

INTERVIEW OF HILARIO F. DIAZ

by Howard P. Willens

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- Willens: Hilario F. Diaz has served as a member and long-time Speaker of the Municipal Council of Tinian, delegate from Tinian to the First Constitutional Convention, and a member of the First Legislature as a Senator from Tinian. I want to thank you very much for making yourself available for this interview. As you know, Deanne and I are in the midst of trying to write a book about the history of the Commonwealth of the Northern Mariana Islands, and so we're very interested in interviewing people who were involved in the Covenant negotiations or the First Constitutional Convention. Let me begin by asking you to give me a little personal background as to where you were born and where you were educated.
- Diaz: Well, first of all, I was born on the island of Yap. My parents are sort of adventurous people, I might say that, especially my late father. I was born and raised in Yap during the Japanese occupation for about seven years. Then after the war in 1948, all of the Chamorro people were migrated [from Yap] to Tinian and Saipan.
- Willens: How did that come about? Were you invited by the Navy to resettle in Tinian if you wanted to?
- Diaz: Exactly. At that time, the island of Tinian was occupied by the military after the war, and evidently at the time when we moved from Yap to Tinian, there was still some CBs and Army in particular.
- Willens: There was what there?
- Diaz: Army, you know, Army personnel.
- Willens: I see.
- Diaz: And CBs [Navy Construction Battalion personnel]. So there were a lot of left-over buildings from the military quonset huts, in particular, and some butler-type buildings.
- Willens: Were there any civilians on the island when you and your family went there?
- Diaz: Just about two or three families were there at the time when we arrived in the year 1948.
- Willens: How old were you?
- Diaz: I was then 11 years of age.
- Willens: What was your feeling as a young boy about moving from where you had lived all your life to a strange island?
- Diaz: Well, for one thing, as I mentioned earlier, my dad was sort of a very adventurous person. He was born and raised on Guam. Although my mother was born and raised in Palau, she was Chamorro. So at that time, way back in the German and Japanese time, a lot of Guamanians were traveling to the other islands in the Pacific or Micronesia, and so my dad decided to work on Palau and met my mother there and they got married. Then they went back to Guam, and that's where my older sister was born, and then my other sister and a brother were born on Saipan. Then later on my other sister and myself were born on Yap. I happen to be the youngest among the family.
- Willens: I see. So, some of your siblings were U.S. citizens by birth.

- Diaz: Yes, exactly.
- Willens: But you were not, because you were born in Yap.
- Diaz: No.
- Willens: I see. When you came to Tinian, did the Navy make land available for a homestead?
- Diaz: Yes. We have the so-called Naval Administration here on Saipan at the time, and as you recall, during that time in 1947 on through 1962, we were under the Naval Administration. And so the people from Yap that were migrating to Tinian were given agricultural homesteads of six hectares.
- Willens: How much is six hectares in terms of acres?
- Diaz: Well, that's roughly 60,000 square meters.
- Willens: I see.
- Diaz: You know, there's 10,000 square meters per hectare, so that's roughly 60,000 square meters.
- Willens: The agricultural homestead was also where you were to build a house to live in, or were you given another homestead to build on?
- Diaz: No, we're given two kind of homesteads. One is the so-called agricultural homestead and the other one is a village homestead. The village homestead is where you build your dwellings, your house.
- Willens: Was there a village of San Jose in existence at the time your parents arrived on Tinian?
- Diaz: No. There was no San Jose Village at the time when we arrived on Tinian.
- Willens: But is San Jose Village the place where you were given your village homesteads, that area?
- Diaz: Yes, down by the dock area. Actually, there were two San Jose Villages on Tinian. The first one was in the middle of the island.
- Willens: In the middle of the island?
- Diaz: Middle of the island. We were moved there because the housing was so appropriate for the newly incoming immigrants, and we have all the necessary facilities the buildings, water and electricity.
- Willens: They were military buildings that had been abandoned?
- Diaz: Right. Exactly.
- Willens: I see.
- Diaz: So we call this place San Jose Village by a decision of the appropriate officials, Chamorro officials, the Commissioner and the Council members. And then later on when we were given a homestead to build our houses, which we would eventually own the lot after complying with the necessary homestead agreement, we were moved down to near the dock area. And that's the present San Jose Village now, where most of the people were living, within that area.
- Willens: Well, then tell me, where were you educated after you moved to Tinian?
- Diaz: Well, I attended my elementary and middle school on Tinian, and then later on I decided

to go to Guam and further my studies. Then I went to Guam to continue my high school education.

Willens: Which high school did you go to?

Diaz: George Washington High School. That was the only public high school at that time, as a matter of fact.

Willens: Did you have to live with some sponsor or relative while you were on Guam?

Diaz: Yes, I had to live with my mother's sister. It was very difficult at that time for any student or anybody who would like to attend school on Guam or to work on Guam from Micronesia.

Willens: Why?

Diaz: Because of the restrictions imposed by the Navy. We were under the Naval Administration, as I mentioned earlier. Not until President Kennedy came into office are we lacking all those kinds of restrictions, in 1960. But prior to that, we were having a lot of difficulties entering Guam or any other U.S. territories, because you have to apply through the Naval officials, and then you have to have a thorough health examination, and you have a waiting period of probably one year to a year and a half until you are given the necessary papers to enter Guam or any U.S. territories.

Willens: Did most of the boys and girls you grew up with on Tinian do the same thing you did, go to Guam for high school?

Diaz: Most of them at that time usually furthered their studies on Guam. Especially high school because there was no college at that time way back in the early 1950s.

Willens: No college on Guam?

Diaz: No college yet. Not until the late 1960s, or early 1960s, when they came up with the so-called College of Guam, now which is called the University of Guam.

Willens: I see.

Diaz: But at that time there was no college on Guam, only high school level.

Willens: What did you do after graduating from high school?

Diaz: George Washington High School in 1957.

Willens: And then what did you do?

Diaz: I decided to come back home and tried to help on the building of our economy. So when I came back in 1958, I ran for Municipal Council. I was then 21 years of age. And I was successful. And that was the eligible age. So since then I was reelected from 1958 on through 1970, for 12 consecutive years.

Willens: Is that right?

Diaz: I became legislative secretary of the Municipal Council for the first term of two years. Then after that I became Speaker of the Tinian Municipal Council for ten consecutive years.

Willens: What party were you a member of?

Diaz: Well, prior to calling ourselves the Democratic Party and Republican Party, we have the so-called Territorial Party and Popular Party.

Willens: My records indicate you were in the Popular Party.

- Diaz: Exactly.
- Willens: And so did you remain in the Popular Party?
- Diaz: I remained ever since up to now.
- Willens: From 1958 during your years on the Municipal Council in Tinian and up to the present day?
- Diaz: Yes.
- Willens: You are one of the few people who hasn't changed parties.
- Diaz: I haven't changed my party affiliation. I think of my party affiliation as my own religion. I mean for me, that's the way I see it and that's the way I feel. In other words, when I was born and baptized Catholic, I would not change my religion. And so since the time I affiliated with the Democratic Party or so-called Popular Party prior to naming Democratic Party later on, I remained a loyal Democrat.
- Willens: Did the Popular Party members on Tinian have essentially the same point of view as the Popular Party on Saipan?
- Diaz: In most cases.
- Willens: Were there any significant differences among the islands within the Popular Party?
- Diaz: I don't think we have any differences in regards to our principles and philosophies in regard to our party system.
- Willens: Did you get involved in any of the early discussions about a future relationship with the United States in the late 1950s or the 1960s?
- Diaz: Exactly. Yes, I was very much involved.
- Willens: When do you recall first becoming aware as a young political leader of the political status question?
- Diaz: As I mentioned earlier, we were under the Naval Administration from 1947 by virtue of the U.N. Trusteeship Agreement, from 1947 on to 1962. And I recall very clearly at that time when Admiral Hopwood from Honolulu came over.
- Willens: Admiral Hopwood?
- Diaz: Yes, Admiral Hopwood from Honolulu. He was then the Chief of the Pacific Fleet, CINCPAC they call it, you know, in the Pacific.
- Willens: The Pacific Fleet.
- Diaz: So he came over, and we were called upon by the District Administrator or Naval Administrator rather here on Saipan from Rota and Tinian and Saipan for a joint session.
- Willens: Here on Saipan?
- Diaz: Here on Saipan.
- Willens: What was the purpose of the meeting?
- Diaz: The purpose of that meeting was for the transfer of the Administering Authority from the Naval Administration to the Trust Territory government.
- Willens: Did you know that was going to happen before the meeting?

