

Paper:

# The Ongoingness of Migration: Marshallese Well-Being in the United States

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Marshallese mobility long precedes the deep disruptions of nuclear history, contemporary climate-induced migration debates, and the ongoing socio-economic, legal, and geopolitical discourses about the freely associated relationship between the Republic of the Marshall Islands (RMI) and the United States (U.S.). Nonetheless, understanding the well-being of the Marshallese people today requires an acknowledgment of the multiple factors that have drawn at least one-third of the RMI's citizens to live in the U.S. over the last half century, as well as a firm grasp of how they live, work, and advocate for their communities in this diaspora. This article makes the argument that migration with dignity will always require attention to the *ongoingness* of history, migration, and lives. Beyond this, we argue that ongoingness is more than a vague, conceptual notion we might use to describe – or even dismiss – complex histories and present-day uncertainty about addressing migration-related issues. Rather, we present a series of qualitative studies, conducted over more than five years, to indicate how the ongoingness of migration can be made tangible for studying, understanding, and potentially expanding migration – and life – with dignity. This paper discusses three aspects of ongoingness that impact the well-being of the Marshallese who live in the U.S.: their ongoing relationship with their home environment, their ongoing relationship with the law, and their ongoing relationship with notions and practices of responsibility and repair.

**Keywords:** Marshall Islands, human mobility, well-being, law, compensation

## 1. Introduction

From Hawai'i to Arkansas, and many places between, the Marshallese are making their lives in both new ways and on increasingly well-worn paths created by their fellow Compact of Free Association (COFA) citizens. Their experiences in the U.S. are reflected in the emergence

and expansion of NGOs and community groups serving and networking Marshallese communities across the country,<sup>1</sup> in the attention of numerous media outlets to topics such as the nuclear legacy and the climate futures the Marshallese face,<sup>2</sup> and in academic focus on the Marshallese people's struggles to gain access to health care,<sup>3</sup> maintain cultural practices [1–3], or transform their livelihoods [4, 5], including within this special issue of the *Journal of Disaster Research*.

This paper proceeds by presenting a conceptual framework that supports *ongoingness*,<sup>4</sup> outlining the ways that a focus on the home environment, the law, and responsibility and repair both generate and demand an engagement with broad temporal periods, ever-changing circumstances, and future-oriented concerns. We then share the methods that governed the studies we present here, which consult the Marshallese and Marshallese stakeholders across a broad range of locations to assess differing but related ways of accounting for well-being. Following this, we survey our findings on the ongoing relationship of the Marshallese with their home environment, the law, and with responsibility and repair. We conclude with reflections on how such studies can help us understand and potentially expand migration – and life – with dignity.

1. Organizations such as the COFA Community Advocacy Network (COFA-CAN), the Asian Pacific American Network of Oregon (APANO), We are Oceania (WAO), the Arkansas Coalition of Marshallese, the Marshallese Education Initiative (MEI), and numerous others.

2. See C. Davenport, "The Marshall Islands Are Disappearing," *New York Times*, 2015, C. Kormann, "The Cost of Fleeing Climate Change," *The New Yorker*, 2020, S. Rust, "Marshall Islands, Low-Lying U.S. Ally and Nuclear Testing Site, Declares a Climate Crisis," *Los Angeles Times*, 2019, and D. Zak, "A Ground Zero Forgotten," *The Washington Post*, 2015, and numerous others.

3. These references are numerous, so we instead point readers to the work has been undertaken in the last decade by P. A. McElfish in Arkansas.

4. The concept of *ongoingness* is spread lightly throughout academia but has been drawn upon in fields of study that are concerned with affect, experience, and movement across time. While our usage here is applied to the unique context of the Marshallese experience, the lead author credits scholars in the humanities and social sciences such as Donna Haraway, Christina Sharpe, and Avery Gordon for their development of and relationships with the concept. They respectively advocate for vibrant, multi-species, living-together as we consider possible futures (DH), and help us understand 'haunting' as an analytic and method, especially as this applies to Black life and ongoing justice work (CS, AG).



## 2. Conceptual Framework

A framework of *ongoingness* allows for well-being to be more adequately considered over space and time, providing context for the studies presented in this paper. This review briefly outlines the ways in which the home environment, the law, and responsibility and repair – the primary vectors of our consideration here – generate and demand an engagement with broad temporal periods, ever-changing circumstances, and future-oriented concerns (which is also our working definition of *ongoingness*).

Our original case study was conducted by the Marshall Islands Climate and Migration Project (MICMP) and centered on Marshallese perceptions of climate-induced migration and well-being. This work was guided by a conceptual framework that acknowledged “the prevailing notion that people do not migrate because of climate change as such” [6, 7] but rather on account of the ongoing, accumulating, and accelerating changes the climate may make to livelihood, food security, and well-being via impacts on ecosystem services [8, 9]. Our study found that neither participants who called the RMI or the U.S. home viewed climate impacts as their motivator for migration (for further findings see [6, 7]), but that almost two-thirds of the Marshallese respondents living in the U.S. noted that environmental factors like sea level rise and freshwater availability would affect their decision to return to the Marshall Islands *in the future*. Further, when the study’s findings were ground-truthed in Majuro with policymakers and community representatives, these groups emphasized that this study could be used as a baseline for one that not only included more islands and atolls (the MICMP studied three sites in the RMI) but would need to be conducted every 5–10 years to address changing conditions. Alongside our focus on climate change, the MICMP assessed the well-being of those who already lived in the U.S., using the indicators of education, employment, food security, health care, housing, social services, and purchasing power. This allowed for an understanding of how concerns regarding climate change at home might rank alongside other issues that were felt both at home *and* in the U.S. – relating climatic and non-climatic issues as they were experienced by Marshallese migrants.

