence from its UN Trusteeship in 1968;<sup>142</sup> Guam remains a non-self-governing territory.<sup>143</sup>

Hawai‘i became a state on August 21, 1959,<sup>144</sup> almost a year to the day after the final atmospheric test at Enewetak.<sup>145</sup> Over the next decade, the “modern Hawaiian movement” would grow, taking shape after protests at Kalama Valley in 1971.<sup>146</sup> Haunani-Kay Trask articulated the shared struggles that Micronesia and Hawai‘i faced in the 20th century:

For a dozen millennia, the vast Pacific has been home to a diverse humanity only recently grouped by Western scholars as Micronesia, Polynesia, and Melanesia. Since the dawn of the nuclear age, however, the Pacific has come to be known primarily by its surrounding Rim countries (Asian, American, and the former Soviet states). For the First World, the Pacific archipelagoes are filled with tiny fantasy islands more reflective of a "state of mind" than an actual geographic and cultural place. This view, of course, is rejected by Pacific Islanders themselves, since the Pacific is their ancestral ocean but lately invaded by colonial powers. As indigenous peoples, Pacific Islanders have been struggling against imperialism for nearly 300 years... From genocide in West Papua and East Timor to the murder of Kanak revolutionaries and leaders in New Caledonia, to the deaths of Native

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<sup>139</sup> STRANGERS IN THEIR OWN LAND, *supra* note 129, at 340.

<sup>140</sup> Bernard Weinraub, *U.S. and Micronesia Trust Area Agree on Basis for Independence*, New York Times (Apr. 21, 1978) <https://www.nytimes.com/1978/04/21/archives/us-and-micronesia-trust-area-agree-on-basis-for-independence-final.html>

<sup>141</sup> STRANGERS IN THEIR OWN LAND, *supra* note 129, at 362-67.

<sup>142</sup> United Nations, *List of former Trust and Non-Self-Governing Territories* <https://www.un.org/dppa/decolonization/en/history/former-trust-and-nsgts>

<sup>143</sup> United Nations, *Non-Self-Governing Territories* <https://www.un.org/dppa/decolonization/en/nsgt>

<sup>144</sup> Aguon, *supra* note 128.

<sup>145</sup> United States Nuclear Tests: July 1945 through September 1992 (PDF) (DOE/NV-209 REV15), Las Vegas, NV: Department of Energy, Nevada Operations Office, December 1, 2000, retrieved April 19, 2016.

<sup>146</sup> Haunani-Kay Trask, *The Birth of the Modern Hawaiian Movement: Kalama Valley, O‘ahu* 21 Hawaiian J. Hist. 126 (1987).

people from nuclear radiation in Micronesia and Tahiti, to Belau and its plunge into violence and, after years of resistance to the Americans, its signing of an undemocratic Compact of Free Association, to the Rongelap and Enewetok Islanders dispossessed and homeless, to Guam and the Northern Mariana Islands suffering from tourism and military exploitation, to Hawai‘i and Aotearoa, where the Native people are an oppressed minority in their own land, Pacific Islanders are engaged in resistance struggles... as the preeminent military power in the world, the United States has dealt with the Pacific, since World War II, as if it were an American ocean. From an indigenous perspective, this makes the United States the most powerful imperialist nation in the Pacific. The continuing ravages of colonialism are what the United States has bequeathed to Hawaiians, Micronesians, and Samoans.<sup>147</sup>

Hawaiian and Micronesian resistance to colonialism took similar forms in the 1970s and 80s: the Protect Kahoolawe Ohana began a series of occupations on the island,<sup>148</sup> while on Kwajalein landowners performed “sail-ins” and sit-ins to protest the uncompensated taking of their atoll by the U.S. Military.<sup>149</sup>

## Hōkūle‘a

Perhaps there is no greater touchstone in Hawaiian-Micronesian history than Hōkūle‘a, the double hulled Hawaiian voyaging canoe that was originally built in 1975 as an exercise in experimental archaeology by the Polynesian voyaging society.<sup>150</sup> The stated goal of Hōkūle‘a was to vindicate the theory that the settlement of Polynesia had been purposeful, rather than accidental; yet, because the ancient route between Hawai‘i and Tahiti had not been sailed using traditional wayfinding techniques for over 500 years, no living Hawaiian could navigate her.<sup>151</sup> An exhaustive search revealed only one man who was willing to share his sacred knowledge—

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<sup>147</sup> Haunani-Kay Trask, FROM A NATIVE DAUGHTER 41,45 (1993).

<sup>148</sup> Lacy Deniz, *The bombing of Kaho'olawe went on for decades. The clean-up will last generations* Hawai‘i News Now (2018) <https://www.hawaiinewsnow.com/story/37604472/the-bombing-of-kahoolawe-went-on-for-decades-clean-up-will-take-generations/>

<sup>149</sup> Dvorak, *supra* note 92, at 245-46. Dvorak notes the Marshallese protests were based on the American civil rights movement; the striking similarity between occupations of Kaho’olawe and Kwajalein seem hardly coincidental, especially given the political engagement of Micronesian university students in Hawai‘i during that time.

<sup>150</sup> Low, *supra* note 58, at 25-36.

<sup>151</sup> *Id.*

Pius Mau Piailug of Satawal.<sup>152</sup> The initial voyage lasted 34 days, and while Hōkūle‘a successfully reached Tahiti, tensions within the crew led Mau to fly directly for home, foregoing the return voyage and swearing that he would never return to Hawai‘i.<sup>153</sup> Two years later in 1978, a second voyage to Tahiti was cut tragically short when Hōkūle‘a capsized in high wind and seas, and legendary big wave surfer, lifeguard, and crew member Eddie Aikau was lost at sea after trying to paddle his surfboard to Lāna‘i for help.<sup>154</sup> Nainoa Thompson, a native Hawaiian who served as a crew member on the return trip of Hōkūle‘a from Tahiti in 1976 and as “non-instrument navigator” in 1978, resolved that Hōkūle‘a would sail again,

I chose to fully commit myself—to take full responsibility. I'm not going to go out there just to learn—I'm going because of Eddie. Eddie made a courageous decision and went for help. He wasn't afraid to fail. So how could I be? That was personal. It became an obligation deep inside of me. We're going to continue sailing, and we're going to sell the Tahiti.”<sup>155</sup>

