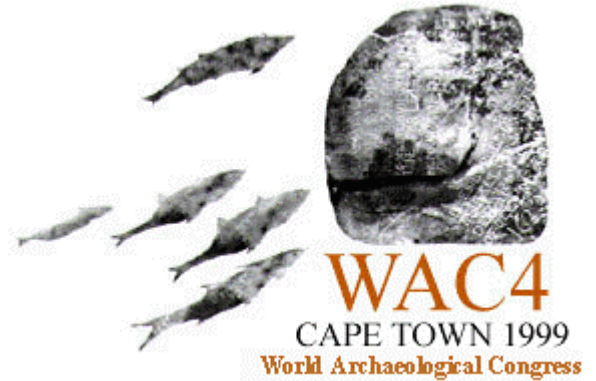


World Archaeological Congress 4

University of Cape Town

10th - 14th January 1999



Symposium: Archaeology, indigenous land rights and settler societies into the 21st century.

The non-use of archaeology in Chamorro land rights: a comparison with Aboriginal Australia

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Introduction

It is my contention that the continuing history of American colonialism receives relatively little academic and popular coverage when compared to the neo-colonial or decolonized nations related to the British, French, Portuguese, or Spanish.

Archaeology is seen to have a role in such colonial situations as maintaining or being directed by colonial bureaucracy. There has been considerable focus on relations between indigenous people and archaeologists on the US mainland (especially since NAGPRA) and to a more limited extent regarding Hawai'i. However, there are other places, US colonies outside of the 50 states, that are rarely talked about in these terms and one such place is Guam. In this paper it is my intention to highlight the history of colonialism on Guam (*Guahan*) and continue the work of indigenous Chamorro

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(*Chamoru*) activists in their efforts to bring the contemporary situation to broader public awareness. The role of archaeology in contemporary Guam is evinced in a limited comparison to better-known circumstances of its use and non-use by the indigenous people of Australia. It is my assertion that while legislation during the 1990s has partly reduced the importance Australian Aborigines placed on archaeology, the continuing colonial rule on Guam, that requires archaeological excavations under US Federal Laws, may provide unrealised opportunity for the cause of Chamorro land rights and cultural identity.

By necessity I start by introducing the broader topic of the role of archaeology in settler and colonial situations and briefly follow this with the colonial history of Guam in order to provide the context for contemporary and future issues. Following this I briefly introduce comparisons with the Aboriginal experience in Australia. I next provide a short account of Guam archaeology to establish the political potential of this resource and conclude with suggestions for the possible Chamorro use of archaeology in the 21st Century.

Archaeology and indigenous peoples

In the US some recognition and protection of indigenous American rights in regard to cultural places and items has been achieved through the *Native American Graves Protection and Repatriation Act* 1990 (NAGPRA). However, problems remain with lack of consultation to enable the identification of sacred sites that are not typically manifested in the form of recognisable archaeological sites. These sites are likely to be overlooked as ‘natural’ unless the archaeologist is working in unison with the local indigenous community (Kelley and Harris 1994:176-7). The earlier, *American Indian Religious Freedom Act* 1978 (AIRFA) should also have aided US indigenous minorities, including Native Hawaiians, to highlight the cultural significance of important sites in legislating the right to worship at them through traditional ceremonies and rites. Spriggs (1990) reports on a claim by Native Hawaiians, invoking AIRFA, to reuse a sacred site at Kaneohe Marines Corps Air Station that was turned down following the advice of an archaeologist. In Hawai‘i, as well as Australia, Aotearoa (New Zealand), and the US, archaeologists have often found themselves in a ‘liminal’ position in relation to national regulations and developers on one side and the indigenous people on the other (Spriggs 1990). This, for many archaeologists, leads to a confused position that at times turns members of the

profession against each other (e.g., see Zimmerman 1989). However, it is certainly worth restating here, as Spriggs (1991) did eight years ago, Harry Allen's earlier (1988) point that only two groups, the concerned indigenous people and the archaeologists, are interested in archaeological sites beyond their economic use and that this should form some common ground.