Conceptualizing the law as ongoing helps make sense of both the plurality and multi-scalar nature of the legal notions and policies present in Marshallese lives at home and in the U.S. COFA – itself an evolving bilateral agreement rather than a singular point of culmination – defines the relationship between the RMI and the U.S., but we gain a better understanding of its impacts on Marshallese migration and well-being when it is placed in concert with local policies and practice. Government Accountability Office (GAO) reports made to Congress are useful for articulating this relationship, as, while they are concerned with the implementation of federal policy (and macro-level concerns such as how and whether certain grants and programs in the RMI will or can be ade-

quately replaced by trust funds [10]), they also regularly report on U.S.-based experiences of the freely associated states (FAS) population. Recently, this has included drawing attention to both the positive expansion of networks and support among migrants from the FAS over time, but also long-standing negative impacts and issues in the workforce, public health, and law enforcement in various U.S. states [11]. Scholarship with state and city-level focus are also instructive to the ongoingness of law, such as Mitchell-Eaton’s exploration of the Marshallese as legal subjects in Arkansas over time, where she notes that the Marshallese are seen quite differently by law and policy actors, social-service providers, and activists – yet are never quite seen as persons who have undertaken a distinct form of “imperial migration” to the U.S. [12]. Across the U.S., the ongoingness of law and its relationship with well-being has perhaps been made no more apparent than in the attempts over 25 years and 21 unsuccessful bills to reinstate Medicaid for the Marshallese (and others from the FAS) after their exclusion following the passage of the Personal Responsibility and Work Opportunity Reconciliation Act (1996). The relationship between policy and health has echoed in the local and personal lives of the Marshallese and their advocates in the U.S. for decades, including during the pandemic, when, for example, Federal Emergency Management Agency (FEMA) funds for funerals were unavailable to the Marshallese due to their particular legal status [13], despite COVID’s heightened impact in their communities in places like the Pacific Northwest and Arkansas [14, 15].

Responsibility is a complex, controversial, and lingering subject, addressed in this paper through a conversation about the meaning and reparative possibilities attached to compensation over time. The term compensation, a distinct but limited feature of COFA, is generally discussed as an economic form of recompense. Scholars in various fields such as transitional justice have queried the presuppositions that economic redress carries (such as the ability to aggregate various kinds of loss or damage under a single tabulation that is called ‘compensation’), as well as its ‘caveats,’ notably that “victims of large-scale injustices most often seek compensation as part of a larger set of goals” [16]. A wide array of scholarship also charts the ongoing impact of imperialism upon various forms of redress, ranging from reflection on historic, bilateral agreements and the subsequent transnational legal spaces that may occlude access to compensation [17] to the abilities of the RMI, specifically, to adapt to climate change and garner self-determination [18]. While it is clear that policy reform in the U.S. could have some relationship with well-being and repair (or injury, in its absence), examples such as the amendment of the REAL ID Act of 2005 in 2019 (which previously prevented long-term identification/licenses for the uniquely positioned Marshallese) or health care access evidence how slow-moving these actions have been. Finally, conversations about the ongoing need for repair extend into journalism, where it has become increasingly common for outlets to directly connect, for instance, the nuclear legacy and climate-induced

migration when reporting on Marshallese populations in the U.S. (see footnote 2), naming both as unresolved injustices that require attention.

Finally, a framework of ongoingness does work toward further developing a theory and practice of migration with dignity. Within McClain et al.'s rendering of migration with dignity [19], our research most directly engages with data on the *basic quality of life* – such as employment, housing, and food security – and *access to services* – including healthcare, education, and legal services. Our studies show that quality of life and access to services may be concerns both prior to and after migration, linking the home environment to life in diaspora, and evidencing the complexity of ongoing issues that the law or notions of responsibility and repair might attempt to address in various locations. Beyond this important duality, many of the needs and desires that compose migration with dignity flow in more complex ways. Taking healthcare as an example, we can witness the simultaneity of the need for health care as a basic aspect of one's quality of life and a question of differential access in the RMI and the U.S. We can also see its ongoing centrality to decision making affecting *freedom of movement* and the right to choose when to leave and when to return to a place (be that to/from the RMI, or within the patchwork of American state-based health care systems). Health care and access to it can further be seen as an issue of *equality* that holds up the entire American enterprise in the RMI to scrutiny, wherein we remember that the rhetoric of shared destinies and ongoing responsibility have been in circulation since the period in which the RMI was a district of the Trust Territory of the Pacific Islands. Altogether, continuing to address migration with dignity allows us to follow the ongoingness of multi-faceted migration decisions and outcomes, coloring in the grey areas between chosen and historically-coerced migration, between over-regulation and under-acknowledgement, and between large-scale, unresolved injustices and the highly networked systems of care the Marshallese have established across space and time.

### 3. Methods

In arguing that a fuller understanding of migration with dignity can be constructed with an attentiveness to the ongoingness of environmental, socio-economic, legal, and other issues in Marshallese lives, this paper draws upon research that has itself been ongoing for more than five years. This research has spanned a focus on climate-induced migration with respondents in the RMI and the U.S., Marshallese accounts of well-being in the 'destination states' of Hawai'i, Oregon, and Washington, and a review of U.S. policy landscapes and related/diverging notions of responsibility informed by diverse Marshallese stakeholders based in the RMI as well as the extensive Marshallese diaspora.

