

THE OTHER AMERICAN COLONIES

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*An International and Constitutional Law
Examination of the United States' Nineteenth
and Twentieth Century Island Conquests*

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*To my treasures,
Katerina, Christian, Nicholas, and Andres*

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The Other American Colonies is a culmination of writings undertaken throughout my ten years in academia. In actuality, the project commenced, when, as a freshman in college, an English professor encouraged me to continue to examine the anomalous legal status of the residents of Puerto Rico. This project is thus the result of a long and arduous journey aimed at providing a voice on the mainland for millions of island people who in many respects exist within this country but in other respects are deemed part of something other than the collective “us.” I take great satisfaction in the belief, hopefully not misguided, that my works may have played a small part in inspiring other domestic legal intellectuals to reexamine issues concerning the role of race in American colonial ventures. In my works addressing racial injustice and, in particular, the subordination of Latinas and Latinos within the United States, I learned much from many groundbreaking scholars in the Critical Race Theory movement.

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As with everything I do, the teachings of my parents always provide me with the strength to play my small part as an intellectual engaging in important social, political, and legal debates. Though I will always miss them, I know they are by my side, probably smiling. Their pride in their culture and quiet dignity arm me with the confidence to undertake this Herculean task that seeks to provide a voice to millions who have too long been silenced. Indeed, despite the hegemonic force of colonialism that has distorted and even crippled many colonized peoples’ ability to accept all aspects of their identity, this book is an effort to embrace the less accepted aspects of the Caribbean peoples’ distinct identities. Instead of the too common Caribbean aspiration to become more Western or European in general and Spanish in particular, a not-so-subtle theme of this work is to question Western aspirations and at the same time to make a small effort to embrace the beautiful and proud African and indigenous roots of most of this country’s colonial subjects.

The comparative analysis of the eight island countries examined here is not only an effort to address the similar history of subordination of these people but is also an attempt at coalition building and consciousness raising. In other words, this project is an effort to answer the invariable question posed to any author addressing United States overseas colonialism—and, in fact, the question posed to this author on numerous occasions by both scholars of color and their white counterparts: “Of all the human rights abuses in the world, why should I care about the voting rights of Puerto Ricans or some other islanders?” The answer to this question is twofold. First, the theoretical underpinnings of the United States itself is premised on constructs of equality and

inclusion. In fact, the very notion of the status that represents full membership within the society—the citizen—has an egalitarian basis. According to this country’s rhetoric, all who hold the status of citizen are full and equal members of the body politic. Therefore, the systematic denial of the full complement of rights of a group of citizens just because of racial constructions or colonial fictions needs to be exposed and addressed in order to challenge the rhetoric that is supposed to be the foundation of democracy. Second, and perhaps more importantly, a comparative study of the subordination of millions of United States citizens who are of different races potentially heightens the interests of racial minorities as well as other groups, who, after being exposed to the magnitude of this disenfranchisement, may appreciate the relevance of this issue to their lives. Related to this point, a goal of this work is to have all who read it contend with the fact that, during a key period in American history when this country legally defined who were the “Americans”—from roughly 1850 to 1920—this country undertook a habitual exercise of excluding every major minority group within the country, including African-Americans, indigenous people of this land, Mexican-Americans, territorial island people, and Asian-Americans. In each case, the United States Supreme Court and Congress defined these people as less than full members of society. Thus, to the question, “Why should I care about the problems of the people of Puerto Rico,” arises the answer: “Because the disenfranchisement of the Puerto Rican and all other island colonial people is emblematic of the United States historical treatment of all of its racial minority groups.”

While this work may not pose the answers to correct this country’s colonial shame, it does engage in a well-documented doctrinal yet critical critique of the American colonial dilemma—a problem that for too long has gone without the academic, political, and social engagement that it merits. If the potential disenfranchisement of several hundred United States citizens in Florida during the 2000 presidential election warranted national and global debate, it baffles me why the actual disenfranchisement of millions of United States citizens, in some cases for well over a century, goes virtually without mention.

