

California State Archives  
State Government Oral History Program

Oral History Interview

with

**HON. JEROME R. WALDIE**

United States Congressman, 1966 - 1974  
California State Assemblyman, 1959 - 1966

June 8, 18, and 26, 1987  
Sacramento, California

By Gabrielle Morris  
Regional Oral History Office  
The Bancroft Library  
University of California, Berkeley

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None.

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## PREFACE

On September 25, 1985, Governor George Deukmejian signed into law A.B. 2104 (Chapter 965 of the Statutes of 1985). This legislation established, under the administration of the California State Archives, a State Government Oral History Program "to provide through the use of oral history a continuing documentation of state policy development as reflected in California's legislative and executive history."

The following interview is one of a series of oral histories undertaken for inclusion in the state program. These interviews offer insights into the actual workings of both the legislative and executive processes and policy mechanisms. They also offer an increased understanding of the men and women who create legislation and implement state policy. Further, they provide an overview of issue development in California state government and of how both the legislative and executive branches of government deal with issues and problems facing the state.

Interviewees are chosen primarily on the basis of their contributions to and influence on the policy process of the state of California. They include members of the legislative and executive branches of the state government as well as legislative staff, advocates, members of the media, and other people who played significant roles in specific issue areas of major and continuing importance to California.

By authorizing the California State Archives to work cooperatively with oral history units at California colleges and universities to conduct interviews, this program is structured to take advantage of the resources and expertise in oral history available through California's several institutionally based programs.

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The establishment of the California State Archives State Government Oral History Program marks one of the most significant commitments made by any state toward the preservation and documentation of its governmental history. It supplements the often fragmentary historical written record by adding an organized primary source, enriching the historical information available on given topics and allowing for more thorough historical analysis. As such, the program, through the preservation and publication of interviews such as the one which follows, will be of lasting value to current and future generations of scholars, citizens, and leaders.

John F. Burns  
State Archivist

July 27, 1988

This interview is printed on acid-free paper.

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## INTERVIEW HISTORY

A total of six and one half hours of interviewing were conducted with Jerome Waldie, recorded on June 8, 18, and 26, 1987. The interviews were held in a conference room at the California State Archives in Sacramento.

In a preliminary phone conversation, general topics for the interviews were discussed, and Mr. Waldie referred the interviewer to his papers at The Bancroft Library at University of California at Berkeley. This collection includes seventy-plus cartons of material, primarily on his congressional career with a few folders from 1966-67 on his departure from the California Assembly. The latter were reviewed as well as the House Judiciary Committee papers, since Mr. Waldie wished to discuss the Congress' consideration of the possible impeachment of President Richard M. Nixon. San Francisco Chronicle files for 1958-1966 were reviewed for details of his assembly career and the California Journal for background on his years on the state Agricultural Labor Relations Board.

The interview outline, prepared from the above research and sent to Mr. Waldie in advance, focused on assembly leadership issues. Waldie spoke easily and reflectively, including interesting anecdotes of his experience with Ralph Brown, Edmund G. Brown, Sr., Jesse Unruh, and other key figures of the period. He speaks in some detail on northern California water issues, for which he was and continues to be a leading advocate. Other accounts, such as former state senator James Mills' A Disorderly House (Heyday Books, 1987), provide additional anecdotes of Mr. Waldie in more informal moments.

The interviews include valuable commentary on campaigning for election, both to the assembly and to Congress. In the third session, Waldie recalls his eight years as congressman, particularly his concerns for procedural reforms and the evolution of public opinion on the impeachment issue in 1974. The narrative concludes with a brief discussion of problems facing the ALRB in the early 1980s.

Transcripts of the interviews were lightly edited in the Regional Oral History Office and sent to Mr. Waldie for review. He returned them promptly, with only a few minor revisions and corrections of name spellings.

## BIOGRAPHICAL SUMMARY

Jerome Russell Waldie was born February 15, 1925, in Antioch, California, son of George D. Waldie and Alice Crosiar Waldie. He attended Antioch grammar and high schools, Santa Rosa Junior College, and University of California at Berkeley, receiving the LL.B. from Boalt Hall in 1953. He is married to the former Joanne Gregg and has three children.

After service in the United States Army, 1943-1946, he completed his education and began the practice of law. He became active in Contra Costa County Democratic party politics, and in June 1958 was elected to the 10th District assembly seat, which was open due to incumbent Donald Doyle's decision not to run for reelection.

Waldie became a part of Speaker Jesse Unruh's leadership group and was named chairman of the assembly Democratic caucus, followed by majority leader in 1960 and membership on the Rules Committee. He also served on the committees on Education, Finance, and Insurance; Fish and Game; and Juciciary; and later on Revenue and Taxation and Ways and Means.

In June 1966, on the death of John F. Baldwin, Jr., Waldie was elected to the unexpired portion of the 6th Congressional District seat. He was returned to Congress in 1967, '69, '71, and '73, and served on the Post Office and Civil Service, Public Works, and later Judiciary Committees. In 1974, he ran in the Democratic gubernatorial primary, in a crowded field that included San Francisco Mayor Joseph Alioto; Secretary of State Edmund G. Brown, Jr.; Assembly Speaker Robert Moretti; and philanthropist William Matson Roth.

For several years, Waldie represented the postal workers and other organizations before Congress, and then was appointed by President Carter to hear the White House Conference on Aging. In 1981 and '82, Waldie served as a member of the California Agricultural Labor Relations Board. At the time of the following interviews, he was teaching at Sacramento State University and other colleges, speaking frequently to various public groups, and residing in the Placerville area.

[Session 1, June 8, 1987]

[Begin Tape 1, Side A]

## I PERSONAL BACKGROUND

### Family and Education

- MORRIS: Why don't we start with some of your personal background?  
Where were you born?
- WALDIE: Antioch, in Contra Costa County, as was my father [George D. Waldie] before me.
- MORRIS: How far back do the Waldies go?
- WALDIE: The family, I guess, moved there from San Francisco, and my paternal grandparents in the 1880s, I would presume, because my dad was born in the 1880s, or the 1890s, and he was not the youngest child. They've been there ever since, and I was born in 1925 in Antioch.
- MORRIS: When you were a boy in Antioch, was it still pretty much a small town, farm country?
- WALDIE: Yes. When I graduated from high school in 1942, the town was only 3,000, and it was considered a big community by then. So when I was growing up, it was 2,000 or less.
- MORRIS: And besides agriculture, what was there?
- WALDIE: Paper mill and steel mill. We had a paper mill in Antioch and a steel mill and chemical mills in Pittsburg, where my father worked. He worked a good part of his life in the steel mills. Then he bought and ran a bar for years in Antioch, Blu's Bar.
- MORRIS: Was he interested in politics?

WALDIE: Yes. He was a city councilman and mayor, and constable.