The first section of this paper (*The Ongoingness of the Home Environment: Comparative Well-Being*) is the result of the primary research of the MICMP [20], which

was undertaken in the RMI and the U.S. in 2017. We pursued an answer to the question: *to what extent are climate-related stressors and their impacts on ecosystem services driving migration both within the RMI and to the U.S.?* The results of the project's secondary and tertiary questions, which aimed to determine *the impacts of migration on migrants themselves and shared views on climate change, environment, migration, and future habitability within the study population* [21] are presented in this paper, focusing on Marshallese respondents living in Hawai'i, Oregon, and Washington (the Pacific Northwest, or PNW). These destination states were selected due to their high concentration of Marshallese residents, and support from community-based organizations that were able to facilitate introductions and translation assistance.

To assess the impacts of migration, the MICMP asked 79 Marshallese participants (Hawai'i (40), Oregon (36), and Washington (3)) a set of survey questions to compare their current state of well-being in terms of employment, education, health care, housing, and other factors, with their situation at home in the RMI, before migrating. Participants were asked to score each of these indicators of well-being from 1 (low level of well-being) to 5 (high level of well-being). Alongside these indicators, the survey posed questions about rationales for migration, migration processes and community integration, current living conditions (housing and living standard, and livelihoods), remittances, government support, and future migration intentions.

To assess which shared views exist, we used Q methodology, a process in which individual respondents rank statements based on their agreement with them. They do so by placing the statements in relation to one another and onto a pre-formed grid (Fig. 1, bottom). The 40 statements presented included a range of topical issues: factors driving migration, effective migration strategies, government response, migration behaviors (expectations of future habitability), environmental change, non-economic loss and damage, and Marshallese culture and social cohesion.

The two subsequent sections of the paper (*The Ongoingness of Law: Marshallese Lawscapes* and *The Ongoingness of Responsibility and Repair: Marshallese Compensation*) were informed by desk research and 40 semi-structured interviews conducted remotely by telephone and Zoom video call between July 2020 and August 2021. This research focused on locations with large Marshallese populations but also included additional states (such as Arkansas and California) and stakeholders, such as lawyers and legal experts, government and non-governmental employees, and environmental groups who could comment on Marshallese well-being (informants have been anonymized). These interviews inquired about practice-based experiences of professional life and intersections with policy, and conceptual questions about perspectives on the responsibility that connects the U.S. and the RMI, especially as related to compensation and future repair work. This work was undertaken by the first author as part of Ph.D. fieldwork at Clark University and

How did you perceive your previous living standard in the Marshall Islands? Please mark from 1 (Low) to 5 (High). Please describe your evaluation of each indicator.	
Indicator	Grade
Housing	1 2 3 4 5
Purchasing Power (the financial ability to buy products and services)	1 2 3 4 5
Food security	1 2 3 4 5
Safety	1 2 3 4 5
Education	1 2 3 4 5
Social services	1 2 3 4 5
Health care	1 2 3 4 5
Employment	1 2 3 4 5

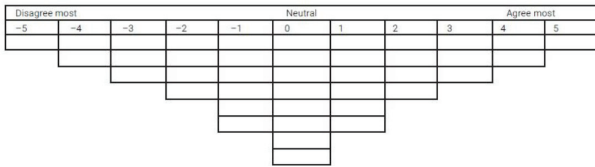
Seeking better healthcare is one of the main reasons the Marshallese move to US. Jibarek healthcare ak ajmour ej un eo elap bwe armij in Majol ren emakit non US.

Environmental change is damaging the farm crops that people in the RMI depend on for food / Okoktak in belaak ko belakir ej kojorrane kein ekkan ko kijan armej in Majol.

Healthcare in Oregon is accessible and affordable / Ebellok im emman jonan wonaan takto ilo Oregon.

There is a lack of job opportunities for the Marshallese in Oregon/ Ejabwe jikin jermal ilo Oregon nan riMajol

In the Marshall Islands, many people depend on government aid/ Elon wot ro ilo Majol rej bedbed wot ion jiban ko jen kien.



Source: MICMP.

**Fig. 1.** The graphics above represent, from top to bottom, a question about previous living standards posed as part of our survey, answered by one interviewee in Honolulu, five of the forty statements Marshallese respondents were asked to rank as part of Q method, and a depiction of the grid used by participants to rank these forty statements by agreement.

the MICMP’s focus on legal futures.

Three final items are important to mention regarding our data collection and findings. The first is that our studies are primarily qualitative – though our survey gathered quantitative socio-demographic data and Q Method analysis utilized Principal Component Analysis to arrive at the qualitative interpretation shared in this paper. The second is that these studies were intentionally comparative, designed to connect and differentiate aspects of well-being in the U.S. by location, should those patterns emerge, as well as emphasize the ongoing desire of many Marshallese, wherever they may live, to return to the RMI (or stay if they reside in the RMI). Third, because each of the sections below touch on the critical issue of health-care, it is vital to note that during the final stages of our research, Congress restored Medicaid to FAS citizens liv-

ing in the U.S. (including the Marshallese). As such, it should be noted that most of the data presented in this paper was undertaken before this significant shift.

