

INDIGENOUS RENAISSANCE: ENVIRONMENTAL PERSONHOOD IN THE CNMI

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ABSTRACT

The Indigenous peoples of the Commonwealth of the Northern Mariana Islands (“CNMI”) seek to resettle their ancestral home in the Northern Islands, known in Chamorro as the Gani Islands. A 1981 volcanic eruption on Pagan forced the evacuation of its Indigenous inhabitants. While many former residents, including CNMI Indigenous leader Cinta Kaipat, have since passed, others have waited nearly half a century to return. Despite legislative initiatives aimed at resettlement, progress has been ineffective. The approval of U.S. federal funding for Pagan’s airstrip rehabilitation offers encouragement but also presents a potential conflict: the desire to resettle Indigenous homelands versus the increasing threat of U.S. militarization to land rights in the region. Advances in environmental personhood within environmental law, such as New Zealand’s Te Awa Tupua (Whanganui River Claims Settlement) Act, offer a compelling comparative case study for advancing protections for Indigenous rights in the CNMI. Implementing similar legislation to establish the Gani Islands as a protected zone via environmental personhood could provide a sustainable strategy to ensure Indigenous cultural survival.

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I. THE ISSUE OF INDIGENOUS RESETTLEMENT IN THE CNMI

From the early 1970s, when the late Professor Christopher Stone asked, “*Should Trees Have Standing?*” the global movement to recognize the rights of the environment and nature has grown alongside international human and Indigenous rights law.¹ New Zealand’s 2017 Te Awa Tupua (“Whanganui River Claims Settlement”) Act² and similar legislation in India, Bolivia, and elsewhere³ provide examples of environmental personhood actions. Environmental personhood⁴ bestows the legal rights and responsibilities of a person on natural entities such as rivers and land. This type of legal action is similar to corporate personhood, in which the United States Supreme Court ruled that corporations are individuals entitled to free speech rights and other legal protections.⁵

Environmental personhood could support cultural survival by granting protected status to natural areas sacred to Indigenous peoples.⁶ Self-determination and decolonization are processes, not singular events; environmental personhood offers a potential vehicle for an Indigenous renaissance to continue rebuilding cultural identity free from over-militarization⁷ or corporate

1. See generally CHRISTOPHER D. STONE, *SHOULD TREES HAVE STANDING?* (3d. ed. 2010) (seminal work launching modern environmental rights discourse by proposing legal standing for natural objects); see also Kristen Stilt, *Rights of Nature, Rights of Animals*, 134 HARV. L. REV. F. 276, 278 (2021) (tracing the conceptual and legal evolution of rights for nature alongside animal rights frameworks); *Rights of Nature Law and Policy*, HARMONY WITH NATURE, <http://www.harmonywithnatureun.org/rightsOfNature/> [https://perma.cc/4XBN-NTVP] (last visited: June 8, 2023) (cataloging global legislative and judicial developments recognizing legal rights for natural ecosystems); Alexis Buntén, *What Do the Rights of Nature Have to do with Indigeneity?*, BIONEERS (Mar. 27, 2017), <https://bioneers.org/rights-nature-indigeneity/> [https://perma.cc/344R-VR5N] (exploring intersections between Indigenous worldviews and contemporary rights-of-nature initiatives).

2. Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 (N.Z.).

3. Rafi Youatt, *Personhood and the Rights of Nature: The New Subjects of Contemporary Earth Politics*, 11 INT’L POL. SOCIO. 39 (2017).

4. See generally Gwendolyn J. Gordon, *Environmental Personhood*, 43 COLUM. J. ENV’T L. 49 (2018) (arguing that legal systems can recognize natural entities as juridical persons capable of holding rights and being represented in legal proceedings).

5. *Citizens United v. Fed. Election Comm’n*, 558 U.S. 310, 364-66 (2010).

6. *The “Landback” Movement Would Return Stolen Land to Indigenous Stewardship*, IN THESE TIMES (July 27, 2021), <https://inthesetimes.com/article/landback-movement-indigenous-land-decolonization-liberation/> [https://perma.cc/SB3A-WFCJ].

7. *Pagan out in revised CJMT*, SAIPAN TRIB. (Apr. 1, 2022), <https://www.saipantribune.com/index.php/pagan-out-in-revised-cjmt/> [https://perma.cc/2RH5-QRBV]; Anita Hofschneider, *Military Won’t Proceed With Marianas Bombing Range But The New Plan Is Unclear*, HONOLULU CIV. BEAT (Apr. 8, 2022), <https://www.civilbeat.org/2022/04/military-wont-proceed-with-marianas-bombing-range-but-the-new-plan-is-unclear/> [https://perma.cc/BV6K-Y8FN].

exploitation.⁸ As paradoxical as it may sound, corporations are people,⁹ money is speech,¹⁰ and nature has legal personhood.¹¹ As science catches up with Indigenous wisdom in realms such as resource management¹² and mental health,¹³ the legal world now also reflects animistic perspectives by recognizing spirituality within natural entities, which can therefore be recognized as persons through environmental personhood.

As Northern Islands Municipal Council Vice Chairwoman Antonia Manibusan Tudela stated in August of 2023, “[T]he native residents have long been displaced and dislocated not by choice, but by government edict, yet these residents have not lost their sense of place and identity and their spiritual and physical connection to their ancestral lands in the Northern Islands or *Gani*.”¹⁴ Environmental personhood legislation could potentially answer the call for resettlement of the Chamorros’ ancestral lands with Indigenous oversight against exploitation.

A. CNMI Background

The Marianas archipelago, comprising the CNMI and Guahan (Guam), was home to a culturally united people for millennia, sharing the same language and customs.¹⁵ The two territories are now separated, and their peoples pushed to near cultural extinction as a result of genocidal colonization by Spain starting in 1521, which led to the deaths of approximately 90% of the Indigenous

8. Steve Limtiaco, *Activist: Pagan’s fate key to saving CNMI’s Northern Islands*, USA TODAY (Mar. 11, 2019, at 3:41 ET), <https://www.usatoday.com/story/news/local/2019/03/11/activist-pagans-fate-key-saving-cnmi-northern-islands/3127299002/> [<https://perma.cc/KV8P-W7SX>].

9. Kent Greenfield, *Corporations are People Too (And They Should Act Like it)*, HARV. L. SCH. F. CORP. GOV’T (Jan. 30, 2019), <https://corpgov.law.harvard.edu/2019/01/30/corporations-are-people-too-and-they-should-act-like-it/> [<https://perma.cc/9YA9-CJ9D>].

10. Daniel I. Weiner, *Citizens United, Explained*, BRENNAN CTR. FOR JUST. (Dec. 12, 2019), <https://www.brennancenter.org/our-work/research-reports/citizens-united-explained> [<https://perma.cc/6NKX-VGFV>].

11. Sequoia L. Butler, “I am the River, the River is Me”: How Environmental Personhood Can Protect Tribal Food Systems, 38 WIS. INT’L L.J. 79, 80 (2021).

12. Khin Htet Htet Pyone, *Indigenous knowledge in natural resource management: integrating local perspectives into conservation strategies*, YALE ENV’T REV. (Sep. 24, 2019), <https://environment-review.yale.edu/indigenous-knowledge-natural-resource-management-integrating-local-perspectives-conservation> [<https://perma.cc/XWV8-YT9M>].

13. José Carlos Bouso & Constanza Sánchez-Avilés, Traditional Healing Practices Involving Psychoactive Plants and the Global Mental Health Agenda: Opportunities, Pitfalls, and Challenges in the “Right to Science” Framework, 22 HEALTH HUM. RTS. J. 145 (2020).

14. *DPL urged to act on Northern Islands resettlement*, MARIANAS VARIETY (Aug. 25, 2023), https://www.mvariety.com/news/dpl-urged-to-act-on-northern-islands-resettlement/article_f4fb70a2-4292-11ee-eb26af7d07f6.html [<https://perma.cc/885K-Y2NF>].

