

GOVERNMENT OF THE NORTHERN MARIANA ISLANDS
FOURTH NORTHERN MARIANA ISLANDS LEGISLATURE
P. O. BOX 929
SUSUPE, SAIPAN, MARIANA ISLANDS 96950

December 3, 1976

Mr. Larry I. Guerrero
President
Constitutional Convention
Northern Marianas Government
Saipan, Mariana Islands 96950

Dear Mr. President:

I read with grave concern the provision contained in the Northern Marianas draft constitution with respect to providing for an appointed Carolinian Executive Officer in the Northern Marianas Commonwealth Government. The reasons for the inclusion of such a provision are based on allegations in the constitution that the Carolinians are discriminated against.

There are two fundamental questions which must be asked in judging the correctness of the proposed provision of the Constitution.

The first is: Do we in fact experience significant discrimination against our Carolinian people either by government or by the society in general?

If the answer is negative, then there is no basis for the proposed Carolinian Executive Officer.

If, however, it can be proven beyond reasonable doubt by an investigation of a study commission that Carolinians are being denied their rights by government or private action, then the Constitutional Convention clearly has the responsibility to build provisions into the Constitution which will effectively eliminate any possibility of governmental discrimination against Carolinians and prevent future abuse.

In the event that the allegations of discrimination against Carolinian is proven, it is not clear that an appointed Carolinian Executive Officer is the best way to attempt to solve the problem.

There are often possible protections which could be built into the constitution which do not structurally perpetuate a Carolinian second place mentality - as this proposed provision does - consider for a moment the difficulty of electing a governor, who is a Carolinian origin, and/or of Carolinian ancestry if the populace knows he will have an appointed Carolinian Executive Officer also. I fear that this proposed provision will effectively block the possible election of any Carolinian Governor

President Lorenzo I. Guerrero
Page 2
December 3, 1976

and will in fact hurt the cause of Carolinian involvement rather than help it.

I hope we have not been subtly affected by the racial hatreds of the U.S. Those hatreds are based on a history of slavery - of members of one race owning members of another race. The situation is not at all the same here. Here we have two island peoples who live, work, and play together. Carolinians and Chamorro families are joined by marriage. There are no secret quotas for jobs. There are no cross burnings. I have seen no pattern of discrimination. And to return to my earlier request for proof of discrimination, I should emphasize that proof of discrimination must show a clear, persistent, and pervasive pattern of discrimination to have to make of this issue constitutional question. To feel discriminated against (as some Carolinians apparently do feel) without objective proof is a state of mind only. I do not wish to deny anyone his or her feelings. But I do ask that charges be proven before being acted upon.

And I hope you will not mind a reminder of the obvious - our children all go to the same schools and our society is becoming increasingly homogenous and egalitarian.

We must avoid thinking in static terms or of the past. We must not build into our Constitution provisions based upon the past feelings of a few people.

If we look at our new political partner, we see that when America was being organized there were strong ethnic rivalries. An American of Irish descend could not get a decent job at the turn of the century. Americans of Greek descend were looked down upon by other ethnic groups. The same was true for Italian Americans and many other ethnic groups.

But in recent years we have seen an Irish-American President, John F. Kennedy, a Greek-American Vice President, and now the United States has a world famous Secretary of State who was not even born in America who is of German Jewish descend.

This did not happen by freezing a special position for Greeks, or Italians, or Irishmen or German Jews. It happened because the United States Constitution gives protection to all citizens and leaves it up to the government to enforce those generalized rights and protections. That is

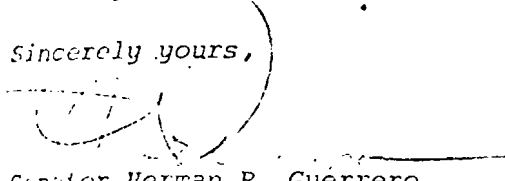
President Lorenzo I. Guerrero

Page 3

December 3, 1976

what our Constitution should do also. Mr. President, I refer you to the Bill of Rights and the equal protection clause of the U.S. Constitution as the model for protection of Carolinian, Chamorro or future citizens from any other ethnic group here in the Northern Marianas.

Sincerely yours,



Senator Herman R. Guerrero