- Diaz: Well, we were informed about the purpose of this gathering or this joint session with Rota, Tinian and Saipan.
- Willens: Did you regard that as an important step forward for the Marianas?
- Diaz: Well, for me personally, the way I see it at that time, I think that it was some kind of a wise move getting away from the military command, you know, under the military authority. Because we are civilians in the first place, and having a military run our affairs, the local affairs of the local people, I don't think that's quite appropriate. So as one of the leaders at that time, I think that was a wise move to transfer the administering authority from the Navy Administration to the Trust Territory government.
- Willens: Well, that's a good point you make. But some people have commented that Saipan and Tinian benefited from the Navy Administration because of the facility that was on Saipan, the number of expatriates here, the better infrastructure, and they were concerned that coming under the Trust Territory government might be a step backward.
- Diaz: No, I don't think so. I personally feel that it was a wise move. For me, I feel that way, simply because, as I have stated earlier, that being under the Navy Administration, or under the Naval authority, in the first place, what's the business of the military personnel, you know? So being under the Trust Territory government, I think that's one step further for us to try to negotiate what would be our best political status in the future. So it just so happened that during the Trust Territory Administration, we were able to create the so-called Congress of Micronesia, and we have representative from Northern Marianas in that Congress of Micronesia.
- Willens: Who was the representative that you remember representing Tinian?
- Diaz: Well, I can recall some of them. Joe Cruz was one of them, and the late Olympio Borja, and the Lt. Governor now, Benjamin Manglona.
- Willens: Do you remember Felipe Atalig? Was he involved?
- Diaz: In the Congress of Micronesia?
- Willens: Yes.
- Diaz: I don't think Felipe Atalig was involved. I think Danny Muna was involved, or Manny Muna, I'm sorry, Manny Muna.
- Willens: The District Legislature was created in 1963. Did you consider running for the District Legislature?
- Diaz: I did.
- Willens: And were you elected to the District Legislature?
- Diaz: No, I got defeated by Bernard Hofschneider.
- Willens: So you stayed with the Municipal Council through the 1960s?
- Diaz: Right.
- Willens: Did the Council become an active participant in the efforts to get a new political status?
- Diaz: Yes, very much.
- Willens: What did you do?
- Diaz: Well, whenever the members of the Congress of Micronesia decided to hold a general meeting, we the people on each respective island, Rota or Tinian, usually the mayor or

myself as Speaker of the Municipal Council, received such information. So we call upon the people and we advise them that we are going to have a general meeting and these dignitaries are coming in from various districts, members of the Congress of Micronesia, and also some U.S. officials from Washington, to observe and discuss the matter. So each time they go to Tinian, normally the mayor or myself made the necessary arrangements for these meetings. We call the attention of the general public to come over to the auditorium and attend the meeting, so they can have the opportunity to express what they feel about the proposed status for the Northern Marianas at that time.

Willens: What was the status choice that the people had at the time?

Diaz: That's a very good question, Mr. Willens. At that time, there were three alternatives, I might call them alternatives. One is for reintegration with Guam. There were so many of our people, I might say a majority of our people, are in favor of that. And the other one is annexation with the state of Hawaii. And the last one is the so-called status quo under the Commonwealth government.

Willens: Status quo under the Trusteeship?

Diaz: No.

Willens: The Commonwealth.

Diaz: The Commonwealth. The present one.

Willens: I see.

Diaz: I call it status quo, now our present government, the so-called Commonwealth government. So let me say that we have lot of disagreement at that time. For one thing, I might say that the mayor of Tinian at that time was Joe Cruz. You know Joe Cruz.

Willens: Yes.

Diaz: He was a member of the Congress of Micronesia and also one of our delegates in the Constitutional Convention. We disagreed because Joe Cruz was in favor of reintegration with Guam.

Willens: Of reintegration with Guam?

Diaz: Yes. And I opposed that. My first choice was directly with the United States, to become a U.S. commonwealth.

Willens: Yes, but that was a difference between the Popular Party and the Territorial Party. Most people in the Popular Party wanted reintegration with Guam, as I understood it.

Diaz: Yes.

Willens: But you're telling me that you disagreed with that.

Diaz: I disagreed with all the members of the Popular Party.

Willens: The Territorial Party, as I understand it, was seeking a direct relationship with the United States, but there was some uncertainty about whether they wanted to remain as part of all of Micronesia.

Diaz: That might be true in some sense, but for me, the way I see it, is that at that time, neither party was in favor 100% of this particular status reintegration with Guam. All I'm saying here is that we have a lot of disagreement. As a matter of fact, many of the Territorial Party [members] also are in favor of reintegration with Guam. So what happened then? We voted for reintegration with Guam; it was passed overwhelmingly.

- Willens: In the 1960s.
- Diaz: By the majority of people in CNMI, but Guam turned us down.
- Willens: In 1969.
- Diaz: Yes. When they held a referendum on Guam, they turned us down. A majority of the Guamanian people don't want that idea. So after the result of the Guam referendum, the people[in the Marianas] then decided, the officials decided, to move ahead with the U.S. commonwealth.
- Willens: All right. Now just let's try to concentrate on the 1960s for a while here. Did you have any sense of what the policy of the United States was with respect to future political status for Micronesia? Were you told on any occasion what the United States wanted to do with this part of the world?
- Diaz: Well, the only thing that they seem to be keeping on emphasizing from time to time is that there is no disintegration of the Micronesian district or Trust Territory district.
- Willens: That there's no what?
- Diaz: Disintegration.
- Willens: They wanted to keep it all together.
- Diaz: They want us to continue working together jointly. But for some reason, we were the first one, Commonwealth of the Northern Marianas or rather the Northern Marianas, we are not a commonwealth yet. But for some reason, we, the leaders at that time, got together, the Municipal Councils of Rota, Tinian and Saipan, and we decided to move ahead and try to accomplish our mission in becoming a U.S. commonwealth or whatever our future status will be.
- Willens: Why do you think the political leaders in the 1960s wanted to proceed independently of the other districts [in Micronesia]? Where there differences between the districts that you considered important?
- Diaz: Well, for one thing, I think that the other districts are so reluctant of becoming a permanent family or part of the United States government. I think they're quite satisfied with their status quo, you know, being under the Trust Territory Administration. Not until after the late 1970s, when they start thinking of when we already become a U.S. commonwealth, they feel and they really think that they would be better off by becoming a part of the United States government. They can get better financial assistance, and they have easy access of travel from any part of the United States or its territories.
- Willens: Those are advantages that you saw, or those advantages of a permanent relationship with the United States that were important to you, or are you saying that those are advantages that the other Micronesians came to realize?
- Diaz: Well, these advantages are important for us in the CNMI.
- Willens: Right.
- Diaz: That's what I said, that after we obtained the so-called commonwealth status, they opened their minds and their eyes and said, look at the CNMI. They have no more problems traveling back and forth from any state in the union or any territories. No more of this travel barrier. And they have got all the privileges. Now they are U.S. citizens. Why can't we do the same?