## 4. The Ongoingness of the Home Environment: Comparative Well-Being

### 4.1. Marshallese Voices

We surveyed households across the three states, with about 64% of respondents in the PNW residing in Salem, Oregon, and 21% of respondents in Hawai‘i residing in urban Honolulu. Most respondents were born in the Marshall Islands (100% in Hawai‘i and 87% in the PNW), and of those born in the RMI, 70% primarily originated from Majuro (the capital) or Ebeye (the most populous island of Kwajalein Atoll). Many of the Marshallese in both locations had traveled extensively as children between locations in the RMI, U.S. commonwealth and associated states, Hawai‘i, and the continental U.S. A majority spoke English (75% in Hawai‘i and 62% in the PNW), and had lived in the United States for, on average, 15 (Hawai‘i) and 12 years (PNW), with those in the PNW having a higher rate of more recent migration overall. In Hawai‘i, the most common forms of employment for respondents were jobs in legal aid, and working as cleaners, airport staff, and supermarket cashiers. In the PNW, participants were often translators, community advocates, direct care providers, factory canners, and supermarket cashiers.

### 4.2. An Accounting of Comparative Well-Being

Tables 1 and 2 show how Marshallese respondents in Hawai‘i and the PNW ranked well-being indicators. Findings are sorted from the most positive to the most negative change (see last column of each table for this tabulation).

The general results of this ranking are similar for the Marshallese living in Hawai‘i and those in the PNW. Marshallese migrants reported the most positive changes to their well-being in the areas of health care, employment, social services, and education. Respondents in both destination areas also reported substantial improvements in food security compared to their situation in the RMI. Respondents were more ambivalent or negative about changes in safety, housing, and purchasing power, though negative changes are less present overall across sites.

Respondents’ perceptions of improved access to quality health care – and food security (to a lesser degree) – are critical to understanding migration rationales and resulting well-being. The Marshallese expressed clear concerns about the state of extreme health issues in the RMI, considering nuclear testing, radiation, and poor hospitals and care. They also described a triad of issues that contribute to food insecurity in the RMI: a weakening of agricultural practices, a reliance on food imports, and a resultant increase in the prevalence of obesity and diabetes among islanders. Despite improvements upon migrating, there also appears to be room for improvement, as 42.5% of the Marshallese in Hawai‘i and 52.5% of those in the

**Table 1.** Changes in well-being scores (Hawai'i).

	Well-being score in RMI (home)	Well-being score in Hawai'i (destination area)	Change
Health care	1.9	4.1	+2.2
Social services	1.8	3.7	+1.9
Employment	2.3	3.9	+1.6
Education	3.1	4.4	+1.4
Food security	3.2	4.2	+1.0
Safety	4.0	4.1	+0.1
Purchasing power	3.3	3.2	-0.2
Housing	4.3	3.4	-1.0

**Table 2.** Changes in well-being scores (Pacific Northwest).

	Well-being score in RMI (home)	Well-being score in the Pacific Northwest (destination area)	Change
Employment	2.1	4.3	+2.2
Health care	2.2	4.1	+2.0
Social services	1.9	3.6	+1.7
Education	3.1	4.6	+1.5
Food security	2.8	4.2	+1.3
Purchasing power	3.0	3.6	+0.6
Housing	3.8	3.7	-0.2
Safety	4.4	3.8	-0.6

Source: Table designs by Ryookyung Kim, Content by MICMP.

PNW reported utilizing government support, including food stamps.

The Marshalllese perceive that their overall economic situation has improved (77.5% in Hawai'i and 53.85% in the PNW), and unemployment for participants in the PNW was only 2.56% (12.5 in Hawai'i). At the same time, roughly a third of PNW Marshalllese noted that they faced barriers to finding employment, and 64% had had issues within their workplaces. These collective problems included language barriers, non-applicable work experience, issues with creating resumes, the lack of a commercial driving license, low pay, and disrespect or discrimination. Further, the median household income for both Hawai'i and the PNW was reported by respondents to be between only \$25,000–\$35,000, with more disparity in Hawai'i (22.5% of households earning less than \$15,000).

These findings on economic well-being also provide context for understanding statistics on housing, beyond the single indicator in **Tables 1** and **2**. In the PNW, for instance, 33% reported an improvement in housing, but 26% stated it was worse, and 41% noted no major change. Those living in Hawai'i perceived a stronger improvement (47.5% said it was better). Further, the great majority of the Marshalllese live in rented properties (72.5 of respondents in Hawai'i and 84.62 in PNW), with an average of more than six persons per household.

### 4.3. Q Method Findings: Shared Thinking Among the Marshalllese

In addition to the well-being indicators noted above, the Marshalllese considered and ranked the importance of top-

