



# Submerged Land

to *Smuck*  
*fr R. Muler*  
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## Bill Is Opposed

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Some plants thrive only in specially prepared soils. The flowering of a healthy democracy requires two prime ingredients—public enlightenment and vocal opinion. History provides the evidence. In the 1930's, the citizens of Germany failed to condemn the actions of their government. They chose silence instead, and Nazi dictatorship was the result. In June, 1972, there was Watergate. Enraged Americans spoke out, setting the mechanics of democracy in action. What might conceivably have led to a national tragedy, collapsed overnight under the barrage of public indignation.

Here is the lesson Guam has yet to learn—that we on Guam will remain the pawns of any agency greedy for power until, with one voice, we defend our civil rights.

Times have changed since 1898 when a one-paragraph Order signed by President William McKinley placed Guam under U.S. Naval rule. On the subject of public opinion, it should be recalled that at the beginning of this century, it appeared remotely possible that Guam had potentials as a naval base. In the early 1930's, however, Guam was actually disarmed, despite hostile vibrations from the direction of Japan, and the fears and warnings of our people. In 1938, on the other hand, when hostilities with Japan appeared imminent, the Hepburn Task Force Report surveying the strategic value of islands in the Pacific, declared Guam to be of definite value to the United States. Nevertheless, without reference to the welfare or opinions of our people, a decision was then made *not* to fortify or defend Guam from Japanese attack. Guam was considered temporarily dispensable. We were not American citizens, and we had no voice.

Now that we are American citizens, it is important that we take a second look at the role and functions of the military on Guam. The fact of citizenship should inevitably modify the legitimate powers of the military commands over local civilian affairs. For, consistent with the principles of American democracy, the U.S. Department of Defense is under the command of a non-military director. The concept that the country's military agencies should be maintained under the strict control of civilian authority is very alien to the American spirit of democracy. Surely, then, this basic fact should be reflected here on Guam. As American citizens we should be due the citizens' rights to protection from an over-ambitious military command, which continues to ignore the needs of an expanding civilian economy.

Again, today, we find ourselves in opposition to the Navy over the question of Guam's rights to land. It appears that

almost every step Guam has taken in the past towards increased self-government and control of local resources, has met with active opposition by the Navy, waving the banner of national security interests. The Navy long opposed civil government for Guam, and the granting of U.S. citizenship. It opposed the abolition of the Naval Security Regulations which for half a century had strangled our economy. It opposed amendments to the Organic Act which would permit us to elect our own Governor. For many years the Navy procrastinated over the transfer of highways to the Government of Guam. And the Navy still opposes the release of excess landholdings for civilian use.

And now, today, the Navy opposes the important piece of legislation introduced by Congressman Antonio B. Won Pat, which proposes to transfer certain submerged lands to Guam, resources needed for the development of tourism and trade. The crux of the matter is that like it or not—and the Navy does not—Guam's economy is expanding, and demanding that more of the island's natural resources be made available for civilian use. Guam is no longer the lifeless, sparsely populated rock the Navy first occupied in 1898.

To complicate the situation, we in turn have allowed ourselves to be conned into thinking that under the laws of eminent domain, the Navy has the arbitrary power to retain or condemn land for military use. It is time we woke up. Instead of capitulating to the false threats of junior officials who carry neither the authority, nor reflect the policies of Washington, D.C., we should study federal law. We should distinguish between Defense Department policies and State Department Policies, and recognize the many international political factors which must always modify military demands. We might, if we do our homework, be heartened to find that the tarnished image of American democracy which has prevailed on Guam in the past, does not in fact reflect the true and noble character of democracy as embodied in the framework of U.S. constitutional law.

In brief, now that we are American citizens, we must recognize our civil rights and the superiority of civil rule over military might. Like our brothers on the mainland, we should outright reject anything that smacks of colonial or military rule. It is thus the role of the Political Status Commission to research these matters, and lay the facts before the public. However, as of today, we should speak out loud and clear concerning Guam's rights to her natural resources—and in particular, the right to her submerged lands. For either we shall be treated with all the consideration and dignity an American community deserves, or we shall be forced to seek some more democratic political status.