- Willens: But the Joint Committee of the Congress of Micronesia in 1969 decided that Micronesia should look for a free association relationship with the United States which did not involve U.S. citizenship or perhaps pursue independence. That was the official position of the Congress of Micronesia. It was a position that most of the Marianas leaders disagreed with. Why did the Micronesians in your judgment take that different position?
- Diaz: Well, that's very true. The other districts in Micronesia opted for only two kinds of status. One is free association with the United States Government, and the other one is independence. So eventually the so-called Federated States of Micronesia which are composed of Marshalls, Ponape, Palau, no, not Palau, Yap and Kosrae finally accomplished that mission. They now are [in] so-called free association with the United States government.
- Willens: Do you think they're better off than the Commonwealth?
- Diaz: No, I don't think they're better off than us. I think we are much better off.
- Willens: You come from a family, as you described it, where your mother was from Palau. Is that correct?
- Diaz: Born and raised in Palau.
- Willens: You grew up for many years in Yap. Your father was, you said, from Guam originally. So why is it that you and your family didn't feel some community of interest with the people of Yap? And did you consider yourself a Micronesian or did you consider yourself someone from Tinian or the Northern Marianas, if you follow me?
- Diaz: Let me be very frank and honest with you, Mr. Willens. Deep down in my heart, as well as up in my mind, I am against discrimination. I never think any other nationalities or any other residents of other districts are any different than us. The way I see it, we are all created equal. But although I was born and grew up in Yap for almost 11 years, I still feel that there are some great differences between the Chamorros and Yapese. For one thing, the Yapese are quite content with what they've got on their lands and on their water. In other words, they have the so-called food staples, such as taro and yams.
- Willens: These are staples?
- Diaz: Yes. Taro, yam and breadfruit, whatever they've got on their lands, they're satisfied with what they've got there. But for us Chamorros, we are a little bit advanced. In other words, we were ruled by the Spanish first, then the Germans, then the Japanese. So we seem to have learned several things from these nations, especially in regards to the livelihood of these different nations. So during the Japanese time, we get so used to eating rice, and using soy sauce and different other spices. Whereas the Yapese people, they don't care less about those things. So that's one great difference between the Chamorro people and the local people there. Although I consider myself Yapese by virtue of birth, but still deep down in my mind and my heart, I'm always a Chamorro, and I seem to get along much better with the people from Guam and here on Saipan and Tinian and Rota.
- Willens: That's very interesting.
- Diaz: So that's something that I might say is a very difficult situation to get away with because for one thing, I lived in Yap for 11 years. I speak the language, and I know the customs of the people there. But I cannot follow their custom, wearing only a [loincloth] what you call that for wrapping around your hips, and not wearing a regular shirt or regular pants and the women wearing only grass skirts. We cannot do that. We have a different custom, different traditions, too. So speaking again of purely political area, these people from the

other districts, as I mentioned earlier, they are too reluctant to advance themselves, like what we did. Not until after we obtained the so-called U.S. commonwealth, then they start, their leaders start [to] open up their minds, and say, well, look at the CNMI people. They are really advancing. And here we are still staying in the same area. As leaders of our district, we should try to do something and push things forward, too, so we can develop. So not until after the early 1970s when they start thinking of themselves and try to come up with a new political status so that they can get more from the U.S. government financial-wise, in particular. So again, what you're telling me is that being on Yap and born and raised there and my mother was born on Palau, yes, that's very true. And we tried our very best to follow the local custom. But again, there are so many areas that we are entirely different, especially our customs and traditions. Some of the cultures probably we would fit in on their cultures, as well as them fitting in in our cultures, but not in all respects.

Willens: After the Guamanians voted down the reintegration in 1969, did that change your strategy as to future status for the Marianas?

Diaz: That definitely changed the strategy of the other people who are against the U.S. commonwealth. But for me, I maintained that position from the beginning up to this time.

Willens: Do you recall any of the circumstances that led to the creation of the Marianas Political Status Commission?

Diaz: Yes.

Willens: What do you remember about how that was put together, and in particular, the first Tinian representatives were Frank Hocog and . . .

Diaz: Bernard Hofschneider.

Willens: . . . and Herman M. Manglona. Subsequently, Herman was replaced by Joe Cruz, and Mr. Hocog was replaced by Bernard Hofschneider.

Diaz: Bernard Hofschneider. So those two remained in the Commission.

Willens: Did you remain active in the Tinian Council during the years that the Status Commission was doing its work?

Diaz: Yes, I was still Speaker of the Municipal Council.

Willens: Do you remember how it was that Mr. Hocog and Mr. Manglona got appointed to the Commission?

Diaz: Well, I don't quite recall how do they get into the Commission, but I believe it was a request from the Speaker of the Saipan Legislature, Ben Santos.

Willens: Under the statute that was passed by the District Legislature, the Tinian Municipal Council could appoint two people. So my question is whether you remember who wanted to be on the Commission and why Mr. Hocog and Mr. Manglona were selected?

Diaz: I'm not too aware of that. I'm sorry. I cannot give you a direct answer.

Willens: Do you remember why Mr. Manglona resigned from the Commission and was replaced by Mr. Cruz?

Diaz: I believe he was in some sort of a, just a personal understanding between Manglona and Joe Cruz. As far as Hocog being replaced by Bernard Hofschneider, I do not know what transpired there.

- Willens: Just to help me get a mental picture of these people, how would you describe Mr. Hocog? Is he articulate? Is he aggressive? Is he passive? Is he colorful? How would you describe him as a political figure?
- Diaz: Mr. Hocog was somewhat of a very quiet individual. Rarely he opposed anything that was being discussed or came up during the official discussion regarding the people of Tinian, the island of Tinian. He's a very quiet person. He's entirely different with Joe Cruz. Joe Cruz is a very outspoken person. You know him.
- Willens: How would you describe him, besides being outspoken?
- Diaz: Joe Cruz?
- Willens: Yes.
- Diaz: Well, he has also some kind of a very radical attitude, I might say that.
- Willens: Radical in what respects?
- Diaz: Radical attitude. You know when he says, for example, at the time when we were negotiating with the U.S. delegation for the so-called U.S. commonwealth status, he was against that idea because he was pushing for reintegration with Guam. And although I approached him on so many occasions, trying to discuss this matter peacefully and in an amicable way, but he said, "Don't bother me." I said, "Joe, you are the mayor of our island of Tinian and I am the Speaker of the Municipal Council. Why can't we get together and try to analyze our situation and see which will be the best direction for our people, not just for you and me, you know, as leaders of this island. I think that's the best approach, where we get together, you and I, and the rest of the other members of the Tinian Municipal Council, and then we invite the people and hold a general meeting and give them the opportunity to discuss also and express what they think or feel about this."
- Willens: Did you ever get together with him?
- Diaz: Well, rarely he agrees with my suggestions, Joe Cruz. That's why I say he's very radical and a very hard person to get along with. But when it comes to strictly official business, sometimes he changed so suddenly.
- Willens: He changed suddenly?
- Diaz: Yes. You remember during the framing of the Constitution? When he walked out with the delegation from Rota?
- Willens: Yes, I was going to talk to you about that. Yes.
- Diaz: He was not like that. He was with us, all along with the Tinian delegation. Then suddenly he just changed his mind and followed the Rota delegation on a particular issue. And I believe what we were discussing at that time was the three Lt. Governors. I don't think that was an appropriate kind of proposal to pass in the Constitutional Convention, to have three Lt. Governors. We will become a mockery over the world. Look at these small islands, they have three Lt. Governors and one Governor. What are they trying to do? You know, there's something that I for one, I feel that's not right. Don't you think so, as an authority?
- Willens: I remember that discussion.
- Diaz: So you know, like I said, he changed so suddenly. He was all along with us, you know, we are getting along together, we are working jointly, and doing our best to come up with a very workable and comprehensive Constitution. But later on he changed his mind and