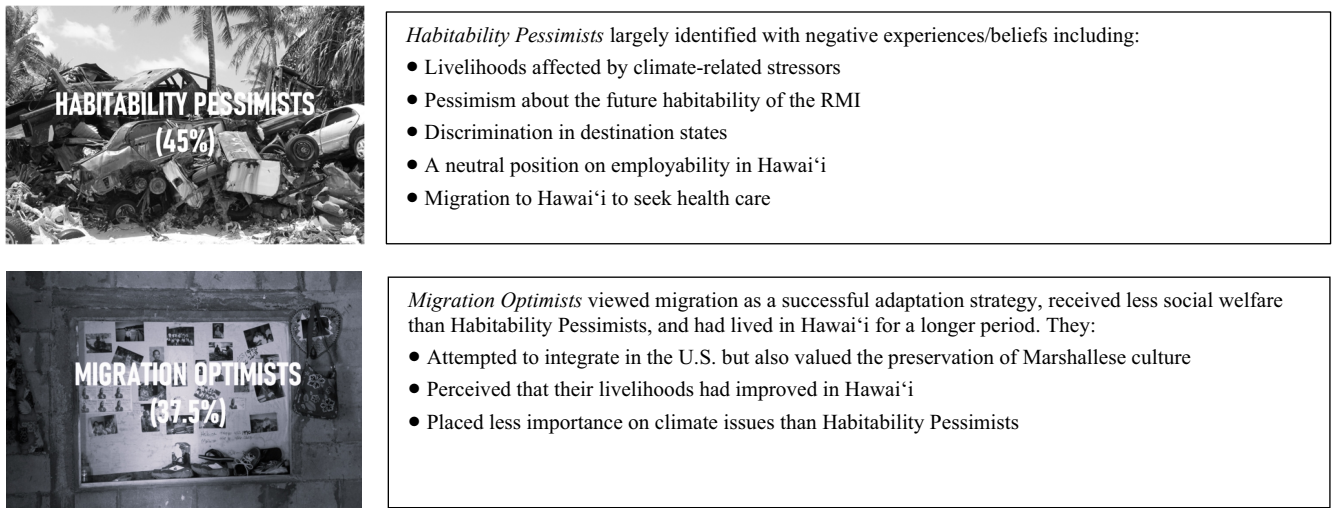
ics in our Q sort<sup>5</sup> – ranging from environmental concerns to rationales for migration, to strategies for governance. The following data and analysis indicate groups of shared thinking that speak to patterns of agreement and related experience across locations.

In Hawai'i, most participants could be grouped into Habitability Pessimists (45%) or Migration Optimists (37.5%), whose characteristics are summarized in **Fig. 2**. In the PNW, most could be represented by the groupings of Health Care Migrants (30.8%), Community Supporters (28.2%), or Climate-Concerned Migrants (25.6%), summarized in **Fig. 3**. Each of these groups were created by utilizing Principal Component Analysis and Varimax rotation to find correlations between respondents in terms of how they collectively ranked their relative agreement with the 40 statements on the grid. This was followed by a qualitative assessment of how clearly the groups differed from each other, how well different views in the total group of participants were represented, and how many respondents fit within each group.

#### 4.3.1. Marshalllese Living in Hawai'i

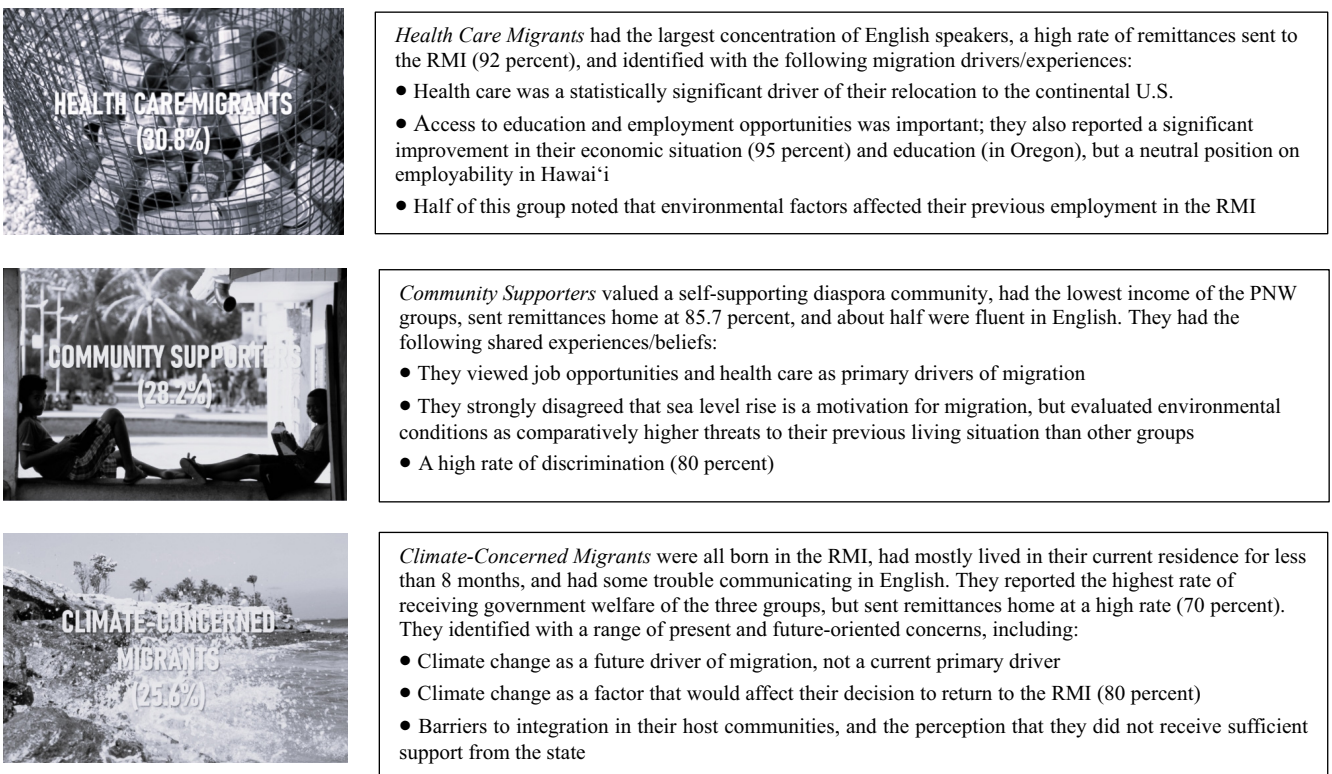
One of the largest points of distinction between these two groups living in Hawai'i was their reaction to the statement, “Marshalllese people are scattered, and the survival of our unique culture, lifestyle, and even our language may be lost forever.” Habitability Pessimists strongly agreed with this, whereas Migration Optimists

5. A recent Pacific case study by Robert Oakes [22] was the first to adopt Q methodology to climate migration research. Oakes further explains the methodology and its value for understanding popular perceptions of climate change and human mobility.



