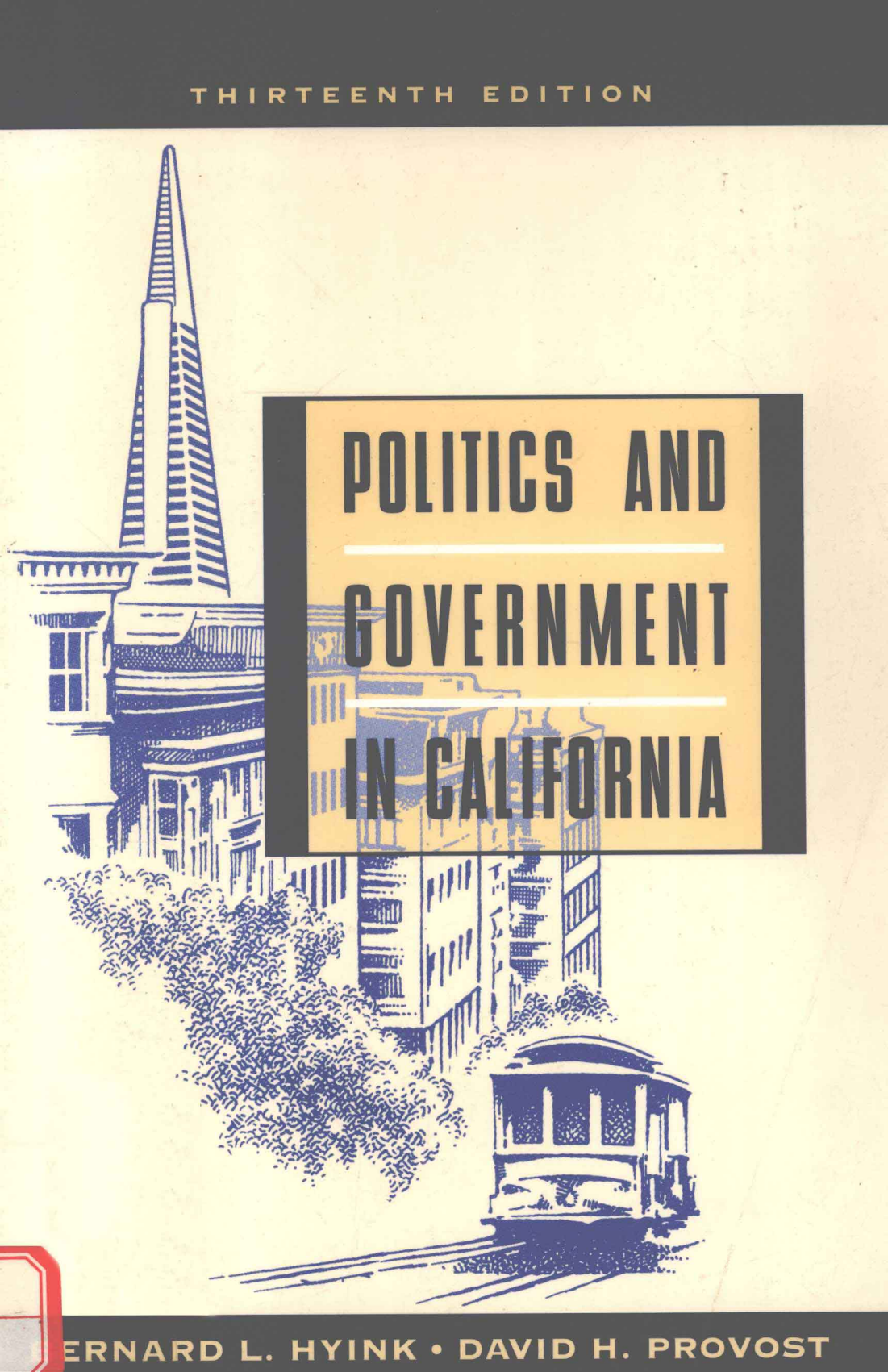


THIRTEENTH EDITION

A blue line-art illustration of a San Francisco street scene. On the left, the Transamerica Pyramid rises above other buildings. In the foreground, a cable car travels along tracks, with a large bush in front of it. The background shows more city buildings.