Nainoa’s father, Myron “Pinky” Thompson, would tell the Polynesian Voyaging Society, “if Hōkūle‘a does not sail, if the canoe's legacy is tragedy, that will only confirm the expectation that Hawaiians always fail.”<sup>156</sup> When Nainoa learned that Mau would be visiting relatives in Saipan, he decided to fly there and ask him to be his teacher, telling him, “we need you—not to find Tahiti for us—but to help us find it for ourselves.”<sup>157</sup> Mau would make the decision to fly to Hawai‘i and train Nainoa and the crew of the Hōkūle‘a, a commitment that would eventually last for nearly two years.<sup>158</sup> Low has noted of Mau’s decision to return that,

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<sup>152</sup> *Id.* at 53-60

<sup>153</sup> *Id.* at 100- 105. Ben Finney, who was on the receiving end of a punch from a disgruntled crewmember that “dropped him,” later wrote that “Mau explained how he had been thinking of quitting for a long time because of the way the gang had been acting throughout the trip. It was their violence that finally made him decide. Mau came from a small island community where peaceful cooperation is a requirement for survival. Violence disgusted him, particularly the unreasoning violence against authority he had witnessed.” *Id.* at 104.

<sup>154</sup> *Id.* at 153-75.

<sup>155</sup> *Id.* at 180.

<sup>156</sup> *Id.*

<sup>157</sup> *Id.* at 189.

<sup>158</sup> *Id.* at 188-235.

[D]uring his stay in Hawai‘i, Mau saw first hand what his people's future looked like. He was astonished to see the skyscrapers, the roads clogged with cars and the opulence of the Hawaiian lifestyle, but what affected him most was the advanced state of decline of Hawaiian culture. Only a rapidly dwindling few knew how to tend a garden or fish for their livelihood. Almost no one spoke the language, ate the traditional foods, danced the ancient style of hula. The irony of it was that in Hawai‘i, in this place of cultural loss, he found students eager to learn his knowledge of the stars, waves and currents. By serendipitous accident, he had discovered an opportunity to pass on his art and by doing so to not only revive Hawaiian culture—but to save his own. *If my people regard the outside world with awe, he thought, what would happen if they saw that outsiders valued my knowledge of navigation even more?*<sup>159</sup>

Mau would eventually decide to join the 1980 voyage to Tahiti, but this time to observe as a teacher.<sup>160</sup> During the 31 days at sea— from time they left Hilo until land fall in the Tuamotus— Mau made only a single correction.<sup>161</sup> After over five centuries, a native Hawaiian had made the voyage from Hawai‘i and pulled Tahiti out of the sea.<sup>162</sup>

Reflecting on the voyage and his teacher, Nainoa Thompson has stated that, “the significance of Satawal and its navigational system to the Hawaiian voyaging renaissance cannot be underestimated... For Hōkūle‘a to be successful we had to find Tahiti. Mau stepped forward to pull Tahiti out of the sea.”<sup>163</sup> In his seminal work on the story of Hōkūle‘a, Nainoa Thompson, and the Hawaiian Renaissance, Sam Low concludes that,

[T]hese voyages, and Mau’s mentorship of Polynesian navigators, stimulated not only the building of canoes, but the revival of Polynesian culture in general. Among Hawaiians, where the loss of culture had been particularly severe, *hālau hula* (hula schools) seem to spring up everywhere, heiau were rebuilt, ancient curing practices were revived and, in 1999, the first class of high school students graduated having spoken only Hawaiian from their entry into the first grade. Reinvigorated Hawaiian stood up to demand the return of lands taken from them illegally. In 1993, President Clinton signed the apology decree—validating their

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<sup>159</sup> *Id.* at 191.

<sup>160</sup> *Id.* at 314-27.

<sup>161</sup> After 31 days of sleeping for no more than 20 minutes at a time, a fatigued Thompson had missed a minute detail: the lone sea-bird in the sky had a fish in its mouth. This indicated that although it was morning, the bird was returning to land and not flying further out to sea. *Id.* at 320-21.

<sup>162</sup> *Id.* at 327.

<sup>163</sup> Oiwi TV, *Papa Mau: The Wayfinder* (2010).

claims and today, many Hawaiians are working to regain their sovereignty as a native people.<sup>164</sup>

The story of Hōkūle‘a is one of triumph, but also of sacrifice; Bonnie Kahape‘a-Tanner who was among the crew that sailed in 2007 to Satawal has recounted that,

Mau took a lot of heat in his homeland for coming to Hawai‘i and teaching navigation here. But his choice was prophetic in many ways. It’s like he had the foresight to see what was going to happen in the future. It’s like he knew that his people were going to eventually end up being here. Back in the ’70s, who would have thought that eventually there would be waves of migration from Micronesia to Hawai‘i? Maybe he didn’t foresee the specific forces that we are living under today, the forces that push Micronesian people here, but he connected our peoples. Now we are here together, and we need to learn how to live together and to share. As much as we Hawaiians are trying to fight for our sovereignty and independence, we have to share with others, especially Pacific peoples. When I hear people saying negative things about Micronesian people, I think, “How can you hate on a Pacific people that has had the same fate as us?” We have to stay together... We don’t consider the sacrifices that others have lived with so that we in Hawai‘i could have the opportunity to revitalize our voyaging traditions. But now that we know more of the story, it is our kuleana to ask ourselves how we are going to live differently because of it.<sup>165</sup>

For nearly 30 years Mau would share his traditional and sacred knowledge with Native Hawaiians and others throughout the Pacific.<sup>166</sup> In 2007, when Mau initiated eleven men from Satawal and five men from Hawai‘i, including Nainoa Thompson, as *pwo* navigators he said,

I have laid the stick that connects people together. Now it is up to you, your generation and the generations to come, to build upon this that stick a bridge that will ensure the free sharing of information and teaching between the two peoples until the day we become united again as a single people, as we were once before; before men separated us with their imaginary political boundaries of today's Polynesia and Micronesia.<sup>167</sup>

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<sup>164</sup> Low, *supra* note 58, at 329.