Source: MICMP, Images: Kees van der Geest.

**Fig. 2.** Characteristics of Habitability Pessimists and Migration Optimists in Hawai‘i.



Source: MICMP, Images: Kees van der Geest.

**Fig. 3.** Characteristics of Health Care Migrants, Community Supporters, and Climate-Concerned Migrants in the Pacific Northwest.

ranked it, on average, -3 (-5 signals the most disagreement). Migration Optimists were more confident about cultural preservation, responding positively (3) to the statement, “Participation in Marshallese activities in Hawai‘i helps me feel connected to home,” whereas Habitability Pessimists ranked this statement neutrally (0). There was also a great deal of disagreement concerning healthcare in the state, with Migration Optimists agreeing relatively strongly with the statement, “Health care

in Hawai‘i is accessible and affordable,” but Habitability Pessimists disagreeing relatively strongly.

There are several other statements with which the two groups agreed more. For instance, the statement, “It is difficult to integrate into the ‘U.S. way of life’ due to language barriers” ranked 1 (Habitability Pessimists) and 0 (Migration Optimists), suggesting a similar experience with integration, and also that other concerns may be a more important focus (whether through agreement or dis-

agreement). Both groups also saw the statement, “One of our biggest problems in the Marshall Islands is the lack of facilities, such as good schools, clinics, and reliable electricity” similarly, agreeing fairly strongly with only 1 point of distinction. Both groups also had substantive agreement with the statement, “In the future, more and more Marshallese will be displaced by environmental factors and forced to flee their home atolls.”

#### 4.3.2. Marshallese Living in the Pacific Northwest

Overall, the Marshallese living in the PNW most agreed with the statement, “Seeking better health care is one of the main reasons the Marshallese move to the U.S.,” followed by “In the future, more and more Marshallese will be displaced by environmental factors and forced to flee their home atolls.” Like the Marshallese in Hawai‘i, they mostly do not see migration as an option open only to the wealthy. They disagreed most with the statement, “There is a lack of job opportunities for the Marshallese in Oregon,” closely followed by disagreement with “Our reefs are healthy, so there is no reason to worry about climate change,” and “Climate change is God’s punishment for our sins.”

Other statements, such as, “Marshallese fishermen will suffer in the future because there will be almost no fish in the sea” garnered the most divergence, with Health Care Migrants strongly agreeing (4), Climate-Concerned Migrants expressing neutrality (0), and Community Supporters strongly disagreeing (−4). Still others, like the statement, “The Marshallese government does all it can to improve the living conditions in the country,” indicate that both Health Care Migrants (−4) and Climate-Concerned Migrants (−4) sharply disagreed with this statement, but that Community Supporters (1) showed slight agreement.

### 5. The Ongoingness of Law: Marshallese Lawscapes

In the last century, an evolving set of policies, often made by outsiders, have frequently governed Marshallese movement and affected their ongoing – and multi-sited – well-being. The initial, deep disruptions of nuclear testing (1946–1958), the debates around territorial sovereignty, governance, and development that followed (1958–1986), and the ensuing relationship outlined in the bilateral Compact of Free Association joining the Marshall Islands and the U.S. (1986 to the present, currently being renegotiated) have all impacted the legal landscapes of Marshallese lives at home and abroad.

As the MICMP completed its case study on climate-induced migration and well-being – which addressed legal implications only lightly, through noting that respondents had discussed issues such as housing discrimination, difficulty preparing forms, and language issues for accessing various services – the project turned to assessing the legal futures of the Marshallese. This involved an assessment of the future of COFA [23], a review of climate finance

options for the RMI [24], and a review of various policies found in the U.S., supplemented by interviews with Marshallese stakeholders [25]. All three address the ongoing nature of shifting policies affecting and being affected by Marshallese lives.

It is not an understatement to say that the Marshallese have been (mis)identified as virtually every migratory category the law articulates, complicating their lives as both legal subjects and legal agents. Where they are ‘seen’ is revealing. For instance, within U.S. state codes, the Marshallese are often addressed within a state’s health or immigration provisions. These legal definitions of the Marshallese as entities within the U.S. often do the work of both identifying and obscuring their status. Washington, a state in which a relatively large number of Marshallese live, lists the Marshallese among their “Socially disadvantaged individual” definition in 49 C.F.R. Sec. 26.5, among many other groups, and again in Admin. Code § 388-424-0001, where they are located among “nonqualified aliens.” This includes a diverse array of persons, including persons granted temporary protected status, students, and tourists, though it also differentiates COFA status. Pennsylvania code 52 Pa. Code § 69.802, on the other hand, identifies the Marshallese within only “Asian-Pacific-Americans,” among more than 15 other groups, one of which (Palau) is labelled as still being a part of the Trust Territories (a status that ended decades ago). While these single entries cannot themselves fully speak to legal treatment or identity throughout the state, they are indicators of how differently the Marshallese can be understood legally from place to place.