MORRIS: Antioch was small enough that the same person could be both mayor and constable?

WALDIE: No. Different times.

MORRIS: How about your mother [Alice Crosiar Waldie]? Did she take part in the ladies auxiliaries?

WALDIE: No. She worked all her life as a telephone operator, retired after about thirty years with the telephone company.

MORRIS: So you grew up kind of knowing about local government and politics and things like that?

WALDIE: Yes.

MORRIS: Did you care?

WALDIE: Oh, yes, I cared a lot. I was interested in politics almost from birth, it seems. I was a class president, usually; I was student body president in high school and junior college. I always intended to become a politician.

MORRIS: Did you? Why?

WALDIE: I don't know; I just thought I'd like it. Intended to go to law school and went to law school because I assumed that would be the easiest way to get into politics. Majored in political science, University of California, Berkeley; was student body president at the law school.

MORRIS: Who were your faculty members that made an impression in the political life department?

WALDIE: None.

MORRIS: Because they were too theoretical? Were you interested more in the nuts and bolts of . . .

WALDIE: No. I just don't know why. There was no faculty member to whom I would attribute any political consciousness. There was a professor at law school who probably had some influence in terms of my fierce belief in the independence of the judiciary, and that came about through a discussion of [President Franklin D.] Roosevelt's packing of the Supreme

Court. But that's about the only political time I really recall from a faculty member; they were fairly nonpartisan.

In those days, of course, they were frightened of [Senator Joseph] McCarthy. I recall at UC Berkeley a class assignment involving the United Nations where we were to write to the countries and get their view on a particular issue, and we were cautioned about writing to the Russian Embassy that we'd end up on a list to the FBI [Federal Bureau of Investigation]. I presume they were dampened in their capacity to discuss political issues, and political issues in the McCarthy era, if they were to have any meaning, would have to involve the issues of national security, Communism, and freedom of speech and thought. I've never even given much thought to it, but I suspect that's why that was a rather bland time in my life politically.

MORRIS: Because of the adult environment.

WALDIE: I suspect, because the faculties probably were reticent to do much.

MORRIS: That was the era. . . . You graduated from law school in '53  
. . .

WALDIE: That was the loyalty oath.

MORRIS: Was the loyalty oath something that you as a graduate student were aware of?

WALDIE: I was aware of the controversy. You mean as a graduate student at law school?

MORRIS: Right.

WALDIE: We weren't really construed as graduate students; we were considered as law students. That's the difference. A graduate student is a student that is pursuing a graduate course in undergraduate studies, working for his master's or his doctorate. In a sense, a law student's a totally different breed of cat. We're in a totally different profession, totally different curriculum. It's not a continuation of anything.

MORRIS: That's interesting.

WALDIE: Yes, it's a lesser breed, in my view, than a graduate student. A graduate student is far more disciplined in his or her curriculum than is a law student. A freshman law student is less than nothing, whereas a graduate student is quite a person in his or her own part.

MORRIS: Well, often there's been some time lapse in which they've been doing other work. Who was the law school professor who may or may not have been . . .

WALDIE: A fellow by the name of McBaine. He's dead now. Professor [James P.] McBaine.

Political Campaigning in Junior College and Law School

MORRIS: Aside from your belief in the need for the independent judiciary, what were your political or governmental concerns?

WALDIE: Political concerns were very, very mixed at the beginning when I went to junior college at Santa Rosa, my first two years, and then it was not even clearly established in my mind whether I was a Democrat or a Republican. My folks were Republicans, and I recall the [Harold] Stassen/[Thomas] Dewey contest for the Republican nomination.

MORRIS: Nineteen-forty-eight?

WALDIE: It was for the '48 presidential campaign, but it began in '47, I guess. But in 1948, I was at the University of California by then. . . . I guess that was '48. Was that [Harry S.] Truman's first election?

MORRIS: Yes.

WALDIE: That was my first vote. I just turned twenty-one. That was my first campaign. I campaigned for Truman. At the university I'd become much more politically aware; but not through faculty, through student involvement.

MORRIS: It sounds like there was an active student political . . .

WALDIE: There was. The issues were quite interesting. They were freedom of speech issues, but in a much more muted sense than they later became. There was a Rule 17 that was the focal point of most student activism, and that was a rule that prohibited controversial speakers from appearing on campus. And as a result, [Dwight] Eisenhower and [Adlai] Stevenson couldn't appear on campus during the '52 election because they were controversial; they had to appear at Sather Gate and at West Gate. And [Richard] Nixon and [Helen Gahagan] Douglas had to appear at Sather Gate [in 1950] because they were considered too controversial for tender student ears, too. We were mostly veterans. I was going on the GI Bill right after World War II, so that it was an older student body. That began the first political, I think, turmoil in the university. Seems innocent in retrospect, but it didn't seem such then.

MORRIS: It's interesting. I have wondered if the Rule 17 debate could be considered an earlier round of . . .

WALDIE: It clearly was. It was free speech. We were angry that they wouldn't permit people like Eisenhower and Stevenson. . . .

Anyway, Truman's election was the first one in which I really took an interest in participating, to the extent I was able. But my real activism, then, I think, came with Adlai Stevenson's first campaign [1952]. That's when whatever doubts I had by that time--and I didn't have many, as to what political ideology I believed in--were completely removed, and Stevenson made my decisions as to party allegiance quite easy.

MORRIS: What was there about Stevenson that you could . . .

WALDIE: His eloquence, number one. He spoke so clearly and so persuasively, and had such a delightful sense of humor along with his serious capacity to speak. He was just terribly attractive to me, was then and remains so.

MORRIS: How about his ideas? Were there some ideas about what government should be doing?

- WALDIE: Not particularly, though his proposal—which was radical in those days—to control nuclear testing was one that struck me as being quite cogent, quite necessary. And, of course, we were dealing with Korea at that point, too, the remnants of it, when Eisenhower was elected, finally. But Stevenson just struck me as being such an intelligent, decent human being that he was a rare sort of person to find running for any political office, let alone the presidency.
- MORRIS: Were there a lot of students and young people involved in the Stevenson campaign?
- WALDIE: Yes.
- MORRIS: Did you work just on the campus, or were you out in Antioch and other communities?
- WALDIE: Well, by that time I was in law school, and a friend of mine in law school and I just simply printed up some fliers and went to various plant gates in the area and distributed them, just on our own, not through any particular political organization. It was probably better organized than my recollection tells me was the case, though we did not participate in any precinct work through headquarters or anything of that nature.
- MORRIS: There wasn't a coordinator of student volunteers?
- WALDIE: If there had been, we didn't use it. We acted pretty much on our own.
- MORRIS: Was there any objection by management to political handouts at the plant gate?
- WALDIE: Not where we were. Most of the gates in the Berkeley area and Oakland area, though, were on the street—like the Del Monte cannery opens right out on the street. So we just didn't run into anything of that nature.
- MORRIS: Were there yet union political action committees?
- WALDIE: Yes, but I was not involved in it, because in those days I was still a student and I had little exposure to unions. I had

belonged to them, worked in the summer in a paper plant in Antioch, belonged to a company union, essentially. And I worked while I was in law school in a napalm plant, of all things, in Richmond, and belonged to the union there. I didn't know what napalm was, but I made it.