<sup>165</sup> Bonnie Kahape‘a-Tanner, *Sailing the ancestral bridges of oceanic knowledge in THE VALUE OF HAWAI‘I 2: ANCESTRAL ROOTS, OCEANIC VISIONS* 175-76 (Yamashiro & Goodyear-Ka’opua eds., 2014).

<sup>166</sup> Joakim Peter, Wayne Chung Tanaka, & Aiko Yamashiro *Reconnecting Our Roots: Navigating the Turbulent Waters of Health-Care Policy for Micronesians in Hawai‘i in Beyond Ethnicity* 194 (Fojas, Guevarra & Sharma eds, 2018); Low, *supra* note 58 at 328-38.

<sup>167</sup> Peter, *supra* note 166 at 195.

## Micronesian Diaspora

According to Hezel, by 1980, close to 3,000 Micronesian students were attending college in the United States, with Hawai‘i the destination of choice;<sup>168</sup> however, during that time there were only around 400 Micronesians in Hawai‘i who were not students.<sup>169</sup> This changed, however, in 1985 when the Compacts of Free Association with the RMI and FSM were approved, as a key provision allowed citizens of the compact nations to travel to the United States without a visa and work and live there indefinitely as a “non-immigrant.”<sup>170</sup> The Palau compact that went into force in 1994 after much American meddling contained a similar provision.<sup>171</sup> Despite the fact the compacts are considered treaties under U.S. law, and are thus the “supreme law of the land”,<sup>172</sup> COFA citizens have essentially become afterthoughts in the United States.<sup>173</sup> This has been most apparent in the fallout out from the 1996 Personal Responsibility and Work Opportunity Reconciliation Act which made COFA “non-immigrants” ineligible for most federal programs.<sup>174</sup> The discourse around Micronesians in Hawai‘i portrays them as “dirty, undeserving, and a drain on tax dollars because of their weighty medical conditions;” yet the cruel irony, as Arvin notes, is that “This is a familiar, racialized, and gendered trope of the welfare queen (even though Micronesians are ineligible for welfare).”<sup>175</sup>

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<sup>168</sup> Francis X. Hezel, *Micronesians on the Move* 9 Pac. Islands Policy J. 16 (2013).

<sup>169</sup> *Id.* at 9.

<sup>170</sup> STRANGERS IN THEIR OWN LAND, *supra* note 129, at 362-65.

<sup>171</sup> J. Hinck, *The Republic of Palau and the United States: Self-Determination Becomes the Price of Free Association*, 78 CAL. L. REV. 915, 915-971 (1990).

<sup>172</sup> United States Const. Art. VI Clause 2.

<sup>173</sup> Aaron Wiener, *America’s Real Migrant Crisis Is the One You’ve Never Heard Of*, Mother Jones (2016) <https://www.motherjones.com/politics/2016/12/Hawai‘i-micronesia-migration-homeless-climate-change/>

<sup>174</sup> Dina Shek and Seiji Yamada, *Health care for Micronesians and constitutional rights* 70 Haw. Med. J. 4-8 (2011) 4-8.

<sup>175</sup> Maile Arvin, *POLYNESIA IS A PROJECT, NOT A PLACE: Polynesian Proximities to Whiteness in Cloud Atlas and Beyond* in BEYOND ETHNICITY IN HAWAI‘I 42 (Fojas, Guevarra & Sharma eds, 2018). Arvin also notes that this is a trope that has also been deployed to represent Native Hawaiians as lazy and undeserving. *Id.*

Nowhere is greater frustration felt than as it relates to health care, where access to bargained for programs such as Medicaid was revoked for nearly two decades.<sup>176</sup>

The 1990 U.S. census counted the Micronesian population in Hawai‘i at 951.<sup>177</sup> According to a recent GAO report, an estimated 5,509 “COFA migrants” lived in Hawai‘i in 1998; in 2008, there were 12,215, and by 2018, that population had grown to 23,761.<sup>178</sup> There seem to be no estimates of the number of other Micronesians—I-Kiriabiti, Nauruan, Chamorro, or NMI Carolinian—that live in Hawai‘i.<sup>179</sup> Despite the common history recounted above, and representing less than 2% of the population, modern Hawai‘i has become a difficult place for Micronesians to live.<sup>180</sup> This even included the first President of the Federated States of Micronesia, Tosiwo Nakayama, who was brought to Hawai‘i by proximity to quality health care;<sup>181</sup> As his biographer has observed, Nakayama lived out the last years of his life in a two-story rented townhouse in Waipahu:

The United States government extended no recognition to this former head of state lying seriously ill within its borders, and members of the FSM consulate in Honolulu seemed perplexed about the protocol involved in his presence. The circumstances of his dying revealed something of the ambivalence with which the nation-state he helped to build is regarded. The restrained responses to his

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<sup>176</sup> Peter, *supra* note 166, at 197-98 (suggesting that an understanding that access to federal funding for public health care would be provided on an equal basis was a key part of the Cofa nations acquiescence to the compact); Susan Serrano, *The Human Costs of Free Association: Socio-Cultural Narratives and the Legal Battle for Micronesian Health in Hawai‘i* 47 J. Marshall L. Rev. 1377 (2013-2014); Anita Hofschneider, *How Decades Of Advocacy Helped Restore Medicaid Access To Micronesian Migrants* Honolulu Civil Beat (2020) <https://www.civilbeat.org/2020/12/how-decades-of-advocacy-helped-restore-medicaid-access-to-micronesian-migrants/>

<sup>177</sup> Hezel, *supra* note 168, at 9.