In returning to the issue of Native Hawaiian rights in relation to control of indigenous heritage Spriggs (1991) makes the point that where concessions to land rights and control of indigenous heritage have been made, such as in Aotearoa and Australia, the indigenous minority is far smaller than the 20% Native Hawaiians in Hawai'i. For Guam, where the Chamorros make up approximately 40% of the population, this should lead to great optimism for future political gains. However, the Maori of Aotearoa and Native Americans have the advantage of treaties made directly with their ancestors during the processes of invasion. Such treaties give the force of western-derived laws to claims of identity and nation (Strong and Van Winkle 1993). Chamorros of Guam, like the Aborigines of Australia, have had to fight for rights in their homelands through contemporary political means. For the Aborigines this led to the 1992 destruction, enshrined in the *Native Title Act* 1993, of the concept derived from British law of *terra nullius* and an eradication of many of the law-supported excuses for lack of land rights. Hawai'i was invaded by US Marines in 1893 and although moves to self-determination has only gathered pace since the 1970s, full incorporation as a US State allows for political representation and the limited protection of NAGPRA. This all leaves the Chamorro people of Guam in a rather distinct position, being without the right to vote Federally and not included in NAGPRA, movement towards land rights and cultural protection concessions are likely to take a different trajectory.

Guam and the Chamorros

The Chamorros are the indigenous people of the Mariana archipelago, a long chain of islands on an approximate north-south axis, situated in the northwest tropical Pacific (Micronesia). The island chain separates the Philippine Sea from the Pacific Ocean. The majority of the archaeological evidence derives from the larger southern islands namely Guam, Rota, Tinian and Saipan. Guam is the largest island in the region, having a total land area of 544 km²; the rest of the Marianas group have a combined land area of 478 km² (Karolle 1993: 1). This paper focuses on the Chamorro of Guam

who have a different political history to their neighbours in the north who are now within the US Commonwealth of the Northern Mariana Islands.

The Marianas, particularly Guam and Saipan, have in recent years become popular tourist destinations. In 1993 there was estimated to be more than 784,000 visitors to Guam, with 85% being from Japan (Wuerch and Ballendorf 1994: 113-4).

Accompanying this trend is an influx of investment that has led to major tourist resort developments. Under US laws which aim to protect the environment and heritage these developments have led to an unprecedented upsurge in archaeological activity and the production by contract archaeologists (for the most part American employees of US based companies) of numerous reports, most unpublished (Butler 1992; Rainbird 1995: 139).

Colonial history

The Chamorro people of Guam have the longest history of colonial encounter in the Pacific islands. The first recorded European vessels to enter the Pacific Ocean were a Spanish fleet of three ships under the command of Magellan. The ships sailed in a northwest direction from Cape Horn, the southern tip of South America, finally making landfall in Guam during March 1521. Following a dispute, or perhaps more properly a misunderstanding, Magellan reportedly ordered the burning of a number of houses and boats and the murder of seven men; this presaged a 350 year relationship between the Chamorros and the Spanish (Carano and Sanchez 1964: 41-2).

From 1600 Guam became a regular port of call for galleons crossing the Pacific from the Spanish colonies in South America to their colonies in the Philippines and starting in 1668 Spain held a colony on Guam. Their interests were purely strategic, however Catholic dogmatism required that the 'natives' be converted, leading to conflict, and a Chamorro rebellion. By the end of the seventeenth century through war and disease the population is estimated to have been reduced by 90% (Wuerch and Ballendorf 1994: 42).

In 1898 control of Guam was ceded to the USA (the northern Marianas were bought by Germany). The US, apart from the Japanese occupation during World War II, has held Guam as a non-self governing and non-incorporated territory ever since. From 1899, until the Organic Act of 1950, a US Navy governor ruled Guam.

