

in *Senate v. Jones*? Incredibly, he ruled that curbing legislative pay, perks, and power in the same initiative violates the “single subject” rule. The Supreme Court had *never* previously invalidated an initiative measure on this ground, and only once before — 50 years ago — had it decided the merits of a *pre-election* single-subject challenge to an initiative. Yet George and his colleagues held that voter control of redistricting is not “reasonably germane” to voter control of legislators’ salaries. The majority brusquely rejected the proponents’ argument that since legislators work for the people, the people are entitled to have final say over legislators’ compensation and job security

ASSOCIATE JUSTICE JOYCE KENNARD, joined by Justice Janice Brown, dissented. She reminded the majority of the numerous precedents it ignored to strike down Proposition 24. In prior cases, the Court had extolled post-election review of initiatives so as not “to disrupt the electoral process by preventing the exercise of the people’s franchise.” In another case, the Court recognized that “no serious consequences will result if consideration of the validity of a measure is delayed until after an election If the measure passes, there will be ample time to rule on its validity. If it fails, judicial action will not be required.” Kennard closed with these words: “The prudent and

correct course here is to defer decision on the validity of Proposition 24 until after the March 2000 election. Abandoning judicial restraint, the majority has sacrificed the prime judicial virtue of careful deliberation.”

Even the liberal *San Francisco Recorder*, a leading legal newspaper, was troubled by George’s hasty and politically-expedient decision. In an editorial, the *Recorder* wryly noted that “the decision will no doubt benefit [George] as he presses for the money and legislation he needs to implement his vision for California’s court system.” The *Recorder* opined that it is “hard to shake the feeling he led the Court in knocking Proposition 24 off the ballot in order to score points with the pols. Good relations is one thing, groveling quite another.” George, the editorial concluded, runs “the risk of being remembered for worrying more about political repercussions than legal ones.” *California Political Review* has been saying this for years. You read it here first. Before *Senate v. Jones*, the Supreme Court regarded the initiative as “one of the most precious rights of our democratic process.” Courts deemed it their duty “to jealously guard this right of the people.” With extraordinary haste, at literally the last minute, and contrary to the Court’s own precedents, George subverted that right for transparently political reasons. In what is surely his most revealing decision as chief justice, George confirmed that he is an unprincipled opportunist. D.F.

THE MIDNIGHT ECONOMIST

Pernicious Potentialities of Contriving Cloud-Places

Bellamy’s Dark Fairy Tale for the Year 2000

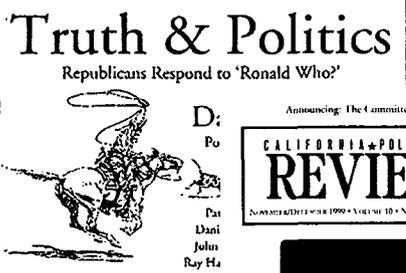
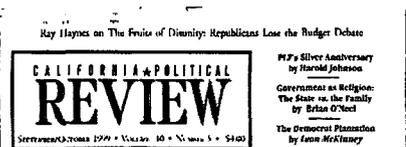
W I L L I A M R . A L L E N

LITTLE MORE than a century ago, the American author, Edward Bellamy, published his utopian novel, *Looking Backward*. The immensely popular and influential book pictured a collectivist paradise in the year 2000 which resembled a smoothly managed prison — or zoo — populated with docile, contented inmates.

William R. Allen felicitously combines inspiring romanticism with rational realism in the UCLA Department of Economics.

There was much anticipation of technological ingenuity but little room for individualism in this ideal world, for there was little room for registering personal preferences, for private rights to use of property, or for productivity to be reflected in rewards. With brotherly cooperation replacing beastly competition, the objective of imposed organization and the criterion of decreed rules were solely “the welfare of society.”