<sup>178</sup> Government Accountability Office, *COMPACTS OF FREE ASSOCIATION Populations in U.S. Areas Have Grown, with Varying Reported Effects* 80 (2020) <https://www.gao.gov/assets/gao-20-491.pdf>

<sup>179</sup> This is likely due to the racialization of citizens from the 3 COFA states as “Micronesian.” Steven Talmy, *Becoming “Local” in ESL: Racism as Resource in a Hawai‘i Public High School*, 9 J. of Language, Identity & Education 36-57 (2010); Jennifer Darrah-Okike, *Theorizing race in Hawai‘i: Centering place, indigeneity, and settler colonialism* 14 Sociology Compass 1 (2020); Judy Rohrer, *STAKING CLAIM: SETTLER COLONIALISM AND RACIALIZATION IN HAWAI‘I* (2016). The 2010 census reported 147,798 Chamorros, 391 Mariana Islanders, 1,031 Saipanese, 521 Carolinian, 401 I-Kiribati throughout the U.S. Lindsay Hixson, Bradford Helper & Myoung Ouk Kim, *The Native Hawaiian and Other Pacific Islander Population: 2010* (2012) <https://www.census.gov/prod/cen2010/briefs/c2010br-12.pdf>

<sup>180</sup> See generally Government Accountability Office, *supra* note 176.

<sup>181</sup> DAVID HANLON, *MAKING MICRONESIA: A POLITICAL BIOGRAPHY OF TOSIWO NAKAYAMA* 2-3 (2014).

weakened condition remind us of how belittling the prefix “micro” can be; “micro” as in “Micronesian,” meaning tiny or small, and not terribly important to those for whom size matters. That is the way the islands have been viewed historically; that is the way Micronesian immigrants are viewed today in Hawai‘i.<sup>182</sup>

Providing an even more blunt analysis, Charles R. Lawrence III wrote in 2015 that in Hawai‘i’s contemporary society there is a,

shared understanding about Micronesians, about their blackness, their foreignness, their dirtiness, their scariness, their bestiality, their less-human-than-the-rest-of-us-ness. I use these hard-to-hear words to describe our shared beliefs quite intentionally. They come from a lexicon that Americans have used to imagine and construct my own people. They are words that inhabit and shape the narrative of white supremacy ... in this moment in Hawai‘i’s history we have designated our brothers and sisters from the Micronesian islands to assume the role of blackness. I will not use the "N" word, but you get my meaning.

As Nia Aitaoto, now an associate professor at the University of Utah,<sup>183</sup> has said, “When I put the [Micronesian] skirt on, it is just magic. It’s like I put a target on. People treat me differently.”<sup>184</sup>

### **Micronesian Voyagers and Hawaiian Waypoints**

Kealani Cook has observed, in the context of Native Hawaiian missionary work in Micronesia, that it is important to study and analyze the relationships and interactions between Hawaiians and other islanders as they actually happened:

In recent decades Pacific scholars have destabilized many established colonial narratives about the Pacific past and present, as well as colonial understandings of what the Native Pacific might entail. Yet histories of Hawai‘i, Native Hawaiians, and other Pacific Islanders often focus solely on the relationships between Natives and foreigners. In doing so, historians and other academics have strengthened, layer after layer, history after history, the supremacy of settler states and empires in defining and policing the boundaries and categories in which Pacific Islanders are allowed/forced to remain. If histories of the Hawaiian people privilege their ties to America, for instance, even if done from a Hawaiian perspective, they normalize America’s eventual consumption and control of the islands and their

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<sup>182</sup> *Id.*

<sup>183</sup> [https://faculty.utah.edu/u6020180-Nia\\_Aitaoto\\_PhD/hm/index.html](https://faculty.utah.edu/u6020180-Nia_Aitaoto_PhD/hm/index.html)

<sup>184</sup> Chad Blair, *No Aloha for Micronesians in Hawai‘i*, Honolulu Civil Beat (2011) <https://www.civilbeat.org/2011/06/no-aloha-for-micronesians-in-Hawai-i/>



people. Explorations of Native Hawaiian understandings of and relationships with other Pacific Islanders have the potential to destabilize these narratives. Being both Native and foreigner, neither Hawaiian nor haole, other islanders disrupt and complicate such simple and convenient historical narratives.<sup>185</sup>

As has been argued by Gonschor and others,<sup>186</sup> the history of the Hawaiian Kingdom has been systematically rewritten and obscured, “blurring its true geography as an oceanic archipelago at the center of the northern Pacific.”<sup>187</sup> This erasure has led to not only negative consequences for Hawaiian culture and identity but also to ethnocentrism and denial of multi-ethnic Hawaiian nationality.<sup>188</sup> As early as 1894, warnings were being raised that a “generalized anti-foreigner attitude” might develop as a reaction to the outrages being stacked upon them:

The Hawaiians who have been so patiently waiting for more than a year for the “undoing of the wrong” and the restoration of their sovereign and of their cherish institutions are now beginning to feel dissatisfied and restless at this long delay and they will feel keenly their abandonment by the US their faith and trust in that country will be gone forever and will be succeeded by a hatred which may even extend to all foreign nationalities.<sup>189</sup>

As Gonschor argues, if we are to “see efforts to overcome such antagonism succeed and a true, deep culture of *aloha* prevail in the Hawaiian islands again, it is thus imperative to first deconstruct and dispose of the Missionary Party’s vicious political and ideological project.”<sup>190</sup>

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<sup>185</sup> Cook, *supra* note 80, at 889.

<sup>186</sup> See e.g. Chang, *supra* note 117; Karen K. Kosasa, *Sites of Erasure. The Representation of Settler Culture in Hawai‘i* In *ASIAN SETTLER COLONIALISM: FROM LOCAL GOVERNANCE TO THE HABITS OF EVERYDAY LIFE IN HAWAI‘I* 195-208 (Okamura & Fujikane, eds. 2008).

<sup>187</sup> Gonschor, *supra* note 20, at 157-59;

<sup>188</sup> *Id.*

<sup>189</sup> Gonschor, *supra* note 20, at 160 (quoting British Commissioner and Consul-General Major James Wodehouse, February 20, 1894).

<sup>190</sup> Gonschor, *supra* note 20, at 161.