The 1950 Organic Act, amongst other provisions, allowed for an appointed civilian governor, an elected 21-member legislature and, for the first time, granted US Citizenship for Chamorros, but not the right to vote in Federal elections.¹

In 1962 military clearance, which reflected the strategic importance of the island, was no longer required to visit Guam. This heralded the development of new tourist and commercial industries.

Political self-determination was something that the Chamorro people had felt enshrined in the original (1898) treaty between the US and Spain², and some moves towards this goal had been realised. In 1971 the first popularly elected governor of Guam was inaugurated. And in 1972 the US allowed Guam to send an, albeit non-voting, delegate to the US House of Representatives in Washington. Such small concessions, with a legislature allowed to pass Guam laws, led to a belief among Chamorro people that eventually their rights to self-determination would be realised. However, US Federal law still allowed immigration and the Chamorro started to become a minority of the population (in 1940 they were 90%, in 1991 48%: Dé Ishtar 1994), and although the best land for agricultural and tourist development is held by the US military, little concession is being made in releasing some land back to the rightful owners (Ada 1994: 4).

In 1987, a democratically approved draft Guam Commonwealth Act was developed. This act, although proposing limited, but more, self-governing status as a Commonwealth of the US, retained the right for Chamorro self-determination, and was seen by many as a stepping-stone to full independence (Teehan 1996: 9). It was presented to the US government for consideration in 1988.

After much deliberation, and having been considered by both Republican and Democratic governments of the US, in 1998 the Clinton Administration finally said a definite 'no' to the Commonwealth Act, preferring to maintain the status quo (Anon.

¹ Friedman (1997: 50) finds that in the immediate post-war period the American policy was dictated by the following assumption:

“Americans assumed a ‘hierarchy of race’ based on tone of skin colour and they assumed that their cultural values were the most enlightened, the most benign, and the most sought after by other peoples. In a classic imperial manner, Americans never questioned whether or not the indigenous populations ever desired an ‘American way of life’. It was simply assumed that to be ‘civilised’, the people of the Pacific Islands would have to, and would also want to, adopt the ways of Caucasian America.”

² This was not actually specified. As Diaz (1996: 188) states “Chamorro rights activists cite the 1898 treaty not for any explicit mention of America’s legal and moral obligation but for its acknowledgement of the sheer *existence* of an indigenous people.”

1998)³. Over the same decade continued US pressure on the UN Special Political and Decolonization Committee has started to downgrade and erode Chamorro claims for decolonization and self-determination, as Jose Ulloa Garrido (1997) points out in a presentation to the committee:

“In recalling past Resolutions, No. 1 for example, reads, ‘The colonizer shall facilitate the exercise of Self-determination by the Chamoru people.’ The 1481 Resolution however, reads ‘The colonizer take into consideration the express will of the Chamoru people.’ It’s obvious that the Resolution of the 1481st differs fundamentally from past Resolutions. ... In past Resolutions dealing with our lands, the UN have always expressed that ‘The colonizer shall expedite the transfer of lands to the people...’ No.3 of the 1481st Resolution, however, reads ‘The colonizer shall continue the orderly transfer of lands to the people...’ The term ‘orderly transfer’ has ramifications that solely benefit the colonizer. Please be aware that our colonizer, the United States of America, has yet to return one particle of land they stole.”

Guam Governor, Gutierrez, making a statement to the US Congress indicates the importance of land to the Chamorro people:

“[W]e Chamorros refer to ourselves as ‘Taotao Tano’, ‘the people of the land’. Our land is intrinsically tied to our soul, the core of our being. Our determination to regain our land is not a political battle with the Fish and Wildlife Service, it is a spiritual quest to preserve the essence of our identity as Chamorros.” (Gutierrez 1997).

Chamorro activism

In recent years a small but vociferous group of Chamorro people has emerged to challenge for their rights to be restored. Group trespasses and occupations of military land have led to arrests, but have also heightened awareness of the disquiet (Garrido 1997). Such demonstrations run counter to the US claim to the UN that they will not observe “the usual signs of discontent and/ or violent resistance....” (Teehan 1996: 8). As Teehan (1996: 8) rightly protests:

³ Governor Gutierrez (1998) does not see it as a complete rejection, saying “we received positive responses to some of our proposals.”

