

Chamorro definition a major hurdle

The island has, seemingly, hundreds of politicians, activists, advisers and journalists. They were all out buzzing about that story out of Washington, D.C., in which the U.S. Supreme Court ruled on the highly publicized Rice vs. Cayetano Case.

The justices ruled 7-2 that elections for Office of Hawaiian Affairs trustees, with only Hawaiians voting, are unconstitutional. This decision could have a serious effect on Guam's "Chamorro only" vote scheduled for July 1st.



**Joe
Murphy**

Who, for example, is going to be "Guam's Freddie Rice?" He was the Big Island farmer whose family had lived on Hawaii for generations. It was Rice who thought it just wasn't fair that he should pay taxes, own land and still be excluded from the vote. His argument was that the vote was race-based, and that goes against the U.S. Constitution.

To this Supreme Court decision, Robert Underwood, Guam's delegate to Congress, said: "I think the biggest implication is that it indicates the judicial climate is not friendly to indigenous rights." He also said that local leaders need to be very careful about the wording of the definition of the word Chamorro.

It used to be, a few years back, whenever I wondered who a Chamorro is, the answer was always the same: "The Chamorros know who is a Chamorro. There is no need to define it further. We all know."

But, as good as that definition is, it unfortunately does-

n't hold up legally. Right now the July 1 plebiscite, which is non-binding on Congress, is limited to Chamorros who are currently defined as people who can trace their ancestry to an individual living on Guam in 1899.

But even that isn't the end-all. People who register to vote must be voting residents of Guam, apparently. That makes it difficult to determine the legality of the thousands of Chamorros and their children living in the States. It also doesn't address the adopted children of Chamorros on Guam. Nor does it fully address Chamorros in the military, although presumably they will be accepted on the registry.

The dissenting opinions on the Supreme Court, in the Hawaiian decision, were by Justice John Paul Stevens and Justice Ruth Bader Ginsberg. They make the point that the U.S. government should give a wide latitude to the aboriginal people.

As a point of fact, the American Indians, who are the aboriginal people in the States, are given special status. I don't see why the indigenous people of Hawaii and Guam shouldn't be given the same wide latitude.

The date for this plebiscite on Guam is rushing at us full speed. So far they haven't even proceeded with a Chamorro Registry or even a definition of just who is Chamorro.

Then, as hard as the group has worked, they haven't yet gotten their educational campaign really going. Finally, the Election Commission, which has to run the election, may not have the funds nor the staff to do so.

With the election less than four months away, the political status task forces have their work cut out for them — without having to worry about Freddie Rice or a Guam counterpart taking the whole thing to court.

To give you an idea of how much is involved, the other day I was invited to a lunch to talk to a group of economists and advisers, led by Joe Bradley.

He had Chuck Crisostomo, formerly the head of Guam Economic Development Authority, Gary Wiles and Dave O'Brien with him. Jon Anderson and I were on the other side of the table. These economists and advisers have been tasked, under contract, to come up with the economic impact these separate voting choices would have on Guam. In other words, what effects would statehood, free association or independence have on the economy of Guam.

What a challenge such economic soul-searching is at this stage of talks, votes and negotiations. The list goes on and on. How much can Guam expect in the way of help from the United States if we were independent? Right now we receive millions, certainly hundreds of millions in food stamps, postal service, Coast Guard, military payroll, weather surveillance, WIC, housing programs, welfare, education, highway construction and on and on. How much can we expect under free association? Or statehood?

Then there are a myriad other considerations, ranging from immigration control to airlines' bilateral agreements. We would have to concern ourselves with shipping lines? Would the Jones Act be thrown out?

Then there are tourists. Would they come without the U.S. flag? Or how about investments? Would the investment dollar be turned away without the U.S. flag and the U.S. court system?

This committee on economic concerns has to put a report together by April. All you can say is good luck.

Joe Murphy is a former editor for the Pacific Daily News and writes his Pipe Dreams column daily.