A central thesis of this book is to document and contextualize what Gunnar Myrdal called the American Dilemma—namely, the disconnect between American egalitarian ideals and the reality of America’s practices. An example noted here is America’s association with fathering the international effort to end colonialism—the self-determination movement. Yet, while championing that effort before the League of Nations and the United Nations, the very same country was accumulating overseas dependencies. Moreover, the

rhetic of United States citizenship has been associated with equality and justice, but the historical reality is that Americans have always had great difficulty defining themselves, and when it came to defining people of color, American legal institutions repeatedly used legal and moral fictions to deny such groups full membership.

While there is great value in critical narratives, and this project may be deemed as written by a member of the second generation of critical race scholars, this narrative is also authoritatively exhaustive and doctrinal. The project may be described as, perhaps paradoxically, traditional in its methodology yet radical in its conclusions. Many of the intended readers include not only fellow critical scholars who may appreciate both the undertaking and the intersectional analysis but also traditional constitutionalists and internationalists who may struggle with the conclusions being drawn, and more importantly, with the evidentiary basis for those conclusions. However, the bulk of the intended readers should include students of politics, anthropology, sociology, history, and ethnic studies.

In the context of colonial expansion, this work will challenge American ethos concerning democracy, justice, equality, and membership. This work, like all historical depictions, is a narrative from a distinct perspective, but this one is by an academic who happens to be an offspring of a colonized and marginalized people.

INTRODUCTION

NEW COLONIAL VENTURES?

At the risk of overstating the obvious, the events of September 11, 2001, changed not only United States foreign and domestic policies, but also the world. On September 19, 2001, for example, only eight days after the terrorist attacks, George W. Bush's administration proposed the Anti-Terrorism Act (ATA), which in its final form was called the "U.S.A./Patriot Act." The act became a federal law that, in the name of increasing national security, increased the government's surveillance and police powers. Related to the passage of the new antiterrorism law was a restructuring of the federal government through the creation of the Department of Homeland Security. Though the legislation and restructuring were largely viewed as necessary precautionary measures, civil rights groups raised concerns over them because of their impact on individual rights and immigration. The specific questions these groups raised centered on the lack of meaningful judicial review associated with law enforcement agencies' new powers and the United States Attorney General's greater discretion in detaining noncitizens because they were believed to be a threat to national security. Despite these concerns, the American public and their elected representatives have determined that the new law and governmental restructuring were necessary security measures.

The tragic attack on New York City's World Trade Center and Washington's Pentagon also directly or indirectly precipitated two wars against Muslim countries—one against Afghanistan and one against Iraq. The first of these engagements, the war in Afghanistan, had worldwide support since it was seen as an effort to end the tyrannical Taliban regime that harbored the terrorist group, Al-Qaeda, which was believed to be the force behind the September 11 attacks. The second of these wars was purportedly intended to topple Saddam Hussein's regime in Iraq. The Bush administration's reasons for initiating the Iraq military action included ending that country's threat to the United States by destroying Iraq's weapons of mass destruction (WMDs) and terminating Iraq's ties to terrorist networks such as Al-Qaeda. Yet months after the so-called end of the war and despite exhaustive United

States' efforts to justify its preemptive military action, no evidence of weapons of mass destruction and no proof of Iraqi ties with terrorist groups were found. In fact, recently, the chief American weapons investigator David Kay announced that not only were no weapons of mass destruction found, but there were likely no such weapons during the period before the United States-led war. Both the Bush administration and British Prime Minister Tony Blair's government have repeatedly been forced to admit to errors concerning their claims of the gravity of the Iraqi threat and its ties to Al-Qaeda. President Bush even went as far as publicly joking about whether the WMDs were hidden in the White House. After increased public pressure, President Bush, on a more serious note, recently announced an investigation into this country's intelligence efforts. In light of these developments, the international community questioned the United States' motivations for defeating Hussein and occupying Iraq.