“I find it unconscionable that a cultural adherence to the Pacific island equivalent of civilized conduct is being misrepresented by the United States as proof positive as to the Chamorro peoples contentment under colonial structures.”

Chamorro claims are further disparaged by people asserting that the seventeenth century reduction in population led to demographic growth only through mixing with other people (see Underwood 1985 cited in Nero 1997: 449). This, they claim, has led to no remaining Chamorros, only Guamanians, with a shared heritage.

In 1948 the popular American writer Walter Karig said of the indigenous people:

“there is not a pure-bred Chamorro alive; the natives, all Roman Catholics, are a mixture of Filipino, American, Spaniard, Japanese and German blood in a human vessel that somehow manages to retain a basic resemblance with the original Indonesian mold.” (1948: 76).

Although for some, the defining feature is the language, this is also belittled as being merely a Spanish Creole, with only 25% being unique Chamorro. More recently linguists have been able to show that the Chamorro language is an early breakaway in Western Austronesian, confirming a relatively early settlement of the Marianas compared with other Pacific islands (Zobel 1997 cited in Irwin 1998: 115-6). The survival of the Chamorro language through over 300 years of colonial rule, including bans on its use until recently⁴, exhibits an indigenous resilience to maintain a distinctiveness in the face of what some would perceive as overwhelming odds (see Diaz 1994).

In an interview conducted in 1992, Angel Santos, a then activist for Chamorro Nation (*Chamoru Nasion*) and later (1994) popularly voted to the Guam Legislature, concluded:

“We have been taught that we are not Chamoru. That there are no Chamorus anymore – they’re all dead.... We know what we we’ve got to do and we’re doing it step by step. We will free our people from the bondage of colonial slavery. It is now or never. It is almost too late. We have to save what’s left.” (Santos 1993: 10; Dé Ishtar 1994: 81).

⁴ Hope Cristobal, speaking in 1986, said “I was punished when I went through [the US] school system. I was physically punished. Every time I spoke the [Chamorro] language I was given a stick across the finger nails.” (Dé Ishtar 1994: 76).

Comparing Chamorros and Aborigines

Many comparisons can be drawn with the struggles of the indigenous people of Australia: Aboriginal people have been colonised for centuries, in many areas they resisted either violently or more commonly through cultural maintenance, they suffered the decimation of murder and disease, they have strong spiritual links with the land, there has been a significant reduction in indigenous languages spoken, there have been doubts expressed about the cultural authenticity and indigenous rights of non-full blood Aborigines, and a political indigenous voice has only made an impact in the last 30 years or so.

In 1967 a referendum was held which asked Australians if Aborigines should be allowed to vote in Federal elections. The majority of Australians said 'yes' and legislation was passed which allowed Australian Aborigines to vote. This new political right empowered Aborigines as politicians could no longer ignore their voices. The next step for Aborigines was to gain land rights and in 1968 this was given a boost when Aboriginal remains at Lake Mungo were interpreted as showing human occupation of Australia for at least 40,000 years. Aboriginal activists quickly adopted this date as a tool for insisting their rights to land due to their proven long occupation of the country.

On Guam, archaeologists have found a rich corpus of material dating to pre-colonial times. Here, I ask if the archaeology of Guam has been used politically by Chamorro activists as an aid to legitimating land rights in a similar way to the Australian Aborigines? But first I need to briefly describe the archaeology.

Guam Archaeology⁵

The Marianas appear to be the earliest island group to be settled in the northwest tropical Pacific, the long curve of the archipelago providing a wide target for early navigators sailing eastwards. Recently, sites have yielded relatively secure dates around 3500 BP (Craib 1993; Butler 1994). The settlement history of the next 2500 years in the Mariana Island group is not clear, with some indications of different ceramic types emerging, until the appearance of the *latte* stone phenomenon (Moore and Hunter-Anderson in press). Graves (1986) showed that there is no evidence of

⁵ For an overview of the archaeology of the region see Rainbird 1994.

latte stones prior to 900-1000 BP, their use continuing up to and beyond encounters with the Spaniards in the sixteenth century.