15. See generally Julie Mushynsky et al., *The Foundation of Island Identity: Chamorro Maritime Practices and Resistance in the Commonwealth of the Northern Mariana Islands*, 18 ALTER NATIVE 299, 299-312 (2022) (documenting the shared Chamorro cultural heritage across the Marianas, including unified language, customs, and maritime practices predating European contact).

Chamorro inhabitants from disease and war.¹⁶ Subsequently, Spain sold the CNMI to Germany in the wake of the Spanish-American War of 1898, while the lands of Guahan were ceded to the United States of America. Japan replaced Germany in the CNMI around World War I, and then Americans replaced the Japanese during World War II. This culminated in the Covenant, a U.S. federal law integrating the CNMI into the U.S. as an unincorporated territory. The CNMI, a 14-island Micronesian U.S. territory closer to China than California, along with Guahan, provides invaluable geostrategic footing for the American “Pivot to Asia”¹⁷ strategy by acting as the militaristic “Tip of the Spear.”¹⁸

A volcanic eruption on the island of Pagan in 1981 forced an evacuation of the Indigenous peoples inhabiting the Gani Islands (CNMI islands north of Saipan).¹⁹ Several decades later, the former residents still face challenges in resettling their ancestral homelands. Impractical requirements, such as mandating that eligible voters reside in the Gani islands for at least one year before being granted land,²⁰ were only recently, and arguably unsuccessfully, addressed through legislation.²¹ Complicating Indigenous resettlement were previous American military plans to turn Pagan into a live-fire weapons testing site, a move that highlighted the vulnerability of Chamorro ancestral land rights.²² Although the U.S. military no longer plans to use Pagan for live-fire weapons testing,²³ nothing is structurally preventing the military from changing its mind *again* in the future and proceeding with weapons testing in the Gani Islands. Furthermore, recent announcements of U.S. federal funding to

16. Nicholas J. Goetzfridt, *Spanish Response to Chamoru/Chamorro Depopulation*, GUAMPEDIA, <https://www.guampedia.com/spanish-response-to-chamorro-depopulation> [https://perma.cc/DY7W-4QEX] (last visited Jan. 22, 2026).

17. Anita Hofschneider, *Can These Islands Survive America's Military Pivot to Asia?*, HONOLULU CIV. BEAT (Dec. 12, 2016), <https://www.civilbeat.org/2016/12/can-these-islands-survive-americas-military-pivot-to-asia/> [https://perma.cc/D34C-X9DN].

18. Matthew Olay, *Hegseth Brings DoD's Message to Troops on Guam*, U.S. DEP'T WAR. (Mar. 27, 2025), <https://www.defense.gov/News/News-Stories/Article/Article/4137181/hegseth-brings-dods-message-to-troops-on-guam/> [https://perma.cc/Q6KB-RPPT].

19. Steve Limtiaco, *CNMI will resettle island U.S. military wants for training*, PAC. DAILY NEWS (Mar. 10, 2019), https://www.guampdn.com/news/local/cnmi-will-resettle-island-u-s-military-wants-for-training/article_dbd05461-5073-5a75-852c-ca184b2ac812.html [https://perma.cc/5923-JLNQ].

20. Steve Limtiaco, *Here's why Pagan homestead applicants are having trouble getting permits to live on island*, PAC. DAILY NEWS (Aug. 11, 2019), https://www.guampdn.com/news/local/heres-why-pagan-homestead-applicants-are-having-trouble-getting-permits-to-live-on-island/article_7988e5e8-6443-5c3b-8d93-215262c9d725.html [https://perma.cc/7MD7-WXXW].

21. Ferdie De La Torre, *New law loosens rules to avail of agricultural homesteads on Pagan*, SAIPAN TRIB. (Feb. 10, 2021), <https://www.saipantribune.com/index.php/new-law-loosens-rules-to-avail-of-agricultural-homesteads-on-pagan/> [https://perma.cc/E76U-C34T].

22. *Defending the Northern Mariana Islands*, EARTHJUSTICE (Apr. 14, 2016), <https://earthjustice.org/cases/2016/defending-the-northern-mariana-islands> [https://perma.cc/5VDJ-P82R].

23. *Pagan Out, No High Caliber Live Fire on Tinian*, OFF. OF THE GOVERNOR, COMMONWEALTH OF N. MAR. I. (Apr. 1, 2022, at 09:00 EST), <https://governor.cnmi.gov/archived-news/pagan-out-no-high-caliber-live-fire-on-tinian/> [https://perma.cc/ZD9T-NG95].

rehabilitate the Pagan airstrip²⁴ raise the question of whether Pagan is to be used as a foundation for an Indigenous renaissance or exploited for potentially destructive resource extraction.²⁵

The Indigenous peoples of the CNMI could explore environmental personhood legislation to strengthen cultural survival and to resettle the Gani Islands in accordance with Indigenous principles. The Chamorros' Polynesian neighbors, the Indigenous Māori of colonial New Zealand, have successfully championed multiple environmental personhood acts, including the Te Awa Tupua Act,²⁶ the Te Urewera Act 2014,²⁷ and the Te Ture Whakatupua mō Te Kāhui Tupua/Taranaki Maunga Collective Redress Act.²⁸ These acts granted legal personhood to a sacred river, a former national park, and a sacred mountain, respectively—all now under the management of the Māori people. These natural entities are considered ancestral *and* living spirits²⁹ similar to the Chamorros' traditional views of the Pacific Banyan trees as the abodes of their *Taotaomo'na* ancestral spirits.³⁰ Recognizing the growing Indigenous rights movements, courageous cultural revival, and decolonization efforts in the Marianas, this article explores the potential implementation of environmental personhood in the Gani Islands, using the Māori's innovative Te Awa Tupua Act as a comparative case study.

B. Environmental Personhood as Indigenous Rights in the CNMI

“Landback” is a contemporary movement focused on returning environmental stewardship to Indigenous peoples who have experienced colonial land theft.³¹ Although the CNMI's Indigenous land rights are protected

24. *FAA to award CNMI \$110,000 for pagan airstrip*, SAIPAN TRIB. (Dec. 21, 2021), <https://www.saipantribune.com/index.php/faa-to-award-cnmi-110000-for-pagan-airstrip/> [https://perma.cc/XW42-QPET].

25. *Permit Given to Mine on CNMI's Pagan Island*, RNZ (Sep. 9, 2015, at 5:52 AM), <https://www.rnz.co.nz/news/pacific/254091/permit-given-to-mine-on-cnmi-s-pagan-island> [https://perma.cc/MF9T-9RJW].

26. Kennedy Warne, *This river in New Zealand Is a legal person. How will it use its voice?*, NAT'L GEOGRAPHIC (Apr. 22, 2019), <https://www.nationalgeographic.com/culture/article/maori-river-in-new-zealand-is-a-legal-person-article> [https://perma.cc/E549-3EWG].

27. Te Urewera Act 2014 (N.Z.).

28. Te Ture Whakatupua mo Te Kahui Tupua/Taranaki Maunga Collective Redress Act 2025, (N.Z.).

29. *A New Zealand mountain is granted personhood, recognizing it as sacred for Maori*, NPR (Jan. 31, 2025), <https://www.npr.org/2025/01/31/nx-s1-5281937/new-zealand-mountain-personhood-maori#:~:text=Mount%20Taranaki%20%E2%80%94%20now%20known%20as,sacred%20land%20are%20people%20before> [https://perma.cc/V6A6-VQRH].

30. Michael Lujan, *Taotaomo'na*, GUAMPEDIA, <https://www.guampedia.com/taotaomona-taotaomona/> [https://perma.cc/3H95-LH8C] (last visited Jan. 25, 2026).