MORRIS: Right, that's what I was wondering. With hindsight, was there any sense of alarm in any of the people working there?

WALDIE: Napalm never became an alarming subject till the Vietnam War. In Korea, napalm was not considered an alarming subject.

MORRIS: That's right. I didn't remember that particularly in Korea. You were in place for what became the California Democratic Council [CDC] since you've worked with Stevenson. Were you part of the . . .

WALDIE: That was the second campaign, essentially, when I became active in the CDC. Remember, Stevenson ran twice; he ran in '52 and '56. Nineteen-fifty-two, I was not involved with CDC; in '52 I was still in law school.

MORRIS: Well, '54 is the date that is usually used for the organizing of CDC per se.

WALDIE: That's right. So that would not have been, you see, the first campaign, but the second. And I was involved with CDC in the second campaign, but I was relating to the first when I was in law school. By the time of the second campaign, then I became active in political organizations in Antioch. Because I was out of law school practicing law by '56.

Marriage, Practicing Law, Democratic Politics in Contra Costa County

MORRIS: How did you go about—once you got out of law school—doing the things you needed to do to then be a candidate?

WALDIE: Well, my last year in law school, I worked for a lawyer in Albany as a clerk, [Robert] Bob Foley, who was the city

attorney in Albany. We had our first child then, while I was in my last year of law school and we lived in Albany.

MORRIS: You got married while you were in law school?

WALDIE: I got married in junior college.

MORRIS: Did you?

WALDIE: Oh, yes, long before law school. I got married about four years before that.

MORRIS: Coming out of the service?

WALDIE: No.

MORRIS: Coming out of high school.

WALDIE: No, no. Coming out of junior college. I started college after the service. I went into the service at eighteen, got out at twenty-one, started college then. Anyway, when I got out of law school in 1953, I continued practicing with Foley for about a year; but he couldn't afford to pay me more than \$250 a month, and I needed more. So I asked for a raise, and he said he couldn't pay more. I'm sure he couldn't. So I said, "Well, I'm going to go out on my own."

So I moved to Antioch, and by that time my father had passed on, and I had his desk. The judge in town was a friend of my father's and he gave me a vacant office in a building he had for \$50 a month; if I ever got \$50, I could pay him. And the local chief of police was a close friend of my dad's, and he gave me a typewriter and a desk for the front office. And the local Fibreboard [Corporation] manager was a friend of my dad's who had worked on the city council with him. He gave me furniture for the office.

So I opened up my own office. My wife was receptionist; she couldn't type, and I did my own typing. We just hit it off right away. The first month I took in \$1,000. I never ever thought I could see \$1,000 in my life.

MORRIS: That's a great feeling, for . . .

WALDIE: . . . for a young lawyer, particularly then. And I never looked back. From then on, I always made money. I didn't make a lot, but I always made a comfortable living as a lawyer all my life. And I started immediately becoming active in Democratic county politics. I organized the Democratic club in Antioch--there had not been one--recognizing that if I were to hold political office, I had to start at that level. Then I became active in CDC, attended all the conventions in Fresno, or wherever they were, all the county central committee meetings, all those kinds of things. That was 1954, I guess, '55, maybe. Nineteen-fifty-six was the first election after that, and I worked on the Stevenson campaign. I began to establish, at least, a presence in the county, a young lawyer who was active in politics from the east end of the county. There had never been any activity in the east end of Contra Costa County; it was always to the west that . . .

MORRIS: Centered around Richmond?

WALDIE: Yes. They ran the political operation in Contra Costa County.

MORRIS: Why was that?

WALDIE: It was the only urban area, for one thing. In the early days, there was no other city of any consequence, except Richmond; and so all the political power came out of Richmond.

MORRIS: How did eastern Contra Costa County feel about the tremendous changes in the Richmond area, with the shipyards and bringing in a lot of people from out of the state during the war?

WALDIE: Oh, I don't think there was any particular feeling about it, because a similar growth occurred in central and eastern county because of the war, because of the mills. I mean, there was a big shipyard growth in western county, but there was a big steel mill growth, a chemical mill, a lot of waterfront industry and oil refineries in the rest of the county.

MORRIS: Did those industries also recruit black workers from the South, or was that just the shipyards?

WALDIE: No. The shipyard was the only one that recruited workers. Pittsburg had a number of black workers in the steel mill, but no other industries did. There wasn't much feeling, though, about Richmond. Richmond was always so far removed it was never considered part, really, in those days, of the eastern part of the county; they just never concerned themselves with Richmond. Neither did Richmond concern themselves with the eastern end of the county. I mean, there was no need to, politically.

MORRIS: Because it was smaller in number of voters?

WALDIE: Yes. No people up there. In any event, because of that vacuum, my presence was noted fairly quickly, as anybody's presence would have been. Any lawyer who had taken an interest in politics probably would have had the same kind of notice that I soon got. And also, I think, the central part of the county particularly was beginning to feel a need for political power. There was a recognition in the central part of the county that the western part, Richmond, had all the political power, and that it ought to be shared some with the central. So there was some of that in the central, and a little in the east. But it was beginning to creep out east, too.

## II ELECTION TO THE ASSEMBLY, 1958

### Preliminaries, 1952-1957; Local Leaders

WALDIE: After the Stevenson campaign, then, I decided to run for political office, run for the state assembly. I'd in the meantime become very well acquainted with [Robert] Bob Condon and [State Senator] George Miller, Jr. Bob was a congressman and Bob was under attack. I was in law school while Bob was under attack during the McCarthy era. I wrote him a letter from law school saying that he should respond better than he'd been responding, and that I wanted to help in his campaign. I

never got a response, but I went down to his office and volunteered, and they were so delighted to get a volunteer that I got to meet Bob.

MORRIS: This was in '56?

WALDIE: No, this was before that. Bob was out of Congress by then. This was probably '52; this was while I was in law school. And I got acquainted with Bob, in any event, during that campaign, slightly. [John] Baldwin had defeated Condon in the meantime. I got out of law school and was practicing law, and obviously I ran across Bob practicing law and became quite closely acquainted with him and a personal friend of his. Extraordinary attorney; he was a brilliant attorney. And he was active in Democratic politics to a degree, but not very much. He, I think, had been hurt so badly by his defeat that he never fully recovered from that.

MORRIS: And the defeat was primarily on the Red-baiting kind of charge?

