

C a l i f o r n i a

G o v e r n m e n t

A N D

P o l i t i c s

T o d a y



California Government and Politics Today *Sixth Edition*

Charles P. Sohner

Emeritus, El Camino College

Mona Field

Glendale Community College



HarperCollinsCollegePublishers

To Will Scoggins, master teacher and abiding friend.
C. P. S.

To all my teachers (Los Angeles Unified Schools, Immaculate Heart College, and California State University, Los Angeles) and to all the dedicated teachers of California: You make the future possible.
M. F.

Executive Editor: Lauren Silverman
Project Editor: Robert Ginsberg
Cover Design: Kay Petronio
Cover Photo: R. King/Superstock, Inc.
Production Manager/Assistant: Willie Lane/Sunaina Sehwan
Composer: BookMasters, Inc.
Printer and Binder: R. R. Donnelley & Sons Company
Cover Printer: The Lehigh Press, Inc.

California Government and Politics Today, Sixth Edition

Copyright © 1993 by Charles P. Sohner and Mona Field

All rights reserved. Printed in the United States of America. No part of this book may be used or reproduced in any manner whatsoever without written permission, except in the case of brief quotations embodied in critical articles and reviews. For information address HarperCollins College Publishers, 10 East 53rd Street, New York, NY 10022.

Library of Congress Cataloging-in-Publication Data

Sohner, Charles P.

California government and politics today / Charles P. Sohner, Mona Field. — 6th ed.

p. cm.

Includes bibliographical references and index.

ISBN 0-673-52290-3

1. California—Politics and government—1951— I. Field, Mona.

II. Title.

JK8716.S63 1993

320.9794—dc20

92-18570
CIP

94 95 9 8 7 6 5 4 3

California Government and Politics Today

Preface

Since the earliest explorers and conquistadores, California has held a mystique of golden potential for people from all over the world. Today's California is a reflection of its own past as well as a complex, ever-changing mosaic of the future. It is a destination for many, even as others are choosing to leave. California today is a "salad bowl" of ethnicities, classes, and cultures, all of whom must coexist within a framework of limited resources and enormous social needs.

It is the goal of *California Government and Politics Today*, Sixth Edition, to present the complexity not only of the political process but also of the social and economic circumstances in California today. The concise exploration of these themes is designed to give readers many opportunities to reflect on their experiences living here and to consider ways in which they can become part of the process.

Features that make the text accessible to readers include opening quotations for each chapter, comparative data at the end of each chapter, illustrations, and a complete glossary of italicized terms. In addition, Appendix A lists political organizations and interest groups, and Appendix B gives an up-to-date list of elected officials and how to reach them.

Special emphases of the sixth edition that add to its currency are the discussions of term limits and their implications, the 1991 reapportionment battles (including final maps of state senate districts), and a look at the composition of the state supreme court and future impacts thereof. For the benefit of instructors, a complete test bank is available.

The authors' highest aim is to enlighten and inform the readers while gently reminding them that the fate of our Golden State is in our hands. If we do not participate, who will? We hope our efforts are successful, and we thank those who made this book possible: our editor, Lauren Silverman, and her assistant, Jane Judge; our reviewers, Robert Arroyo, Fresno City College; Leroy Hardy, California State University, Long Beach; Wendy Sarvasy, San Jose State University; and John C. Syer, California State University, Sacramento; and, of course, our families who patiently accepted our long hours at the computer.

We remain fully responsible for our work, both its positive aspects and any omissions or errors it may contain.

Please read, reflect, and consider joining us in a long-term commitment to make California the very best it can be.

CHARLES P. SOHNER
MONA FIELD

Contents

	<i>Preface</i>	vii
1	<i>California Politics in Perspective</i>	1
2	<i>The Californians: Land, People, and Political Culture</i> . . .	8
3	<i>California's Constitutional Development</i>	16
4	<i>Freedom and Equality: California's Delicate Balance</i> . . .	22
5	<i>Media Influences and Pressure Groups</i>	28
6	<i>Political Parties and Other Voluntary Associations</i> . . .	35
7	<i>Campaigns and Elections</i>	43
8	<i>The California Legislature</i>	52
9	<i>The California Executive</i>	61
10	<i>The California Courts</i>	71
11	<i>Criminal Justice and Civil Law</i>	78
12	<i>City Governments</i>	84
13	<i>Counties, Special Districts, and Regional Agencies</i> . . .	91
14	<i>Financing the Golden State</i>	97
15	<i>Issues for the 1990s</i>	105
	<i>Appendix A Directory of Political Organizations</i> . . .	113
	<i>Appendix B California State Officials</i>	115
	<i>Glossary</i>	123
	<i>Bibliography</i>	127
	<i>Index</i>	129

California Politics in Perspective

"California (has) more clout than any state has had since the beginning of the Republic."