31. *Landback*, LANDBACK, <https://landback.org/> [https://perma.cc/93GH-JQ9H] (last visited Jan. 25 2026).

by Article 12 of the CNMI Constitution,³² these protections are not immune to threats, even from within its own Indigenous community.³³ A state of extreme poverty, with over 50% of the population impoverished due to the legacies of 500 years of genocidal colonialism and acculturation, could create desperation.³⁴ These dire economic conditions might incentivize a departure from cultural protections and values based on “Indigenous lands in Indigenous hands,”³⁵ leading to potentially short-sighted financial gains from selling ancestral lands to the highest bidder. Environmental personhood could prevent such tragedies by legally safeguarding the land to ensure future Indigenous cultural survival.

The CNMI could pursue several legal avenues to ensure the cultural survival of ancestral lands. One approach involves legislation modeled after the “Universal Declaration of the Rights of Mother Earth,”³⁶ which acknowledges that nature is a living being deserving of rights and protections akin to humans. Another route is the local and federal implementation of legislation based on the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”), similar to the models adopted by British Columbia³⁷ and Canada.³⁸ Canada enacted UNDRIP-based legislation in 2021, mandating its government to align laws, regulations, and policies with the Declaration.³⁹ Local and federal UNDRIP legislative implementation is perhaps the strongest legal action for Indigenous cultural survival that incorporates environmental protection. This option was discussed by the authors in “Indigenous Rights: A Pathway to End American Second-Class Citizenship”.⁴⁰ A third option could be for the CNMI to replicate an Italian law that protects 22,000 “monumental trees.”⁴¹ This approach emphasizes community participation in recognizing and protecting

32. *Constitution*, COMMONWEALTH L. REV. COMM’N, <https://cnmilaw.org/cons.php#gsc.tab=0> [<https://perma.cc/RUK4-PF4D>] (last visited June 8, 2023).

33. K-Andrea Evarose Limol, *Millennials voice concerns about proposal to amend Article 12*, MARIANAS VARIETY, https://mvariety.com/news/millennials-voice-concerns-about-proposal-to-amend-article-12/article_3ed89598-a343-11eb-a84d-07b80da12bda.html [<https://perma.cc/ZZ8R-K2V3>] (last updated Apr. 23, 2021).

34. *Overview of the State – Northern Mariana Islands – 2020*, U.S. DEP’T HEALTH & HUM. SERV., <https://mchb.tvisdata.hrsa.gov/Narratives/Overview/ad48c169-b39e-4883-84a0-ea7e5bcf9695> [<https://perma.cc/R6MZ-CKDC>] (last visited June 8, 2023).

35. Mary Meade, *Native Land in Native Hands: Why the Land Back Movement Makes Economic Sense*, GREEN AM. (Oct. 29, 2020), <https://greenamerica.org/divided-we-fall/native-land-native-hands-why-land-back-movement-makes-economic-sense> [<https://perma.cc/C8KG-RUXV>].

36. *Universal Declaration for the Rights of Mother Earth*, GLOB. ALL. FOR RTS. NATURE (Apr. 22, 2010), <https://www.garn.org/universal-declaration/> [<https://perma.cc/MCL5-L3LC>].

37. Declaration on the Rights of Indigenous Peoples Act, S.B.C. 2019, c. 44 (Can.).

38. United Nations Declaration on the Rights of Indigenous Peoples Act, S.C. 2021, c. 14 (Can.).

39. *Id.* §§ 4-7 (Can.).

40. William J. Fife III & Beylul Solomon, *Indigenous Rights: A Pathway to End American Second-Class Citizenship*, 32 S. CAL. REV. L. & SOC. JUST. 59, 86-91 (2022).

41. Jonathan Moens, *See the beautiful, ecologically priceless trees Italy is protecting forever*, NAT’L GEOGRAPHIC (Sep. 8, 2021), <https://www.nationalgeographic.com/environment/article/see-the-beautiful-ecologically-priceless-trees-italy-is-protecting-forever> [<https://perma.cc/882J-UDFZ>].

sacred sites and beings, such as the *Tronkon Nunu* (Pacific banyan fig), a tree widely found across the islands and revered within Indigenous Chamorro epistemologies.⁴² Legal protection for culturally sacred fig trees blends *Inafa'maolek*⁴³ (Chamorro cultural philosophy emphasizing harmonious relationships with one another and nature) with scientific reasoning by ensuring eco-diversity through the survival of critical keystone species.⁴⁴

This article will focus on the emerging legal concept of environmental personhood, which acknowledges the important connection between cultural or spiritual symbolism and nature for Indigenous peoples. Historically, the sacred *Tronkon Nunu* has stood as a symbol of spiritual embodiment within the Chamorro worldview.⁴⁵ *Taotaomo'na*, the sacred Chamorro ancestral spirits, are believed to reside within the *Tronkon Nunu*.⁴⁶ While often referred to as a “Banyan tree,” the *Tronkon Nunu* is technically *Ficus prolixa*⁴⁷ (distinct from *Ficus benghalensis*, the original Banyan).⁴⁸ Sacred fig trees are worshipped in cultures around the world and could even provide a bridge between the cultural origins of the Chamorro people and the ancient Indus Valley Civilization (“IVC”)—and possibly even farther west into Africa.⁴⁹ The link between the sacred trees and the Gani Islands also involves a volcanic connection; fig trees are known to catalyze life on volcanic islands, and the Gani Islands contain

42. Tiara R. Na'puti, Archipelagic Rhetoric: Remapping the Marianas and Challenging Militarization From “A Stirring Place”, 16 COMM'C'N & CRITICAL/CULTURAL STUDS. 4, 4 (2019).

43. Lilli Perez Iyechad, *Inafa'maolek: Striving for Harmony*, GUAMPEDIA, <https://www.guampedia.com/inafamaolek> [<https://perma.cc/4FHJ-SJXG>] (last visited Feb. 2, 2026).

44. See generally Pornwiwan Pothasin, Stephen G. Compton & Prasit Wangpakattananawong, *Riparian Ficus Tree Communities: The Distribution and Abundance of Riparian Fig Trees in Northern Thailand*, 9 PLoS ONE 1 (2014) (analyzing *Ficus* trees as keystone species essential for maintaining riparian ecosystem diversity and supporting biodiversity through their ecological roles).

45. Tanya M. Champaco Mendiola, *Animism*, GUAMPEDIA, <https://www.guampedia.com/animism/> [<https://perma.cc/2V3G-4VSR>] (last visited Jan. 19, 2026).

46. Michael Lujan Bevacqua, *Taotaomo'na: Those who are evil and cruel*, GUAMPEDIA, <https://www.guampedia.com/taotaomona-taotaomona/> [<https://perma.cc/8BWD-JJPX>] (last visited Feb. 28, 2026).

47. Gerald McCormack, *Pacific Banyon (Ficus Prolixa)*, COOK ISLANDS BIODIVERSITY DATABASE (2007), <http://cookislands.bishopmuseum.org/species.asp?id=6150> [<https://perma.cc/K42J-TA2L>].

48. Pankaj Oudhia, *Bar or Bargad Ficus benghalensis L.*, PURDUE U.: NEWCROP (July 15, 2020), <https://hort.purdue.edu/newcrop/CropFactSheets/ficus.html> [<https://perma.cc/47MV-LESY>]; Julissa Rojas-Sandoval, *Ficus benghalensis (banyan)*, CABI COMPENDIUM (Apr. 30, 2015), <https://www.cabi.org/isc/datasheet/24066> [<https://perma.cc/754B-KCS6>].