- followed the Rota delegation, and he walked out of the Constitutional Convention. He didn't even bother to come back and sign the Constitution.
- Willens: One of the other people you mentioned was Herman Manglona, who I gather is now running for mayor of Tinian. How would you describe his personality?
- Diaz: Herman Manglona?
- Willens: Yes.
- Diaz: He's running for mayor again of Tinian.
- Willens: Isn't he?
- Diaz: Yes, against the incumbent James Mendiola.
- Willens: Right. And this is the same Herman Manglona as was on the Commission. I just wanted to get your recollection of what kind of a person he was 20 years ago.
- Diaz: Why, I believe, still the same. He hasn't changed much.
- Willens: Let's turn to the negotiations that the Marianas Political Status Commission had with the U.S. delegation. There came a time in May 1973 when the United States revealed for the first time that it wanted to have the entire island of Tinian for potential military use and it was going to lease back one-third of the island. There was a big story in the *Pacific Daily News*, and it caused considerable resistance and outcries on the island of Tinian. Do you have any personal recollection of your reaction when you first understood what the U.S. wanted?
- Diaz: Yes, I'm somewhat a little bit opposed to the idea before.
- Willens: Somewhat what?
- Diaz: I oppose the retention of Tinian for military purposes. I feel that it is highly unfair for the local people to give the military that option, to acquire the entire island of Tinian for strategic purposes. So what we did, we discussed this among ourselves, the leaders, and we finally came to an agreement that perhaps we would give the U.S. the option retaining two-thirds of the island instead of the entire island.
- Willens: There were some people on Tinian who felt that one-third was enough for the U.S. military and that was all that should be provided. Do you recall the community being divided as to how much of the island they would be willing to make available to the United States?
- Diaz: Well, quite frankly, Mr. Willens, we don't have any viable economic development on Tinian at that time. And the people there seemed to be overly anxious of having the military moving to the island. That was their first thought, which never materialized up to this time. They thought that if we give the military the option of retaining one-third or two-thirds of the island, they will move here right away and develop the island, but that hasn't been the case.
- Willens: Do you remember the presentation that was made about the kinds of houses that would be constructed and the other benefits that would result?
- Diaz: We were looking at that kind of situation similar to the situation in the Philippines like Subic Bay and Clark Air Force Base, but unfortunately, nothing has been done on the island of Tinian in regards to military development.
- Willens: Some members of the Tinian leadership actually went to the Philippines. They had a trip in 1973 Congressman Felipe Atalig was one.

- Diaz: Right.
- Willens: Were you part of that, too?
- Diaz: No, I was supposed to go along with them, but I cancelled. I feel it's a junket. For me personally, I feel it's a waste of taxpayers' money. I think it's enough, what we have been seeing on Guam Anderson Air Force Base and the Naval Air station down in Sumai. I think we have enough examples of what's going on on Guam. You don't have to go to Philippines for that purpose or for that matter.
- Willens: Do you remember a Friday evening meeting when Ambassador Williams came over and met with the citizens on Tinian to explain to them personally what the United States wanted to do and what the benefits would be to the people? It was a meeting where Senator Borja did some of the interpreting, and it went on for about seven hours, into the very early morning. Were you there?
- Diaz: I think I was off-island at the time. I think I was on Guam.
- Willens: Do you remember participating in any meeting where Ambassador Williams tried to explain this request to the people?
- Diaz: I recall one particular meeting when Ambassador Williams was present, and I believe it was Joe Cruz who was doing the interpreting.
- Willens: That could be. I think he did that from time to time.
- Diaz: But I do recall one particular occasion when Ambassador Williams came over to Tinian and we held this general meeting.
- Willens: How do you think the Ambassador responded to the questions? Do you think he handled himself well?
- Diaz: Excuse me. Let me retract what I stated earlier. It was Eddie Pangelinan as the Chairman of the Political Status Commission. Eddie Pangelinan, you know Eddie Pangelinan?
- Willens: Oh, yes.
- Diaz: He was then the Chairman of the Marianas Political Status Commission. He was the one who was doing the interpreting of Ambassador Williams.
- Willens: I see.
- Diaz: Yes. I recall that meeting when they came over on Tinian.
- Willens: Were you impressed by the presentation?
- Diaz: I'm sorry?
- Willens: Were you impressed or persuaded by the presentation?
- Diaz: Well, not exactly. What I mean by that is that some of the proposals are good, while others are not too good. For example, becoming a U.S. commonwealth but yet our personal status [is] still considered as alien until such a time when President Reagan issued Executive Order in 1986, I believe, when we become U.S. citizens, from thereafter. But prior to that, we are still considered aliens. So those are the things that we have to consider very carefully at that time when Ambassador Williams was making his presentation to the people. And I for one, I feel that in certain areas that ought to be revised or look upon it and, you know, try to come up with more workable situation.
- Willens: Did you have the understanding that if the Northern Marianas agreed to the U.S. proposal for use of Tinian, that a base would be built in the very near future?

- Diaz: That was the main thought of the people on the island, including myself. I was under that impression, that if you give the military the option of acquiring two-thirds of the island, they will come in and develop the island, build up houses, bases, you know, harbors, make the harbors more suitable for incoming ships, either commercial ships or military ships. That was the main impression of the people there, including me.
- Willens: Joe Cruz had originally been a supporter of having the U.S. military come back to the island. My understanding is that after the U.S. made its proposal, Mr. Cruz changed his position and opposed the request because it asked for too much of the island. Do you have any recollection of what his position was?
- Diaz: No, I think it would be best to have him answer that question himself.
- Willens: There were some polls taken among the citizens, and it seemed as though the citizens of Tinian were about evenly divided. Some people were willing to have the military come back if they would reduce their request to two-thirds of the island; others didn't want to give them more than one-third of the island. Were there real differences among the people of Tinian, or was this simply part of the normal politicking that goes on?
- Diaz: Well, in a sense, some of the leaders are playing politics at that time. I do know one thing, Joe Cruz when he was the mayor then, he said that the only way that we can accomplish this, or in other words, the U.S. Congress will approve and the President of the United States will approve this proposed commonwealth status for us is to give the military what they ask for two-thirds of the island. And I don't think Joe Cruz was opposed to the idea of giving the military two-thirds of the island. He was for it, instead. Yes, if I recall correctly.
- Willens: Do you have any other recollections of the negotiations that led to the commonwealth? Did you personally, for example, keep in touch with Tinian representatives who were on the Marianas Political Status Commission?
- Diaz: Yes, we're normally constantly advised or informed of the developments at that time.
- Willens: Did you have confidence in the Commission as representing you adequately?
- Diaz: Of course, I do have confidence in the Commission. After all, I believe that we have the best people in there at that time, like Eddie Pangelinan as an authority, you know, being the Chairman of the Commission, Ben Santos, being the Speaker of the Marianas Legislature for several years, and the late Olympio Borja, who has been a long-time politician, Joe Cruz from Tinian, who has been a long-time politician. So I feel quite confident that members of the Commission are doing a good job at that time.
- Willens: In the summer of 1973, there was a big controversy about a moratorium on homestead applications for Tinian and economic development. The people learned in July 1973 that the Department of the Interior had directed the Trust Territory Administration not to give any more homesteads out because of the negotiations going on with respect to the possible use of Tinian for the military. There was great concern about [land] speculation on Tinian. Do you have any recollection of the speculation that took place after the U.S. request became public?
- Diaz: Well, as we have mentioned earlier, that when we first moved to the island of Tinian from Yap after the war, we were given a tremendous opportunity in regards to homesteading, six hectares or 60,000 square meters of land for agricultural development. And in addition to that, we are given another homestead, a so-called village homestead to build our house, for 1,000 square meters. And then later on in 1973 when the Interior Department issued

a moratorium not to issue any more homesteads to the local people, we are somewhat frustrated and disappointed at that time, particularly the local leaders.

Willens: Were there people who wanted and deserved homesteads at that time?

Diaz: Well, actually, as one of long-time residents of Tinian, Mr. Willens, I do not recall of any commercial farming on Tinian. I call this subsistence type of farming. Yes, way back during the Naval Administration, we have three American people who were doing some kind of commercial farming and importing, or rather exporting, produce to Guam for the military bases.

Willens: Produce?

Diaz: Way back, yes, produce. You know, farm produce. But right after that, what is called a Mr. Yum, that's his last name, I recall him very well. I used to work there as a young boy before tilling the farm, getting paid \$.25 an hour at that time, way back, during the late 1940s. But right after that kind of commercial farming, speaking of the local people, strictly of the local people, we have no one on the island capable of coming up with the big agricultural products, simply because we are lacking of the necessary equipment, you know.

Willens: Let me be more specific. The charge was made that people were seeking homesteads, not to develop them, but in order to be able to sell them at a big profit if the military came into the island and developed a base. And the Department of the Interior expressed concern that there was speculation of that kind going on, and that's why they thought that the moratorium made good sense. Do you have any reaction to that?

Diaz: Again, I just have to repeat what I stated earlier, that we are somewhat frustrated, disappointed of the fact that we were deprived of additional lands for our young generation who have reached the age of 18, and that was the eligible age for anybody to acquire any homestead, agricultural or village homestead. And after they come up with that moratorium, no one being able to get any more homesteads.

Willens: Do you remember how long the moratorium stayed in place?