The United States-led hostilities provoked a previously largely dormant global debate concerning American intentions in world affairs. Not since the Vietnam War had so many world leaders questioned whether the United States was acting with expansionist intentions. Much of this debate commenced shortly after the onset of the United States' military build-up on the Iraqi border. On October 11, 2002, a New York Times article reporting on the build-up observed that the United States "planned to occupy Iraq" and "as long as the coalition partners administered Iraq, they would essentially control the second largest proven reserves of oil in the world, nearly 11% of the total."¹

The United States military mobilization and the Bush administration's increasing calls for international action against Iraq did not lead to the intended result of creating an international resolve for war. Instead, what resulted was the commencement of global questioning and criticism of United States policy, which included denunciations of perceived American colonial undertakings. The opposition to the United States-led war against Iraq was not limited to what may be considered the usual suspects—Islamic fundamentalists and leftist critics. Increasingly, questions arose concerning the United States' interest in Iraq's oil reserves and the spoils stemming from rebuilding the country after the war. The sources of criticism included recent allies such as Russia and traditional European allies, including France and Germany. German and French leaders unsuccessfully tried to use United Nations Security Council proclamations to thwart the United States' preemptive military ac-

1. David E. Sanger and Eric Schmitt, "United States Has a Plan to Occupy Iraq, Officials Report," *New York Times*, 11 October 2002.

tions. Russian president Vladimir Putin went as far as denouncing the United States for engaging in “a new form of colonialism.”² Malaysian Prime Minister Mahathir Mohamad accused the United States of being “a cowardly and imperialist bully.”³ Related concerns were echoed in the United States Senate,⁴ which included criticism of the United States administration by Senate minority leader Tom Daschle, who questioned the propriety of a preemptive attack. These and other concerns ultimately prompted the resignation of John H. Brown and J. Brady Kiesling, veteran diplomats stationed in the Middle East.⁵ Diplomat Brown concluded that the United States was becoming associated with unjust manipulative acts. Both domestic and foreign journalists raised similar concerns. Author and Al-Qaeda terrorist network expert John Gray recently observed, “[T]he United States has embarked on an imperial mission [in Iraq] it has neither the means nor the will to sustain. There is nothing new in American Imperialism. Despite its anti-colonial self-image, the United States has long enjoyed the privileges of empire.”⁶ An Atlantic Monthly magazine article assessing a post-Iraq world also recently acknowledged the United States’ global empire.⁷ The article summarized the neocolonial global perspective of American foreign policy:

A world managed by the Chinese, by a Franco-German dominated European Union aligned with Russia, or by the United Nations (an organization that worships peace and consensus, and will therefore sacrifice any principle for their sakes) would be indefinitely worse than the world we have now. And so for the time being the highest morality must be the preservation—and, wherever prudent, the accretion of—American power... at this moment in time it is American power only that can serve as an organizing principle for the worldwide expansion of a liberal civil society.⁸

2. Jim Hoagland, “Three Miscreants,” *Washington Post*, April 13, 2003.

3. See *BBC Monitoring International Reports*, March 24, 2003: Text of Malaysian Premier’s Parliamentary Motion Condemning U.S. Action in Iraq.

4. Audrey Hudson, “Gephardt Splits with Daschle on Support for Iraq War,” *Washington Times*, March 24, 2003.

5. Rone Tempest and Aaron Sitner, “War with Iraq, Insiders’ Misgivings: Antiwar Movement Embraces Diplomat Who Quit Over Iraq,” *Los Angeles Times*, March 21, 2003. See also “Former United States Diplomat Accuses Washington of Colonialism over Iraq,” *Agence France-Presse*, March 8, 2003.

6. John Gray, “For Europe’s Sake, Keep Britain On,” *New Statesman*, May 19, 2003.

7. Robert D. Kaplan, “Supremacy by Stealth,” *The Atlantic*, July-August 2003, 65.

8. *Ibid.*

The article further illustrated the United States' global influence by noting that the Pentagon divides the earth into five theaters and that by the 1990s the United States Air Force had a presence on six of the world's continents. Further, before September 11, 2001, the article observed, the United States Special Forces were conducting thousands of operations a year in over 170 countries, with an average of nine "quiet professionals on each mission." Since September 11, 2001, the United States and its personnel have burrowed deep into foreign intelligence agencies, armies, and police units across the globe.⁹