49. *Fig Trees: From the Sacred to the Strangler*, PBS NATURE (July 27, 2008), <https://www.pbs.org/wnet/nature/the-queen-of-trees-fig-trees-from-the-sacred-to-the-strangler/1353/> [<https://perma.cc/K3AE-M4Z8>]; Asko Parpola, *The Sacred Fig Tree and the North Star*, HARAPPA, <https://www.harappa.com/script/parpola11.html> [<https://perma.cc/8AVM-ZTKV>] (last visited Jan. 21, 2026); MIKE SHANAHAN, GODS, WASPS AND STRANGLERS: THE SECRET HISTORY AND REDEMPITIVE FUTURE OF FIG TREES 75, 106, 112, 113, 121–135 (Chelsea Green Publishing ed., 2016).

several active volcanoes.⁵⁰ Designating at least some of the Gani Islands in the CNMI with environmental personhood could create a safe space for an Indigenous renaissance by embracing the ideals of *Inafa'maolek* (i.e., restoring harmony).⁵¹

The beginnings of an Indigenous renaissance in the Marianas of Micronesia have taken root despite 500 years of genocidal colonialism that attempted to wipe out the Chamorro culture.⁵² However, there is no guarantee that those roots will sprout. Cultural loss is perpetuated by incessant acculturation, endangered Indigenous languages, and the desecration of sacred Indigenous lands in the Marianas by the U.S. military.⁵³ As military planners prepare for a possible U.S.-China conflict by 2027,⁵⁴ this could further endanger Chamorro cultural survival.⁵⁵

Instead of increased militarization, the resettlement of the Gani Islands with environmental personhood could institutionalize the rebuilding of cultural identity in the wake of hundreds of years of genocidal colonialism.⁵⁶ Just as the Ojibwe peoples of North America advocate for “Rights of Nature” arguments

50. Ian W.B. Thornton, Stephen G. Compton & Craig N. Wilson, *The Role of Animals in the Colonization of the Krakatau Islands by Fig Trees (Ficus Species)*, 23 J. BIOGEOGRAPHY 577, 585-88 (1996).

51. Hilda Loury, *Pachamama over People and Profit: A Case for Indigenous Ecology and Environmental Personhood*, 47 AM. INDIAN L. REV. 229-59 (2023).

52. Iva Maurin, *Reviving Culture at Chamorro and Carolinian Identity Conference*, SAIPAN TRIB., <https://www.saipantribune.com/index.php/reviving-culture-at-chamorro-and-carolinian-identity-conference/> [https://perma.cc/T86B-BBR7] (last updated Sep. 25, 2019).

53. Kristin Oberiano, *Guåhan and the CHamoru People*, PROCESS: A BLOG FOR AM. HIST. (Mar. 19, 2024), <https://www.oah.org/process/oberiano-guahan-and-the-chamoru-people/> [https://perma.cc/8VN9-GRSD]; CITIZEN-CENTRIC REPORT FOR FY 2019, INDIGENOUS AFFS. OFF. (2019), <https://cnmileg.net/Resources/files/Notices/2019%20Citizen-Centric%20Report.pdf> [https://perma.cc/Y23T-82RQ]; *Guam: Violations of the Rights of the Indigenous Chamorro People*, UNREPRESENTED NATIONS & PEOPLES ORG. (Aug. 7, 2020), <https://unpo.org/guam-violations-of-the-rights-of-the-indigenous-chamorro-people/> [https://perma.cc/YNU4-EFYT]; Tressa P. Diaz, Lana Sue I. Ka'opua & Susan Nakaoka, *Island Nation, US Territory and Contested Space: Territorial Status as a Social Determinant of Indigenous Health in Guam*, 50 BRIT. J. SOC. WORK 1069, 1072 (2019).

54. See Noah Robertson, *How DC became obsessed with a potential 2027 Chinese invasion of Taiwan*, DEF. NEWS (May 7, 2024), <https://www.defensenews.com/pentagon/2024/05/07/how-dc-became-obsessed-with-a-potential-2027-chinese-invasion-of-taiwan/> [https://perma.cc/V3LU-YVQD].

55. Jacqueline Guzman, *Center Official on War Game: Guam and Taiwan 'Frighteningly Entangled'*, MARIANAS VARIETY (Jan. 24, 2023), https://www.mvariety.com/news/center-official-on-war-game-guam-and-taiwan-frighteningly-entangled/article_25342daa-9b85-11ed-8ee4-af065a8b10d2.html [https://perma.cc/P2JN-LJAP].

56. Justine Townsend et al., *Rights for Nature: How Granting a River 'Personhood' Could Help Protect It*, CONVERSATION (June 3, 2021), <https://theconversation.com/rights-for-nature-how-granting-a-river-personhood-could-help-protect-it-157117> [https://perma.cc/P6H7-3JXQ].

in law⁵⁷ and through the courts,⁵⁸ the CNMI could similarly pursue environmental personhood to resist potential environmental destruction. Cultural symbolism is a critical component within Rights of Nature and environmental personhood, whether it is the novel “Rights of Manoomin” for essential wild rice of the Ojibwe—one of the most populous Native American tribes of North America—or the Te Awa Tupua Act for a sacred river to the Māori.⁵⁹ The Rights of Manoomin is a law enacted by the White Earth Band of Ojibwe to recognize the rights of manoomin—a vital and culturally important food source for the Ojibwe Peoples’ way of life—in response to a Canadian company that intended to divert water for a pipeline. These actions by the company would substantially impact the ecosystems necessary for manoomin to grow and flourish, thereby impeding its use by the Ojibwe Peoples as a vital food source and in traditional and culturally significant ceremonies.⁶⁰

In 2025, the U.S. federal government began exploring deep-sea mining in the waters surrounding American Samoa and the Marianas, which would affect the CNMI and Guahan.⁶¹ The race to deep-sea mining for rare earth minerals is also connected to the escalating conflict with China, which dominates control over the global supply chain for these critical minerals, which power critical technology from drones to fighter jets.⁶² U.S. territories, like U.S. states, do not have control over territorial waters more than three nautical miles offshore.⁶³

57. *Chippewa Establish Rights of Manoomin on White Earth Reservation and Throughout 1855 Ceded Territory*, 1855 TREATY AUTH. (Jan. 11, 2019), <https://healingmnstories.wordpress.com/wp-content/uploads/2019/01/right-of-manoomin-media-statement.pdf> [https://perma.cc/CUM6-KUUA].

58. See Ray Levy Uyeda, *‘Rights of Nature’ laws can strengthen Indigenous sovereignty and provide a pathway to environmental justice*, PRISM (Feb. 22, 2022), <https://prismreports.org/2022/02/22/rights-of-nature-laws-can-strengthen-indigenous-sovereignty-and-provide-a-pathway-to-environmental-justice/> [https://perma.cc/8LG8-C7A6].

59. Rights of Manoomin Ordinance, White Earth Reservation Business Committee White Earth Band of Chippewa Indians, Res. No. 001-19-009 (Dec. 31, 2018); Te Awa Tupua (Whanganui River Claims Settlement) Act 2017, s 13 (N.Z.).

60. See *Rights of Manoomin (Wild Rice): White Earth Tribal Law: Recognizing the Rights of Manoomin*, CTR. FOR DEM. & ENV’T RTS. (Nov. 23, 2021), <https://www.centerforenvironmentalrights.org/rights-of-manoomin> [https://perma.cc/E7S9-4Z2Y]; *Wild Rice: A Sacred Food*, PLURALISM PROJECT, <https://pluralism.org/wild-rice-a-sacred-food> [https://perma.cc/QGF3-TB38] (last visited Feb. 8, 2026).

61. Jennifer Russo, *BOEM Advances Offshore Minerals Planning Efforts in American Samoa and the Commonwealth of the Northern Mariana Islands*, U.S. DEP’T INTERIOR: BUREAU OCEAN ENERGY MGMT. (Nov. 10, 2025), <https://www.boem.gov/newsroom/press-releases/boem-advances-offshore-minerals-planning-efforts-american-samoa> [https://perma.cc/VKA2-54AL].