—DAVID BRODER, JOURNALIST

The future of California, always a land of contradiction and paradox, was never more uncertain than in the early 1990s. It led the country in manufacturing, foreign trade, agriculture, construction, and tourism. Yet even as it surged to the greatest population lead any state had ever had in the nation's history, it was beset with a prolonged drought, an unprecedented budget deficit, and intensified problems of congestion, crime, pollution, and racial tension. Perhaps most surprising of all, the number of people moving to California from other states was exceeded, according to some estimates, by those leaving.¹ A survey of 100 high technology firms indicated that more than half planned to move most of their manufacturing to another state by 1996.²

Acknowledging these problems, Pete Wilson, during his successful campaign for the governorship, stressed repeatedly that "It's time we turned California around and made it what it can be."³

National Impact

The most populous state inevitably has a profound influence on the entire nation. Two of the last five presidents, Richard Nixon and

Ronald Reagan, have come from California, and of the nine members currently on the U.S. Supreme Court, Justice Anthony Kennedy is from San Francisco and Chief Justice William Rehnquist and Justice Sandra Day O'Connor graduated from Stanford Law School (in the same year). The state has 52 of the 435 members of the House of Representatives, 11 more than any other state, and 54 *electoral votes*, a fifth of the 270 necessary to elect a president.

California's national importance flows largely from three traditional sources of political power—money, publicity, and population. Were it a nation, its annual production of goods and services would rank it eighth in the world, yielding enough money to finance not only its own political campaigns but to aid a good many in other states as well. As one prominent political analyst put it, "Politicians everywhere will be obsessed with money in 1992, and especially with money from California."⁴ The state's publicity edge stems largely from Hollywood, if no longer the geographic center, still the metaphor for media magnificence. Huddled behind their television sets on New Year's Day, millions of snowed-in Americans (and others around the world) watch the Rose Parade and wish they were in Pasadena. Some of these "wannabe Californians" eventually come to the state, often to find that the myth is larger than the reality.

Sheer numbers, however, contribute most to California's political might. Its 30 million people⁵ confer upon it not only more members of Congress and electoral votes than any other state but also, at least indirectly, more financial grants and government contracts. Under such favorable circumstances, it is scarcely surprising that any prominent Californian—including, certainly, Governor Wilson—might be considered a potential presidential prospect.

The State and Its People

Despite California's prominence in national affairs, the daily lives of its people are affected more closely by the politics of their own state. The state determines the grounds for divorce, the traffic regulations, public college tuition fees, penalties for drug possession, and the qualifications one needs to become a barber, psychologist, or lawyer. It establishes the amount of unemployment compensation, the location of highways, the subjects to be taught in school, and the rates to be charged by telephone, gas, and electric companies. Along with the local governments under its control, it regulates building construction, provides police and fire protection, and spends about 15 per-

TABLE 1.1 *Origins of new California residents who arrived legally in 1989*

Other States	656,000
Mexico	33,000
Philippines	24,000
Vietnam	16,000
Korea	10,000
China	10,000
Iran	10,000
El Salvador	7,000
India	5,000
Taiwan	5,000
Laos	5,000
Soviet Union	5,000
Great Britain	3,000
Guatemala	2,000
Peru	1,000
Romania	1,000
West Germany	1,000
Canada	1,000
Ireland	900
Poland	800
Other Countries	40,000
Total	836,700

Source: California Department of Finance, *Time*, November 18, 1991, p. 68.

cent of the total value of goods and services produced by California residents.

The policy decisions made in these and other areas are influenced by the distribution of political power among various groups with competing needs and aspirations. Some of the power blocs reflect the same conflicts of interest that the nation experiences: labor vs. business, landlords vs. tenants, environmentalists vs. oil companies. But, as in so many things, these battles are fought on a grander scale in California. Even Disneyland, the home of fantasy and fun, becomes politicized through intensive lobbying in Sacramento, particularly when potential expansion of the Magic Kingdom conflicts with environmental protection. Farmers lobby heavily to protect their ample subsidized water supplies even as urban dwellers pressure politicians for relief from water rationing, and the battles over the skyrocketing costs of auto and health insurance continue to be fought through the legislative process and at the voting booth.

TABLE 1.2 *California's population: Growth since statehood*

<i>Year</i>	<i>Population</i>
1850	92,597
1860	379,994
1870	560,247
1880	864,694
1890	1,213,398
1900	1,485,053
1910	2,377,549
1920	3,426,861
1930	5,677,251
1940	6,907,387
1950	10,586,223
1960	15,717,204
1970	19,971,069
1980	23,667,902
1990	29,839,250

Source: U.S. Census Bureau.