Diaz: As a matter of fact, I believe it's still in effect as far as the military retention areas concerned on Tinian, aside from the one-third of the island, south [part] of the island, where the civilian population are concentrating. But on the two-thirds of the island, that's why the so-called lease-back negotiation is going on now between the military and our leaders, trying to get back those lands, at least half or several thousand acres of land, to lease it back to the local government.

Willens: Did the people on Tinian support the Covenant even though it provided a substantial amount of their island to the U.S.? Was there a lot of dissent?

Diaz: No. We voted in favor of that.

Willens: Do you remember the political education program that took place before the Covenant was put to a vote?

Diaz: Yes.

Willens: Did you participate in that?

Diaz: Yes, I did participate in that public education. In fact, most of the members of the Commission, like Eddie Pangelinan who was being the Chairman, normally travels about once a week to Rota and Tinian trying to educate the people on the provisions of the Covenant.

- Willens: What were the issues on Tinian that were of the most controversial nature?
- Diaz: Military-wise, your military retention taking up to two-thirds of the island.
- Willens: Was there an active campaign on Tinian to persuade people to vote against the Covenant?
- Diaz: Yes, in fact, there are certain groups on the island of Tinian that are opposed to the passage of the Covenant.
- Willens: Who were the leaders of that effort?
- Diaz: One of them unfortunately is our late mayor Mendiola. He was then my Vice Speaker of the Tinian Municipal Council. I was then the Speaker. He wasn't the mayor yet at that time. He opposed the idea of having the military retain two-thirds of the island, and certain other people who are considered his followers.
- Willens: Joe Cruz became a strong supporter of the Covenant.
- Diaz: Joe Cruz became a strong supporter of the Covenant.
- Willens: Did you feel that the people on Tinian were fully informed as to the issues before they voted?
- Diaz: Well, I think that they are fairly well informed of the situation, because of the fact that we had several days prior to the voting of the Covenant, you know, the people were advised to come to the meeting and listen to what the leaders have to say in regards to the provisions of the Covenant.
- Willens: One of the issues that came up regularly was the concern expressed by Rota and Tinian leaders that the people on Saipan would dominate the future Commonwealth and, as a result, the Covenant has a provision that requires a bicameral Legislature in which the upper House has equal representation for each of the three major islands. Do you recall any sense that you had that the interests of Tinian were to some extent different from the interests of Saipan and had to be protected in some way?
- Diaz: Well, all along these lines, I am for the bicameral legislature because, like what you said, way back during the Trust Territory government or during the Marianas Legislature, which was composed of representatives from Rota, Tinian and Saipan, we have only one representative at that time. We can never accomplish anything in the Legislature; we consider our efforts there more like a lobbyist instead of a legislator or congressman. Likewise with the representative from Rota. Especially when it comes to budgetary matters, when we ask for this for our homestead development and our infrastructure, water and power and roads development, they seem to be concentrating more about Saipan. I don't blame them. After all, Saipan is the district center of the Northern Marianas, but again, we have no so-called equal representation in the legislative organization.
- Willens: Do you recall where the idea of a bicameral legislature came from? The now-Lt. Governor, Mr. Manglona, was on the Commission, and he was an active spokesman for both Rota and Tinian.
- Diaz: I would say that the most instrumental people who pushed for the bicameral legislature are the Lt. Governor [Benjamin Manglona] and Joe Cruz and Bernard Hofschneider. Those three are very instrumental and one is Joannes Taimanao He is now presently the stevedoring manager. He's working at the Saipan Shipping as stevedoring manager.
- Willens: Here on Saipan?

- Diaz: Yes, here on Saipan. But he was then also a representative from Rota who seemed to be working along with the Lt. Governor, Benjamin Manglona. Joannes Taimanao.
- Willens: Yes, I remember him.
- Diaz: Yes. He was then also a member of the Commission at that time.
- Willens: He's working at the shipping company?
- Diaz: Yes, stevedoring. He's the general manager of the stevedoring here on Saipan. So again, I consider those people to be very instrumental in pushing for the bicameral legislature which we finally accomplished under the provisions of the Covenant.
- Willens: Well, now, just to look backwards some 15 years, there are those who say that one of the major problems in the Commonwealth has resulted from that decision to permit a bicameral legislature. The argument goes that Rota and Tinian have too much power to block legislation in the Commonwealth and that everyone has suffered as a result. What's your judgment about how the bicameral legislature has worked out in fact?
- Diaz: Well, personally, I think that this is how the so-called checks and balances really works, you know, just like any other state in the Union. In particular, the U.S. Congress, where they have equal representation in the Senate, the upper House, as well. The lower House, you know, is apportioned by population. But again, in order to have a very workable situation in any legislative organization, I think it's only fair that we have the so-called equal representation. I don't blame the representative or the Congressman from Saipan simply because they feel that Tinian and Rota have too much power considering the number of population. But when you're talking in terms of checks and balances, that's how I see it. In order to have the so-called checks and balances, we just have to have equal representation in the legislative organization. I think that's the fairest and most democratic way of doing it.
- Willens: Do you think it's worked out?
- Diaz: I firmly believe that this thing will work out for the rest of our lives, provided that the people have an open mind and open heart to compromise or to work along with their Congressmen or fellow legislators.
- Willens: Do you think Rota and Tinian have gotten a fair share of the funds and other benefits that have come to the Commonwealth?
- Diaz: Well, upon this installation of so-called Commonwealth government, we have been having that kind of fair share, as a result of the equal representation which I'm talking about. But if it wasn't for the equal numbers of Senators in the upper House in the Legislature, we would be treated like what had been happening for the past years, when I mentioned earlier that we have only one representative from Tinian and one from Rota in the District Legislature. There's nothing they can do. They're just [able] to make noise on the floor or committee of the whole or just to lobby with members of the Legislature from Saipan. They are considered more like a lobbyist rather than Congressmen.
- Willens: Let's turn to the Constitutional Convention. When did you decide that you wanted to run to be a delegate? What persuaded you to want to participate.
- Diaz: Well, right after I familiarized myself with the provisions of the Covenant, I know that one particular area is about the bicameral legislature. And I like to see to it that during the framing of the Constitution, that particular provision of the Covenant will not be ignored of creating a bicameral legislature.

- Willens: Well, what were some of the other issues that were of particular interest to you personally?
- Diaz: Well, as a member of the so-called Bill of Rights and Natural Resources Committee, I am very much concerned with our Bill of Rights, you know. Like the Bill of Rights under the U.S. Constitution.
- Willens: There was a lot of debate apparently in 1975 and 1976 about the legislation that should be enacted to create the Constitutional Convention, to authorize it and fund it, and there were differences as to how large it should be, whether the Carolinians ought to be guaranteed positions in the Constitutional Convention, how many delegates from Tinian and Rota ought to be involved. Did you get personally engaged in any of the political debate about the legislation to authorize the Constitutional Convention?
- Diaz: Not directly.
- Willens: But that took place almost exclusively in the District Legislature.
- Diaz: Right.
- Willens: I'm just wondering whether you, through your relationships with the Tinian legislators, had any strong views on some of these issues?
- Diaz: Well, quite unfortunately, we're not given the opportunity of getting involved directly with the discussion of forming a Constitutional Convention. We were never given that opportunity. As the Speaker of the Tinian Municipal Council at that time, no one ever came to Tinian or even bothered to send an invitation saying hey, how about coming down to Saipan, we are discussing about the upcoming Constitutional Convention. As a matter of fact, I consider our very limited time and limited resources of 50 days to frame the constitution within that period of time. I think we should need a longer period of time and more resources in order to come up with a very workable type of constitution. But despite the fact that we have a very limited time and limited resources, we came up with a good piece of constitution.
- Willens: Did you ever understand where that 50-day limitation had come from?
- Diaz: I don't know where in the world, whoever got that idea of 50 days limit. I think that the longer time we have, the better the constitution will work out.
- Willens: It came as quite a surprise to the consultants to learn that there were only 50 days.
- Diaz: I thought you can tell me who had that idea.
- Willens: I think our research has demonstrated that some of the legislation that was considered by the Congress of Micronesia had a limitation of no longer than 60 days and then someone reduced it to 50, and the principal concern seemed to be of cost, that if you had an open-ended convention or a much longer convention, it would be too costly.
- Diaz: Quite frankly, I feel that the 50 days limitation is a very unwise kind of a situation. Whoever had that idea, you know.
- Willens: Yes, it put a lot of time pressure on the Convention.
- Diaz: You're sort of rushing, rushing things up, and this is something that happens once in a lifetime, once and for all. You never frame a constitution twice. It can be amended several times, but we can frame the constitution only once in a lifetime, and again, I think it's very unwise for anybody to come up with the idea of limiting the number of days to frame this constitution.