62. Mureji Fatunde, *The race to produce rare earth elements*, MIT TECH. REV. (Jan. 5, 2024), https://www.technologyreview.com/2024/01/05/1084791/rare-earth-materials-clean-energy/?gad_source=1&gad_campaignid=20737314952&gbraid=0AAAAADgO_miVRm9Ls7b9ZF4DiE4prdxHJ&gclid=Cj0KCQiA4eHLBhCzARIsAJ2NZoJMhBP8BN0qLYIE7YB421iOeOgrWNLu9mXZfRMJbEH69-WcoJHx1UQaAsWXEALw_wcB [https://perma.cc/7GBL-CNX4].

63. *Federal Offshore Lands*, U.S. DEP’T INTERIOR: BUREAU OCEAN ENERGY MGMT., [https://www.boem.gov/oil-gas-energy/leasing/federal-offshorelands#:~:text=The%20Submerged%20Lands%20Act%20\(SLA,into%20the%20Gulf%20of%20Mexico](https://www.boem.gov/oil-gas-energy/leasing/federal-offshorelands#:~:text=The%20Submerged%20Lands%20Act%20(SLA,into%20the%20Gulf%20of%20Mexico) [https://perma.cc/9GGK-93ZH] (last visited Jan. 30, 2026).

Environmental and Indigenous activists in these U.S. territories have petitioned and protested deep-sea mining in their traditional sacred waters that sustain cultural survival, fearing the potential of irreversible environmental destruction.⁶⁴ Environmental personhood legislation at the territorial level would likely fail against judicial challenges from the federal government, as the CNMI has tried and failed in the past to control its own offshore waters.⁶⁵ Not only are these U.S. territories relatively powerless to stop the federal government from exploiting rare earth minerals, there is also apparently no legal requirement to share any potential financial revenues.⁶⁶ For these U.S. territories to gain any kind of seat at the decision-making table to either deny deep-sea mining activities or guarantee potential financial revenue requires federal legislation reform or a change in political status, which is beyond the scope of this paper.

II. RULES OF RESETTLEMENT AND ENVIRONMENTAL PERSONHOOD

The U.S. Constitution, inspired by Western roots of personhood from the Magna Carta, originally prioritized land-owning white men. The evolution of “personhood” has been a double-edged sword. On the one hand, corporate personhood,⁶⁷ often facilitated through “spin-offs” that allow corporations to create new entities to bypass their legal responsibilities, created ecologically destructive outcomes⁶⁸ and is considered an impediment to public health.⁶⁹ Corporations can now spend an unlimited amount of money as a form of free speech in political elections to ensure the election of candidates who support their causes, such as lower air quality standards. On the other hand, legal “personhood” concepts now include women, people of color, and natural

64. See Jayvee Vallejera, *A lawsuit waiting to happen? 60,000 say no to seabed mining in Marianas waters*, PAC. ISLAND TIMES (Jan. 14, 2026), <https://www.pacificislandtimes.com/post/a-lawsuit-waiting-to-happen-60-000-say-no-to-seabed-mining-in-marianas-waters> [https://perma.cc/7CRP-5BYZ].

65. See Stephanie Showalter, *Mariana Islands Lacks Authority Over Its Submerged Lands*, NAT'L SEA GRANT L. CTR., <https://nsglc.olemiss.edu/SandBar/SandBar2/2.3marianna.htm> [https://perma.cc/PRH6-8Y8R] (last visited Jan. 28, 2026).

66. Walter Ulloa, *CNMI lawmakers introduce resolution opposing federal deep-sea mining plan*, GUAM DAILY POST (Jan. 2, 2026), https://www.postguam.com/news/local/cnmi-lawmakers-introduce-resolution-opposing-federal-deep-sea-mining-plan/article_2be4bdc8-d659-4cca-8e15-a0b9943813ee.html [https://perma.cc/5GS8-NYLY].

67. See generally *Citizens United v. Fed. Election Comm'n*, 558 U.S. 310, 310 (2010) (extending First Amendment free speech protections to corporate political expenditures, thereby solidifying corporate personhood under U.S. constitutional law).

68. David F. Larcker, Brian Tayan & Andrew C. Baker, *Environmental Spinoffs: The Attempt to Dump Liability Through Spin and Bankruptcy*, HARV. L. SCH. F. ON CORP. GOV. (Nov. 27, 2020), <https://corpgov.law.harvard.edu/2020/11/27/environmental-spinoffs-the-attempt-to-dump-liability-through-spin-and-bankruptcy/> [https://perma.cc/YS7R-4SAL].

69. William H. Wiist, *Citizens United, Public Health, and Democracy: The Supreme Court Ruling, Its Implications, and Proposed Action*, 101 AM. J. PUB. HEALTH 1172, 1173 (2011).

entities such as rivers.⁷⁰ Accordingly, the CNMI could implement environmental personhood for the Gani Islands to ensure environmental protection of their northern islands. Since natural entities such as islands cannot represent themselves in court, they require human representatives—similar to a corporation’s board of directors—to act on their behalf, a model successfully implemented with Te Urewera.⁷¹ The Gani Islands have CNMI Constitution-based roles in the local legislature, as well as a Mayor’s Office,⁷² and both could coexist harmoniously with environmental personhood legislation. Gani-based representation in the CNMI legislature and the Mayor’s Office could continue as-is while implementing environmental personhood, which would require establishing a board of directors.⁷³ The mayor’s and legislative representatives’ positions could even hold permanent roles within the environmental personhood board of directors. Constitutional amendments are more desirable than legislation, and perhaps even necessary, but this commentary explores a potential path of least resistance into legal reality via environmental personhood legislation, given that constitutional amendments require a higher procedural bar than enacting legislation.⁷⁴ Constitutional amendments could always happen subsequent to legislative efforts, if desired.

Progress remains elusive regarding CNMI Public Law 21-44,⁷⁵ which was aimed at ameliorating the difficult homesteading requirements for Indigenous resettlement in the Northern Islands (Gani). Amending the law to allow persons who have either resided in or are direct descendants of a person born in the Gani Islands to receive land was intended to facilitate resettlement, but that has yet to materialize. News of federal funding to repair the Pagan airstrip⁷⁶ is promising, and with an Indigenous-based environmental personhood roadmap, resettlement could ensure cultural survival on these pristine volcanic islands with ancient

70. See generally Christopher D. Stone, *Should Trees Have Standing? Toward Legal Rights for Natural Objects*, 45 S. CAL. L. REV. 450, 453–57 (1972) (tracing the historical expansion of rights to new entities); see also *Edwards v. Att’y Gen. of Can.*, [1930] A.C. 124 (P.C.) (recognizing women as “persons”); U.S. CONST. amend. XIV, § 1 (granting citizenship to former slaves); Te Awa Tupua (Whanganui River Claims Settlement) Act 2017, s 14 (N.Z.) (recognizing a river as a legal person).

71. Te Urewera Act 2014, ss 11, 16 (N.Z.) (establishing Te Urewera as a legal entity and creating the Te Urewera Board to act on its behalf).

72. See N. MAR. I. CONST. art. II, § 2(a) (establishing legislative representation for the islands north of Saipan); *id.* art. VI, § 2 (mandating the election of a mayor for the Northern Islands).

73. See Te Urewera Act 2014, ss 16-70 (N.Z.) (establishing a board to act as the “human face” of the legal person).

74. See N. MAR. I. CONST. art. XVIII, § 1 (requiring a constitutional convention, legislative initiative, or popular initiative—all involving high-threshold voter approval—for amendments); compare N. MAR. I. CONST. art. II, § 5 (can pass laws by majority votes).

75. 2021 N. Mar. I. Pub. L. 21-44.