POLITICS AND GOVERNMENT IN CALIFORNIA

BERNARD L. HYINK • DAVID H. PROVOST

THIRTEENTH EDITION

Politics and Government in California

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Preface

We have commented before in this space that the only constant in California politics and government is change. It is what makes the study of California government and politics both so exciting and so frustrating. Change was evident in 1978 with voter approval of Proposition 13, the Jarvis-Gann initiative, which transformed the political landscape of the state by transferring power from local governments to elected officials in Sacramento. The changes in administration from Pat Brown to Ronald Reagan and from Reagan to Pat's son Jerry Brown and from Jerry Brown to George Deukmejian all marked significant shifts, if not on the order of an earthquake of the magnitude of the forecast "Big One" that characterized Proposition 13's passage.

In the twelfth edition we noted another change, one involving the way we, as a people, now view growth. We noted that growth, in the past welcomed, was now viewed with suspicion. That has not changed five years later as concerns over adequate water supplies, traffic congestion, continued air pollution, and a general pressure on the state's natural resources, including flora and fauna, continues to increase. The acrimonious debate over illegal immigrants that broke out in the early 1990s was in part concern over their impact on the economy but also brought cautions from environmentalists about the "carrying capacity" of the state's resources.

Perhaps the most significant change since the publication of the twelfth edition has been economic. In 1989 the state's prospects looked excellent. Situated on the properous Pacific Rim, an expanding prosperity appeared assured. The national recession, accompanied by the end of the cold war with its resulting major reductions in defense spending in the state, left California's image as the Golden State of opportunity badly tarnished.

Important in all this is the need for an efficient government capable of dealing with the state's problems. However, confidence in our elected officials has dropped to a new low with revelations of corruption in the legislature and a gen-

eral feeling the system has, if not broken down, at least lost its ability to function well. Term limits are popular at all levels of government, from Congress to city hall, as people try to turn things around by turning officials out. And of course the fantasy of a Golden State of unlimited promise has been damaged by an economy stubborn in its refusal to turn around. Yet there are signs that there is light at the end of the economic tunnel, that the long period of economic woe may be coming to an end, gradually to be sure, but coming.

The current edition contains completely updated material in every chapter. The results of recent elections, including the 1994 general election, are included together with analyses of why what happened, happened. New data from the 1990 census are included as are major revisions of sections on many topics, including the California economy, with a discussion of the impact of the end of the cold war on the state, current uses (and abuses) of the direct initiative, the 1991 battle over reapportionment, an analysis of record of the Lucas court, a discussion of the Los Angeles riots and minority politics, and almost totally new sections on immigration, education, and the homeless. An expanded treatment of crime and the criminal includes a discussion of the "three strikes and you're out" initiative and its potential effects. In short, every effort has been made to ensure you have the most up-to-date text available.

This thirteenth edition has been aided by advice from a number of sources, including a variety of state and local government personnel who are proof most bureaucrats are genuinely anxious to help. However, we wish to especially thank the reviewers for their comments and suggestions. They were John T. Travis, Humboldt State University; Lawrence A. Givinter, California State University, Stanislaus; and Harlan Lewis, San Diego State University. A special thanks goes to professor emeritus of political science Karl Svenson of California State University, Fresno, who spent many hours reading the previous edition and making many helpful suggestions for improvement.

Bernard L. Hyink
David H. Provost

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Chapter 1

The California Phenomenon

It has always been difficult to predict the course of California's government and politics, but perhaps never so difficult as it is today. In the prior edition of this text we indicated that California was a "phenomenon" and perhaps not so much a state of the Union as a state of mind. From the days of discovery through the Gold Rush, the era of Hollywood glamour, the proliferation of aerospace and high-tech industries, it has often been difficult to separate fact from fantasy; like the artificial Christmas trees on Wilshire Boulevard, the fantasy was an essential part of the reality. Today's California faces a harsher reality in many ways. The population booms of the recent past have brought with them increased crime and gang activity, congestion, air and water pollution, a straining of state resources and, in the 1990s, high unemployment. Despite all its problems, California is fortunate: its rich resources—abundant talent and its location on the economically booming Pacific Rim—auger well for the future. An understanding of the government and politics of California requires some knowledge of these resources and of the state's dramatic natural and increasingly complex cultural environment.

