



## Red Herring Politics

In an election year, this is the time for an “October surprise” — some sensational, and usually irrelevant, revelation to distract the voters from serious issues. This year, there are October surprises from coast to coast. There are a lot of incumbents who don’t want to discuss serious issues — especially their own track records.

This year’s October surprise that is getting the biggest play in the media is the revelation that California gubernatorial candidate Meg Whitman once employed a housekeeper — at \$23 an hour — who turned out to be an illegal immigrant. It is great political theater, with activist lawyer Gloria Allred putting her arm protectively around the unhappy-looking woman.



But why anyone should be unhappy at getting \$23 an hour for housekeeping is by no means clear. Maybe she is unhappy because Meg Whitman fired her when she learned that her housekeeper was an illegal immigrant, despite false documents that indicated she was legal when she was hired.

What is Meg Whitman supposed to be guilty of? Not being able to tell false documents from real ones? Is that what voters are supposed to use to determine whom to vote for as governor of California? A far more important question is whether voters can tell false issues from real ones.

October surprises are especially phony when they are used on behalf of someone with a long track record in government, like Jerry Brown, who has held government jobs ranging from state attorney general to mayor of Oakland to governor of the state.

What did Jerry Brown do the last time he was governor? That ought to tell us a lot more than whether Meg Whitman is a document expert. She is not running for a job as a document expert.

One appointment by Governor Jerry Brown ought to tell us a lot about his ideology. His most famous — or infamous — appointment was making Rose Bird chief justice of the California supreme court.

She overruled 64 consecutive death penalty verdicts and upheld none. Apparently no judge or jury could ever give a murderer a trial perfect enough to suit Rose Bird.

To hear Rose Bird and her supporters tell it, she was just “upholding the law.” But, fortunately, the California voters saw right through that pretense, and realized that she was doing just the opposite — imposing her own personal opposition to the death penalty in the guise of interpreting the law. No California chief justice appointee had ever been voted off the bench by the voters before Rose Bird, but she was roundly defeated when 67 percent of the voters voted against her in a confirmation election required by California law.

Two of her like-minded colleagues on the California supreme court were likewise voted off the bench. They, too, were appointed by Governor Jerry Brown.



Written by [Thomas Sowell](#) on October 5, 2010

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The question is not whether you are for or against the death penalty. If you don't like the death penalty, you can vote to repeal it. But it is not the job of judges to deprive the voters of their right to choose the laws they want to live under.

This is part of a much larger arrogant political ideology, in which anointed elites impose their own notions, in utter disregard of the laws passed by the people's elected representatives.

At one time, Governor Jerry Brown was riding high in the Democratic Party, and was considered a rising prospect for that party's nomination for President of the United States. Then something happened that told us all what kind of man he was.

There was an infestation of Mediterranean fruit flies out in California's agricultural heartland in the interior valleys. Despite being urged to allow spraying of insecticide out in the valleys, to nip the infestation in the bud, Governor Brown pandered to the environmental extremists and refused.

The net result was that the "Med flies," as they were called, spread from the valleys out into cities and towns as far west as the San Francisco Bay Area. Faced with a major political disaster, Jerry Brown finally authorized spraying — over a vastly larger area than when he was first asked. That fiasco spared us a Jerry Brown administration in Washington.

No wonder his supporters have sprung an October surprise about Meg Whitman's housekeeper. They need a distraction from his record.

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