76. *FAA to Award CNMI \$110,000 for Pagan airstrip*, SAIPAN TRIB. (Dec. 12, 2021), <https://www.saipantribune.com/index.php/faa-to-award-cnmi-110000-for-pagan-airstrip/> [<https://perma.cc/KQX5-A4Q9>].

megalithic Latte stones.⁷⁷ Public Law 21-44 could be repealed and replaced with environmental personhood legislation, thereby legalizing oversight not only of resettlement but also of the perpetual “trusteeship” over the Indigenous peoples of the CNMI. This would allow the CNMI to maintain its lands in accordance with its cultural values, rather than depending on difficult homesteading requirements. Environmental personhood would also protect against the potential of future local government demographic changes that might amend Article 12—the CNMI constitutional provision that grants exclusive land rights to the Indigenous Chamorro and Refaluwasch peoples of the CNMI (peoples of “Northern Marianas Descent”).⁷⁸ Doing so would also strengthen the CNMI’s position if an eminent domain conflict erupts with the American federal government over environmentally disastrous military weapons testing on Pagan, thereby reinforcing the Covenant’s recognition of “scarcity and the special importance of land.”⁷⁹ Alternatively, environmental personhood could still be implemented on non-homestead lands if the CNMI desires to keep Public Law 21-44.

*A. Universal Centrality & The Importance of a Name in
Environmental Personhood*

The Indigenous Māori of New Zealand implemented Indigenous rights to protect their sacred spaces through environmental personhood legislation. The Te Awa Tupua Act (also known as the Whanganui River Claims Settlement) bestowed legal personhood upon the Whanganui River. “Te Awa Tupua” is a “spiritual and physical entity.” Naming the CNMI bill specifically after the sacred fig tree, universally known among its people, mirrors the power of “Te Awa Tupua” by synthesizing environmental law and Indigenous rights law. Building on international legal precedent while implementing a customized version of Indigenous and environmental rights legislation, like the Te Awa Tupua Act, could offer the CNMI a legal roadmap for cultural survival and resettlement.

The few independent inhabitants currently residing on the Gani Islands, combined with Indigenous peoples’ desire to return to their ancestral homelands, present a relatively clean slate to revive Indigenous culture. To build upon the growing international environmental personhood precedent, it is critical that the designation embeds the cultural significance of spirituality in nature, recognized by all Indigenous individuals. Fig trees are widely shared across cultures, from the Bible’s Garden of Eden in Christianity, ancient Egypt,

77. See generally Mike T. Carson, *An Overview of Latte Period Archaeology*, 42 MICRONESIA 1 (2012) (surveying the ancient Chamorro Latte stone culture on Marianas volcanic islands like Pagan).

78. N. MAR. I. CONST. art. XII, §§ 1, 4.

79. *Covenant*, COMMONWEALTH. L. REVISION COMM’N, <https://cnmilaw.org/cov.php#gsc.tab=0> [<https://perma.cc/PR39-96Y5>] (last visited June 8, 2023).

the Indus Valley Civilizations, South America, and throughout Asia and the Pacific.⁸⁰ For the CNMI, the most significant aspect of traditional Indigenous Chamorro spirituality embodied within the *Tronkon Nunu* tree would undoubtedly be “*Taotaomo’na*.” The literal meaning of *Taotaomo’na* is the “first people,” “leading people,” or “people in front,” which could also be interpreted as “Indigenous.” However, *Taotaomo’na* contextually means “ancestral spirits”—both good and bad—in the Chamorro language.

Nearly 500 years of genocidal colonialism corrupted the Indigenous Chamorros’ sacred relationship with their revered *Tronkon Nunu*. Once a symbol of ancestral spirit embodied in nature, Christian colonial masters enforced acculturation that now causes some Indigenous Chamorros to literally fear the tree as being inhabited by “evil spirits.”⁸¹ Nevertheless, these *Taotaomo’na* spirits are a very important aspect of the Indigenous Chamorro culture to this day. Just as the Māori considered the sacred river their “ancestor,” the same is true for *Taotaomo’na* and the *Tronkon Nunu* tree.⁸² In a decolonized Marianas, an Indigenous renaissance could reclaim and re-embrace the literal and figurative roots of the *Tronkon Nunu* and *Taotaomo’na* by incorporating these aspects through environmental personhood on the Gani Islands.

B. Historical Significance of Globally Sacred Fig Trees

Historically, ancient Chamorros engaged in animistic⁸³ ancestral worship,⁸⁴ believing their ancestors’ spirits lived in nature—specifically, within the *Tronkon Nunu*.⁸⁵ Although Christianity is the predominant religion in the Marianas, after centuries of forced conversion by the Vatican-backed “Doctrine of Discovery” for the Spanish empire, *Taotaomo’na* and the *Tronkon Nunu* still hold significance for Chamorros today.⁸⁶ There is reverence and respect for the tree, including a taboo against cutting them down without proper spiritual

80. See generally SHANAHAN, *supra* note 49, at 9, 20-26, 29-42, 45-51, 62, 103-04, 112-21, 125, 132, 159 (surveying fig trees’ sacred status across various global cultures).

81. Bevacqua, *supra* note 46.

82. Mendiola, *supra* note 45.

83. *Id.*

84. Raquel Bagnol, *Six feet under: Ancient burial rituals and practices in the Pacific*, PAC. ISLAND TIMES (Oct. 31, 2021), <https://www.pacificislandtimes.com/post/six-feet-under-ancient-burial-rituals-and-practices-in-the-pacific> [https://perma.cc/3AH7-3RJ8].

85. Mendiola, *supra* note 45.

86. Fife & Solomon, *supra* note 40; Richelle Ann Agpoon, “Biggest Tree in the Marianas” is on Rota, MARIANAS VARIETY (Apr. 19, 2023), https://www.mvariety.com/lifestyle/biggest-tree-in-the-marianas-is-on-rota/article_5d2c4f6e-ddeb-11ed-aaca-177a8bb10801.html [https://perma.cc/GX58-MYVS].

rituals,⁸⁷ a common denominator among cultures that revere sacred fig trees.⁸⁸ The sacredness of the fig tree across multiple cultures is an example of Indigenous knowledge: trees are essential, and fig trees are critical keystone species that need to be protected to ensure healthy biodiversity.⁸⁹

As previously stated, these fig trees are of significant importance not only to the Chamorro people but also to other Asian-Pacific countries, such as the Philippines⁹⁰ and India, where the Banyan is the national tree.⁹¹ The Buddha is reportedly said to have attained enlightenment under a *Ficus Religiosa*, a close relative of the *Tronkon Nunu* tree.⁹² Hindu deities Vishnu and Shiva are also said to reside within the fig tree.⁹³ Therefore, aligning with the spirit of the Māori's natural personhood bill and contributing to precedent and norms for international customary law, utilizing the term *Taotaomo'na* as a designation for a protected zone in the Northern Islands could be impactful.

While other names or titles could certainly be considered, it would be challenging to argue against the fact that the most important natural spirit of Chamorro Indigenous culture would be the spirit of *Taotaomo'na*, embodied in the *Tronkon Nunu*. Consequently, designating the Gani Islands of the CNMI as the “*Taotaomo'na* NMD Protected Zone” could serve as a catalyzing and legitimizing vehicle for legal environmental personhood. “NMD” is included to recognize the CNMI's other “Northern Marianas Descent” populations, which include Refaluwasch (Carolinians)⁹⁴ residents of the Gani Islands. For historical context, following natural disasters in their ancestral lands, now known as the Federated States of Micronesia, the Refaluwasch people were permitted by the Spanish to resettle the ethnically cleansed Chamorro islands of the CNMI during

87. Mendiola, *supra* note 45; Oral Communication with Luella I. Marciano, Resident Executive of CNMI Indigenous Affs. Off., (Saipan, CNMI), from author (June 12, 2025).

88. Daisy Ouya, *Fig Trees Throw Down a Lifeline to a Healthier Planet*, WORLD AGROFORESTRY (Sep. 20, 2016), <https://www.worldagroforestry.org/blog/2016/09/20/fig-trees-throw-down-a-lifeline-to-a-healthier-planet> [<https://perma.cc/KG3X-5UXA>]; H. Eden W. Cottee-Jones & Robert J. Whittaker, *Felling Ficus: The Cultural Status of Fig Trees in a Rural Assamese Community, India*, 6 ETHNOBIOLOGY LETTERS 89 (2015); Else Demeulenaere et al., *Indigenous Spirituality Surrounding Serianthes Trees in Micronesia: Traditional Practice, Conservation, and Resistance*, 68 SOCIAL COMPASS 426 (2021).