As the Iraqi conflict continued, so did global skepticism of United States' intentions. For instance, on the second anniversary of the attack on New York and Washington, a *New York Times* article noted that in the two years since September 11, 2001, "the view of the United States as a victim of terrorism that deserved the world's sympathy and support has given way to a widespread vision of America as an imperial power that has defied world opinion through unjustified and unilateral use of military force."¹⁰ Yet, despite the growing international criticism and media debate concerning the Iraqi war, months after the war, opinion polls taken in the United States continued to show considerable support for the war. The international rhetoric associated with denouncing the United States was, to most Americans, an expected by-product of being a world leader and perceived liberator of the oppressed. At home, the accusation of the United States as imperialist was essentially deemed an unfounded distortion of reality. Despite some domestic and considerable worldwide criticisms, most Americans simply accepted that the United States interests were to end the Iraqi threat of weapons of mass destruction, to liberate the Iraqi people, and to democratize that country and perhaps other neighboring Islamic republics. Polls at home began to change only when United States military casualties slowly continued to rise. Yet in no small part due to the belief that he is best suited to battle the war on terror, President Bush was re-elected to a second term in November, 2004.

To most Americans, the thought of depicting the United States as imperialist was insulting and simply not credible. Indeed, at home, a public outcry against United States critics included calls for boycotting French products, and even renaming French fries to "freedom fries." For most Americans the United States is not only the leader of the free world but also the great champion of freedom and democracy. The American psyche would not accept an international assertion of United States' colonial intentions.

9. *Ibid.*, 68.

10. Richard Bernstein, "Two Years Later: World Opinion; Foreign Views of United States Darken After September 11," *New York Times*, September 11, 2003, sec. A, p. 1.

While these international accusations of United States colonial intentions may seem unfounded to most Americans, United States history illustrates that debates concerning United States expansionism have not been limited to debates at the beginning of this millennium. These debates and colonial questions concerning this country were focal political questions one hundred years ago, at the dawn of the twentieth century, and even occurred one hundred years before that, at the beginning of the nineteenth century. Irrespective of whether one rejects current accusations of Middle Eastern neocolonialism, the fact remains that this nation is an imperial power despite its renunciation of such a policy in 1776.¹¹ As historian Arnold Leibowitz observed, “[T]he United States, somewhat to its own astonishment is the world’s largest overseas territorial power.”¹² In fact, to this day as a result of the United States’ relationship with its island territories, and despite American perceptions, there are over four million United States citizens and nationals who consider themselves part of the United States yet live in an anomalous and inferior citizenship status. This book tells the story of the United States citizens and nationals who owe their allegiance to this country as a result of having been purchased or conquered during the Spanish-American War era or of having been acquired as war booty stemming from the United States’ victory over Japan in World War II.

Though the debate concerning Iraq may persist, there is little doubt concerning the United States’ colonial relationship with its island territories in the Caribbean and the Pacific. Yet somewhat surprisingly, the subjugation and alienation of these American citizens has until recently gone virtually unmentioned in American academic and political discourse.¹³ The story that will be told here is the little-known account of perhaps history’s most effective example of a concealed form of colonialism. A central question posed by this work is whether the second-class citizenship status of the inhabitants of the insular territories is not only morally corrupt, as it perpetuates xenophobic

11. Patsy T. Mink, “Micronesia Our Bungled Trust,” *Tex. Int’l L. J.* (1971): 1181; John B. Metdski, “Micronesia and Free Association: Can Federalism Save Them?” *S. Calif. West - ern Int’l L. J.* (1974): 162, 165.

12. See, e.g., Arnold Leibowitz, *Defining Status: A Comprehensive Analysis Of United States Territorial Relations* (General Counsel, U.S. Commission on the Status of Puerto Rico, Counsel, Guam and U.S. Virgin Islands Constitutional Conventions 1989), 3 (“The United States finds itself, somewhat to its own astonishment, the largest overseas territorial power in the world.”) See also Ediberto Román, “Empire Forgotten: The United States’ Colonization of Puerto Rico,” *Vill. L. Rev.* 42 (1997): 1119.

