SACRAMENTO SPECTATOR

Having always agreed more with Dorothy Parker ("If you can't say something nice about somebody come sit right here next to me") than the Roman statesman Cicero ("Let nothing but good be said about the dead"), I offer these brief observations on the Quackenbush affair.

It was a perfect combination of greed, stupidity, and arrogance. The Quackster, as a quintessential moderate Republican, believed in nothing more than his own aggrandizement, leaving no core values to scream "stop" as he embarked on his ultimately self-destructive course. But an *un*covered part of the story is the role of Quack's political advisors, the old Pete Wilson team of geniuses, with their triple-starched shirts, paisely suspenders, tassle loafers, and their own lethal mix of greed and arrogance. Word in the martini havens serving as heat relief for your *Spectator* is that these worthies — who wear their "political wizard" labels in neon — sold to Quack the plan that was ultimately his undoing.

And the topic of greed mixed with arrogance segues nicely into the California business community's latest effort to raise your property taxes. They failed with Proposition 26, which would have reduced from 66 to 50 percent the vote needed to pass local school bonds, which are paid solely by property taxes, and are back again with "son of 26," which reduces the vote necessary from 50 to 55 percent.

At the same time, business is also supporting a ballot initiative (known as the Sinclair Paint initiative for its court-case moniker) that would increase from 50 to 66 percent the vote needed to raise fees and taxes on businesses. Hence the position of the corporate socialists at the business roundtable, chamber of commerce, *et. al.*, is that the electoral bar to raise taxes on *them* should be 66 percent, but to raise taxes on *you* should be 55 percent.

These businesses have stooped and scraped for Gray Davis all year. In return, Davis has blocked some of this year's worst anti-business bills. But he has also shown more than once that if the choice is between business and labor, his heart will always belong to the unions. And our captains of industry show no evidence of having considered what happens once their allies have been fed to the alligator and they alone remain to be eaten.

Instead, these businesses have discovered in the Assembly a band of "moderate Democrats," using this find — about as real as the latest Elvis sighting — to "balance" their largess between the parties, drastically curtailing contributions to Republicans. With labor money going 95 percent to Democrats and business suddenly doing a 50/50 split, the result is predictable.

So, the business community having apparently adopted a liberal elitest view of conservatives — yahoos unwelcome in their clubs — the time is now to join Democrats in a populist crusade for a "split roll" property tax system. That would cut the average homeowner's property tax up to 75 percent, while perhaps doubling the tax on Wells Fargo, Intel, and the rest. Twice this year they have betrayed homeowners and the once-potent anti-tax coalition they formed with them in the past. It would only be right to answer them, in spades, in the new language they have adopted for themselves.

— *A. P. C.*

It's Often Lonely, Being Right

And, for the U.S. Supreme Court, it's never easy, either. If Al Gore wins in November, it will be impossible.

MARK S. PULLIAM

THE WORLD we live in gets stranger by the day. Janet Reno's storm troopers were temporarily diverted from gun control duties (Ruby Ridge) to handling child custody disputes (Elian Gonzalez). Gun-hating, anti-military liberals normally opposed to parental rights cooed with approval at the SWAT team's use of brute force to seize a child from his anti-Castro relatives. (What's next from Janet Reno? Will the storm troopers be called out for overdue library books, or for failing to fill out the Census forms?) The nation's librarians, formerly a matronly lot, are committed to unrestricted access to pornographic web sites on the Internet, even for children, using taxpayer-funded computers. But prayer in the public schools is off-limits and the Ten Commandments can't be displayed. The Boy Scouts of America (BSA) is under attack for opposing homosexual role models. Thanks to Bill Lockyer, California was among the 11 states opposing the BSA's freedom of association in the U.S. Supreme Court. Harvard Law School is teaching "animal rights," even as the ACLU defends infanticide (partial birth abortions) before the U.S. Supreme Court. If the left had its way, dolphins and redwoods would have more legal protection than humans. The Clinton Administration is persecuting Microsoft for being too successful, even as it defends racial quotas, gender preferences, and affirmative action.

Amid this chaos and confusion, it is often difficult to maintain one's bearings. One wearies of the constant struggle. Even good people make mistakes. These frailties are understandable, and usually pardonable, but they highlight the wisdom, courage, and conviction of the hardy few who withstand the onslaught of political correctness and defiantly raise their rhetorical fists in lonely dissent. Two notable examples of public figures fitting this description are Clarence Thomas, associate justice on the U.S. Supreme Court, and Janice Brown, associate justice on the California Supreme Court.

On May 22, Justice Thomas was the lone dissenter to the Court's denial of *certiorari* (denial of review) to the California Supreme Court's decision in *Avis Rent A Car System, Inc. v. Aguilar* (previously discussed in this column — see "Slouching Toward the Middle," *CPR*, Nov/Dec 1999). Readers may recall that *Aguilar* was a 4-3 decision authored by Chief Justice Ron George upholding an injunction against derogatory remarks in the workplace directed at Hispanic/Latino employees, despite the heavy constitutional presumption against "prior restraints" of speech. (Justice Brown was among the dissenters to George's plurality opinion.)

JUSTICE THOMAS disagreed with the California Supreme Court's ruling, and publicly chided his colleagues for declining to grant review: "I would grant *certiorari* to address the troubling First Amendment issues raised by this injunction. Attaching liability to the utterance of words in the workplace is likely invalid for the simple reason that this speech is fully protected speech.... But even assuming that some pure speech ... may be proscribed ... when it violates a workplace harassment law, special First Amendment problems are presented when, as here, the proscription takes the form of a prior restraint."

The danger of the *Aguilar* decision is illustrated by a recent bill (A.B. 2142) that passed the Assembly by a 41-30 vote and is now before the Senate. A.B. 2142, sponsored by Democrat Fred Keeley, would amend

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