89. See SHANAHAN, *supra* note 49, at 75.

90. DENR declares century-old balete as Manila's second heritage tree, REPUBLIC PHIL. DEP'T ENV'T & NAT. RES. (June 6, 2012), <https://denr.gov.ph/news-events/denr-declares-century-old-balete-as-manilas-second-heritage-tree/> [<https://perma.cc/U5D9-UHCJ>].

91. *National Symbols of India*, EIACP PROGRAMME CTR. ON HYGIENE, SANITATION, SEWAGE TREATMENT SYSTEMS & TECH., https://web.archive.org/web/20250713023455/http://www.sulabhenviv.nic.in/KidsCentre/NationalSymbols_226.aspx [<https://perma.cc/VA8M-SSQE>] (last visited May 24, 2022).

92. *Bodhi tree*, BRITANNICA (Mar. 8, 2025), <https://www.britannica.com/plant/Bo-tree> [<https://perma.cc/955H-VSYF>].

93. *Significance of the Banyan*, TIMES INDIA, <https://timesofindia.indiatimes.com/city/nagpur/significance-of-the-banyan/articleshow/8856719.cms> [<https://perma.cc/6J85-63M4>] (last updated June 15, 2011, at 11:18 IST).

94. N. MAR. I. CONST. art. XII, § 4.

the 1800s.⁹⁵ Environmental personhood over natural territory could enable the CNMI to literally rebuild traditional cultural practices of education, resettle the islands, and integrate modern, eco-friendly adaptations (such as contemporary renewable energy sources) with culturally inspired architecture, practices, and infrastructure.

III. APPLICATION OF ENVIRONMENTAL PERSONHOOD IN THE CNMI

If the CNMI were to legislate environmental personhood⁹⁶ as a roadmap for the future of the Gani Islands, the institutionalization potential for Indigenous-based revitalization would be tremendous. New Zealand's environmental personhood legislation requires "Trustees."⁹⁷ This framework could facilitate a partnership-based leadership with a cross-section of "Board Members," reserving the "President of the Board" as a rotating designation between representatives from the Indigenous Chamorro and Refaluwasch peoples. To synchronize with the Constitutionally mandated Northern Islands Mayor's Office and CNMI legislative positions, permanent roles on the Board would align with the *Inafa'maolek* principle of "harmonizing relationships" between legal entities. A hypothetical model of nine Board members could include three elected Chamorro board members and two Refaluwasch board members, recognizing the Chamorro as the original peoples of the islands. This structure could also incorporate aspects of the traditional *Mampolitiku* system, allowing for changes in leadership.⁹⁸

Two additional board members could include a representative of the CNMI government to synchronize common objectives, and perhaps one from the private sector (e.g., the Chamber of Commerce) to coordinate any potential collaborative partnerships related to culturally managed eco-tourism and educational initiatives. Another seat could go to a U.S. federal body, if any mutually agreed-upon initiatives materialize, such as a Coast Guard base or a NASA base of operations.⁹⁹ Both of these hypotheticals align with Indigenous navigation and astronomical cultures, and they also utilize some of the world's clearest skies¹⁰⁰ for scientific or touristic stargazing. In the Federated States of Micronesia's state of Yap, there is an Indigenous governing council that has

95. See Kelly G. Marsh & Tiara R. Na'puti, *Pacific Islanders in the U.S. and their Heritage: Making Visible the Visibly Absent*, in FINDING A PATH FORWARD: ASIAN AMERICAN PACIFIC ISLANDER NATIONAL HISTORIC LANDMARKS THEME STUDY 235 (2019).

96. See Gordon, *supra* note 4.

97. Te Urewera Act 2014, s 2 (N.Z.).

98. Michael Lujan Bevacqua, *Mampolitiku: Politics*, GUAMPEDIA, <https://www.guampedia.com/mampolitiku-politics/> [<https://perma.cc/P34J-ZM2Z>] (last visited Jan. 22, 2026).

99. *US astronomy has ambitious plans – but it needs global partners*, NATURE (Nov. 23, 2021), <https://www.nature.com/articles/d41586-021-03514-2> [<https://perma.cc/Q9F4-CA23>].

100. Pam Eastlick, *Why Guam offers one of the world's best views for stargazers*, PAC. DAILY NEWS (May 14, 2021), https://www.guampdn.com/lifestyle/why-guam-offers-one-of-the-world-s-best-views-for-stargazers/article_b02554f1-e56c-5235-8fad-87220a2940e8.html [<https://perma.cc/K3N2-HHRE>].

legal power-sharing with the elected government, and any protected-zone governing structure in the CNMI could adopt a similar model.¹⁰¹ This would enshrine Indigenous rights and oversight over developments and activities within the Gani Islands of the CNMI to ensure cultural survival into the future.

The ancient Chamorro culture was based on a matrilineal society.¹⁰² While sidestepping the discussion of sex is an easier route, female leadership has cultural compatibility with matrilineal legacies. Mandating alternating sexes for leadership would also ensure equity.¹⁰³ Establishing sex-based roles on the Board that acknowledge these matrilineal cultural practices could draw support from Indigenous rights instruments such as the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”).¹⁰⁴ This approach could help resolve any potentially perceived discrimination concerns. Reconciling U.S. Constitutional law with Indigenous rights is not without its potential for controversy. However, respecting traditional matrilineal and promoting equal sex-based rights is possible. Although this article explores hypothetical futures in the CNMI based on Indigenous rights, it is ultimately up to the Indigenous peoples themselves to make these crucial decisions and determine the best course of action.

A. Environmental Personhood’s Potential Socioeconomic Impacts

Implementing environmental personhood as a governing framework for the Gani Islands could open up significant opportunities. It could create space for Indigenous-based education in collaboration with resettled families and promote tourism in an *Inafa’maolek*-inspired community. This approach could integrate eco-friendly technologies, such as wind and solar power, with culturally influenced architecture, traditional canoe building, and an emphasis on pescatarian diets. These projects could encompass fishing and farming enterprises, as well as activities that both inform educational curricula and sustain Indigenous-managed commercial or tourism-based endeavors. Furthermore, environmental personhood legislation in the CNMI could directly address the Pacific Elders Voice’s (“PEV”) call for academic solutions to the

101. Joyce McClure, *In Yap, traditional councils serve as advisors, mediators, cultural watchdogs and kingmakers*, PAC. IS. TIMES (Nov. 7, 2021), https://www.pacificislandtimes.com/post/the-fourth-branch-in-yap-traditional-councils-serve-as-advisors-mediators-cultural-watchdogs?fbclid=IwAR0MPyrtZdKxM_Mq2pinKOD76Y-f5me9ONhVc0iyaYpZxVilsakRk8r4I [https://perma.cc/6XS6-4DR5].

102. LAWRENCE J. CUNNINGHAM, *ANCIENT CHAMORRO SOCIETY* 182 (Bess Press ed., 1992).

103. Craig Santos Perez, *Wayreading Chamorro Literature From Guam* (2015) (Ph.D. dissertation, UC Berkeley).

104. G.A. Res. 61/295, Declaration on the Rights of Indigenous Peoples, U.N. Doc. A/RES/61/295 (Sep. 13, 2007).

climate crisis in the face of intensifying militarism in the region,¹⁰⁵ in addition to cultural survival.