WALDIE: I think so, though there were other issues. Bob had a drinking problem that was reflected in several drunk driving arrests, unfortunately. One campaign he showed up at several public meetings under the influence of alcohol. So the combination . . . . He still only lost by less than 1 percent, so you have to attribute his loss to the attack of McCarthyism.

In any event, I got acquainted with George Miller as I became active in the county, but it was a distant acquaintance. George was a state senator and I was just a young attorney in the eastern end of the county who'd organized the Democratic club. George was available, but we weren't close.

- MORRIS: How about Bert [ ? ] Coffey?<sup>1</sup> Was he somebody that . . .
- WALDIE: Yes, Bert was always active, and I knew Bert better than any of them, because Bert was very active in all the grass roots politics of the county. So I'd spent a lot of time with Bert, off and on, in county politics.
- MORRIS: A good source of advice and information?
- WALDIE: Oh, yes. Bert's a knowledgeable guy, but never particularly was encouraging to me to enter into politics, but not because of any particular reason; nobody was particularly encouraging. Well, that's not quite true.
- MORRIS: Were there Democrats who were looking for bright young men?
- WALDIE: No, I don't believe so. If they were, they didn't present themselves. There was a judge who was a friend of mine, Wakefield Taylor, who became a district court of appeals judge. Wakefield, who was then a superior court judge, at a party one time in Bob Condon's office—a Christmas party, Bob had an annual Christmas party—urged me to seek political office just kind of out of the blue. He's probably the only one of any prominence that urged me to seek political office. Nobody sought me out; nobody sought me out at all.
- MORRIS: Were you by then on the county central committee?
- WALDIE: No. I never served on the county central committee.
- MORRIS: When you decided to run, did you go to Judge Taylor?
- WALDIE: I didn't go to Wakefield, but I went to George, and [S. C.] Brick Masterson, who was a Democratic state assemblyman in Richmond. [Donald D.] Don Doyle was the local Republican assemblyman, and Baldwin was a local Republican congressman. Masterson was a local assemblyman from the west, and Miller

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1. Coffey was Miller's campaign manager and friend.

was the local Democratic senator from the west. But the shift had begun with Baldwin. Condon essentially was still. . . . When he was in Congress, though he's from Martinez, I think was still generally thought of as a western representative. Baldwin became a central county representative. Doyle was clearly central county, Lafayette. So the shift had begun, but it was a Republican shift. It wasn't a shift to the Democrats; they were still generally from the west.

Anyway, I went to Miller. And Miller and Doyle, and Masterson and Doyle, were very, very close friends. They all worked well together. Don Doyle was probably one of the best liked representatives this county's ever had, and probably in the state assembly in those days, one of the best liked legislators. And Miller and Masterson had a good working relationship with Doyle, as often develops in a county between members of a different party; they had a kind of a rapport that has sort of an unwritten rule: "You stay out of my campaign, I'll stay out of yours, and we'll get along fine." And that was clearly the case with Masterson and Miller versus Doyle. They liked each other, and neither of them had ever supported a Democratic candidate against Doyle, because I had participated in campaigns of Democratic candidates against Doyle, but Miller would never endorse that candidate. He'd appear at some of the campaign events, but it was clear to any voter that he was not supporting the Democratic candidate. And it was always a little source of irritation, though I understood it somewhat. Most of the people we put up to run against Doyle were pretty well hot dogs that weren't of any consequence, so that Miller had plenty of reason not to support them.

That, needless to say, in my view did not fit, when I decided to run. So I went to George and Masterson, and told them both I was going to run, and did not ask for their

support; I thought that would be presumptuous at that point, and asked for their comments. George said he thought it would be a very difficult campaign for me, but if I felt I could do it, he encouraged me to do so. He was not negative, per se, overtly so, but implicitly there was a caveat, I think: You're making a mistake. You can't do it. And that was probably a pretty honest judgment. I mean, nobody other than a young, ambitious, naive young attorney would think he had a chance against anyone of the stature and substance of Don Doyle. Masterson was even more clear. If anything, I would interpret Brick's comment as, "Who cares? Do what you want, kid." That sort of thing. "You're wasting your time, but don't waste mine" [Laughter] is kind of what I got.

#### An Open Primary Race

WALDIE: So I go into this thing with a fair understanding that I'm not going to have any Democratic officeholder's support; but I will have the grass roots support, because the grass roots, in the meantime, the clubs had been having a kind of a contest between people that wanted to run for this seat. There were several other young activists that were seeking to run, too.

MORRIS: In the primary or preprimary?

WALDIE: Well, preprimary. And as it turned out, most of the clubs lined up behind me, and so the others dropped out. So I was the only one. And before the primary filing time, Don Doyle found himself involved in a touchy situation involving book publishers. He was the head of the Education Committee, and there was a substantially unfounded allegation that he was in close contact with a publisher who was publishing California textbooks, and that Don was profiting therefrom, an accusation that occupied a lot of front page stories.

MORRIS: This had been developed independently, in the course of Education Committee work?

WALDIE: Yes. The press had discovered that someone that Don hired was in fact an employee of this publisher, and this person was hired by Don on his committee. Anyway, that was a major statewide news story, and of course Contra Costa County papers covered it in great detail. Nothing ever came of it, and my guess is that Don could have . . .

[End Tape 1, Side A]

[Begin Tape 1, Side B]

WALDIE: . . . survived it because he was so popular and such an able person, but for his personal reasons he decided he had had enough of it, didn't want to confront the story, I suspect, much longer. So he decided not to run. Which left me with an absolutely open opportunity; all of a sudden the world opened up. If I was running against Don Doyle, clearly I'd have been defeated. But now I'm running in an open race; there is no incumbent, and it's a seat that, though not a Democratic seat—it had never been held by a Democrat—had the potential for a Democrat; a Democrat could capture it.

MORRIS: The demographics had changed enough in the district?

WALDIE: Well, no, not really. It was a 50, maybe 51 percent Democratic registration which, in effect, is a Republican registration. Usually you have to have a 55 percent Democratic registration—in those days you did—to be even, because the Democratic party's registration is always soft, very transient; there are people that can't get to the polls. Republican registration is much harder, much firmer.

MORRIS: I know that's the conventional view now. Were you doing this kind of analysis in '58?

WALDIE: Oh, sure. That's pretty rudimentary analysis, as a matter of fact. It doesn't require too much sophistication to do that, but we did that. In any event, at that point, you see, I could get George's endorsement, I get Masterson's endorsement, I could get the party endorsement, because there is not this incumbent, popular Republican; so this unwritten rule between all these folks no longer is operable. And, in fact, I got immediately George's endorsement and Masterson's endorsement.

MORRIS: In the primary, or . . .

WALDIE: I had no opposition in the primary. I'm the only one.

MORRIS: That's a routine campaign.

WALDIE: I didn't even have a campaign. In the primary, I'm not running against anybody.

MORRIS: So all you do is file. And do you have an office?

