

COLUMN

Neal Milner: Hawaii Legislators Need To Stop Hiding in The Dark

Too often, legislators seem frightened to let the public understand how they work.

MAY 5, 2016 · By Neal Milner 

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Last week Civil Beat waived its general policy against using anonymous sources so that it could cover two stories.

One was Denby Fawcett's piece about clergy [sexual-abuse victims](#), an obviously tragic and vulnerable group.

The other? Take a guess. People in witness protection? Iraqi interpreters? Teenage runaways forced to work Waikiki's streets? Pentagon whistleblowers?

The correct answer is ... Hawaii state legislators who, worrying about retribution, would not go on record for Nathan Eagle's [story on legislative factions](#).

What's your gut reaction about the difference between a sex-abuse victim's and a politician's fear and vulnerability? Probably the same as mine.

Ultimately it comes down to this: Elected public officials were too frightened to explain publicly to the voters how the Legislature really works.



Lawmakers struggled to make the deadline to kill or pass bills as the session drew to a close.

Nice going, legislators. That's the spirit. Don't talk about how you do stuff because you are afraid it might hurt you.

Even what they were willing to say privately under the protective halo of anonymity was much less revealing than it appears.

I don't doubt that the Civil Beat editors were right when they said, "it was the only way to tell the story of how important political factions are in the public process." But that does not make what these legislators did, or, more correctly, refused to do, proper.

This pseudo-legitimated obfuscation is too much the norm in Hawaii politics. Candidly telling the public how you do business is most definitely not speaking out of turn.

Factions Aren't The Problem

The problem is not the existence of factions. No political institution can thrive without the diversity that factionalism provides. And in a legislature like ours, in which one party is totally in control, there are bound to be differences within such a large tent.

The problem is with the kinds of factions that the Hawaii Legislature has and with the legislators' stealthy attitude toward them — like Hillary Clinton would be in even more serious trouble if her

e-mails talked about Speaker Joe Souki's leadership strategies.

You can understand this best by comparing the Hawaii factions to those in other legislative bodies.

Generally there are different kinds of factions. Some are based on ideology while others are based on personalities. Both kinds can be transparent.

Today's Congress is an example of ideologically-based transparent factions. A legislative body with an approval rating in the teens is not a role model. But at least it is clear what is going on.

Consider the name of a key faction, Congress's Tea Party Freedom Caucus. That group of legislators may not represent your kind of politics, but you have to admit, the name has heft because it reflects a powerful, historical political symbol and it publicly distinguishes that faction from Democrats and other Republicans.

Factional differences do not have to be ideological to be transparent. As V.O. Key showed in his classic book, "Southern Politics in State and Nation," factions can divide along more personal lines.

During Huey Long's heyday, there were always clear pro and anti-Long factions in the Louisiana legislature. No one had trouble discovering who these people were and what they were about.

With either ideological or personality-based factions the public had or has an excellent chance of knowing what's going on.

Smoke Signals

Not so in Hawaii's case, where the behavior of legislative factions get treated the same way as Papal elections.

You can see this in the names the Hawaii Democratic legislators give to their factions, which those brave souls who wished to remain anonymous were courageously willing to divulge.

On the surface, these names seem like goofy, kids-in-the-carport-clubs, like "The Three Amigos" (a comedy Western), or the Fab 4 (the University of Hawaii basketball team after the NCAA sanctions take hold).

Or take the two biggest factions, called Loyalists and Dissidents. The names have a "West Side

Story” vibe, but, as you will see in a minute, they tell you very little except that some folks a while ago were dissidents while others were loyal, and that leadership changed as a result.

This change may have, as Eagle put it, “rocked the house” (not in the Bruno Mars sense), but with what consequences?

In fact, these names are important because of what they *don't* indicate.

They say nothing about the basis of the factions: Ideology? Policy views? Astrological signs? Band nerds versus jocks?

Naming Names – Or Not

So as trivial as they sound, these names are important, because they indicate ... well, nothing really, at least to the public looking for cues as to what is going on.

The names tell a lot because they tell so little.

How can you decide how you feel about what the Three Amigos are up to, if all you know about them is that they are friends and speak at least one word of Spanish?

The Civil Beat article gives just an itty-bitty hint that ideology may be involved. Supposedly the Dissident faction has a “more progressive” policy agenda.

Now that would be a big deal if it were clear to the public, but far from it. There is little evidence one way or the other that that's the case, mainly of course because none of the politicians want to discuss it in those terms.

Instead, to Hawaii's House and Senate, factions are like tricks in a magic act and the legislators are the magicians. It's as if they say: If we tell you how they work, we lose our power.

There is enough magical thinking in politics without legitimating this kind of off-putting inside-baseball view. It makes an already zany, frenetic, murky legislative process even more so.