1. Education

The CNMI government financially supports three main educational groups: the K-12 Public School System (“PSS”), Northern Marianas College (“NMC”), and the Northern Marianas Technical Institute (“NMTech”).¹⁰⁶ All three of these institutions could make ideal partners for Indigenous-based programs within the Gani Islands’ protected zone. PSS could offer summer programs and camps at facilities on Pagan, while NMC could provide semester and year-long educational programs. NMTech could be instrumental in the development and ongoing maintenance of construction and educational projects for their students in the Gani Islands. Collaborations with Indigenous revival organizations, like 500 Sails in the CNMI, could establish a Gani-based campus for culturally relevant, project-based learning in canoe building and sailing through the recently announced Cultural Maritime Training Center (“CMTC”).¹⁰⁷ These types of hands-on projects—integrating culturally relevant curricula—connect students to their ancestral past and their potential future, providing essential relevance for place-based learning. Maritime career training and eco-tourism initiatives could attract people globally, offering a unique and authentic cultural educational experience that could help finance the protected zone’s operations and the resettlement of the Gani islands. Ultimately, these activities could transform the Gani Islands into a legally protected space where endangered Indigenous cultures can sustainably thrive.

2. Health

Cultural survival is an existential issue for the Indigenous peoples of the CNMI and other Pacific Islanders. Hundreds of years of detrimental colonial impacts are evident in numerous health disparities affecting Indigenous populations.¹⁰⁸ Although the CNMI’s Indigenous population accounts for only 29%, suicide data from 2015–2019 indicate they comprised nearly 60% of

105. Mar-Vic Cagurangan, *Pacific Elders nix Indo-Pacific strategy*, PAC. IS. TIMES (Mar. 11, 2022), <https://www.pacificislandtimes.com/post/pacific-elders-nix-indo-pacific-strategy?fbclid=IwAR2seYDkXsDw9Zfw0Kls8quhRDxm-x0UZIYKCEQSpXIMrklbpxnuDhsisZ0> [https://perma.cc/UZ85-W5HL].

106. COMMONWEALTH OF THE N. MAR. I., 20226 FISCAL YEAR GOVERNOR’S BUDGET PROPOSAL, VOLUME I: GENERAL FUND (Apr. 1, 2025), <https://cnmileg.net/resources/files/FY%202026%20BUDGET/FY%202026%20-%20VOLUME%20I%20-%20GENERAL%20FUND.pdf> [https://perma.cc/Y92T-XWQC].

107. NMC, *500 Sails, NMC, IAO, CCVI to Develop Maritime Training Center*, MARIANAS VARIETY, <https://www.mvariety.com/lifestyle/500-sails-nmc-iao-ccvi-to-develop-maritime-training-center> [https://perma.cc/83L3-DHEW] (last updated Oct. 25, 2021).

108. Bram Wispelwey et al., *Because Its Power Remains Naturalized: Introducing the Settler Colonial Determinants of Health*, 11 FRONTIERS PUBLIC HEALTH 1 (2023).

completed suicides.¹⁰⁹ Studies show that strengthening cultural identity for populations decimated by genocidal colonialism helps build resilience and alleviate mental health issues.¹¹⁰ Other significant health disparities include higher rates of obesity, diabetes, and hypertension that are at least 2-3 times higher than the U.S. national average.¹¹¹ Engaging in traditional practices on the Gani islands could be a vital step forward, promoting physical activity while simultaneously strengthening their cultural identity.¹¹²

3. Incarceration

The redevelopment and resettlement of the Gani Islands could also address incarceration rate disparities among the CNMI's Indigenous peoples. Despite comprising only approximately 29% of the CNMI's combined Indigenous population, they disproportionately make up the majority of incarcerated individuals.¹¹³ Criminal justice reform, facilitated by Indigenous rights-based environmental personhood legislation, could offer incarcerated individuals reduced sentences and rehabilitation by working on the redevelopment of the Gani Islands, rather than engaging in penal labor on Saipan.¹¹⁴ Environmental personhood could enable incarcerated individuals to learn traditional methods of sustainably living off the land and ocean. Prisoners could contribute to the redevelopment of the Gani Islands not only to reduce their sentences but also to gain essential skills through an Indigenous-based curriculum, such as farming, fishing, and construction. This initiative could provide the most vulnerable and challenged Indigenous peoples access to what is seen as key to healthy outcomes: a strong cultural identity.¹¹⁵ The added benefits of learning farming and construction trades would enhance incarcerated individuals' skill sets for successful reintegration into civilian society. Reconnecting with the historic islands of their ancestors and learning to live self-sufficiently in a harmonious community would provide one of the most vulnerable populations with a solid

109. Junhan B. Todino, *Community Guidance Center shares data on suicides*, MARIANAS VARIETY, <https://mvariety.com/news/local/community-guidance-center-sharesdata-on-suicides> [https://perma.cc/L5NK-A4DW] (last updated Sep. 8, 2020).

110. Lisa Wexler, *The Importance of Identity, History, and Culture in the Wellbeing of Indigenous Youth*, 2 J. HIST. CHILDHOOD & YOUTH 267, 267-76 (2009).

111. Rica Dela Cruz & Haley Cash, *Commonwealth of the Northern Mariana Islands: Non-Communicable Diseases & Risk Factor Hybrid Surveillance*, PAC. IS. HEALTH OFFICERS ASS'N (2016), <https://microdata.pacificdata.org/index.php/catalog/280/related-materials> [https://perma.cc/23UF-RUBH].

112. Beylul Solomon & William J. Fife III, *Indigenous Rights: A Vehicle to Address Mental Health and Academic Outcomes in the CNMI*, in *LEARNING AND RECONCILIATION THROUGH INDIGENOUS EDUCATION IN OCEANIA* 17 (Perry Jason Camacho Pangelinan & Troy McVey eds., 2021).

113. FY22 CNMI RACIAL ETHNICS DISPARITIES PLAN, N. MAR. I. CRIM. JUST. PLAN. AGENCY (2022), <https://cjpa.cnmi.gov/assets/docs/ojjdp/fy22-cnmi-red-plan.pdf> [https://perma.cc/4PZT-ZZBV].

114. 57 N. MAR. I. ADMIN. CODE §§ 57-20.1-1801, 57-20.1-1805 (2021).

115. Wexler, *supra* note 110.

foundation for rebuilding their lives.

IV. CONCLUSION

Decolonization is a unique process for Indigenous peoples who have experienced varying degrees of genocide and land theft. Although the CNMI technically exercised self-determination through integration into the United States under the federal law known as the Covenant, decolonization, catalyzed by environmental personhood legislation, can continue to drive Indigenous revival. Even independent countries are *still* undergoing decolonization. Islands that were ancestral homelands are fertile grounds for an Indigenous renaissance that would honor limited lands instead of causing potentially irreversible environmental damage from weapons testing or mineral extraction.

Essential to environmental personhood is the spiritual relationship to nature, and none is greater than the sacred fig tree. This tree not only connects Chamorros to their ancient cultural roots in *time* (across millennia), but also geographically in *space* (given its sanctity throughout Asia and Africa). Capitalizing on Indigenous peoples' desire to resettle their homelands in a way that will keep their unique black sand beaches and natural beauty unspoiled, designating Pagan and perhaps other Gani Islands with environmental personhood is an option worth considering for the CNMI government. The universal centrality of *Taotaomo'na* and *the Tronkon Nunu* as the spiritual embodiment in nature is unsurpassed in Chamorro culture and presents a powerful symbol for an Indigenous renaissance in the Marianas. If the Indigenous peoples of the CNMI are interested, environmental personhood could work to protect their cultural survival, just as it has in Aotearoa (N.Z.),¹¹⁶ thereby creating a legally numinous resurrection of *Taotaomo'na*.

116. Tess McClure, *New Zealand Maori party launches petition to change country's name to Aotearoa*, GUARDIAN (Sep. 13, 2021, at 21:46 EDT), <https://www.theguardian.com/world/2021/sep/14/new-zealand-maori-party-launches-petition-to-change-countrys-name-to-aotearoa> [https://perma.cc/6FGX-T6DH].