WALDIE: Oh, yes. You campaign because you're trying to get name recognition. And also, there was cross-filing in those days, though it was party designation. In any event, the Republicans put up a good candidate, Sam Conti, who's now a federal district court judge appointed by [President] Nixon. He was an attorney from Pittsburg, right in the heart of the Democratic stronghold. And the Italian vote in Pittsburg is about 99 percent Democratic, and fierce Democratic; the best Democrats in the county clearly are in Pittsburg, California, Contra Costa County—maybe in the state. So that was a wise move; an attractive, able young attorney of Italian descent, running as a Republican in Pittsburg.

MORRIS: Splitting the Democratic . . .

WALDIE: Oh, yes, and he was very, very articulate. But things happened in that campaign that I didn't have anything to do with, but that caused me to be elected. I couldn't raise much money. My mother gave me \$1,000, and the Teamsters [Union] put up \$1,500 in the primary. The AFL [American Federation of Labor] gave me \$250, I guess, and I probably raised another \$1,000. I didn't

have \$5,000 in the primary—enough for a very poor mailer, a brochure we put out. But we didn't have any contest, so we were all right; and we didn't know how bad we were.

Impact of External Events: Knight-Knowland Switch, Pat Brown's Victory

WALDIE: But what we had going for us were external things that were just extraordinary. One, [Attorney General Edmund G.] Pat Brown [Sr.]. But then, the Republicans blew it with [Senator William] Knowland, [Governor Goodwin J.] Knight, and Nixon all filing. And by the time the Knowland-Knight thing got straightened out, then right-to-work was on the ballot. And then Proposition 15, which was taxation of the churches, was on the ballot.<sup>1</sup> So you had the two best ballot issues you could possibly have as a Democrat. You had the unions activated like they'd never been activated before or since. And you had the Catholic church activated like it has never been activated before or since.

MORRIS: And the church tax thing was seen as a Republican kind of . . .

WALDIE: Absolutely. In fact, the Republican party endorsed it. And Knowland campaigned for it.

MORRIS: I knew he campaigned for the right-to-work.

WALDIE: He campaigned for both of them.

MORRIS: But he hadn't picked up this church taxation issue.

WALDIE: He'd tried to use it, but he would never campaign against it. But what was important to us is, it brought the Catholic vote out. Regardless of what the Republican party was doing, it

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1. Proposition 15 (June 1958).

brought the Catholic vote out; and the Catholic vote in those days was 90 percent Democratic; just by definition, it was 90 percent Democratic. So the mere fact that Catholics would go to the poll and, even no matter what the Republicans did on Prop. 15, you were bringing Democrats to the polls.

MORRIS: And they tended to vote the ticket.

WALDIE: They voted the ticket; not "tend," they voted the ticket. So we had right-to-work; we had Pat Brown carrying the state by over one million votes; Prop. 15; we had everything working for the Democrats, and Pat Brown elects me. I slipped in under Pat Brown's coattails.

MORRIS: Did he come into Contra Costa County to campaign?

WALDIE: Oh, sure. Yes, but not excessively. And it wasn't because I was here. Contra Costa County is an important campaign in the gubernatorial election; it's an important county. The fact of the matter is, he carried the state by one million votes, and carried Contra Costa County by a substantial majority, and washed me in.

MORRIS: You didn't feel that you contributed at all to his election?

WALDIE: Very damned little; very damned little; very damned little. See, I've got a real theory on politics that success in politics has a bit to do with your capacities, but an awful lot to do with external things over which you have no control whatsoever. And my election had a little to do with my capacities; it had a lot more to do with these external things.

MORRIS: Did you study some of these potential externals and think that '58 was a good year to run?

WALDIE: No way. [Laughter] Nineteen-fifty-eight to me was the first year that I could afford to go.

MORRIS: That you were in the position to.

WALDIE: Yes. I'd been in Contra Costa County for about three years then.

- MORRIS: But you'd grown up there.
- WALDIE: Oh, yes. But in Antioch, I'd grown up.
- MORRIS: And name recognition if your father had been in . . .
- WALDIE: But that's Antioch. And Antioch, you see, even in those days, was less than 10,000. And I'm talking about a district that includes Lafayette, into San Ramon, Walnut Creek, Concord, Martinez, Pleasant Hill, Brentwood, Oakland, Pittsburg.
- MORRIS: All of which were really new communities at that point, then?
- WALDIE: Well, they were old communities. Pleasant Hill wasn't. Pleasant Hill was a post-World War II community; all the rest were old, but had huge new populations. But the point is, my acquaintance in Antioch was a minor factor, because the vote was not in Antioch. The Democratic vote was in Martinez, Antioch, Pittsburg, and, to a degree, Concord. Pittsburg, by the way, even with Sam Conti on the ballot, I still carried precincts there ninety-nine to one. I mean, when I say Democrats in Pittsburg are loyal, they are loyal.

Later Campaigns, Media Support, Loyal Aide

- WALDIE: So that elected me to my first office. Everyone thought it was a fluke; I didn't, by that time. I was convinced that I could hold it, but not many people were convinced I could hold it; and the Republicans put up a very good candidate the next time around, George Kreuger, the mayor of Concord—attractive, able. But I won substantially against him, because I had worked hard in that two years establishing myself as an incumbent. Contra Costa County is awfully generous with incumbent legislators. They're not as generous with incumbent councilmen or supervisors. But incumbent legislators rarely get defeated in Contra Costa County; I can't remember one that's been defeated in Contra Costa County.
- MORRIS: Why is that?

- WALDIE: I don't know. They just seem to be tolerant. Even though they have vastly different ideological views and voting records, voters are still very tolerant of them.
- MORRIS: Does that mean that you and other incumbents have paid a lot of attention to the concerns of the community?
- WALDIE: Partly that. I think most of the people that have been elected from this county, Republican or Democrat, have been pretty able people, number one, and have, in fact, spent a lot of time working with people here. And the press has covered their activities pretty thoroughly so that they're known entities.
- MORRIS: How did the press deal with your first campaign?
- WALDIE: Very generously. I've never had the press at any point hostile in my view, or even inattentive. They've been very supportive. I wasn't always endorsed; I was never endorsed by the [San Francisco] Chronicle or the Examiner to my knowledge. Maybe the Chronicle my last term or so, even; but the local papers endorsed me pretty much.
- MORRIS: Are the Chronicle and Examiner seen as the influential newspapers in Contra Costa County?
- WALDIE: No. They were in those days. The [Oakland] Tribune was; the Tribune never ever endorsed me. Of course, that was known, and I never anticipated I would get an endorsement by them. But they treated me well in their columns; they were quite fair in their columns. The Tribune was probably as important a local paper, but then the [Dean] Leshner papers began moving in, and nowadays there's no other paper of any consequence except the Leshner paper.<sup>1</sup> But in those days, that wasn't so. By the time I got out of Congress, Leshner was a major influence in the

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1. Contra Costa Times, West County Times.

county; but in those days, Leshar wasn't even in the county. So there were local ownerships of papers. The Antioch Ledger was owned locally. The Richmond Independent was probably the most important paper in the county, in terms of a countywide race. Till I got to Congress, they were not; I never had dealt with the western end.