In addition to these battles, Californians struggle over how to absorb and assimilate their enormously diverse ethnic groups, how best to utilize scarce resources, and how to deal with vast differences in lifestyle and beliefs among the state's population. *Ballot initiatives*, developed by organizations to appeal to current public sentiment, recently included such issues as protection of the redwood forests, improved pesticide regulations, and even initiatives to reform the initiative process. Whether the issue is approached through the legislative process or the initiative, the final outcome usually depends on such factors as money, political savvy, votes, and the elusive role of "big mo," the politicians' term for "momentum."

The State and the Federal System

Like the other states, California is part of the American federal system. *Federalism* distributes power to both the national and state governments, thereby creating a system of dual citizenship and authority. It is a complex arrangement designed to assure the unity of the country while at the same time permitting the states to reflect the diversity of a sprawling population with pluralistic traditions and economic interests. Although national and state authority overlap in such areas as taxation and highway construction (examples of what

are known as concurrent powers), each level of government also has its own policy domain. The U.S. Constitution gives the national government two kinds of power: express powers are those specifically mentioned, mostly in Article I, Sec. 8, such as the powers to declare war and regulate trade between states; implied powers are those justified as “necessary and proper” to implement the express ones, such as a military draft or the prohibition of interstate drug smuggling. State governments, on the other hand, can do anything that the Constitution does not prohibit or assign to the national government. Their authority is most clearly acknowledged in Amendment 10 and is known as reserved powers. Some of the most significant of these relate to health, safety, and morality and are also known as police powers.

Since cities, counties, and other units of local government are not mentioned in the Constitution, each state, considered separately, has what is known as a *unitary*, rather than a federal system. This simply means that the local governments get whatever power they have from the state.

Just as California has a mighty impact on the country as a whole, the national government exerts reciprocal influence on the states. This is done in good measure through the *grant-in-aid* program by which national financial assistance is dispensed, often with tough strings attached. Federal money for highways is forfeited, for example, if states do not keep the speed limits at levels designated by Congress or fix the legal minimum drinking age at 21. Fluctuations in the flow of cash from Washington can create serious budget problems for state and local governments. Total federal aid dropped from 29 percent of their outlays in 1980 to less than 17 percent in 1990. For California, that represented \$493 per person, even after the reductions, or about \$50 more than the national average.⁶ Federal contracts to private corporations channel still more money into the state (although post-cold war Pentagon cutbacks have meant major reductions in military-related contracts). More than 300,000 Californians are employed directly by the national government—more federal workers than in Washington, D.C.

While Article I, Sec. 8, and Amendment 10 divide power in our federal system, Article IV imposes on the states three duties to one another. The “full faith and credit” clause requires that each state, for example, honor the marriages and enforce the contracts legally entered into in all other states. The “privileges and immunities” clause prohibits a state from discriminating against citizens of other states, and the final obligation requires the return of escaped criminals to the state from which they fled.

Federalism is perhaps America's greatest political invention. It not only permits states to enact their diverse policy preferences into law on such matters as gambling, prostitution, trash disposal, and wilderness protection, but to act as social laboratories, testing previously untried programs. California has experimented in such areas as antismoking advertisements, pesticide control, and job injury liability. Other states copy what works and avoid what doesn't.

Federalism is valuable, too, in giving public officials job training at the state or local level to prepare them better for national responsibilities. Prominent members of the California Congressional delegation with that kind of experience include Robert Matsui (Sacramento City Council), Barbara Boxer (Marin County Board of Supervisors), and Maxine Waters, Jerry Lewis, William Dannemeyer, Mel Levine, and several others who have served in the California legislature.

But in return for these advantages, federalism exacts a price. Outdated state boundaries determined long ago have left many states too small, and perhaps California and a few others too large, for maximum efficiency. The disparity in state wealth, moreover, perpetuates inequality in schools, hospitals, and other public facilities. Most regrettably, the system often pits the states against one another in a savage competition to attract new businesses or keep existing ones. Among the tactics used in this struggle are tax breaks, reduced worker compensation, and relaxed environmental protection standards, all of which, in the long run, may harm a state more than it is helped by the new jobs created or preserved. Nevada, with no corporation or income taxes, has already lured some companies out of California, and the Los Angeles area alone lost some 18,000 aerospace jobs to other states in the 1980s. By and large, however, California's bountiful blessings are stiff competition for any state.

California in Comparison

Seven states have only three electoral votes each, the constitutional minimum, and California's 54, an all-time record for any state, equal those of New York and Ohio combined.

Notes

1. *New York Times*, May 21, 1991, p. C6. One estimate is by an official of Atlas Van Lines.