Some time early in the second millennium AD, it is believed that the Chamorros, began to construct settlements consisting of groups of wooden superstructures upon pairs of quarried limestone, sandstone or basalt pillars, each supporting its own capstone. These pillars, ranging in number between three and seven pairs, are the *latte* stones that have come to symbolise the later prehistory and protohistory of this island group.

At present, there is no reason to believe that the existence of *latte* was anything other than a product of internal cultural development. The ubiquity of *latte* structures has led to a number of considerations as to how they may represent the social structure of the Chamorros in later prehistory. Earlier commentators (e.g., Thompson 1932) noted a relationship between the *latte* sets and human burial. They considered the *latte* as being monuments that demarcated a mortuary and ritual zone. More recently, excavations at *latte* settlements have shown that these sites served the whole range of typical domestic activity. *Tridacna* shell adzes are ubiquitous at coastal *latte* settlements, along with pearl shell fish hooks and gouges, slingstones of basalt or coral, pounding stones and large basalt mortars. The latter are often found placed between the last two pairs of a *latte* set and may have more than one indentation pecked into them (Graves 1986: 33). Association with domestic debris and artefacts prompted a reconsideration of *latte* and their possible role in society. At the coastal sites, a fairly consistent pattern has emerged with inhumations being placed between the paired stones and on the seaward side of the *latte* set (Hunter-Anderson and Butler 1995: 57).

Chamorros and archaeology

In a similar way to Aboriginal activists of the late 1960s and 1970s, Chamorros do use archaeologically derived dates for first human settlement on Guam, typical examples include:

“We will no longer tolerate living, as we have, bereft of natural rights that we enjoyed for thousands of years before there was a Spanish Empire ... for thousands of years before America was even a dream in Columbus’ eye.” (Ada 1989, quoted in Kiste 1994: 244-5).

“The US government required all parents to give their children the father’s name, and anyone who refused to comply would be fined. So 3000 years of living under a matrilineal system was done away with in one day...” (Santos 1993: 10).

“Traditional practices followed for over 4,000 years are still being observed, albeit less intensely.” (Teehan 1996: 9).

“The Chamorro peoples claim is deeply rooted in our 4000 year history upon our island...” (Teehan 1996: 11).

Not only is the region dominated politically by the US, but also this has inevitably led to the archaeology being dominated by US archaeologists. Some indigenous people are taking control of their own historic preservation programmes, which manage archaeological and other historic work in its territory. The US National Park Service, however, supplies policy and training to the indigenous participants, thus effectively Americanising their perceptions of the 'proper' way to deal with the past.

Some Chamorros are abhorred by the disturbance of ancestral sites by developers and archaeologists. Here are some published examples:

“They’re doing a lot of building in Tumon Bay. The area was actually a flourishing Chamorro community long before contact with Europeans and there are a lot of burial sites and a lot of artefacts all over the place. Almost everywhere you dig you find bones. Chamorro bones. These are our ancestors.

When we realised what was happening, we approached the [Japanese] construction company but they said they couldn’t possibly stop construction. So we hurriedly asked the bishop ... to say mass. A sort of reconciliation. It was our only consolation at the time because the bulldozers were moving in as fast as we were gathering people together. ...The church in Tumon was packed with our elders. And then we invited them over to the park to see the way our ancestors had been buried, layer by layer.

The next day the machines came in and turned everything up. Destroyed everything.

So there’s these Japanese people who we’ve always thought revered the dead, or regarded remains as sacred, looking at Chamorro bones as not sacred and just running them over with bulldozers.” (Hope Cristobal 1986 in Dé Ishtar 1994: 76).