## #BeingMicronesian<sup>191</sup>

Perhaps today there is no starker example of the emergence of the type of antagonisms feared in the 19th century than those directed Micronesians in the state of Hawai‘i. One recently published study provides an overview of the experience of #beingmicronesian<sup>192</sup> in Hawai‘i by focusing on the perception of Micronesians among residents of public housing on Oahu.<sup>193</sup> After in depth interviews, the authors concluded that,

[S]ome respondents held racist perceptions of Micronesian people, depicting them as a threat to scarce resources, a source of crime, and as culturally incompatible neighbors. Our findings reveal a troubling tension insofar as Native Hawaiians, the Indigenous people of Hawai‘i, feel a risk of displacement by Micronesian residents. This is notable given that both Native Hawaiians and Pacific Islanders from Micronesia have faced and resisted various forms of U.S. imperialism, militarism, and colonialism for centuries.<sup>194</sup>

A 2019 Report of the Hawai‘i Advisory Committee to the U.S. Commission on Civil Rights highlights that in addition to interpersonal racism, Micronesians in Hawai‘i face systematic racism as well.<sup>195</sup> The report summarized the discrimination as including several main

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<sup>191</sup> Taken from the hashtag started by Palauan activist Sha Ongelungel. *See e.g.* Anita Hofschneider, *#BeingMicronesian in Hawai‘i Means Lots Of Online Hate* Honolulu Civil Beat (2018)

<https://www.civilbeat.org/2018/09/beingmicronesian-in-hawai-i-means-lots-of-online-hate/>

<sup>192</sup> *Id.* Ongelungel notes the hate extends beyond online jokes and into threats of physical violence. *Id.*; Peter, *supra* note 173 at 198 (“Micronesians of all ethnicities were and continue to be the subject of pervasive, invidious, and vitriolic discourse in all manner of social spheres. The internet and radio had become platforms for racial epithets, race-baiting, and Micronesian jokes and often perpetuated disturbing images of Micronesians as lazy, opportunistic leeches who unscrupulously prey on the social services system. Such images likened COFA citizens as invasive “cockroaches,” “dirty,” and “stupid.” ... School children of all Micronesian ethnic backgrounds were and continue to be confronted by students and teachers alike with hurtful, blatantly negative stereotypes.”) *See also* the comments section of a recent article detailing the murder of a 16-year old Chuukese boy, Star-Advertiser Staff, *Kalihi man charged with murder in fatal shooting of teen appears in court* Honolulu Star Advertiser (2019); Lynn Kawano, *Witnesses take stand to recount moments before, after Kalihi teen was fatally shot* Hawai‘i News Now (2019) <https://www.hawaiinewsnow.com/2019/11/15/thats-when-i-pulled-out-my-pellet-gun-teen-admits-retaliating-against-kalihi-man-accused-shooting-friend/> (seemingly using reactions to a murder as an ex-post justification for the initial shooting). Furthermore, #beingmicronesian in Hawai‘i increasingly involves poling abuses. Dina Shek et. al., *DEVELOPING A PEDAGOGY OF COMMUNITY PARTNERSHIP AMIDST COVID-19: MEDICAL-LEGAL PARTNERSHIP FOR CHILDREN IN HAWAI‘I* 28 *CLINICAL L. REV.* 145-47.

<sup>193</sup> Nathalie Rita, Jennifer Darrah-Okike, & Philip Garboden, *Contesting the right to the city under scarcity: the case of Micronesians in Hawai‘i’s public housing* 47 *Housing & Society* 165-188 (2020).

<sup>194</sup> *Id.* at 16.

<sup>195</sup> *See Micronesians in Hawai‘i: Migrant Group Faces Barriers to Equal Opportunity* (2019) <https://www.usccr.gov/files/pubs/2019/08-13-Hawai-i-Micronesian-Report.pdf>

categories, including access to health care, housing, education, and equal employment.<sup>196</sup> Even the state of Hawai‘i itself has added to the toxic discourse directed towards Micronesian people.<sup>197</sup> Despite this othering, the harms that have been articulated by some with regards to Native Hawaiians are quite similar to those suffered by Micronesians in Hawai‘i; they “remain a politically subordinated group suffering all the legacies of conquest: landlessness, disastrous health, diaspora, institutionalization in the military and prisons, poor educational attainment, confinement to the service sector of employment.”<sup>198</sup>

## WAYPOINTS

HCR 160 is largely a symbolic gesture, and to that end the committee should consider incorporating symbolism from Hawai‘i and Micronesia’s shared cultural heritage of navigation. The Micronesian presence in Hawai‘i can be reconceptualized using the navigational concept of a waypoint. In their study of the Line Islands of Kiribati, *An Island for Gardens, an Island for Birds and Voyaging*, Piazza and Pearthree propose that the atoll of Kirimati served as a waypoint for Polynesian voyagers who made the long voyages beyond the Polynesian heartland:

Its position, at the windward end of the northern Lines, gives the most favourable angle to begin voyages to the closest neighbouring islands, either across the wind to the Cooks or slightly into the wind to Malden, the Societies or even Hawai ‘i. Kiritimati is also the most prudent landfall for return voyages, again because it offers the biggest target angle and its windward position minimizes the chances of being set too far downwind.<sup>199</sup>

The authors explicitly tie the Polynesian use of Kirimati as a way point to the Micronesian use of Pikelot, West Faiu, and Gafarut as intermediate way-points for long voyages between the Carolines and the Marianas.<sup>200</sup> The authors explain that the purpose of islands and atolls such as

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<sup>196</sup> *Id.* at 29-40.

<sup>197</sup> See Peter, *supra* note 166, at 198-99.

<sup>198</sup> Trask, *supra* note 119, at 47.

<sup>199</sup> Piazza & Erik Pearthree, *supra* note 8, at 164.

<sup>200</sup> *Id.*

Pikelot or Kirimati is to serve as an “intermediate stop or way-point on long voyages, allowing navigators to adjust their courses, to await conditions favorable to continuing onward, to restock provisions or to offer prayers for protection.”<sup>201</sup>

Just as Polynesian ancestors used the Line Islands of Micronesia as waypoints as they traveled to and from Hawai‘i on their physical journeys, modern Micronesians can be conceptualized as using Hawai‘i as a waypoint along their metaphorical journey into an uncertain future. The purposes of a waypoint as a place—to adjust course, to weather the storm, to restock provisions, and to seek spiritual protection— creates a framework to counter “racial or cultural discrimination, violence, and defamation against COFA citizens.”