2. *Forbes*, April 29, 1991, p. 10.
3. *Los Angeles Times*, November 4, 1990, cited by Cathleen Decker, p. 35.
4. *Los Angeles Times*, November 11, 1990, Norman Ornstein, p. M1.
5. Census figures for 1990 have been vigorously disputed especially by large cities whose minority populations have been, by general acknowledgment, grossly undercounted. If revised figures were authorized, as urged in a number of lawsuits, the state would gain an additional seat in the House of Representatives and substantially more federal aid.
6. *Newsweek*, July 1, 1991, p. 26.

The Californians: Land, People, and Political Culture

"After World War II . . . , people were still excited about California and believed in its golden future as an article of faith. In growing measure . . . , this faith has been replaced by creeping negativism, more doubt about the state's future."

—NEIL R. PEIRCE AND JERRY HAGSTROM, JOURNALISTS

The political process in California, as in other states, is conditioned by many geographic, demographic, and cultural influences. While geography changes only slowly, population shifts and cultural influences can inject new and unpredictable threads into the complex web that forms the state's identity and future prospects.

Geographic Influences

With an area of 156,000 square miles, California is larger than Italy, Japan, or England and trails only Alaska and Texas among the states. It is shaped like a gigantic stocking, with a length more than twice its width. If California were superimposed on the East Coast, it would cover seven states, from Florida to New York.¹ Those dimensions have contributed to an intense rivalry between the northern and southern portions of the state. Sectional controversy has occasionally prompted proposals that the state be divided in two and has been

particularly sharp regarding the allocation of water supplies and funds for highway construction. The two sections differ enormously: the north is rainy, relies on the lumber industry, and tends to be liberal; the south is dry, a longtime aerospace center, and a stronghold of conservative causes.

California's location has been at least as important as its size and shape. As the leading state on what is called the Pacific Rim (those states bordering the Pacific Ocean and facing the Far East), it has attracted large numbers of Asians to its shores, led the nation in commercial fishing, and attracted huge federal investments in naval installations. The state is also 1 of only 15 that borders a foreign nation. In part as a result of the state's proximity to Mexico, Californians of Mexican descent have become the largest ethnic minority in the state, one that includes both first-generation Mexicans and the "Chicanos" whose parents or ancestors originally came from that country.

Two other geographic influences command attention: rich natural resources and a fragile natural environment. Between the majestic Sierra Nevada range along the eastern border and the coastal mountains on the west lies the Central Valley—one of the richest agricultural regions in the world. As a result, California leads the nation in farm output, even though, paradoxically, it ranks lowest among the states in percentage of population living in rural areas. Since more than 40 percent of the state is forested, it ranks second in lumber production, while its petroleum resources place it third in oil supplies. Not surprisingly, agriculture, timber interests, and petroleum companies are major influences in state politics. The beauty and diversity of the natural landscape, ranging across arid deserts, a thousand-mile shoreline, and remote mountain wilderness, have made it a major battlefield in the war between conservationists and commercial recreation developers. Government help has been sought not only to settle such disputes but also to aid the victims of nature's cruelty—among them survivors of the earthquakes, fires, and mudslides so often linked to California life.

Demographic Influences

There are at least two politically important characteristics of the California population. The first is the rapid growth that creates incessant demands for more fire stations, roads, schools, and other government services. While the national population increased by

Table 2.1 Demographic characteristics of the nation, the state, and its major cities, 1990

	Population	White (percent)	Black (percent)	American Indian ¹ (percent)	Asian ² (percent)	Hispanic ³ (percent)	Median Age	Per Capita Income
United States	248,710,000	80.3	12.1	0.7	2.9	9.0	32.9	\$18,685
California	29,668,000	69.9	7.4	0.8	9.6	25.8	31.5	20,795
Los Angeles	3,485,000	52.8	14.0	0.5	9.8	39.5	30.7	19,906 ⁴
San Diego	1,111,000	67.0	9.4	0.6	11.8	20.7	30.5	18,651
San Jose	782,000	62.8	4.7	0.7	19.5	26.6	30.4	24,581
San Francisco	724,000	53.6	10.9	0.5	29.1	13.9	35.8	28,170
Long Beach	429,000	58.6	13.7	0.6	13.6	23.6	30.0	19,906 ⁴
Oakland	372,000	32.5	43.9	0.6	14.8	13.9	32.7	22,249
Sacramento	369,000	60.2	15.3	1.2	15.0	16.2	31.8	18,299
Fresno	354,000	59.3	8.3	1.1	12.5	29.9	28.4	15,927

¹Includes Eskimo and Aleut.

²Includes Pacific Islander.

³Persons of Hispanic origin may be of any race.

⁴Los Angeles-Long Beach Metropolitan Statistical Area.

Source: *The 1992 Information Please Almanac* (Boston: Houghton Mifflin Company, 1991).