MORRIS: They didn't pay any attention to you.

WALDIE: Yes, but not much. They didn't cover me much. They covered Masterson and others.

MORRIS: How about radio and television? Did you use them at all?

WALDIE: No, television was too expensive for this county then, and probably still is, because you have to buy the whole metropolitan market. In Congress, television was very good to me from both San Francisco and Sacramento in terms of news coverage. They would interview me all the time. Whenever I wanted to be interviewed, they were very accessible. Radio was equally accessible in the interview programs, but I never bought time on any of them. I never spent any money on radio or television.

MORRIS: Better still if you can get the time for nothing.

WALDIE: Yes. But for campaigns, I never . . .

MORRIS: Were there some people who worked with you on those first couple of assembly campaigns who stayed with you as staff or committee chair, you know, press people?

WALDIE: No, not the first one. The second one, I hired a high school buddy of mine, [ ? ] Pat Ferguson, and he stayed with me the rest of my political career. He was my administrative assistant. When I became majority leader, I hired him. I was able to hire somebody. Up to that point, the only staff I had was a secretary, in those days.

MORRIS: And that was whoever was with that office?

WALDIE: No. I got her from the pool. But I had a selection from the pool, Charlene Little. You had no district office. Oh, you had

\$50 a month toward your expenses in your district. But as the majority leader, then I was entitled to an extra staff person and an extra secretary, so that's when I hired Pat Ferguson for \$500 a month.

MORRIS: I hope it was a part-time job.

WALDIE: Full time. He was a Teamster; he quit his job driving trucks to work for me.

MORRIS: That's really great loyalty. Had you been in the service together as well as in high school?

WALDIE: No. But he was my best friend, and then he served as my administrative assistant the rest of my political career. Ran all my campaigns, too; I never ever had a campaign professional. Never hired a firm or anybody. Pat ran them all, and I; but mostly he ran them.

MORRIS: For Congress as well as for assembly?

WALDIE: Yes.

MORRIS: That's impressive.

WALDIE: And governor, unfortunately [Laughter].

MORRIS: We'll get to that.

WALDIE: We never ever hired a professional, ever.

### III FRESHMAN ASSEMBLYMAN, 1959-1961

#### Transition Maneuvers; Selection of Ralph Brown as Speaker, 1959

MORRIS: Okay, so then you're coming up as a freshman assemblyman in 1959. Between November and January, did you do any scouting around or conferring with Miller as to what happened next?

WALDIE: Just a little bit. I went up and got acquainted with how I got a secretary and all; I'd never been in the capital, except when I was in high school, prior to that visit. The Democrats met down in Fresno; all the newly elected Democrats in the assembly met with the old team. And during the election I had

been contacted by [Thomas M.] Tom Rees and Jesse Unruh. Tom Rees raised \$250 for me. During the general election, this was, when it was clear that I had a pretty good chance of getting elected. And Jesse had raised about \$500 for me.

They both had come into Contra Costa County to meet me—I'd never met them before—and I had lunch with them. And they were then interested in the speakership of Ralph Brown. Didn't ask me for a commitment, but it was clear that's what they were seeking. And then the meeting between election and the convening of the assembly was for that purpose. George Miller, on the other hand, had been approached by others—and I presume it was Standard Oil, though he never ever said, and I don't know—that [Augustus F.] Gus Hawkins, an assemblyman from southern California, be supported for speaker; he was contesting against Ralph Brown.

- MORRIS: Was Gus Hawkins a realistic possibility for speaker at that point?
- WALDIE: Yes, I think so. Being dean of the legislature, he'd have to be.
- MORRIS: While we were in the middle of trying to pass fair employment legislation.
- WALDIE: It may have been that. That early? Nineteen-fifty-nine? No, I doubt it.
- MORRIS: What other people, such as [William] Byron Rumford, have told us, is that he and Gus Hawkins alternated introducing fair employment legislation, which was finally enacted in 1959.
- WALDIE: Oh, they may have introduced it, but until '59 none of those things ever had a chance. But that wasn't the issue. The issue was the railroads, essentially, and special interests, in my view. They would be much more comfortable with Gus than they would have been with Ralph Brown. It was reform versus anti-reform, and I happen to think that George in that case was trying to tout me toward the anti-reform.

MORRIS: Ralph Brown was seen as the reform candidate.

WALDIE: Yes. But I wasn't about to do that, partly because I was ready to rely on Unruh and Rees more than I was ready to rely on George on that, because I thought George's business was the senate. And I wouldn't suggest to him how to run the senate; I wasn't sure he should be suggesting to the assembly how to run the assembly. There is a kind of a--it's not an arrogance, but the houses are separate, and checks and balances say they should be separate.

MORRIS: Sounds like they each have some very strong feelings about their own house and how it should be run.

WALDIE: Very strong feelings and very competitive, and the system demands that. The legislative branch is not a unicameral legislature, it's a bicameral legislature. And each house is very jealous of its prerogatives vis-a-vis the other house.

MORRIS: Tom Rees, at that point was he the Democratic caucus chairman?

WALDIE: No. Because, see, the Democrats weren't in the majority at that time.

MORRIS: But was there a party caucus at that point?

WALDIE: No, not really. But there was this class that came in with Rees and Unruh, who were probably the first real activist Democrats elected. Up to that point, the system had been nonpartisan, essentially, because there was no cross-filing; they didn't have party designation on the ballot. Then after party designation was put on the ballot, where people could see who was a Democrat and who was a Republican, Democrats started getting elected. Cross-filing still existed; we abolished cross-filing in '59. But the first election after party designation was put on the ballot, you began seeing Democrats get elected; and Tom Rees, Jesse Unruh, that group of people started coming into the legislature as Democrats, and pretty active Democrats. You know, post-World War II guys,

aggressive guys, most of whom were involved with political clubs in the state. So that was what was going on there.

Jesse Unruh, Pat Brown, and the Ways and Means Committee

WALDIE: In any event, I allied myself pretty clearly with Jesse and with Tom Rees and that group, and Ralph Brown. Ralph Brown was a fairly quiet speaker; he wasn't too. . . . But it was very clear, I think, to most of us, that Jesse was moving toward a leadership position; and indeed he was. He was hoping to become chairman of the Ways and Means Committee. These are appointed by the speaker, in the assembly. But Pat Brown didn't want Jesse as chairman of the Ways and Means Committee, and everybody was pretty well aware of that, because he thought Jesse was too partisan. And he also sensed that Jesse and he would probably clash down the line. He wanted [Thomas L.] Tom MacBride, a Democrat from Sacramento who's now on the federal bench; he was appointed by [President] John [F.] Kennedy. He wanted Tom MacBride to be Ways and Means chairman.