#### **A. Adjusting Their Courses (Education, Organization, and Strategy)**

The first principle related to an island as a waypoint is tied directly to the system of traditional navigation. For hundreds, if not thousands, of years inhabitants of the coral atolls and islands in the Western Carolines used waypoints to adjust their course as they continued their voyages north towards the Marianas.<sup>202</sup> As has been discussed by Lewis, the selection of these islands as waypoints related to the navigational ease of locating them without instruments, and as such, often times these waypoints have also been places of refuge because they are readily found in emergencies.<sup>203</sup> This has been illustrated by stories of voyagers such as Mau navigating to Pikelot and surviving for over seven months after being windswept in a canoe.<sup>204</sup>

Using this framework, Micronesians’ experience in Hawai‘i can be conceptualized as a waypoint that has allowed them to adjust their course, doing so through the pursuit of education and political organizing and strategizing. Pohnpeian Henry Nahnpei and his family were perhaps

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<sup>201</sup> *Id.*

<sup>202</sup> *See supra* note 8 and accompanying text.

<sup>203</sup> *See supra* note 7 and accompanying text.

<sup>204</sup> *See supra* note 6 and accompanying text.

some of the first Micronesians to recognize the singular opportunity for education that the Kingdom of Hawai‘i offered.<sup>205</sup> The history of education in Micronesia is inextricably linked to the Hawaiian islands, and today many of the written languages Micronesian languages can be tied directly to the labors of Hawaiian missionaries.<sup>206</sup> Later, the University of Hawai‘i system offered Micronesians an important place to gather and better their positions in the struggle against foreign domination, eventually becoming a hotbed of Micronesian activism.<sup>207</sup> It was Micronesian students at the University of Hawai‘i that uncovered the Solomon Report and published its goals of forcing the Trust Territory into economic dependence on the U.S.<sup>208</sup> The similarities between Hawaiian protests at Kaho‘olawe and Marshallese protests on Kwajalein seem hardly coincidental.<sup>209</sup> Today, one of the most well-known indigenous climate activists is Marshallese poet and University of Hawai‘i graduate Kathy Jetnil-Kijner, who was raised in Hawai‘i.<sup>210</sup> Thus, by using Hawai‘i as a waypoint to adjust their courses, Micronesians are able to further their education and organize politically for the benefits of people throughout the central Pacific—from Guam to Hawai‘i, and everywhere in between.

### **B. Awaiting Conditions Favorable to Continuing Onward (Climate Change and Radiation)**

The second principal use of a waypoint is as a place to await favorable conditions to continue onward. This underscores and contrasts with the permanent nature and presence of a settler under settler colonialism.<sup>211</sup> Today over 25,000 Micronesians live in the Hawaiian Islands for a myriad of reasons,<sup>212</sup> and that migration may continue in the coming years. One reason that

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<sup>205</sup> See *supra* note 133.

<sup>206</sup> See *supra* notes 77,81.

<sup>207</sup> See *supra* notes 136-138 and accompanying text.

<sup>208</sup> *Id.*

<sup>209</sup> See *supra* notes 148-149 and accompanying text.

<sup>210</sup> Peter, *supra* note 166, at 199-200; Rita, *supra* note 193, at 7; Lawrence, *supra* note 15, at 468-70; Paul Lyons & Ty P. Kāwika Tengan, *COFA Complex: A Conversation with Joakim “Jojo” Peter* 67 *American Q.* 679 n7 (2015).

<sup>211</sup> See *supra* note **Error! Bookmark not defined.**

<sup>212</sup> See *supra* note 178.

this influx may continue is because of climate change.<sup>213</sup> Perhaps this is the most salient example of the high islands of Hawai‘i being used as a literal waypoint as Micronesians attempt to weather the storms that increasingly cause damage and inundate their low-lying islands.<sup>214</sup> No Micronesian truly desires to permanently abandoned their ancestral homelands,<sup>215</sup> but as the nations of the world continue to fail to adequately address the changes that are required to stem rising sea levels,<sup>216</sup> they look to the high volcanic islands such as Hawai‘i to provide temporary respite from the storm.

Another group that awaits favorable conditions to proceed onward are the nuclear nomads of the northern Marshall Islands, whose homelands have been irradiated from the fallout of 67 nuclear and thermonuclear detonations.<sup>217</sup> In some places, the half-life of the radioactive fallout may dissipate within several human lifetimes and allow the return of the Marshallese to their atolls; however, in other places the half-life of radioactive elements such as plutonium is thousands of years and may never allow certain islets to become inhabitable again.<sup>218</sup> These Marshall Islanders are using Hawai‘i as a temporary stopping place not only to await the decontamination of their homes but also to receive just compensation for the taking of their islands.<sup>219</sup> Perhaps much can be learned from Native Hawaiians’ successful reclamation of Kaho‘olawe as Marshallese— as well as other Micronesians affected by the toxic waste left from American military operations in their islands<sup>220</sup>—wait for conditions to change.

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<sup>213</sup> *Id.* at 20.

<sup>214</sup> See e.g. Giff Johnson, *Ocean flooding hits Marshall Islands, Micronesia over consecutive days*, Marianas Variety (Dec. 7, 2021) [https://mvariety.com/news/ocean-flooding-hits-marshall-islands-micronesia-over-consecutive-days/article\\_c9f2459e-5698-11ec-9507-678df52a7ac4.html](https://mvariety.com/news/ocean-flooding-hits-marshall-islands-micronesia-over-consecutive-days/article_c9f2459e-5698-11ec-9507-678df52a7ac4.html)

<sup>215</sup> Julian Aguon, *To Hell With Drowning* The Atlantic (2021).

<sup>216</sup> *Id.*

<sup>217</sup> See *supra* note 130.

<sup>218</sup> Pincus, *supra* note 130 (noting the half-life of Plutonium-239 is 24,100 years, while that of Cesium-137 is 33).

<sup>219</sup> See *supra* note 149; *Juda v. United States* 6 Cl. Ct. 441 (1984); *Kabua v. United States*, 212 Ct. Cl. 160 (1976).