GEOGRAPHY

California's culture, economy, and polity have been profoundly influenced by its spectacular natural endowments. Stretching along the Pacific Coast for 1200 miles between the 115th and 124th meridians (comparable to the distance from Charleston, South Carolina, to Boston) with an average width of about 200 miles, California combines the dry heat of the American Southwest, the crisp cool air of the soaring Sierra Nevada Mountains, and precipitation from the Pacific to produce (in its natural condition) one of the most ideal climates in the world. There

Gaucus

by HUGO

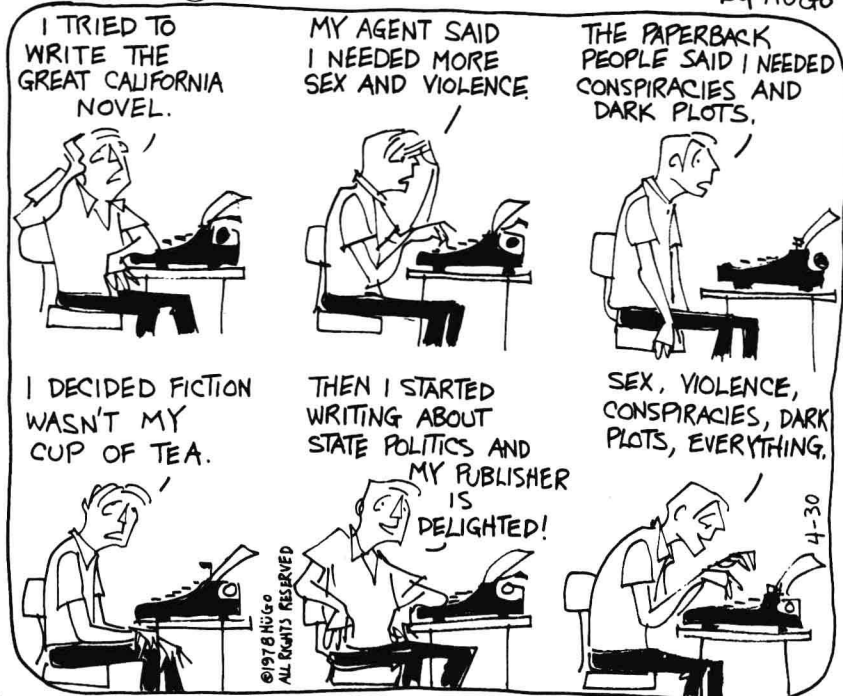


Figure 1.1 (Courtesy World West Features)

are extremes: Death Valley, 282 feet below sea level, is frequently hotter than any place in North America. Just 60 miles away, Mt. Whitney, one of the highest peaks, is hardly ever free of snow. But the coastal littorals and adjoining foothills are alluringly temperate. (Los Angeles temperatures average 55° F in January and 73° in July with about 40 days of rain each year; San Francisco temperatures average 50° in January and 59° in July with about 65 days of rain). The warm and dry Central Valley is actually an immense alluvial plain whose fertile soils are irrigated by waters from surrounding mountain lakes and streams.

California's forests, which cover 40 percent of the state, are world renowned for their giant coast redwoods, taller than any other plant or animal life on earth. In addition to being a source of a lucrative timber industry, the forests are crucial for maintaining a sufficient supply of water. Because of the concentration of forests and rivers, Northern California is naturally water-abundant, and Southern California is naturally water-scarce, a situation that has affected the politics of the state in important ways.

The state's geology, dramatized by a history of earthquakes along the San Andreas Fault, has also strongly affected the character of the culture, the economy, and the polity. The lure of gold in the eighteenth century and its discovery in the

nineteenth was in the first instance largely responsible for making California a part of New Spain and in the second instance a part of the United States of America. Its oil and natural-gas deposits have provided a crucial base for industrial development of the state, and their pattern of exploitation in recent years has been one of the most intense political issues, pitting the ecologists and devotees of conservation against the developers and proponents of market-determined growth. Commercially exploitable sources of hard minerals are also a major component of the state's basic economic strength. The water and forests of the state became political battlegrounds in the 1990s when water was diverted from agriculture to preserve fish in the Sacramento Delta and timber interests were at odds with environmentalists, in part over the fate of the famous (or infamous) spotted owl.