The legislators need to get over themselves. The legislative process is obtuse enough without justifications for making it even murkier.

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About the Author



COLUMNIST

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Neal Milner is a former political science professor at the University of Hawaii where he taught for 40 years. He is a political analyst for KITV and is a regular contributor to Hawaii Public Radio's "The Conversation." His most recent book is "The Gift of Underpants."

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5 Comments

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Patricia Blair · University of Nebraska-Lincoln

Super article, thanks. Such harm the Hawaii legislative process, with its high school mentality cliques

Like · Reply · 2 · May 5, 2016 9:30am



Charles Henning

Please don't insult high schoolers, Ms. Blair.

Like · Reply · 4 · May 5, 2016 12:31pm



Charles Henning

Legislators have long tossed out the sham that they "serve and are accountable to the people".

It's more than glaringly clear they only serve: 1) Themselves, and 2) the unions/developers/lobbyists/entrenched corporations that OWN them, 100% bought and paid for.

We the "people" only get scraps after the true owners have gorged at the table and scratched the ears of their loyal lapdog legislators.

Unfortunatley we the "people" only have ONE recourse (since NO politician would dare shake things up with self imposed term limits).

Vote incumbents OUT.

But I won't hold my breath.

Like · Reply · 2 · May 5, 2016 12:30pm



Justin Hahn · Honolulu, Hawaii

If it's true that monied special interests (unions, lobbys, etc) are the real constituents of the lege, then would it also not be true that as customers and members of these

monied interests we the people are the bottom level of the constituency pyramid? If that's the case, we do indeed have some semblance of access to power -- like the doctors who protect their corner on the psychiatric market, or the carpenters who astroturfed the 2012 mayoral and city council elections.

maybe the only thing wrong with the current system (aside from it's sheen of disgusting slime) is the fact that we the people aren't better at organizing ourselves to become our own special interest group(s).

Like · Reply ·  2 · May 5, 2016 6:29pm



Kane O'opu

Justin, DON'T KNOCK UNIONS - unions are in place because lower than middle income people were unfairly taken advantage of by the ELITE. Many have lost their lives (LITERALLY) in UNIFICATION AND SOLIDARITY TOWARDS A BETTER LIFE. You will sing a new tune if you ever needed UNION REPRESENTATION

Like · Reply · May 6, 2016 11:42am



Charles Henning

Kane O'opu: Yeah like 80 years ago. The main beneficiaries of unions these days are the guys running the unions...just like "non profits" and charities (Wounded Warrior, anyone?)

Like · Reply · May 6, 2016 1:18pm

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Toni Auld Yardley · Works at Lanikini Productions, Kanakamaoli Religious Institute

THE "TOP CAT OF THE KINGDOM AND SUGAR"
IS NOW - "OUT OF THE BAG" - NOW THEY CAN
"STOP THE SILENCE AND BACK ROOM DEALS"
PUTTING THE MONEY - BEFORE - THE PEOPLE'S NEEDS.
AND - "TALK STRAIGHT TO THE PUBLIC"
OUT - WITH THE OLD - ROCK DA VOTE!!
THE TIME - IS NOW - EO!!!

MANY "NEW JUNIOR MEMBERS" - ARE NOT - LIKE THE OLD.
HALLELUJAH - THEY BELIEVE - IN - "ALOHA AINA" - EI!!!... [See More](#)

Like · Reply · May 5, 2016 6:51pm



Frank De Giacomo

By George! Dr. Milner has a sense of humor. Insightful, and humorously sarcastic simultaneously. Bravo!

Like · Reply ·  1 · May 5, 2016 11:00pm



Cal Hirai · University of Hawaii at Manoa

I'm curious, is there a faction in the Hi. Dem party that is anti President Obama? From my perspective there seems to be little recognition being put out there by Democrats. A "Local Boy" becomes president and I rarely hear his name mentioned by our Democrats.

Like · Reply · May 7, 2016 10:05am



Toni Auld Yardley · Works at Lanikini Productions, Kanakamaoli Religious Institute



Residue of the PUNAHOU PLAYER HATERY - still going since the OLD TERMITE STADIUM - when 3/4 of the stadium would unite to BOO THE "BUFF N BLUE" - to no avail - to add to their plight. IT AIN'T EASY BEING PUNAHOU, but WE DO NOT STOP

- I wrote a letter to the editor like this to KING DAN when he chose Hillary and made it very difficult - for us to get to the Caucus to vote OBAMA IN - because Obama said - HE WAS AGAINST THE PORK BARREL BRIGADE - run by DAN.

Pretty much - Obama followed using my very simple words "DAN, DAN, DAN." - AREN'T YOU OVER IT YET?

Poor thing - hls "talking like a teacher... See More

Like · Reply · May 11, 2016 2:30pm · Edited



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