<sup>220</sup> Shannon Tiezzi, *How the US Military Wound up ‘Poisoning the Pacific’*, The Diplomat (2020). <https://thediplomat.com/2020/11/how-the-us-military-wound-up-poisoning-the-pacific/>

### C. Restocking Provisions (Countering Economic Dependence)

Waypoints such as Kirimati and Pikelot were also used as places to restock provisions and gather resources in order to safely continue upon long open ocean journeys. However, this restocking of provisions was not in an exploitative manner,<sup>221</sup> such as those extractive practices that deplete the resources of the Hawaiian archipelago and have been decried by Native Hawaiian activists.<sup>222</sup> Rather, this restocking was regenerative, and allowed generation upon generation to continue using those islands in a sustainable manner.<sup>223</sup> The Micronesian presence in Hawai‘i ought to be reframed and re-conceptualized as regenerative rather than extractive. The Solomon Report, which was first published by Micronesian students at the University of Hawai‘i, illustrates that part of the goal of the imperial project in the central Pacific was to breed economic dependence on the United States among indigenous Islanders.<sup>224</sup> In large part, that goal has been achieved.<sup>225</sup> It is not the intent of Micronesians in Hawai‘i to assert themselves in the hierarchy of power and to take their place in line to extract resources from the islands.<sup>226</sup> Rather the goal is to use Hawai‘i as a waypoint as they recover and attempt to stabilize the traditional sustainable lifeways in their home islands<sup>227</sup> and develop economies that are self-sufficient.<sup>228</sup>

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<sup>221</sup> See *supra* note 8.

<sup>222</sup> See generally DETOURS: A DECOLONIAL GUIDE TO HAWAI‘I (Hokulani K. Aikau & Vernadette Vicuña Gonzalez eds., 2019).

<sup>223</sup> Petersen, *supra* note 13, at 85-124, 187-212.

<sup>224</sup> See *supra* note 138.

<sup>225</sup> David Hanlon, REMAKING MICRONESIA: DISCOURSES OVER DEVELOPMENT IN A PACIFIC TERRITORY, 1944-1982 (1998).

<sup>226</sup> See Peter, *supra* note 166, at 200-207.

<sup>227</sup> See Marjorie V. Cushing Falanruw, Reed M. Perkins, & Francis Ruegorong, *Integrating Traditional Knowledge and Geospatial Science to Address Food Security and Sustaining Biodiversity in Yap Islands, Micronesia* in *Societal Dimensions of Environmental Science* (Lopez ed., 2019); J. Connell, *Food security in the island Pacific: Is Micronesia as far away as ever?* 15 *Reg Environ Change* 1299–1311 (2015).

<sup>228</sup> See e.g. World Bank, Republic of the Marshall Islands Country Economic Memorandum and Public Expenditure Review (2021) (discussing the “the RMI’s National Strategic Plan 2020-30, which articulates the nation’s vision to build a resilient, productive, and self-supportive RMI”)

#### **D. Offer Prayers for Protection (Christianity and Re-Indigenization)**

Finally, not only did waypoints offer physical places of security, but they also acted as spiritual safe harbors. Archaeological evidence in the Line Islands shows evidence of Polynesian artifacts and altars that evidenced the spiritual significance of those islands.<sup>229</sup> To speak of spirituality or religion in Micronesia of necessity must refer to Hawai‘i. That Christianity is overwhelmingly the majority religion throughout the Federated States of Micronesia, the Marshall Islands, Kiribati, and Nauru can be directly tied to the success of missionaries from the Hawaiian mission.<sup>230</sup> In many of the indigenous languages of Micronesia, the only readily available written work in the native tongue remains the Bible, often translated by Native Hawaiian and Hawai‘i born Anglo missionaries.<sup>231</sup> The relationship between indigenous Islanders and Christianity is nuanced and complex to say the least, and while in the Hawaiian sovereignty movement specifically there is a mounting resentment of missionary work,<sup>232</sup> it should be noted that in large swaths of Micronesia, this sentiment is not necessarily shared. For example, in the Marshall Islands, the date that the *Morning Star* first arrived with Native Hawaiian and Anglo missionaries aboard is still celebrated as a national holiday.<sup>233</sup>

Hawai‘i has also served as an example to many in the Micronesian diaspora in how to preserve indigenous culture and re-indigenize traditional spiritual practice and beliefs amidst western hegemony.<sup>234</sup> Perhaps no greater example of the positive feedback between Micronesian and Hawaiian traditional spiritual beliefs can be found in the Polynesian Voyaging Society,

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<sup>229</sup> See *supra* note 199.

<sup>230</sup> See *supra* notes 73-80 and accompanying text.

<sup>231</sup> *Id.*

<sup>232</sup> See *e.g.*, Trask, *supra* note 119 at 53.

<sup>233</sup> See Gospel day, Marshallese Mani. <https://marshallese-manit.org/post-library-jukle/gospel-day/>

<sup>234</sup> Peter, *supra* note 166 at 202.



Hökūle‘a, and in the joint effort to preserve and pass on traditional knowledge to future generations.<sup>235</sup>

### **Part III: Reciprocity and a Visionary Future for Oceania**

The reconceptualization of the Micronesian presence in Hawai‘i by viewing the islands as a waypoint should by no means be interpreted as a unilateral declaration of Micronesian rights to Hawai‘i; rather, it is an attempt to present a reconceptualized vision of the Pacific.<sup>236</sup> In his seminal work, “Our Sea of Islands,” Epli Hau’ofa describes Oceania as,

a sea of islands with their inhabitants. The world of our ancestors was a large sea full of places to explore, to make their homes in, to breed generations of seafarers like themselves. People raised in this environment were at home with the sea. They played in it as soon as they could walk steadily, they worked in it, they fought on it. They developed great skills for navigating their waters, and the spirit to traverse even the few large gaps that separated their island groups. . . . As I watched the Big Island of Hawai‘i expanding into and rising from the depths, I saw in it the future of Oceania, our sea of islands. That future lies in the hands of our people, not of those who would prescribe for us, get us forever dependent and indebted, because they can see no way out.<sup>237</sup> (1993, 8, 15)

It is notable that Hau’ofa, who was born in Papua New Guinea to parents of Tongan and Fijian descent, saw this vision as he traversed Saddle Road between Mauna Kea and Mauna Loa; as Gonschor points out, “Although rarely cited in [this] way, one of the implicit statements in “Our Sea of Islands” is . . . to return the Hawaiian Islands to a central place in the development of a visionary future for Oceania.”<sup>238</sup> This sentiment is not foreign to Hawai‘i, as Haunani-Kay Trask has stated,

An extension of political organizing is to do networking throughout the pacific, so our first international outreach is in the south pacific to the Tahitians... to the

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<sup>235</sup> See *supra* notes 150-167 and accompanying text.