These realities can place the Marshallese in difficult and frustrating legal positions regularly. For instance, two interviewees in different parts of the U.S. (Arkansas and Hawai‘i), referred to the complications that arose during the COVID-19 pandemic when the Marshallese attempted to sign up for unemployment benefits. In Arkansas, an interviewee noted that consulate pages and Marshallese social media were flooded with persons asking, “What do we put on the Alien Number [line] when we don’t have one?” [26]. A respondent in Hawai‘i recalled a lengthy process that attempted to rectify an online unemployment form whose menu did not include an option applicable to Marshallese status, as well as some of the poor advice the Marshallese had received in other jurisdictions for making their way through the form – such as selecting ‘citizen’ simply to advance the page. The interviewee exclaimed, “This is Hawai‘i – how could you not have the right category?” [27]. The ongoingness of Marshallese misidentification and lack of clear legal ‘place,’ despite their long presence in the country, brings commentary within another interviewee from California into relief. In considering the role of Pacific Islanders more broadly, they noted that the “trajectory of Pacific Islanders in this country is far more parallel and comparable to that of the indigenous community: our health disparities, our economic injustices, our access to education...” [28].

The Marshallese and their advocates know they are up against a lack of knowledge of their relatively small com-

munities in the U.S. As the interviewee from California [28] further noted, “we’re [Pacific Islanders] never really gonna win a data game. And so a lot of our work . . . happens in coalition.” This is the case for both the Marshallese working together, and the Marshallese working with other islanders to accomplish shared goals and overcome mutual hurdles in the U.S. To the former (Marshallese-focused coalitions), a respondent based in Oregon and Hawai‘i noted her commitment to and investment in networked legislative engagement across the mainland, considering it strategic for policy change, noting that “. . . we can do all this great work in Oregon. But what about all the rest of our people across the U.S.? That’s great that Arkansas has ACOM [the Arkansas Coalition of Marshallese], MEI [the Marshallese Education Initiative] and the consulate, but what about the guys just right over in Oklahoma and Missouri. . . ?” [29]. To the latter (broader coalition), during a meeting of the COFA community, gathered online in summer 2021 to address how to better implement access to Medicaid following the change in law, a Marshallese individual who was later interviewed [30] for this research made pains to note that while she saw the Marshallese well represented in these conversations, she also wanted to support other COFA communities to ensure that the Marshallese perspective did not dominate. As the Marshallese community expands, networking does as well, and though there are areas in which more active legal work is done than others (Oregon, historically), the Marshallese are increasingly building chapters of organizations to support the increasing diaspora, inform each other of their legal rights, and advocate for more fulsome representation wherever they live.

## 6. The Ongoingness of Responsibility and Repair: Marshallese Compensation

Responsibility is a complex, controversial, and lingering subject. The history of responsibility ‘for’ the RMI by various foreign powers, the limited nature of compensation made to the Marshallese through COFA, and broader notions about the possibilities of repair that link the RMI, the Marshallese, and the U.S. are no exception. More than 70 years after the end of nuclear testing, access to voluminous Marshallese testimony, U.S. government documentation, scientific analysis, and investigative journalism have made knowledge of the profound material and spiritual disruption in the RMI and among the Marshallese incontrovertible, even uncontroversial. A basic knowledge or acceptance of disruptive events, however, does not coalesce into agreement about the nature or success of remedial actions taken by the United States in the past, or what ongoing support for the Marshallese now living in the U.S. should look like today or in the future.

Here, we briefly discuss the views of stakeholders concerning the role of COFA in relation to its provisions of compensation and migration, then survey various accounts of the sectors through which interviewees sug-

gested further repair might occur (for further findings of this research, see [31]).

COFA has been interpreted in many ways since its implementation in 1986 but is still arguably the legal and moral springboard from which many conversations about responsibility arise. This is largely in light of the policy laid out in Section 177 of COFA, a spatially (four atolls) and economically limited acknowledgement of responsibility for “loss or damage to property and person” [32] as a result of nuclear testing, which has been critiqued widely and publicly by many academic, governmental, and journalistic outlets – as well as the Marshallese – as insufficient for supporting long-term Marshallese well-being [33–35]. Despite this, COFA, now under renegotiation for 2023, is often referred to in a more broadly reparative light, a point which deserves continued attention as we consider the possible shape and form of responsibility in the present and future. For instance, an exhibit installed in the Field Museum of Natural History in Chicago in June 2021 – “Home Is Where the Jaki<sup>6</sup> Is,” co-curated with a Marshallese school group from Enid, Oklahoma, and inclusive of Marshallese objects collected in both the nuclear era and on more recent, collaborative visits – includes a text panel that asks, “Why are there Marshallese communities in the U.S.?” The answer offered is, in part, “when the Marshall Islands received reparations in 1986, Marshallese people were granted the right to live and work in the United States.”

This right has had an enormous impact on interpreting whether the Marshallese have received some form of recompense (and continues to, in the consideration of migration as adaptation to climate change). Most interviewees did not see COFA as substantially reparative, and sometimes said so outright, but most instead spoke to its inadequacy, though the reasons for the perceived inadequacy differed. Several interviewees expressed a dislike of thinking of COFA as compensatory with regard to its migration provision in particular because of the way that right is actually experienced. As a teacher of Marshallese students in Washington noted, “I can see the argument for how that can be some compensation but I just don’t see it as such at all . . . when I see how hard it is for them [Marshallese students] to even access free and reduced lunch at the school level. . .” [36]. Another interviewee, a former government official, went as far as to hypothetically question whether it was fair to make a provision for the Marshallese to come to the U.S. at all, if they were not going to be adequately supported as they need to be [37].