Bellamy’s simplistic vision is of simple but sensitive

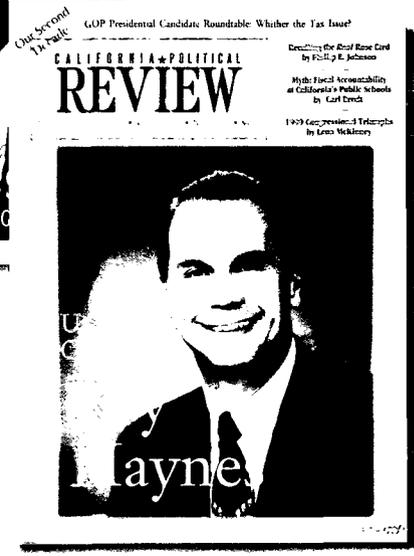


John Ku
Victory Requin

Announcing: The Committee for Religious Freedom — page 12



Truth & Politics:
The Debate Continues
Harold A. Johnson
David C. McManis Dissects
Publicized Science
Peter Hainford Discusses
Dutch



An Opening for Common Sense

“The beginning of political wisdom is the recognition that liberalism is at the end of its intellectual tether.”
— Irving Kristol

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Must reading for informed Conservatives

people of limited ambition and little self-interest enjoying a pleasantly zombie-like existence in a simple, paternalistic world. He romantically rebels against and rejects the realities of risk, uncertainty, change, choice, cost, ambition, greed, conflict. Societal adaptation to a world of scarcity within a context of capitalistic competition was “folly ... brutally individualistic, antisocial, and unpolitical.”

For him, an efficient social system requires personal purity — and individual acquiescence to centralized direction in a military type of egalitarian organization. And, despite all evidence, he was confident that people *are* innately pure, but are corrupted by bad institutions — and that purity would be restored with correction of the institutions. Individual subserviency to integrated social structure and consolidated control would be the triumph of common sense. We can “easily” bring into being a “new world, blessed with plenty, purified by justice and sweetened by brotherly kindness”

The author provides glowing general assessments of *conditions* and *results*, but little of how the arrangement is to be *established* and how it then is to *operate*. Success would require human characteristics which in actuality are not characteristic of humans. Ignored is the admonition of David Hume that the proper starting point of social analysis is to take men as they are; and

rejected is the vision of Adam Smith that appropriate ground rules and procedures of society can meld and channel activities of combative competitors to the benefit of all.

THE SERENE Bellamy acknowledges that initially he had had in mind “a mere ... fairy tale of social felicity,” with “no thought of contriving a house where practical men might live in, but merely of hanging in mid-air, far out of the reach of the sordid and material world of the present, a cloud-place for an ideal humanity.” “Ah,” a poet instructs us, “but a man’s reach should exceed his grasp, or what’s a heaven for?” And he came to confuse his naivete with profundity and to embrace a childlike conception of gentle, genial totalitarianism.

It need not be wholly in vain to seek the impossible — if what we seek would prove desirable if attained. It is useful as inspiration and guide to strive for more than we can achieve — if the manner of striving itself does not preclude attaining as much as is possible. It is proper and appropriate to strain to reach beyond our grasp — if, in fact, we rationally reach toward Heaven. But if the reach is grossly misconceived and fundamentally misdirected, then what is grasped will be quite the opposite of Heaven.

THE WORKING PRESS

Fourth Estate Forgets to Register

The voters are waiting to read about the significance of several ballot measures.

T I M W . F E R G U S O N

A MONTH BEFORE the primary, the journalist pack decided it would write about how Californians weren’t ready. Suppose they gave an election and nobody cared — that kind of stuff. But there was plenty else to report, beyond the usual, scripted candidate klatches and rallies. Voters were waiting to read about several ballot measures.

It took an op-ed piece in the *Los Angeles Times* by leaders of the Howard Jarvis Taxpayers Association to call attention to a potentially damaging schism between

Tim W. Ferguson is California Political Review’s press critic.

the anti-tax forces and major business lobbies. At issue is Proposition 26, the ruse by which the public-school protectorate is trying to lower the threshold for approval of tax-financed bonds. This would help the spenders sneak the booty through in quiet off-year elections.

The California Chamber of Commerce [*sic*] signed the ballot argument for Proposition 26 and several other statewide business groups are supporting it. The Jarvis boys — who themselves have been known to go a little wobbly on tax increases that don’t hit their bread-and-butter interests — denounced this implied effort to shift the burden onto residential properties and said