- Willens: I've been told that the campaign for the delegates to the Convention was supposed to be non-political, that is, non-partisan. Were there differences between the Popular Party on the one hand and the Territorial Party on the other as to what ought to be accomplished in the Constitutional Convention?
- Diaz: Well, for one thing, I do know for a fact that the majority of the Republican Party, which was the Territorial Party at that time, won the delegate seats in the Constitutional Convention. And as a result of that, the incumbent Governor now, or the current Governor Guerrero, was our president at that time.
- Willens: Why was it that the Territorial Party was so successful in electing delegates to the convention, whereas the Popular Party had won all of the recent elections for the Municipal Councils and the District Legislature? Did the Popular Party attach a high priority to electing its representatives as delegates?
- Diaz: Do you recall a delegate by the name of Oscar Rasa, who was then our floor leader in the Constitutional Convention?
- Willens: Yes, indeed.
- Diaz: He was very instrumental in the new generation or new candidates for delegates of the Constitution Convention.
- Willens: I don't understand.
- Diaz: He was freshly graduated from college at that time.
- Willens: That's right.
- Diaz: And then when he came back, he sort of [was] very much involved in political developments here in Saipan, and so he decided to run as one of the delegates for that Constitutional Convention in addition to all the other successful delegates that were elected then.
- Willens: There were many new, young, well-educated people who ran for the Convention.
- Diaz: Definitely. Most of them are young and new. I might call them new politicians. Like Oscar Rasa for one thing, remember John Borja? And my colleague, Henry Hofschneider from Tinian, as well as the two judges now, Ramon Villagomez and Pedro Atalig, not to mention Felipe Atalig. But those people are freshly graduated from college, especially Ramon Villagomez just acquired his so-called doctor of jurisprudence degree. And Pedro Atalig as well.
- Willens: Tell me again, why do you think the Popular Party was unsuccessful?
- Diaz: Because they are considered old-timers. I believe that's the best answer I can give you.
- Willens: Do you think the other party was more successful in getting new, younger people out to run?
- Diaz: Yes.
- Willens: But there were not really any political issues in the election, were there?
- Diaz: Not the way I see it. I don't think any political issue should be involved at that time when we were running for delegates of the Constitutional Convention. Because for one thing, when we were campaigning to run as a delegate for the Constitutional Convention on Tinian, we never had to come up with any particular issue opposing this because of the ideas of the Republican Party or the Territorial Party now. We ran as a whole, and what we did to the people is we told them what we are planning to do for the Constitutional Convention and how we are going to do it. In most cases, we are telling our people that

well, we will utilize all our resources and energy to work on a very workable constitution for the benefit of the entire people of the CNMI.

Willens: But you were elected from Tinian, even though you were a Popular Party person.

Diaz: Yes.

Willens: But most of the people who were elected from Tinian were Territorial candidates. Is that correct?

Diaz: Split. I call it split.

Willens: Why was it split?

Diaz: Because those of us who ran for the Popular Party for the Constitutional Convention delegate were Joe Cruz and myself.

Willens: And you were both Popular Party.

Diaz: Right. And then the other side, Ben Manglona, Henry Hofschneider and Steven King.

Willens: What party are they from, Hofschneider and King? Oh, they're Republicans.

Diaz: Republican, or Territorial.

Willens: And you mentioned a Manglona. Which Manglona?

Diaz: Ben Manglona.

Willens: Not the one from Rota?

Diaz: No. Not the Ben Manglona from Rota, Vicente Manglona, the brother of Herman Manglona from Tinian. You forgot him?

Willens: Okay, I'm getting my Manglonas mixed up. And what party was he from?

Diaz: Territorial.

Willens: So there were a total of five?

Diaz: Yes.

Willens: And the three ...

Diaz: Republicans and two Democrats.

Willens: I got you. All right, so it was a split there. When you came to the Convention, there was an effort to organize the Convention, and all the officer positions were filled with Territorial Party people. Were you part of the Popular Party leadership that considered whether or not to take any offices for members of the Popular Party? Let me put it in a more clear way. It's been suggested to us that the Popular Party decided as a matter of strategy not to accept any of the vice presidencies or other positions that were offered to them. Do you have any recollection of that subject?

Diaz: No, all I knew at that time prior to the opening of the Constitutional Convention here at the Base Hotel, which is now called the Dai-Ichi Hotel, we had this so-called get together sort of party at the Royal Taga Hotel.

Willens: That was a get together of your party?

Diaz: That's when we had all of the elected delegates.

Willens: All, yes, okay.

- Diaz: All of the elected delegates, particularly those from Saipan. And I can perfectly recall at that time that when they are caucusing at the Royal Taga Hotel as to who will be elected president, and I knew for a fact that Larry Guerrero was very much interested of becoming the president of the Constitutional Convention, as well as Oscar Rasa, and several others. Probably Benjamin Manglona also was interested in being the president of the Constitutional Convention. I do know there were some members that are quite interested of becoming the president of the Convention. But finally at the end, they agreed that Larry would be elected president, and Oscar Rasa would be the floor leader, and a vice president [position would go to] Manglona.
- Willens: Was that a caucus in which you participated as a member of the Popular Party, or was that a caucus only of the Territorial Party?
- Diaz: Of the Territorial Party, but somehow we were invited.
- Willens: Carlos Camacho was quoted in the press as complaining that the Territorial Party arranged the rules of the Convention to suit their advantage. I have not read the article, and I don't know what specifically he might have had in mind. Do you remember any rules of the Convention that you felt were not fair in terms of free debate?
- Diaz: I was never given any opportunity of getting involved in formulating rules for the Convention. As a matter of fact, I don't know anything about such rules.
- Willens: But as a member of the Convention, did you feel free to speak out and make your own proposals and participate in committee meetings?
- Diaz: Well, under the so-called freedom of choice, I think we were given that opportunity, but not quite. There were a lot of times you'll notice when I raised my hand during the committee of the whole. I was not recognized by the president.
- Willens: You think the president ...
- Diaz: Some of the floor leaders seem to be dictating more on the proceedings of the Convention rather than the president himself. You know, at one time Oscar Rasa, I don't know whether you were there when he almost punched Greg Calvo in the face. He hold his shirt ready and lift him up and say you know, he said a lot of nasty words. I don't like it.
- Willens: What was the issue that prompted that?
- Diaz: The issue at that time that was under discussion was about the three Lt. Governors.
- Willens: That was near the end of the Convention. And that was Greg Calvo who was from Rota. Was he living in Saipan at the time?
- Diaz: Right. He's still here on Saipan, ever since.
- Willens: What do you remember as being the issues of importance in the committee that you sat on, Personal Rights and Natural Resources? What were the particular issues that you remember today?
- Diaz: Well, regarding the election of new Legislature, members for the Legislature, the Governor, Lt. Governor. At first there was a proposal submitted to our committee that the elections shall be held on the first day of November and the inauguration would take place on the first Monday of January. I opposed both, as a member of that particular committee.
- Willens: What committee now was it?
- Diaz: Bill of Rights and Natural Resources.
- Willens: Okay.