“A respect for the homes of the spirits of our ancestors played an important role in preserving the environment. Chamorros believe that our ancestors’ spirits reside

among us. *Latte* sites, certain geographic locations and the *trunkon nunu* (Banyon [sic] tree) were held as sacred. We would not destroy or desecrate the resting place of our spirits. This cultural respect differs radically from the modern practice of bulldozing *latte* sites, or digging up and enshrining the remains of Chamorros in concrete crypts on the grounds of a hotel. Simply stated, Chamorros treasure their spiritual and material heritage.” (Teehan 1996: 9).

The above examples illustrate that some Chamorros are content to draw on early dates derived from archaeological investigations and use these for political purposes, but the actual practice of archaeology may be regarded as desecration. This bears close similarities with Australian Aborigines in their earlier use of dates derived from archaeology, but a more recent concern with limiting and controlling the activities of archaeologists in relation to their cultural heritage. The control has become more prominent in recent years in Australia as land rights legislation (*Native Title Act 1993*) has shifted the burden of ‘proof’ to continuity in place since white invasion and thus a role perceived as being in the domain of social anthropologists.

The future

Into the 21st Century as development proceeds on Guam (although this has slowed since the Asian economic crisis has led to a downturn in tourism), archaeology will continue to have a role as required by Federal US laws. As in Australia (for examples see Davidson et al. 1995), and by necessity, more indigenous people will become officially involved in the control and practice of archaeology. In Guam, where land rights and self-determination issues are far from any form of resolution⁶, an indigenous archaeology may also develop. This local archaeology could conceivably construct from the rich archaeological corpus a Chamorro history that is not reliant on colonial historical texts. In particular, a Chamorro evaluation of the pre-colonial period could be a great resource for Chamorro people in efforts to reconstruct aspects of culture lost. The archaeological resource can also be used to avoid the

⁶ The military has returned to the Government of Guam a tiny percentage of their holdings. This land was redistributed first through the Land for the Landless scheme and after protests that Chamorros were missing out and the land was being sold to foreigners, the land was transferred to the Chamorro Land Trust. Recently Governor Gutierrez (1988) was able to report that, “[t]o date, we have signed over 1,200 Chamorro Land Trust leases – including 244 agricultural leases and over 1,000 residential leases. In April, we also signed licences for 38 families ... that will allow them to return to their ancestral homesteads.”

essentialising notions of ancient Chamorros as simply in harmony with nature and with each other that is in itself a product of colonialist notions of the 'noble savage'.

If Chamorro self-determination is achieved, with or without resort to the archaeological resource, then an indigenous government would be in the unenviable position of trying to protect ancestral sites while maintaining economic development. Economic development would almost certainly require further construction on sensitive sites. This could potentially lead to internal confrontation between those for and against such developments.

A method of avoiding such future problems would be for Chamorro activists to now embrace the output of archaeology and use it for contemporary political and cultural purposes – to be proud of what can be interpreted from the remains in illustrating a sophisticated ancient people that lived across the island from the sea to the hills. These people had distinctive burial rites, manufactured a wide range of material culture items from local and distant resources, and constructed the *latte* stones that are common across the island in the present day.

Conclusion

In the last thirty years the Aborigines of Australia, colonised for over 210 years, have gone from a position of virtually no political voice to one that causes a great deal of political and public debate. Over that period the politics of time have been reduced from the necessity of showing a long history of occupation of Australia, to the requirement of Native Title which demands proof of a continued use of a particular area in the few hundred years since European settlement.

Similarly the Chamorro people of Guam, colonised for over 330 years, have developed a growing political voice in the last 30 years. Also, like the Aborigines, some Chamorro people have used early dates derived from archaeology to legitimate their rights to their homeland and some members in each group perceive the disturbance of archaeological sites as desecration. Both in Australia and Guam such archaeological works are required by law prior to development of a site. In Guam, where archaeology will continue for the foreseeable future, Chamorro people may at this stage be able to embrace archaeological findings and profit from the rich archaeological resource for contemporary political and cultural purposes.

Acknowledgements

Thanks to Soren Blau, Ian Lilley and Matthew Spriggs for commenting on drafts of this paper. As ever, all the faults are my own.

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