

EDITORIAL

Judge Walker is more than just his Prop. 8 ruling

The Porchlight series hosted a storytelling event March 19 at Café Verdi, based around the theme of law and order. The keynote speaker was retired federal Judge Vaughn Walker. According to the Bay Citizen, the “Silver Fox” brought down the house.

Walker has become one of American society’s more unusual figures: The celebrity judge. There aren’t many of them. There’s Lance Ito, of O.J. Simpson fame. There’s Earl Warren, or William Rehnquist, or Anthony Kennedy, the supposed swing justice upon whom Obamacare will or will not pass muster in the U.S. Supreme Court. There are even judges who get to star in their own TV shows.

But even among this rare species, Walker stands out. He presided over the challenge to Proposition 8, the amendment to the California Constitution that denied gay and lesbian couples the right to marry.

Walker ruled that the amendment violated the constitutional rights of gay and lesbian couples, and decreed that the amendment was invalid. The 9th U.S. Circuit Court of Appeals agreed, which means the case will almost surely be seen by the U.S. Supreme Court.

Throughout the trial, proponents of Prop. 8 repeated the same theme. Walker is gay. Of course he will find in favor of Prop. 8 opponents. And of course, he will find a legal rationale to back up the ruling he wants in his heart.

“What you have is one judge who thinks he knows — and a district-level judge and an openly homosexual judge at that — who says he knows better than not only 7 million voters in the state of California, but voters in 30 states across the nation,” said Tony Perkins, the spokesman of the Family Research Council.

On both the left and the right, Walker has become the “gay judge.” To supporters of same-sex marriage, he fought the good fight. To opponents of same-sex marriage, he set aside legal principles to find a way to advance the gay agenda.

But for almost all of his career, Walker was loathed by liberal lawyers. Walker was first appointed by President Ronald Reagan, and President George H.W. Bush finally got him on the bench.

Prior to Prop. 8, Walker’s most storied case involved the systematic pepper-spray torture of Earth First! protesters by Humboldt County sheriff’s deputies. Walker, who was then regarded as a libertarian property-rights absolutist, ruled against the protesters.

Once the Prop. 8 case fell into his lap, Walker became defined by his sexuality, despite a lifetime of rulings that fell largely into the camp of the conservative movement.

Walker has since retired, and his legacy will almost surely be defined by the coincidence that he was gay, and that he presided over the challenge to Prop. 8. But Walker is a living, breathing example of post-gay culture, in which homosexuals are no longer defined by their sexual orientation. Walker is, in short, a jurist.

When Walker took the stage March 19, he told a quick story about a plaintiffs’ attorney who stole from his clients. He concluded with a mild, almost banal imprecation to report for jury duty. Nothing says how far the gay-rights movement has come quite as much as this ordinary event.

TODAY’S CARTOON By Mike Luckovich/The Atlanta Journal-Constitution



FROM READERS

Fair comment at the Library Commission

The context for Ray Hartz’s comparison of library commissioners to Roman emperors was that Jewelle Gomez had been re-elected president of the commission after she had been found guilty of “official misconduct” by the Ethics Commission (“Taped comment stirs controversy,” Wednesday).

That finding was not only for willfully violating someone’s right to public comment, but abusively shouting them down.

The finding of Gomez’s official misconduct is the only process of accountability that she is subject to, and when the mayor failed to act to remove her in the first place and tolerated someone found guilty of official misconduct in his administration, he was basically encouraging it.

The library commissioners could have responded that they don’t consider themselves to be Roman emperors. The only way Hartz’s comment could be even metaphorically threatening was if they considered themselves at risk precisely because they do consider themselves Roman emperors. That it was merely a metaphor was unmistakable, but it was clarified anyway.

But the crucial issue is that after proclaiming her retaliation in profane and violent language, she used her position as a public official to seek her revenge by swearing out a police complaint.

That is the misuse of police power as retaliation against free speech — free speech that was unquestionably fair comment.

If that is not grounds for termina-

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By email letters@sfexaminer.com

By mail Editorial Page Editor
The San Francisco Examiner
71 Stevenson St., Second Floor
San Francisco, CA 94105

By fax (415) 359-2766

CONTACT US

News (415) 359-2754
newstips@sfexaminer.com

Sports (415) 359-2637
sports@sfexaminer.com

Features (415) 359-2727
features@sfexaminer.com

lines, or that I get to work before 7:30 a.m. and leave work by 4 p.m., that I miss a lot of the madness.

As a native San Franciscan, I have decided to make the best of my Muni and BART choices and plan my trips accordingly.

If you try to compare public transit to accomplishing your travel needs as if it were a chauffeur service, of course you’ll be disappointed. Maybe he should ask those of us who used to ride the streetcars downtown — before they went underground around 1977 — what our commutes were like.

I’m loving it now!

Paul J. Weber
San Francisco

Beef about pink journalism

The whole “pink slime” ground beef controversy is an example of how poor journalism is in this country. If it’s pink and it’s slimy, it must be bad. Actually, what they call pink slime is a lower-fat meat than the meat they are adding it to, which is, after all, the rotting carcass of a dead cow.

Technically we’re all made out of pink slime.

If journalists had any white slime between their ears, they would understand that.

Marc Perkel
Gilroy

tion, what would be?

James Chaffee
San Francisco

Muni Fast Pass is a deal

After reading Marc Schoenfeld’s response to your article regarding Muni pass prices (Letters, Friday), I had to wonder what planet this guy was from.

He missed the point that taking Muni and/or BART is a selective choice. It’s a convenience. I have no problem paying \$72 a month for my combo Fast Pass. I can ride Muni and BART all month as much as I want within city limits. Maybe it’s because I don’t ride the notoriously congested 30-Stockton or 38-Geary

Alternatives to bad beef

Republican governors defend the pink slime. Still, “pink slime with a side of fries” doesn’t cut the mustard here.

Tuna fish or even jellyfish with a side of barnacles sounds better.

Al Ujic
San Francisco

The Examiner

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