- Diaz: I opposed those proposals. For one thing, the election of the new legislators and the Governor, [and] Lt. Governor for our Commonwealth government, if you are to hold it on the first of November, it will be against our religion. We have the so-called All Souls Day. The bishops and the priests and about 95% of the local people normally go to the cemetery on that day. And for us to be holding election on the same day, that will be contrary to our customs and traditions. So instead, I suggested that it would be more appropriate to have the election any time after November 3. Let's say November 5, November 6 or November 7. But not on November 1 or 2. Likewise with the inauguration of the newly elected officials on January 1. I said, it has been a tradition, almost all over the world, that January 1 is a day of celebration, and if we are to hold our inauguration on the same day, that's against our belief and our religion. So why not say second Monday of January instead? I was very instrumental in trying to change the wording on the proposal. And in fact Judge Villagomez, who was then an attorney and a member of our committee, was very impressed with my suggestion. After we had a break in our committee meeting, when we went out, he asked me which particular law school I attended in the states. I said I've never had a college education in my life, not even for one minute. I finished my high school education, all right. I graduated from high school, but I don't go to college. I went through most of my times through experience. I have been a long time member of the Tinian Municipal Council and I have been a Speaker of the Tinian Municipal Council for almost ten years. So if you're talking in terms of necessary academic background, I don't have it. So he was very impressed with my deliberation and my infusion of the ideas of changing this from this to that, you know.
- Willens: Well, what was your position on the issue of local control over governmental services? The proposal for three Lt. Governors was one way in which that issue came to light, and you indicated earlier that you thought that was ...
- Diaz: That particular proposal regarding the three Lt. Governors was scrutinized by the Governmental Operations Committee, not us.
- Willens: But ultimately, did it come to the floor?
- Diaz: Yes. When it came to the floor, I emphasized on that I don't think it would be appropriate for us to have three Lt. Governors.
- Willens: As I recall, there was another issue as to how much authority the mayors ought to have on the separate islands with respect to providing governmental services. Do you remember participating as a representative from Tinian in discussions on that subject?
- Diaz: No, we never had any meeting aside from our standing committee on the Bill of Rights and Natural Resources.
- Willens: You received as a delegate roughly 1,000 pages of briefing papers prepared by my law firm in our capacity as consultant. I hesitate to ask you this, but did you read some, if not all, of those papers, and did you find them responsive to what you needed to learn?
- Diaz: Certainly, it helps me a lot. Before the framing of the Constitution, I read most, if not all, of those reference papers. I believe I still have them at home.
- Willens: It was a very intimidating set of reports.
- Diaz: Yes.
- Willens: And it was hard to expect people to read them within only ten or 14 days before the Convention began. Some people have told me that they read the ones that related directly to the work that they had on their committee.

- Diaz: Well, for me, I think it's very helpful that we have those reference papers. And I think we can come up with a lot of ideas as to how we were going to frame our Constitution, particularly in the state of California. I believe that our Constitution has similarity with respect to the constitution of California, the state of California, in some ways.
- Willens: Well, one of the big issues throughout the Convention was how much detail to put into the Constitution and how much detail ought to be left to future legislation. Do you remember any consideration of that issue?
- Diaz: Well, in most cases, whenever we have some differences of opinion among the delegates, we normally just come up with the wording in our Constitution that the Legislature will have the option or have the opportunity of coming up with the necessary law, enactment of any necessary law.
- Willens: Some people have suggested that the Convention wasn't regarded as a very important event because the Covenant had limited the decision-making authority of the Convention. Did you have any sense of being hemmed in by Covenant provisions?
- Diaz: Not exactly.
- Willens: Did you have any feeling that the U.S. Constitution was limiting in what you could do in shaping your own institutions of government?
- Diaz: That has always been my mind about the U.S. Constitution. We don't want to come up with any provision in our Constitution that might not be consistent with the U.S. Constitution. Otherwise, our Constitution will be declared unconstitutional. Prior to the framing of the Constitution and after we signed the Constitution, I was very optimistic and quite confident that no provision of the Constitution might be considered contrary to the U.S. Constitution. Based on the fact that the U.S. Constitution is considered to be a supreme law all over the 50 states and U.S. territories, including us. And for us to frame our Constitution having a provision in our Constitution which might not be consistent with the U.S. Constitution, I don't think that's right.
- Willens: There was another press report that Dr. Camacho made to the effect that there was a deal at the start of the Convention between the Territorial delegates from Saipan and the Territorial delegates from Rota and Tinian in which the Saipan delegates promised more than they could deliver with respect to local self-government and representation in the Legislature to Tinian and Rota. You were in a very interesting position; you were a Popular Party delegate from Tinian. Did you ever get the sense from your Territorial Party delegates from Tinian that there was some kind of a deal made within the Territorial Party that would give Tinian and Rota what they wanted?
- Diaz: By the way, are you talking about Dr. Camacho, the first Governor of the CNMI? Is that the same person you're talking about?
- Willens: Yes.
- Diaz: Well, it's what we call a political game, Mr. Willens. When I was a member of the Senate, there's nothing much I can do due to the fact that I happen to be a member of the minority group. The composition of the Senate at that time was four Democrats and five Republicans.
- Willens: The Senate under the Commonwealth?
- Diaz: Yes. The first Commonwealth Legislature. The only time when we had the power of retaining the Governor's veto is that, when it really counts, it takes two-thirds majority vote of the Senate to override any of the Governor's vetoes. And by not having two-thirds

of the Senate, I want to tell you a story now. I was approached by the president, the current Governor now, Guerrero, and his fellow Republicans, and they offered me a tremendous opportunity, because they cannot override any of the Governor's vetoes at that time. Camacho was then the Governor at that time. So in the House they have no problem overriding the Governor's veto, but in the Senate, they do have problems, because they don't have the necessary two-thirds majority vote. As I said again, the composition was four Democrats and five Republicans.

Willens: And you were one of the Democrats.

Diaz: I was one of the Democrats. I was then the Chairman of the Tinian delegation.

Willens: And so you were being asked by the Republicans to vote against your Governor.

Diaz: So I was approached one morning by the Republicans to confer with them in the president's office. So I went in there, and there were all five of them, Governor Guerrero now, and Benjamin Manglona, Julian Calvo, Pete Tenorio, the former Governor, and Joseph Inos from Rota, all five of them. I was offered to become a chairman of two of our five standing committees and vice-chairman of the three other standing committees. In addition to that, I was offered to be given the necessary budget to hire my own staff, including legal counsel. But I turned it down. Just to join them on the override. But I turned it down simply because I feel that that's one kind of a betrayal of the people that voted for me. I ran on the Democratic Party [ticket], and I won as a Democrat. And for me to switch parties simply to join them for the override of the Governor's veto, I was offered that position to be chairman of two standing committees and vice chairman of the three other standing committees, you know, and to be given adequate number of staff including legal assistants and all that. I turn it down.

Willens: Do you remember what the issue was?

Diaz: Well, the big issue at that time was about the budget. The Republicans are hiring many staff for the Legislature. The Legislature is being controlled at that time by the Republicans, although the Administration [Executive Branch] was controlled by the Democrats Governor Camacho.

Willens: Did the Governor veto the budget?

Diaz: The Governor definitely of course vetoed the budget, because he felt that it was an extravagant kind of budget.

Willens: And that's what you were being asked to help overrule?

Diaz: Yes, and we are being approached by the Governor. He called upon us, and we had a short discussion in his office, to uphold his veto. That was the main issue.

Willens: Going back to the Constitutional Convention, after there was a draft prepared, there were some public hearings conducted so that the people could have a chance to react to the draft. One of the big issues was the size of the Legislature. What was your position on that issue, namely, how big should the Legislature be?

Diaz: Well, again, I feel that the number of members of the upper house, or the Senate in other words, I felt at that time that six would be appropriate instead of nine, two from each island. For one thing, you know, we have never had the experience of the new government, the so-called Commonwealth government. And here we are just starting with our new government, and yet we have big numbers of members of the Legislature. I consider that to be too costly.