13. Cf. Román, “Empire Forgotten,” 1119; Ediberto Román, “The Alien Citizen Paradox and Other Consequences of United States Colonialism,” *Fla. St. U. L. Rev.* 26 (1998): 1.

and racist assumptions institutionalized over a century ago, but also illogical and hypocritical in that it contradicts the liberal notions of equality which have served as the basis for founding the United States and, particularly, for its laws with respect to citizenship. This work seeks to document the existence of the dual structure of the United States' legal framework—in particular, focusing on the consequences of the disparity between this country's ideals associated with citizenship and its historical treatment of its people of color. The effect of this disparity has been the creation of a duality whereby only some in the society are endowed with full citizenship rights; in contrast the less-favored, namely the people of color, have historically been granted a less-than-equal form of citizenship.

By exposing these relationships, this book seeks to promote recognition that any United States colonial debate should appreciate that the United States has a long history relating to colonialism and that this colonial history has enabled the United States to establish itself as a world power. The people who exist under United States' control but are not full members of the body politic and who are the focus of this work reside in the island groups of Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, the United States Virgin Islands, the Federated States of Micronesia, the Marshall Islands, and the Republic of Palau. These island groups examined here fall under two categories: The first are the unincorporated United States territories, and the second are the newly created sovereign, yet dependent, island groups of the South Pacific. The islands of Puerto Rico, the Northern Mariana Islands, Guam, the United States Virgin Islands, and American Samoa are so-called unincorporated territories. These island groups are dependent lands that the United States Supreme Court, in a series of decisions known as the *Inular Cases*, concluded were neither "foreign" countries nor "part of the United States." The unincorporated territories undoubtedly should be classified as those existing under a colonial regime because the United States Congress has plenary or complete power to govern the territories, including the ability to nullify local laws and enact federal legislation dictating the rights of the inhabitants of those territories; none of the territories are fully incorporated as states of the union or are sovereign nations; and although all inhabitants born on the territories are United States citizens (nationals in the case of Samoans), they do not enjoy similar rights as citizens on the mainland and have no voting representation in the federal government. These last colonial indicia ensure that the island inhabitants do not receive the same amount of aid or other government largess provided to similarly situated citizens on the mainland, nor do these people have the ability to vote for president, vice president, or any

member of Congress. The second category of islands include: The Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. In international circles, they are considered to be autonomous countries but are included herein because of their similar history of annexation and the existing issues concerning their sovereignty.

While some are currently accusing the United States of colonialism in the recent controversy concerning the Iraqi conflict, the United States has been accused of other colonial ventures, including its twentieth-century relationships with countries such as the Philippines, pre-Castro Cuba, South Vietnam, Iran, and South Korea. Unlike most of those countries, the territories of Micronesia, the Marshall Islands, and Palau were formally United States dependencies and still are largely controlled by the United States. In fact, the United States federal agency responsible for administering the United States territories, the Office of Insular Affairs, identifies the Republic of the Marshall Islands, the Federated State of Micronesia, and the Republic of Palau as under the jurisdiction of the United States. Despite the international perception of sovereignty stemming from labels such as “Republics” or “Federated State,” the Office of Insular Affairs Web site classifies these lands as territories where the United States maintains the responsibility for administering and providing assistance. In essence, the method of United States’ control over these three “sovereigns” mirrors the controlling efforts over the unincorporated United States island territories. This unique history of Palau, Micronesia, and the Marshall Islands closely resembles the stories of the unincorporated United States territories of Puerto Rico, the Northern Mariana Islands, Guam, the United States Virgin Islands, and American Samoa. It is for these reasons that the unincorporated territories and nation-states of Palau, Micronesia, and the Marshall Islands are analyzed and grouped here together.

When one juxtaposes the United States’ political and legal rhetoric concerning citizenship and self-determination with its colonial adventures, such an inquiry highlights not only the legal duality mentioned above but also the inconsistency between the dominant United States vision of itself and the reality of its actions. For instance, despite the allegedly neutral and liberating notions of justice and equality that are the hallmarks of United States citizenship, an examination of America’s nineteenth- and twentieth-century expansionism reveals that justice, freedom, and full citizenship largely apply only to a portion of American society. Central to this analysis is the recognition that citizenship is a fundamental as well as a foundational identity marker. Theoretically, such status is the state sanctioned nonsubordinate privileged status of the individual in society, one who holds preferred rights and obligations.