Dennis Renault, *Sacramento Bee*.

DEMOGRAPHY

The Indian Genesis

The Indians encountered by the early Spanish explorers of California lived in separate little communities widely dispersed throughout the area and spoke some 135 regional dialects. This highly decentralized pattern and their generally peaceable nature were probably determined by the climate and the abundance of wild fruit, fish, and game. Small communities could happily live off the land without getting in one another's way. Lacking fighting traditions and alliances, they were easily subjugated by a succession of Spanish, Mexican, and Anglo-American regimes. Their numbers declined drastically from about 150,000 at the beginning of the Spanish period to some 16,000 in the 1880s, not so much from deliberate extermination (although there were some notorious massacres during the early American period) as from diseases that were probably the result of their maladaptation to a less natural way of life. Their indigenous cultures were treated with disrespect by their colonial overlords and virtually destroyed. New knowledge of the advances made by California Indians in agriculture, mining, medicine, and trade, not to mention the astronomical observations of Santa Barbara's Chumish, have rendered the old image of the Indian as "grubber in the dirt" obsolete. They had virtually no impact on the evolution of California's political system, but "savages" they were not.

Hispanic Roots

Upon completing their conquest of Mexico in 1521, the Spaniards under the leadership of Hernando Cortes began a series of explorations up the West Coast in search of the gold-rich "island of Amazons," which, according to a popular Spanish novel, was ruled by a pagan queen, Calafia. Cortes himself got no farther than what is now Baja (Lower) California. Other expeditions followed, most notably that of Juan Rodriguez Cabrillo, who in 1542 explored the coast considerably beyond what is now San Francisco. Actual colonization of the coastal areas north of Mexico, however, was not attempted until the last third of the eighteenth century, when, in fear of Russian encroachment from Alaska and English penetration from Canada, the Spaniards felt impelled to enlarge their empire northward. The Spanish method of colonizing California was essentially that used in Mexico proper: a combination of the sword and the cross. In 1769 a military force under Gaspar de Portolá and a religious expedition under Fra Junipero Serra were dispatched to "civilize" the natives to the north. (On the East Coast the English settlers had long since driven the Indians back behind the Appalachian mountain range and were on the verge of declaring their independence from Britain.)

The three colonizing institutions used by the Spanish religious and military authorities were missions, military forts, and towns built for civilian settlers. In the *missions*, run by Catholic priests, the indigenous peoples were taught the religion, language, and customs necessary to make them good Spanish subjects. They were

provided with food, shelter, and clothing and in exchange were often forced to work as slaves for the missions. The Spanish and Indian settlements that grew up around these missions were the embryos of many of today's cities, San Diego being a notable example. The missions were not always successful in gaining the cooperation of the Indians simply on the basis of economic incentives and religious awe. Some tribes were hostile and had to be subdued by military force; thus the *presidios*, advance outposts protecting the missions, were established. Some of the presidios also attracted settlers and, like San Francisco, grew into cities themselves. The early missions and presidios, having established the feasibility of successful colonization, encouraged the Spanish authorities to sponsor civilian towns, or *pueblos*. Spaniards, Mexicans, and indigenous peoples were recruited as settlers through the offer of land, housing, and supplies. The surplus produce of the settlers would be used to supply the military presidios, and the settlers were subject to military service in emergencies and were required to contribute their labor to public works projects. The vast majority of the Indians lived outside the pueblos but frequently came to town, attracted by the variety of goods and amusements. Limited self-government gradually evolved in the pueblos under an *alcalde* (mayor), appointed by the Spanish military authorities, and a town council, elected in some of the more stable settlements by the citizens themselves.

The indigenous Californians attained their freedom and equality with those of Spanish origin (and a growing population of mixed bloods) in 1822 when Mexico won its independence from Spain, but the entire province *del norte* (to the north) continued to be regarded by the new Republic of Mexico as a colonial appendage. Under the Mexican Secularization Act of 1833 the government seized control of the missions and their lands. Much of the mission property was to have been turned over to the Indians, but governmental instability in Mexico City and the submissiveness of the Indians allowed much of the land to fall into the hands of local politicians. Still, the extension of political democracy during the Mexican period did include the Indians who wanted to become part of the new system.