<sup>236</sup> And perhaps also citizens of the Hawaiian kingdom and their descendents who seek its reestablishment.

<sup>237</sup> Epli Hau’ofa, *Our Sea of Islands* 6 *The Contemporary Pacific* 8,15 (1994).

<sup>238</sup> Gonschor, *supra* note 20, at 10.

Kanaks in New Caledonia... to the Micronesians who are negotiating with the United States to be independent.<sup>239</sup>

Unfortunately, that networking and visionary future remain largely unrealized, speaking from a Micronesian perspective, the late Chuukese scholar and activist Dr. Joakim “Jojo” Peter wrote that,

[T]he lessons inherent in the legacy of Papa Mau and Hōkūle‘a have not translated to other areas of public policy in Hawai‘i and the United States. The bridge envisioned by Papa Mau is clearly far from complete. Despite the numerous sticks laid down by the people and nations of Micronesia over the last thirty years, Micronesians in their home islands, in Hawai‘i, and in the continental United States continue to struggle with unfulfilled promises and unreciprocated love and respect as illustrated by the current struggle over health care in Hawai‘i.<sup>240</sup>

Thus, reconceptualizing Micronesian presence in Hawai‘i would be another step toward that visionary future described by Hau’ofa and would be a natural extension of the Hawaiian Pan-Oceanianism that developed in the Hawaiian Kingdom and continued through the Civil Rights movement.

Lorenz Gonschor’s 2019 book, *A Power in the World: the Hawaiian Kingdom in Oceania*, masterfully recounts and recovers the true place that the Hawaiian Kingdom played in the 19th century Pacific as a leader and example for indigenous self-determination.<sup>241</sup> However, his analogy with regards to the Hōkūle‘a does not go far enough.<sup>242</sup> Perhaps that is because he overlooked the importance of the principle of reciprocity in Pacific Island cultures<sup>243</sup> and neglected the role that the peoples of Oceania— especially Micronesia—have played and may yet play.<sup>244</sup> It is an oversight on the author’s part to write an entire book about Hawai‘i being a

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<sup>239</sup> Windward Video, *The Sand Island Story*, Victoria Keith Productions (1981).

<sup>240</sup> Peter, *supra* note 166 at 195-96.

<sup>241</sup> See generally Gonschor, *supra* note 20.

<sup>242</sup> *Id.* at 173-79.

<sup>243</sup> Peter, *supra* note 166 at 195.

<sup>244</sup> *Id.* at 206-07.

power in Oceania and to then use Hōkūle‘a as a metaphor for the resurgence of pan-Oceanian culture without mentioning the essential role that Micronesians played in her success. As *pwo* navigator and current president of the Polynesian Voyaging Society, Naninoa Thompson has said, “The significance of Satawal and its navigational system to the Hawaiian voyaging renaissance cannot be underestimated... For Hōkūle‘a to be successful we had to find Tahiti. Mau stepped forward to pull Tahiti out of the sea.”<sup>245</sup>

## Conclusion

Utilizing the concept of a waypoint from the shared Micronesian and Polynesian navigating tradition is a way to recognize the complexity and fluidity in the boundaries between Micronesia and Hawai‘i. Just as Polynesian ancestors used the Islands of Micronesia as waypoints, modern Micronesians are using Hawai‘i as a place to adjust course, weather the storm, restock provisions, and seek spiritual protection. Native Hawaiian scholar Maile Arvin, has observed that,

If racism against Micronesians in Hawai‘i was reframed to be part of the project of the U.S. militarization of the larger Pacific, which also includes, for example, using Hawaiian waters to train the Indonesian army to suppress the independence movement in West Papua, we could better oppose not only discrimination in a narrow sense, but the more fundamental structures of imperialism and settler colonialism that engulf all Pacific Islands. Micronesians are not immigrants to Hawai‘i in the same way that Japanese Americans are, but rather have particular cosmological and genealogical connections to Native Hawaiians and other Indigenous peoples of the Pacific. In remembering this, racism against Micronesians might be recognized as not only about anti-immigrant sentiment (which it certainly is) but also about the divisions imposed on the Pacific through Western settler colonialism and imperialism in Hawai‘i and elsewhere. Overall, I remain hopeful that Native Hawaiians, Polynesians, Asian Americans, and other residents of Hawai‘i can build alliances that will divest from the Western racial project of Polynesia as almost White, and invest in other, more open-ended futures for all people in Oceania and beyond.<sup>246</sup>

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<sup>245</sup> Oiwī TV, *Papa Mau: The Wayfinder* (2010).

<sup>246</sup> Arvin, *supra* note 175 at 48.

In contemporary Hawai‘i, perhaps the most readily available example of the role of Hawai‘i in Oceania and its connection with Micronesia is that of the Hōkūle‘a. However, that history was not without its difficulties and struggles,<sup>247</sup> just as the larger history that has been recounted above was not without its frictions. If Hau‘ofa’s visionary future for Oceania is to be reached, that course will not be traveled effortlessly; nevertheless, Hawai‘i and Micronesia both have something to offer the other as they work towards that future, building off the strong foundation of “cultural reciprocity, sharing, and trust between Native Hawaiians and Micronesians.”<sup>248</sup> Micronesians are not looking for a handout, rather they keep their hands open, “to steady and guide each other on our journey towards a shared home.”<sup>249</sup> Perhaps Mau himself said it best, “I put the stick between Micronesia and Polynesia, now you walk on the stick, like a bridge. I like we make one family.”<sup>250</sup>

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<sup>247</sup> See *supra* notes 150-167 and accompanying text.

<sup>248</sup> Peter, *supra* note 166 at 193.

<sup>249</sup> *Id.* at 206-07.

<sup>250</sup> Kahape‘a-Tanner, *supra* note 165, at 180.