Many interviewees would note that there *were* or *could be* compensatory elements to COFA in the process of describing the ways in which it was also not compensatory. A respondent in Hawai‘i shared their frustration that COFA itself – setting aside Section 177 – is often presented to the world as a sort of aid package, when it is actually wholly about strategic access to the RMI, and the terms and “payment” by which the U.S.

6. A jaki is a traditional Marshallese woven skirt or mat, as explained here within the Field Museum’s exhibit website: <https://www.fieldmuseum.org/blog/home-where-jaki>



gains that access. COFA is not compensation for nuclear testing, she said, and “I’m always trying to discourage that [kind of explanation]” [38]. An interviewee in Arkansas drew a connection between what they see as a clear lack of compensation – aside from that which was provided to the four atolls – and what might be done by the *Marshallese* government. Any government, including the RMI, she said, has an obligation to provide public education, safety, and health, “and in order to provide that they need to . . . stand their ground when it comes to renegotiating the Compact . . . and the last one wasn’t that great” [39]. Another respondent contemplated conversations they had heard about the distribution of compensation funds to some Marshallese and how it had negatively affected relationships, connecting it to her own personal decision making. She stated that one of the reasons she chose her current educational path was because “I don’t want to rely on that money” [40].

Interviewees raised a number of sectors in which repair could be advanced. These included health assistance, education, environmental redress, and others, and their ideas often connected historical instances and present or future circumstances. For example, when asked if compensation is something that might be offered for *future* or *forthcoming* events like climate change in the RMI, a journalist familiar with the Marshallese thought that it was, but noted that the U.S. legislature would likely claim that it was too early to prove, then compared this lack of reparative action to the years of denying health care to the Marshallese [41]. Another critical point of connection was knowledge-building and the nuclear legacy. Numerous Marshallese interviewees said that they did not learn much about nuclear history in the RMI, often learning more once they left the island – though one Marshallese interviewee invoked former president Hilda Heine and her administration’s rollout of a curriculum that emphasized nuclear literacy [42] – and now see some form of education and acknowledgement as part of future repair. These might be as different as creating an intergenerational space in which the Marshallese outside of the four “compensated” atolls could say, to one another and to the outside world, “This affected me too” [43], as one respondent put it, or the further development or dissemination of actions like those of the RMI’s National Nuclear Commission, who created an *Ethics Protocol for Researchers and Study Abroad Instructors* [44], which one respondent pointed the lead author to during an interview. Though this protocol is aimed at research taking place *in* the RMI and about nuclear testing, its words of caution, consideration, and collaboration are relevant to our work here, and the ongoing responsibility between non-Marshallese researchers and the Marshallese, wherever they may live:

*Researchers and journalists often publish their narratives about the Marshall Islands to advance their own careers. The viewpoints of researchers and instructors impact public perspectives about the Marshall Islands. It is the Marshallese people . . . who live with the consequences of circulated narratives . . . The protocols discussed . . . are in no way designed to discourage research. . . ; quite the*

*opposite as the NNC developed these protocols to create stronger partnerships and linkages between researchers and the Marshallese people so we can work constructively, and in collaboration.*<sup>7</sup>

## 7. Conclusions

Our study on well-being allows us to see the positive outcomes of Marshallese migration to the U.S. – many of which were also the anticipatory motivators for their chosen journey – but also what remains to be improved. While it was our study itself that asked the Marshallese to compare their experiences at home to the ones they experience in the U.S., the aspects of homogeneity and diversity in their responses can alert us to both the localized and trans-locational nature of the migration experience, and diversify and challenge notions that a move to the U.S. solves most of the critical issue that exist in the RMI.

As the Marshallese live for a longer time in the U.S., and generations are born there, there is even greater need to understand their relationship with law and policy in the U.S. to supplement our knowledge of federal policies that are often unknown altogether outside of COFA’s migration provision. These multi-scalar policies make possible or occlude access to services and contribute to or detract from other aspects that contribute to well-being. It is also important to recognize the lawscape as one that is in flux on account of the Marshallese who have moved to the U.S. and, over time, enact the policy changes they need on the ground level, even as COFA is re-negotiated on the macro-scale.

The consideration of what responsibility is, and how repair might be effectuated, we argue, are also crucial aspects of connecting past to present, and present to future, enlarging the scope of how to consider well-being for the Marshallese. In addition, such considerations help us complexify the notion of the need for repair from a single, historic event (nuclear testing) or recompense for a single, known future (loss of home to climate change), providing a better idea of what the Marshallese need to flourish amidst the ongoing backdrop of the U.S. militarization of the Pacific and the uncertainty of the outcome of COFA re-negotiations.

Through the research presented here, we have argued that migration with dignity must be ongoing: inclusive of the relationship with the home environment, the changing role of law and policy, and the evolving notions of responsibility and repair. These considerations help tie together the complex lives of the Marshallese in numerous places, where the measure of well-being we find in daily life is often imbued with both injustice and agency.

7. The order of this passage has been altered from its original; the text beginning with ‘The protocols discussed’ comes before the text beginning ‘Researchers and journalists’ in the referenced protocol.

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