

Group 5 Reading: Guam Constitutional Conventions (ConCon)

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Guam residents seek more self government

In an effort to address deficiencies in Guam's relationship with the United States, two constitutional conventions were convened by island leaders. Collectively, the conventions are referred to as ConCon. Since [1898](#), Guam has been a possession of the United States. Although the [Organic Act of Guam](#) afforded the people of Guam limited self-government and American citizenship, the island continues to lack political sovereignty and its people still are subject to US federal oversight. The ConCon was one of numerous efforts that sought to achieve a greater measure of self-government on Guam and address imbalances in power between the US federal government and the local Government of Guam.

The first Guam Constitutional Convention

The first Guam Constitutional Convention began with the passage of Public Law 9-244 sponsored by the late [Senator Richard F. Taitano](#). The legislation directed that a constitutional convention be held to review and make recommendations on proposed modifications to the Organic Act of Guam. Passed in 1950 by the US Congress, the Organic Act transferred governing powers from the US Navy to the US Department of Interior creating a civil rather than military government for the island. Prior to this, the island had been administered by a [naval government](#) since 1898, excluding the World War II years on Guam (1941-1944) when [Japan occupied](#) the island.

The Organic Act granted limited congressional US citizenship to residents of Guam and reinforced the island's [political status](#) as an unincorporated territory of the United States. At the time of its passage, the Organic Act was viewed as a significant improvement to what many believed was an unjust colonial situation on Guam. The decades that followed the Organic Act's passage, however, revealed that many of the concerns among island residents, such as [federal land acquisitions](#), uncontrolled immigration, and limitations placed on the Government of Guam had not been addressed by the act.

The first convention was funded by the 10th [Guam Legislature](#) and met from 1 June 1969 through 29 June 1970 with 43 elected delegates. This first constitutional convention, which did not have any federal authority to convene, recommended 34 changes to the Organic Act of Guam, of which only one recommendation was acted upon. At this point, the aim was to revise the existing Organic Act rather than change the political status of the island altogether. Due to the inability of the first convention to achieve the desired recommendations, it became apparent to many island leaders and residents that a new course of action was warranted.

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Defeat of the Draft Constitution

Although approved at the federal level, the people of Guam roundly rejected the Constitution (82 percent of the vote) in a referendum held in August of 1979, and no new convention has been held pursuant to congressional authority since 1979. Reasons for rejection were that:

1. Constitution was not really a local expression of self-determination.
2. The political status question remained unresolved in Guam.

These primary reasons for rejection stemmed from the imposition of a US federal mandate on the drafting of the constitution that stipulated that any constitution for Guam not violate the existing federal-territorial relationship. Many believed that this ultimately defeated the purpose of adopting a constitution for Guam that sought to change the island's relationship with the United States.

Political arguments against adoption of the Constitution also included its failure to address Chamorro political status and sovereignty, and that other status options might be closed in the eyes of the United States had the Constitution been ratified. These arguments were articulated by community organizations and political activists led by Para Pada y Chamorros (literally, "stop slapping Chamorros"), a group that advocated the perpetuation of Chamorro culture and language, a return of federally owned land to the indigenous owners, and Chamorro-self government.

As a result of this defeat, the 15th Guam Legislature commissioned the first in-depth assessment of all possible status options for Guam in 1979, including integration with the Northern Mariana Islands and annexation to the state of Hawaii as a county. The study concluded that Commonwealth status based on the Northern Mariana Islands model would be the best option for Guam. Plebiscites were held in 1980 and 1982, and Commonwealth status was selected as the political status to pursue with the United States.

The 17th Guam Legislature established the Commission on Self-Determination, and the Guam Commonwealth Draft Act was subsequently approved by Guam voters and introduced in the US Congress. To date, Congress has not acted upon the Guam Commonwealth Draft Act, and the island's political relationship with the United States remains the same as it did since the 1950 passage of the Organic Act of Guam.