Well, that raised another issue: should the governor be selecting the Ways and Means chairman? If you believe in the separation of powers theory, then clearly the answer has to be, "Hell, no, the governor ought not to be selecting the Ways and Means chairman." But the governor ought to try; if the governor wants to run the state, if he can run the legislature, he's better off. So Pat tried. And Ralph Brown was put under some considerable pressures to do it, and, I think, was inclined to do it. Because Ralph Brown, I think, felt more comfortable with Tom MacBride than he did with Jesse Unruh. Ralph was Modesto; he was sort of a conservative, northern Democrat. Tom MacBride, Sacramento, gentleman, everybody liked him. Jesse was seen as abrasive and ambitious and aggressive. But Jesse got it, in any event, and became the

chairman of the Ways and Means Committee, much to Pat's chagrin.

But as it turned out, had he not been, Pat's program would probably have been sitting on the floor of the assembly, dead, because Jesse put his program out of the Ways and Means Committee when he did not have the votes to do so. Though they would not give Pat the chairmanship of the Ways and Means Committee by appointing Tom MacBride, they did freeze Jesse in by putting on a lot of conservatives, including Brick Masterson, on the Ways and Means Committee, who were not at all fond of Pat Brown's program, which is interesting. So Jesse got Pat Brown's program out, often by gavelling a bill out of the Ways and Means Committee when it didn't have the votes.

MORRIS: Before there was any kind of a roll-call vote?

WALDIE: Yes, he wouldn't permit a roll call. And the chairman had that power. But in doing so, the seeds of Jesse's reputation of "Big Daddy" were sowed. And it's always been an irony to me that Jesse's most negative image that has haunted him all through his political career was acquired in support of Pat Brown's program. That's an irony that's only, I think, appreciated by politicians.

MORRIS: Was it because Jesse agreed with what Pat was trying to do?

WALDIE: Yes. Jesse was ideologically a heck of a lot more close to Pat Brown than were the people that Pat liked in the legislature.  
[Laughter]

Fellow Assemblymen; Roles of Phil Burton, George Miller, Unruh

MORRIS: Who else was it that came up with you as a freshman assemblyman? Did you join forces with any of them particularly?

WALDIE: No. There were a number who came up. That was a big class.  
[Phillip] Phil Burton had been there for four years, I guess.

[ ? ] Ed Z'berg was elected with me; Paul Lunardi was elected with me; John Williamson was elected with me.

MORRIS: Is he the John Williamson that later became administrative officer of the senate?

WALDIE: Yes. He and I were office mates the first year, a dear friend. Gosh, there's so many that came in in that class.

MORRIS: It's the ones that stick in your memory that are important. Did you and Phil Burton. . . . Was John Burton there yet?

WALDIE: No, no. John came much later.

MORRIS: Did the group of you have a freshman kind of a . . .

WALDIE: No.

MORRIS: So your alliances . . .

WALDIE: [Thomas] Tom Bane came in the same time. [Robert] Bob Crown was there. [Nicholas] Nick Petris, dear Nick came in the same time. And Nick and I were particular friends. Leo Ryan. I guess Leo didn't make it that first time. I met Leo during a primary meeting of candidates, but he didn't make the first time; he made it the next time around. Phil and I were the closest of friends, though we later had a division of that closeness, a parting somewhat, then came back, then, later in our political career. But in the early days we were quite close.

MORRIS: Had you known him or gotten some advice from him?

WALDIE: Oh, yes, I got \$25 from Phil. He always thought that was a wonderful contribution. Whenever Phil would ask me for something, I said, "Geez, for a lousy \$25 contribution my first campaign, you think you own me." [Laughter] He managed to get George Hardy, who was head of the Service Employees Industrial Union [SEIU], who was funding some of Phil's efforts to acquire political power in the assembly—and so Phil would select people that George was to contribute to. He sent \$25 to me, a check for \$25. I couldn't believe it. I

didn't receive much money and I was grateful for \$25, but that was a small amount even in those days, too. [Laughter]

MORRIS: Did you go appear before the [Contra Costa County] Labor Council for an endorsement?

WALDIE: Yes.

MORRIS: What did they say?

WALDIE: They endorsed me. I was the only candidate.

MORRIS: Well, that's true.

WALDIE: [Laughter] But in the general, I wasn't. Sam Conti appeared. But Sam Conti was ambivalent on right-to-work, because no one was supporting right-to-work. And Sam Conti was caught in the terrible dilemma of being a Republican candidate running with Knowland and trying to avoid taking a position; but I was hitting him so hard on that issue that he finally had to reluctantly say he was going to vote against the initiative, though he wouldn't campaign against it. But he was just caught; as candidates occasionally do, you relish when your opponent is caught in that.

MORRIS: Stuck in a spot that . . .

WALDIE: . . . that's insupportable.

MORRIS: Well, it sounds like Phil Burton was also a center of power in the assembly at the same time that Jesse was building . . .

WALDIE: Yes, I think Phil was, but never to the degree Jesse was. But Phil was always a center of power wherever he was, politically, because he was so extraordinarily bright and because there's nothing in the world, or his life, or Sala [Burton]'s life, other than politics. When you have a person as exclusively devoted to any one subject as Phil was, that person's going to be important. And Phil was important, but never ever acquired the popularity or the power that he later did in Congress. There was never a question of Phil becoming speaker of the state assembly, whereas he just missed Speaker of the House of Representatives by one vote.

MORRIS: Was he even then thinking about Congress?

WALDIE: I think Phil always was thinking about a higher office. It just happened Congress was it, and I think he'd like to have gone to the senate and different things.

MORRIS: There's only two jobs in the senate.

WALDIE: Yes. In California, there aren't many openings in that job.

MORRIS: Yes, that tends to be a long incumbency. You've raised an interesting question, because you think of Pat Brown's administration as governor, and Unruh and Phil Burton's real power in the legislature, as having a lot to do with social issues—the fair employment, and improving health, welfare and education, and things like that.

WALDIE: I think I ought to go into more, though, of the personal relationships, because so much of those are things that really are relevant in understanding decisions. In those days, there was a general session, which lasted about six, seven months, and a special session, which lasted maybe two, three months. The first couple of terms, I lived with George Miller in the special sessions; we shared a hotel room together. It was cheaper [Inaudible]. So you get a lot of closeness at that point. And the general session I spent with Jesse Unruh. He and I roomed together for, oh, I guess, five years. In my second term I became majority leader. Caucus chairman first, then majority leader.

Majority Leader; Unruh's Election as Speaker, 1961

MORRIS: That's pretty junior for those responsibilities.

