

On My Mind

1/11/02

Why is it that the inauguration of the incoming governor and the inauguration of the incoming members of the legislature are scheduled to be held at practically the same time? (The governor's inauguration is set for 10:30 a.m. at Memorial Park; the legislators' for 10:00 a.m. on Capitol Hill.)

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The CNMI Constitution only says that elected officials should all be sworn in on the second Monday in January. Despite a widely-held belief to the contrary, the Constitution does not mandate that they be sworn in at the same time, nor has it ever done so.

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It seems downright discriminatory that one has to choose whether to attend the inauguration of members of the Legislature or the inauguration of the governor. Why can't one attend both? Aren't both elected by the people, and don't the people deserve the opportunity to see them both take their oath to serve those who elected them? The half-hour difference in starting time is cosmetic at best - even assuming the Capitol Hill ceremony were to begin on time - and everyone knows that's not likely - it doesn't allow for the time it takes to get from Capitol Hill to Memorial Park, much less find parking, get to a seat, etc., etc.

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And why is it that information on the where and when of both events was not officially announced until today? And at that, only by paid ad? As a result of which, information on the inauguration of the governor appeared only in the <I>Variety</I> - and information on the inauguration of the legislature, though in both papers, was buried - on pages 18 and 23 respectively. What's more, even the front-page story on the governor's inauguration in the <I>Tribune</I> does not provide the time of either the governor's or the legislators' ceremony.

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One assumed the governor's inauguration would be at Memorial Park, and there have been comments about renovation at the legislature in preparation for the inauguration there, but assumptions should not be necessary. Part of the fault, of course, lies with the press, which hasn't seen fit to "just give us the facts" - the who, what, when, and where of this most important event. Nor does there seem to be any excuse for its failure - after all, there is no bigger event in the offing. Part of the fault lies, as well, with the parties themselves. Surely both the incoming governor and legislators have staff assigned to and capable of handling public relations/publicity for the event. Since it is an official government function, moreover, part of the fault must also be ascribed to the office of the governor. Maybe the transition team, as one of its last official acts, can draw up a schedule and guidelines for making the inaugurations more accessible to the people?

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Rumor has it that procedures on Capitol Hill may not go all that smoothly - on the Senate side, that is - what with the unhappiness of the Saipan senators with the newly-formed Rota-Tinian alliance. At issue is whether Tinian and Rota will finally manage to agree long enough to attain and hold leadership in the Senate, or whether a belief, however volatile, in party loyalty will once again leave control in a Saipan-based majority.

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The Rota-Tinian alliance has pledged to support the B&B team, however, indicating that party loyalty is not really the issue here. Having long had an affinity for the underdog, I hope the alliance succeeds. Could make for some very interesting consequences!

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On the House side, it appears things will go far more smoothly, with incoming Speaker Heinz S. Hofschneider giving every indication that he has matters well under control. His early caution to House members to watch their budgets bodes well for a more rational and responsible performance of the House than has been seen in the past.

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The situation regarding courtesy resignations is more troublesome. Certainly, agency heads who are appointed by the Governor, and serve at the Governor's pleasure, should submit their resignations when that governor ceases to hold office. It is clear, by the very nature of the appointment, that such agency heads have no claim to their position beyond the tenure of the governor who appointed them.

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The issue here is whether the incoming governor is strong enough to appoint his cabinet members, and other agency heads, on the basis of their experience, ability and knowledge, or whether he will do so on the basis of political patronage.

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Members of most boards and commissions, however, are not appointed to serve at the pleasure of the governor, but for fixed terms. The terms are fixed by law. To ask them to submit "courtesy resignation" is a violation of the law.

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It is understandable that an incoming governor would want people who agree with his position and policies to hold such offices. However, since in most cases membership is staggered, governors do get to exert their influence such boards. Vacancies generally occur on an annual basis, allowing an incoming governor to appoint his representative in due course.

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It is also understandable that an incoming governor would like those board positions open so that he could offer them to his supporters. But that is not the point. The point is to maintain continuity; to retain members who know the history of the operation and are aware, up-to-date on its current needs, problems and procedures. Installing an entirely new board only inhibits efficient operation of government.

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With such a wealth of resources at his disposal, it is surprising to me that President Bush has not yet managed to come up with an acceptable substitute to describe the country's undeclared "war" against terrorism. The word "war" has so many properties, boundaries, expectations tied to it - legally, historically, traditionally.

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Because terrorism - against which this "war" is being directed - is an amorphous concept rather

than an established country, not all the attributes commonly associated with war apply that comfortably. The rhetoric of traditional war - where each is urged to do his utmost to contribute to the war effort - simply does not apply here, for example. This "war" has not brought shortages, or overtime in factories, or the need for massive numbers of military enlistees. Yet some attributes that could apply, Bush - or his cronies - has chosen not to. There is the status of prisoner of war, which it is said will not be granted those captured. There is the question of a military tribunal, rather than a trial, for those responsible.

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The problem is that in the absence of another term, and in the absence of any definitions of property, boundary, expectations, the whole situation deteriorates into an ad hoc affair - with rules being made up as one goes along, and no assurance that rules made today will suit new situations that arise tomorrow. In the absence of a focus, a known, defined framework, Bush and his cronies have felt justified in curtailing civil liberties far more rashly, broadly, severely than would occur in a more traditional "war."

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Isn't there anyone in that never-never land of think tanks back East who can come up with at least a tentative game plan - and the vocabulary to go with it - so that the rest of us may relax at least a little, and not live in fear and trepidation of the next ad hoc rule or restriction to be handed down from the Commander in Chief who isn't?

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Lastly, a kudo and a wet noodle, as Ann Landers says. The kudo to John Pangelinan, <I>Tribune</I> publisher who had the grace to offer the outgoing governor an appreciative farewell in today's issue. Though some may call it faint praise, he did his best - and after all, the people did elect him. A wet noodle to me, who neglected to mention that this past Wednesday was Commonwealth Day - the most significant of the CNMI's four "C" days.