Although the central government in Mexico City appointed the governor of California, who in turn appointed prefects and subprefects (regional and local administrative officers), the provincial legislature was a popularly elected body with the authority to enact laws concerning commerce, taxes, and education. Moreover, on the local level mayors (*alcaldes*), as well as town councils (*ayuntamientos*), were popularly elected. Given the political turmoil in Mexico City, the Californians were left largely to fend for themselves, and the result in many areas was virtual anarchy.

Thus when westward migrating Anglo-Americans encountered California in the 1830s and 1840s, they found a racially mixed Hispanic society with political traditions of its own, including an evolving democracy with a loose federal structure. However, this rich sociopolitical legacy was not to be integrated as a part of the successor American regime, for the Anglos were by and large contemptuous of the California Mexicans. So the legacy became one of an undercurrent of resentment on the part of the resident Hispanics toward their new overlords and a feeling of alienation from what was once their own land.

California's Rapid Growth in Population

With nearly 32 million people, California is now home to more than 12 percent of the entire U.S. population. More than 9 out of every 10 Californians live in one of 45 metropolitan areas, making it the state with by far the largest number of cities with a population of 100,000 or more. In recent years the greatest growth has been in the suburbs, with some of the central cities either static or declining in population. The most populous county in the United States is Los Angeles County, with more than 9 million inhabitants. Two-thirds of the growth in the last several years has come from natural increase (births over deaths) with the remaining third from immigration—legal and illegal.

The course of California's political history can be written largely as an answer to the question: When and why did they come to California?

From the time that the early Spanish explorers named the northwest coast of New Spain after the land of dazzling wealth portrayed in a novel by Garcia Ordóñez de Montalvo, California has been a beckoning gleam on the horizon—a “great expectation” to millions of people. Some have envisioned adventure, many have hoped to find material security, and others have dreamed of glamour and bright lights.

Each year since the American whalers and fur trappers began arriving in the early nineteenth century, there have been substantially more arrivals than departures. Thus although the population of the United States has been increasing during the past century at an average rate of 40 percent every 20 years, California's population has nearly doubled every 20 years. But the expansion from fewer than 15,000 in 1846, when the American military authorities took California from Mexico, to over 32 million by 1995 has not come from a steady flow of migrants. There have been periods when immigration was comparatively low, but those demographers who predicted that the 1980s would be one of those periods were wrong. Within every 20-year period, however, there has been at least one stimulus to a major population invasion from other parts of the country. By highlighting these major invasions and the explosive pattern of the state's growth, some of the unique political and governmental problems discussed in the following pages can be better understood.

Nineteenth-Century Invasions

The Gold Rush The news that James Marshall had struck gold on the banks of the American River in January 1848 brought a rush of adventurous young men, most of whom were between the ages of 18 and 25, almost all unmarried. Not all found gold, however, so they went into lumbering, agriculture, and business—and sent for women. By 1860 the population of California was 380,000, and residents born in other states outnumbered the natives two to one.

The Railroad Boom When the Union Pacific Railroad, built westward from Omaha, was hooked up with the Central Pacific Railroad, built eastward from Sacramento, the trade and migration bottlenecks through the High Sierra passes were cleared. In 1869 the new capitol building was dedicated at Sacramento as if it were a new capitol of the United States. From 1870 to 1880 the resultant increas-

ing land values and commercial expansion stimulated a population rise of nearly 55 percent. This was also the period during which California acquired its large Chinese population, most of whom had been imported into the country by the railroad builders to work as coolie labor. Thousands were laid off in 1876 when the Southern Pacific completed its line down to Los Angeles, but they later became a permanent and productive part of California's work force.

Twentieth-Century Invasions

The "Black Gold" Rush Southern California was found to be rich in oil lands at the turn of the century when oil began to displace coal as the major source of industrial power. The state's oil output increased twelvefold from 1900 to 1910. As the geysers spurted skyward so did property values, attracting real estate developers and land speculators into the Los Angeles area by the thousands.