The citizen is the member participant in society. Consistent with both liberal theoretical construction and centuries of American jurisprudence concerning citizenship, in a liberal civilized society, all citizens are supposed to have equal rights. With such status, the possessor is theoretically supposed to bear certain rights that can be invoked. Since the earliest writings on the subject, it is recognized that the classic right of the citizen in a democracy is the ability to elect one's political leaders, also known as the right to suffrage. The inhabitants of the United States' island possessions bear no electoral rights. These people have no say in deciding the leadership of the federal government that rules them. Indeed, an examination of United States history demonstrates that for many groups who have held the status of citizen, the underpinnings of citizenship, namely equality and full membership, have been denied. Instead of a status where all citizens share in the same rights in this country, there are levels or grades of citizenship. Despite the dominant legal and political discourse, there exist in this country inferior classes of membership which resemble the ancient Greek subordinate class of metics.

This is a chronicle of the histories of millions of island people who exist under United States dominion but do not enjoy the full rights and privileges held by other citizens. They live in an anomalous status of residing in territories that are, as the United States Supreme Court described, "foreign in a domestic sense."¹⁴ The constitutional basis for the United States Supreme Court for upholding the disparate treatment of millions of individuals is the Plenary Powers Doctrine, which essentially means the doctrine of full or complete powers. The Plenary Powers Doctrine is a constitutionally endorsed instrument used to justify this country's legal dualism. The Plenary Powers Doctrine essentially forces United States courts to defer to political branches of the government (in practice, specifically Congress) when certain groups challenge governmental action. Accordingly, for those whose status is subject to the Plenary Powers Doctrine (a status not limited to those residing in the United States island territories) a court does not examine whether an alleged wrongful act of the government has violated a fundamental constitutional provision; instead the court merely questions whether there has been some rational basis for the governmental action. Throughout United States history, the Plenary Powers Doctrine and other exclusionary laws have marginalized various groups—even those residing within the states. Essentially this doctrine, as well as racist domestic naturalization laws, have provided the basis for unequal and unjust treatment of millions of United States citizens. As a result, their

14. *Downes v. Bidwell*, 182 U.S. 244 (1900).

subordinate status has led to, among other things, the denial of their participation in the democratic process (including the right to suffrage), a refusal to recognize their freedom from slavery, and their deportation and exclusion from the United States. The groups that have been treated as less-than-equal members of society include the indigenous peoples of this land, the inhabitants of United States island colonies, African-Americans, and even recently arrived nonwhite immigrant groups. The common thread running through the historical subordination of these members of society is that they are perceived, in modern day parlance, as “people of color.” The egalitarian notion of equality associated with the influence of the theory of liberalism on American citizenship has historically been abandoned when the theory has been applied to disfavored groups. Thus, this examination goes further than exposing the disenfranchised status of this country’s island people; it also establishes historical links between the centuries-long subordination of millions of non-white citizens.

This story is also necessarily an unflattering examination of this country’s stance before the international community.¹⁵ It is an account of a nation’s instrumental role in international movements calling for the emancipation of colonized peoples, while at the same time the nation establishes and maintains external colonies. In fact, a central theme of this work advocates that postcolonial discourse is a myth. There is nothing “post” in United States colonial discourse. The imperialism that began in the late eighteenth century, despite perceptions, still thrives today. This work will also illustrate the historical parallels of the country’s colonial ventures. For example, during the 1950s, in the interest of military preparedness, this country transplanted native inhabitants from its colony in the Bikini Atolls and tested nuclear weapons nearby. Decades later, this country’s military detonated plutonium-tipped thousand-pound bombs on the inhabited island of Vieques near Puerto Rico for the same purported reason. These bombings would be intolerable acts of war against foreign sovereigns and virtually unthinkable against citizens of one of the fifty states. Emphasizing the subordinated status of these island people, when addressing the bombing on Vieques, President George W. Bush suggested that some change was needed in this country’s military efforts not because the United States citizens of Vieques were being bombed but because

15. This work focuses on what Frantz Fanon reminded us was the reality that “the colonial[ist] and imperial[ist] have not paid their score... [For this reason] [w]e must take stock of the nostalgia for empire, as well as the anger and resentment it provokes in those who were ruled.” Frantz T. Fanon, *Wretched of the Earth*, trans. C. Farrington (Speech by Frantz Fanon at the Congress of Black African Writers, 1959), 64.

