Opinion
NCR Voices
Kristi Noem

U.S. Secretary of Homeland Security Kristi Noem testifies before the House Appropriations Homeland Security Subcommittee hearing on oversight of the Department of Homeland Security, on Capitol Hill in Washington, May 6. (OSV News/Reuters/Kevin Lamarque)



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Homeland Security Secretary Kristi Noem had trouble answering a question from New Hampshire Democratic Sen. Maggie Hassan during a hearing on Capitol Hill this week. "Secretary Noem, what is habeas corpus?"

"Well," Noem replied, "habeas corpus is a constitutional right that the president has to be able to remove people from this country and suspend their right to … "

Hassan mercifully cut Noem off before she could embarrass herself further.

This was not a trick question.

Yes, habeas corpus is in Latin, and there are Latin phrases I would not expect a Cabinet secretary to understand.

If Hassan had asked Noem about the phrase "*qui ex Patre Filioque procedit*" I would have given her a pass. The debate about the "*filioque*" in the Nicene Creed is difficult to understand theologically, even if the Latin is pretty accessible.

Sixty years ago, most Catholics might know phrases from the Mass like "*Domine, non sum dignus ut intres sub tectum meum, sed tantum dic verbo et sanabitur anima mea*," but not today. Besides, Noem is a Protestant and they haven't practiced their Latin for centuries.

Habeas corpus, however, is a cornerstone of jurisprudence in Western civilization. It is older than the Magna Carta. Noem did not just get it wrong. She said it meant the exact opposite of what it does mean. A writ of habeas corpus — you have the body — is the legal requirement that the government produce a person it is holding in custody and justify his detention.

Noem and the others nominated to serve in President Donald Trump's Cabinet were chosen for their personal loyalty to the man, not for expertise in a given field. Still, this level of ignorance is shocking.

What's next?

Separation of powers? This is the theory that requires former U.S. Agency for International Development administrator Samantha Power be kept separate at all times from author and CNN contributor Kirsten Powers. They can never be in the same room.

Judicial review? Is this when a group of judges get together and perform a musical number at the state fair? Perhaps a skit of some sort? Something by Noel Coward?

Due process? This is actually a drink order in Italy: due prosecco. Two sparkling wines. Usually served as an aperitif, but sparkling wines actually pair nicely with spicy food as well.

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Every American citizen should be familiar with these core concepts of the U.S. Constitution. Indeed, one of the more effective conservative talking points in recent years has been the criticism that intellectual elites on the left have banished civics from the classroom in favor of fuzzy social science and multicultural studies. The Founding Fathers who drafted the Constitution were so many dead white males of European descent why bother with them?

The criticism of the left's distaste for our nation's own patrimony was and is valid, but it loses more than a little of its currency when the criticism comes from someone who has not herself bothered to learn about how our civilization got where it is, why certain things — like habeas corpus — are civilizational achievements worth preserving, and that her boss is the one who is threatening those achievements.

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Noem is not the only Trump Cabinet member to underperform during congressional testimony recently. Robert Kennedy Jr., the secretary of Health and Human Services, flailed when trying to answer questions about his department's effort to cope with a lead poisoning crisis in Milwaukee, Wisconsin. He seemed not to know whether the cuts he and Elon Musk unleashed had hampered efforts to deal with a crisis like this, or not.

"You can't just slash funding, fire everyone, slap a slogan on a new agency and say that work will continue," Wisconsin Democratic Sen. Tammy Baldwin told Kennedy in the hearing. "Your decision to fire staff and eliminate offices is endangering children, including thousands of children in Milwaukee. If you have a proposal to make these programs work better, present it and justify it."

Kennedy seemed genuinely not to know what his own agency is doing, or even what it is capable of doing. Earlier this year, there was an outbreak of measles in Texas. Now, there is lead poisoning in Milwaukee. Threats to health we thought we had conquered are back and our HHS secretary is clueless.

We expected Trump's second term to be mean, but did anyone foresee this level of sheer incompetence?