During this period the agricultural areas were converted from grazing lands to wheat fields, orange groves, and truck gardens requiring a large itinerant labor supply. Further Chinese immigration had been stopped by exclusion acts that grew out of the political turmoil of the latter nineteenth century (see discussion of *Kearneyism* in Chapter 2), so new labor sources had to be found. Farm organizations waged large publicity campaigns throughout the Midwest and South. "Reduced railroad fares, gaudy pamphlets, and silver-tongued traveling salesmen were all part of the pitch to lure white laborers to the coast."¹ Not enough came to meet the demand, so the farmers and ranchers turned to Japan, Mexico, and the Philippine Islands for cheap labor.

With a developing industrial southland and a broad, central farm belt feeding the thriving commercial area around San Francisco, California looked like a sure investment. Young men and women from the older states, eager to stake out a claim in this mine of many untapped veins, boarded trains at Boston, New York, Philadelphia, and Chicago in confident mood. The state's population jumped to 2.5 million by World War I.

The Prosperity Push Although the population increase slowed during World War I, the prosperous twenties gave California 2 million new residents. The value of oil continued to increase. The horse and wagon were pushed to the side of the road by the new gasoline-consuming autos, buses, trucks, and airplanes. California oil producers found the Panama Canal a quick and inexpensive route for shipping oil east to sell at competitive prices. Then, in rapid succession, a series of large new fields was discovered in the Los Angeles area. The Huntington Beach strike in 1920 was followed by the Signal Hill and Santa Fe Springs strikes the next year and the Kettleman Hills bonanza in 1928. People with money to invest descended upon the Southern California area. Refineries were developed to turn the crude oil into gasoline on home grounds. Meanwhile, improved transportation and refrigeration sped California vegetable produce and fancy fruits to eastern markets, which in addition to enriching the growers, helped to advertise California.

¹Kathleen C. Doyle, *Californians: Who, Whence, Whither* (Los Angeles: Haynes Foundation, 1956), p. 29.

The most publicity came through the movies and the radio. In snowbound Maine and Minnesota, people heard the radio announcer describe the balmy Rose Bowl weather on New Year's Day, and the local movie screens in Pittsburgh, Cleveland, and Oskaloosa were animated billboards showing palm trees and movie starlets frolicking in the surf. They used to dream of going to Florida, but now California came to be regarded as the nation's playground or a place to spend one's later years lolling in the sun living on dividends and annuities. The young people came for excitement, the middle-aged came to get in on the ground floor of a sound economic venture, the old came to retire—together they pushed the state's population skyward at a rate of 200,000 a year.

The Dust Bowl Exodus After the crash of 1929, immigration slowed to a trickle. But in the thirties a huge migrant labor force from Oklahoma, Arkansas, and other prairie states crowded into California. When the dust blew away the topsoil from their small farms and the Great Depression blew away their small savings, they headed west. They heard that there was fruit rotting on the vines in California just waiting to be picked (it was not picked because it could not be sold), and they came to California with their large families because they had nowhere else to go. This time the state's population growth (three times as fast as the nation's) was not an indication of economic health.

The Siege of the Servicemen World War II brought many young men to California who might otherwise never have come. Three hundred thousand servicemen who had been stationed there decided to stay after being discharged. Many others went home, talked about the climate and the oranges, and convinced their families it was worth a try. The process was repeated during the Korean War.

The Industrial Boom World War II, in addition to bringing the servicemen to California, brought heavy industry supported by government subsidies, loans, and cost-plus contracts. The burgeoning of the aircraft industry—Douglas, Hughes, Convair, North American, Lockheed—converted placid suburbs such as Santa Monica and Burbank into humming cities. Allied industries providing parts and supplies to the major aircraft producers were also given impetus. The big steel companies were encouraged by Washington to establish and expand California plants; Kaiser built a huge steel mill in the middle of Fontana's vineyard with the help of a loan from the Reconstruction Finance Corporation. The San Francisco Bay Region experienced an industrial revival from the stimulus of wartime shipbuilding. California's oil industry particularly thrived as the state became the fuel station for tankers servicing the Pacific fleet. New electrical supplies, chemicals, and small-tools industries got their start. Civilian employment nearly tripled in manufacturing industries from 1941 to 1945, while other urban employment remained relatively constant. By the end of the war California's population approached 10 million.

Peacetime brought stimulus to California's entertainment industry, especially after television began to make use of Hollywood's talent, facilities, and know-how.