

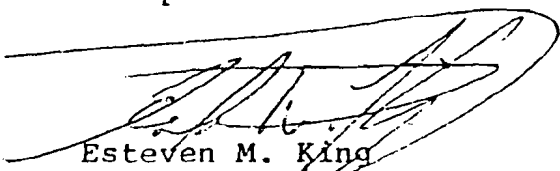
SECOND NORTHERN MARIANAS CONSTITUTIONAL CONVENTION
HOUSE OF TAGA
SAIPAN, COMMONWEALTH MARIANAS 96950
Phone #6517/6572

LEGAL OPINION NO. 4

MEMORANDUM

TO : Legal Counsel, Attorney General
FROM : Committee on Personal Rights/Natural Resources
SUBJECT : Prohibition of Slavery

The Personal Rights/Natural Resources Committee has requested you to provide us with an opinion on the following questions: Is the Prohibition of Slavery included in the CNMI Constitution or Covenant and what is the position of the legislature, if not included or specified?


Esteven M. King
Chairman

cc: President, 2nd CNMI Con-Con



OFFICE OF THE ATTORNEY GENERAL
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

5TH FLOOR, NAURU BUILDING
SAIPAN, CM 96950

PHONE: 6207-7111

REXFORD C. KOSACK
ATTORNEY GENERAL

TO : Committee on Personal Rights/
Natural Resources

DATE: 6-25-85

FROM: Legal Counsel

RE : Prohibition of Slavery
Legal Opinion No. 04

QUESTION PRESENTED:

Is the prohibition of slavery included in the CNMI
Constitution?

ANSWER: No.

QUESTION PRESENTED:

Is the prohibition of slavery covered by the Covenant?

ANSWER: Yes.

DISCUSSION:

The prohibition against slavery is found in Amendment XIII
of the United States Constitution as follows:

Section 1. Neither slavery nor involuntary
servitude . . . shall exist within the United
States, or any place subject to their jurisdiction.

Section 2. Congress shall have the power to enforce
this article by appropriate legislation.

The Covenant to Establish a Commonwealth of the
Northern Mariana Islands specifically provides in Article
V, Section 501 that the thirteenth amendment to the
United States Constitution will be applicable within the
Northern Mariana Islands.

Committee on Personal Right
6-25-85
Page 2

COMMENT:

There is no restriction to adding an amendment to the Commonwealth of the Northern Mariana Islands Constitution that would include this right. Article I - Personal Rights - of the CNMI Constitution has many laws contained therein which are found within the United States Constitution and are made applicable by the Covenant, Article V.

QUESTION PRESENTED:

What is the position of the legislature if the prohibition of slavery is not included in either the Commonwealth of the Northern Mariana Islands Constitution or Covenant?

ANSWER: As the prohibition of slavery is set forth in the Covenant, the Commonwealth of the Northern Mariana Islands legislation need not enact laws to make slavery a crime in the Commonwealth of the Northern Mariana Islands.


ERIC SMITH
Assistant Attorney General