the people of Vieques were “our friends.” Moreover, not unlike President Bush’s recent proclamations to promote democracy in the Middle East, at the end of the nineteenth century, the post-Spanish-American War annexations of Guam, Puerto Rico, and the Philippines were justified in part to promote the virtues of democracy. In fact, a recent editorial compared President Bush’s campaign promise of “a humbler foreign policy” with Spanish-American War President McKinley’s promise of patience with Spain.¹⁶ In an era of self-determination and at the culmination of the decade dedicated to the eradication of colonialism, this country, which is purportedly the leader of the free world and the great emancipator of the oppressed, maintains a relationship with millions who live under its flag and are labeled citizens and yet do not share in the rights of other citizens. They are also not members of any autonomous state. They exist under an anomalous status of being, in effect, both aliens and citizens.

The United States has maintained the mask of empire building through the use of psychological tools used to facilitate subordination: a) citizenship, b) international status, c) economic dependency, and d) American idealism. Such tools have served to convince its citizens, the international community, and the conquered that its relationship with the conquered territorial peoples is not colonial. The nation has persuaded the conquered peoples of their membership in the United States’ body politic through the use of such labels as “statutory citizen” and “national.” Thus, the conquered are unwittingly complicit in this colonial effort. The United States has also found approval from international bodies for its fictitious grant of autonomy through the use of such thinly veiled euphemisms for colony as “commonwealth status,” “federated states,” and “free association.” These psychological or hegemonic tools foster a sense of sovereignty despite the legal realities of the relationship.

The final vehicle used to support colonialism is economic dependence on the United States. By keeping its island territories economically dependent on American public or private investment and thus by promoting a need-based desire for association, the United States, along with its use of democratic rhet-

16. Eric Scigliano, “Partying Like It’s 1899,” *The Seattle Post-Intelligencer*, April 22, 2003, sec B, p. 5:

Candidate Bush promised a “humbler” foreign policy; President McKinley, in his first message to Congress, urged “patience” with Spain, whose brutal rule in Cuba had provoked humanitarian and expansionist reactions in the United States. Bush then brushed aside Iraq’s acceptance of arms inspections and the lack of evidence those inspections turned up; McKinley glossed over Spain’s peace gestures when he asked Congress to authorize war.

oric, further fosters complicity or, as described by some, “colonialism by consent.” In such a dependency setting, the territory in which public and private investment is made, such as Guam, has its economic infrastructure so penetrated that crucial decision making power is solely exercised by the influencing power—in this case by the United States. For instance, while the Republic of Palau, the Republic of the Marshall Islands, and the Federated State of Micronesia are recognized as sovereign lands according to international law, the United States maintains the responsibility of administering and overseeing aid to these lands. This fact underscores the limited sovereignty held by them, as well as their dependence on the United States. The psychological or hegemonic creations of citizenship, international status, and economic dependency, when combined, have served a dual purpose of convincing the conquered peoples that they, in effect, exist in an alien-citizen paradox: They live in a free and autonomous foreign state, and at the same time they are full-fledged citizens or members of the United States’ body politic. These hegemonic tools have fostered an anomalous and oxymoronic existence because these peoples are neither members of the American family nor are they members of free and autonomous sovereign nations. Hence, these conquered dependent peoples, despite the status conferred upon them by the United States, continue to have their freedom and their full citizenship or membership rights denied.

This indictment of American colonialism ultimately seeks to challenge the dominant perception of the United States’ relationship with its island dependencies and attempts to follow Franz Fanon’s observation that “the colonia[ist] and imperial[ist] have not paid their score.... [For this reason] [w]e must take stock of the nostalgia for empire, as well as the anger and resentment it provokes in those who were ruled, and we must try to look carefully and integrally at the culture that nurtured the sentiment, rationale, and above all the imagination of empire.” The following pages will take on Fanon’s challenge in an attempt to deconstruct century-long colonial undertakings in order to expose the wrongs of colonialism. This effort to expose these wrongs is undertaken even though this colonial setting is so complex and so subtle that many who are affected by it actually accept it.