- Willens: Well, the lower house in the draft constitution had 30 members, and there was a lot of criticism of that. It was reduced afterwards to 14. Do you remember being concerned about that number in the lower house?
- Diaz: Actually, they were pushing for a larger number of members in the lower house [an additional] delegate from Rota.
- Willens: They were?
- Diaz: Because of their frustration in the District Legislature of having only one representative, like what I stated earlier, and one from Tinian. And they can do nothing. There's nothing they can accomplish except to lobby with the members of the Legislature here on Saipan. So they're trying to come up with a larger number of representatives in the lower House so they'll have more voices and more power to work their way through.
- Willens: Did you have any indication that there was going to be a walk-out?
- Diaz: No, I never had that idea. I never had any suspicion at all that the delegates from Rota will walk out simply because of that issue, the mayoral issue and the number of the members of the Legislature. I never had any idea they were going to walk out on that.
- Willens: That was a surprise to you when it happened?
- Diaz: Yes, that happened so suddenly, like I said earlier, when Joe Cruz joined them in the walk-out, in fact Joe Cruz was trying to convince me to walk along with them. I said no way. We're here to frame the Constitution, not on one particular issue.
- Willens: Well, were any of the other Tinian delegates to your knowledge approached and urged to walk out with the Rota delegates?
- Diaz: No, not to my knowledge.
- Willens: And the only person that approached you was Joe Cruz?
- Diaz: Right. So he got disappointed and frustrated because I turned him down. In fact, he told me, he says, "You're not man enough to stand on your own two feet." I said, "Don't tell me that. I have my own principles, and I stick to my own principles. We are here to frame a Constitution. We are not here to join the delegation from Rota on one particular issue."
- Willens: Did he support them on that issue of the number of representatives in the lower House?
- Diaz: Definitely. That's why he walked out along with them.
- Willens: There were four Rota delegates who did not walk out Greg Calvo, Pete Atalig, David Atalig and Pete Dela Cruz. Do you know why those delegates did not walk out?
- Diaz: My only impression at that time when they didn't join the walk-out, is that these people are more highly educated. All of those people finished their college education, and they knew more about the American system of government. And I think that they understood the democratic processes, and they believe also in the so-called compromise. So they have an open mind and open heart, and they are willing to accept the facts, and they are willing to go along with what's best for the interest of the majority of the people. Like what you said, Pete Atalig just completed his law education. He became a lawyer then. And Pete Dela Cruz, also a college graduate who had just freshly graduated from college at that time. Greg Calvo as well. And who was the other one?
- Willens: David Atalig? (Pete Dela Cruz, David Atalig, Pete Atalig and Greg Calvo.)
- Diaz: That's right. All of those four guys are newly graduated from college at that time.

- Willens: Do you recall any discussion during the public hearings or later in the convention about what's now become the Article 12 controversy and how to define Northern Marianas ancestry? Do you recall participating in any debates on that issue?
- Diaz: Definitely.
- Willens: What is your recollection?
- Diaz: We went into that deliberation on the issue and we had a heated debate, as a matter of fact, in the committee of the whole. I don't know whether it was you, when I stood up after I'd been recognized by our president, when I stood up and I said, "I would like for our chief legal counsel to comment on my question, and I would like to pose my question now. Don't you think that this particular article will be considered discriminatory in a sense that any U.S. citizens in any state of the union or U.S. territories are eligible to own and buy land? And here we are becoming permanent family of the United States Government, and yet we'll be discriminating against our own fellow citizens? Because for me personally, I think this particular article will be considered discriminatory in a sense. So I would appreciate for our chief legal counsel to comment on this." I don't know whether it was you or Deanne that made that necessary comment. But I recall the answer given to my question, when I posed my question, was that our situation out here is unique. We belong in a small island. Even after combining all the 13 islands in the Northern Marianas, the smallest state in the union, Rhode Island, is still bigger than us. So in order to protect our indigenous or our local people, particularly the future generations, from losing their lands out to the investors, that's the only way that we can assure our future generations that they still have lands available for them in the coming years. So again, we were told during the framing of the Constitution on Article 12 that it would not be considered unconstitutional. I questioned that. I was the one who posed that particular question.
- Willens: No, I remember that, and it was a question no one could answer with guarantees. One could only give one's best judgment about it, and as it has happened, the courts have sustained it.
- Diaz: Now in addition to what I stated already, do you recall when I also inquired as to how do you determine who is eligible and who is not eligible? So the answer was that after the third generation, then they will not be considered eligible. In other words, I was given the example of, take a local resident who is purely 100% Northern Marianas descent married to an outsider, that child of that couple will be consider 50% blood in them, still eligible. And that child again if he marries an outsider, the child of that couple will be considered 25% blood, of Northern Marianas descent, which is still eligible. But after the third generation, [the child] will not be eligible, unless he reverted to marrying the local people again, you know. That was the answer given to my question. I posed those two questions.
- Willens: I will assume that Deanne answered that one.
- Diaz: Because I was very ...
- Willens: Those are good questions. I mean those are the kinds of questions ...
- Diaz: I said how do you determine who is eligible and who is not eligible to own land?
- Willens: That's exactly right. That was one of the many technical issues that one should worry about.
- Diaz: I also mentioned at that time that I had a feeling that this particular article or provision of our Constitution would be contested in court and there will be a lot of suits and

countersuits. I predicted that, simply because of what I stated earlier, that any U.S. citizens in any state of the union or any part of U.S. territories are eligible to buy or own land. And here we are, you know, becoming permanent family of the United States government and yet, we will be restricting our people from other states in the union or other U.S. territories to come out here and buy land and own land. They cannot, unless they are of Northern Marianas descent. So again I predicted there would be a lot of suits and countersuits in regard to that particular article.

Willens: Well, and there certainly was. Larry, I understand you were elected to the first Senate under the Constitution and you had a two-year term. I've heard a good deal about the first administration under the Commonwealth government. Do you have any assessment as to how well Governor Camacho and the Legislature in those early years dealt with the responsibilities of self-government?

Diaz: Yes, of course. I personally feel that the Administration, as well as the Legislature, have put in so much on the present government now. In other words, we work on the foundation of this government. Although there are a great deal of differences between the Administration and the Legislature at that time, as I mentioned earlier that the Legislature is being controlled by the Republicans and the Governor happens to be a Democrat.

Willens: Was anything of importance able to be accomplished under that first Administration?

Diaz: Well, definitely. The accomplishment that we came up with is that we managed to have a budget on a yearly basis. It's not like what happened here just last year. They don't have a budget, despite the fact that both the Administration and Legislature are being controlled by the Republicans. We managed to keep our government functioning properly year after year during Camacho's Administration.

Willens: Why did he lose the effort to be reelected?

Diaz: Well, that's a very good question. I ask myself the same question. Why didn't he get reelected? For one thing, what I observed about Governor Camacho's attitude is that he is very straightforward, and I don't know whether some of our people don't seem to understand that being a Governor, you know, you don't put in your influence on personalities or personal matters. But it's one of our local customs here. Not all but some of our people seem to be taking advantage of going to the Governor's office or any members of the Legislature for personal reasons. Nothing to do with the community or the general welfare of the people. Let me give you one good example.

Willens: And he would not agree with that approach?

Diaz: No. Many of our people here, especially women or men, but especially women, they go to the Governor or any member of the Legislature to borrow money, ask money for personal matters. It has nothing to do with our general welfare or our administration or the Legislature. That's a personal business.

Willens: How well do you think the Constitution that you helped produce has worked over the past 15 years?

Diaz: So far, I think this is a very workable Constitution.

Willens: They already had a Second Constitutional Convention that generated some amendments, and they're talking now of a Third Constitutional Convention. Do you think there's the need to amend the Constitution?

Diaz: Well, the only thing that I see that might be required are some amendments regarding the Article 12. But I don't know how they're going to work that out.

Willens: Because of the Covenant?

Diaz: Yes. Speaking of Article 12, for me personally, I think there's absolutely nothing wrong with Article 12. What I see wrong here is the middlemen or people using local people as fronts, you know, like the real estate brokers and the investors. But speaking strictly on Article 12 of the Constitution, I don't think that there's anything wrong with it. It's very clear that on a long-term leasehold. There's nothing wrong with the 55 years maximum, but you cannot own land. It's very clear. So I don't know why all these suits and countersuits are going on now, and why people are squawking. I think that there has been a lot of greediness going on, too, both sides.

Willens: Greediness?

Diaz: Yes. Some of the landowners are very greedy. They got already what they deserve, and they want more, or twice as much, or maybe more than that. As well as was the investors for wanting, they are not given the 55 years lease and only for 25 years with an option of another 15 years, 40 years maximum instead of 55 years. They seem to be trying to get another local guy to convince the landowner that all right, I give you a certain amount of money and convince him or convince her that I will pay more. You know.

Willens: All right. I appreciate your statement on Article 12 and I want to thank you very much for participating. So thank you very much.

Diaz: Well, thanks to you.