WALDIE: Yes, very junior. The caucus chairman is an elective office; the majority leader is an appointive office. Both of them, in effect, are appointive. The caucus chairman could never become such without the speaker's approval. The speaker designates to the caucus whom he'd like to have; he generally nominates him.

The speaker appoints his majority leader. In each instance, Jesse, in effect, designated me caucus chairman.

[End Tape 1, Side B]

[Begin Tape 2, Side A]

- WALDIE: By the time I was appointed majority leader, I don't think there was any grumbling at all with that. There probably was grumbling, though not any significant grumbling, when I was appointed caucus chairman, because the caucus chairman didn't have much power, but it was a position that gave you some extracurricular status.
- MORRIS: How did you and Jesse Unruh become well enough acquainted that you decided to share housing together?
- WALDIE: I was on the Finance and Insurance Committee, and the Labor Committee, and, I guess, the Education Committee when I was first appointed; and Jesse was on the Finance and Insurance Committee, and I became acquainted with him essentially through that. And I guess Jesse just sort of spotted me as someone that he would like to advance in terms of his own career, too. He never explained it to me, and I've never asked him what prompted the relationship. But we hit it off very quickly and very easily. It probably also was on his point of view that. . . . I don't know what it was; I really don't know. Somehow or other I think it always involved George Miller to a degree, too.
- MORRIS: He wanted you under his wing rather than under George's wing?
- WALDIE: I think so. I think that was part of it. I think George always had a little bit of hostility in terms of my relationship with Jesse, because Jesse and George were competitors, clearly, down the line for governor. And I think everyone pretty well recognized that. And then George really resented it when Jesse

became speaker. That was after Ralph Brown [went on the bench]. Then Jesse became speaker.

MORRIS: There's sort of a general belief that Unruh having seen to it that Ralph Brown became . . .

WALDIE: . . . that he persuaded Pat to appoint him to the bench.

MORRIS: Right. I don't know whether he'd intended it as a two-stage parlay, or whether once Ralph Brown became speaker, Unruh became impatient and decided he could do it better.

WALDIE: I think Jesse probably didn't decide he could do better; Jesse knew he could do it better from the day Ralph was appointed. [Laughter] I don't think there was any question that he could; he was right.

MORRIS: Then why go through the . . .

WALDIE: Because I don't think Jesse had the votes. I think Ralph could have gotten. . . . Because you were still dealing with a lot of the old-timers up there. There was even a question whether Jesse could get Ways and Means Committee chairman, let alone did he have the votes for the speaker. He wasn't sure he had the votes to even get Ways and Means Committee chairman.

MORRIS: But if he supported Ralph Brown for speaker, Ralph Brown would see to it that Jesse got the chairmanship of Ways and Means?

WALDIE: I'm sure that's what Jesse assumed was going to be the case. It turned out it was the case, but it was not that easy; it was quite a struggle before that happened.

MORRIS: In the Rules Committee?

WALDIE: No, no. In the inner circles: the governor's office, Ralph Brown, and Jesse.

MORRIS: So that to that extent the governor does have some influence on the major chairmanships.

WALDIE: Oh, yes. You bet he does. We were arguing he shouldn't have that kind of—that we ought to resist it. We were only arguing because we wanted Jesse. I say "we"; I wasn't involved in it. Who cares about a freshman, especially a freshman from

Antioch, in those days. But that would have been the position I would have argued, that I wanted Jesse as the Ways and Means chairman, and the governor ought not to be appointing Tom MacBride—in effect, that the governor has no business appointing our major committee people. But that was what was being attempted, and I don't blame the governor for doing that.

#### IV THE LEGISLATURE AND GOVERNOR PAT BROWN'S AGENDA

##### Water and Social Programs

MORRIS: You said the first two years that Unruh was very influential in seeing to it that Pat's legislation was passed. Did the two of them agree that this was the legislation that California needed?

WALDIE: I presume, though I don't know that. I don't know that. I don't think that Jesse had much to do with preparing that initial agenda; I think that was Pat Brown's, essentially. Jesse had to support it, or it would still be sitting in the Ways and Means Committee.

MORRIS: Did that include support for the water plan? That was going through the first few years.

WALDIE: Yes, though that was not a major problem. I mean, hell, there were always votes for that, because that was a nonpartisan program. The only ones against that were Contra Costa County in those days. That was not a controversial program in terms of partisan politics. And in terms of north/south politics it was hardly controversial, because there weren't many northerners.

MORRIS: But it eventually went to a referendum instead of just being a legislative [Inaudible].

WALDIE: No, just the bond act. Yes, the financing of it. Remember? The legislation passed overwhelmingly.

- MORRIS: But I remember in the Bay Area that whether or not to pass those bonds, that was a hot topic.
- WALDIE: Yes, but it was a legislative issue. In other words, that required a two-thirds vote by the people. No, I guess just a majority vote. But the ballot provision wasn't to approve . . . . Well, it meant to approve the water project, but the legislative vote was to place the bonds on the ballot and to pass the legislative act that described how the money raised by selling the bonds was to be spent to develop the water project. And that was overwhelmingly passed by the legislature. The bond issue was a closer vote, but that had little to do with the legislature; that was the vote of the people. So Jesse didn't do a hell of a lot to get that program through the legislature, because Pat didn't need much to get that through the legislature; he had all the votes to do that.
- MORRIS: What were the things that took some pushing?
- WALDIE: Almost all the social programs. All the fair employment practices programs, the tax program--particularly the tax program. I can't think of any major issue that Pat was involved in in his first program that Jesse was not responsible for getting it through Ways and Means Committee, because everything had to go through Ways and Means Committee. I just can't think of the specifics. The tax program was one, because we were facing a considerable deficit then. And all improvements in the social insurance, disability insurance, workmen's compensation, unemployment insurance--all those programs. Fair housing wasn't on the ballot then; fair employment practices was an issue going through in those days. Education spending. A master plan for higher education. Most of those reforms were opposed by Brick Masterson, Don Allen--that general group of conservative legislators.
- MORRIS: And aside from Jesse's support, Pat Brown's relationship with the legislature was not all that good?

WALDIE: The first term, I think, Pat's relationship was pretty good with the legislature. And including Jesse, it was pretty good. I think he was wary of Jesse, but I don't think he and Jesse had many problems the first couple of years. It began deteriorating after that. Pat's relationship with the legislature began breaking down in his second term.

Third-term Considerations; Note on the Death Penalty

MORRIS: After '62.

WALDIE: Yes. And particularly when it became clear he was going to run for a third term. Then Jesse, particularly, began getting very antsy—less so George. George Miller was looking at the governorship. He had run once for lieutenant governor. But I don't think George was pressing the governor at all not to run for a third term. Jesse was adamantly pressing him not to run for a third term. And the relationships with the legislature and the governor began breaking down in that period of time. But that's understandable. Jesse had something to do with it, but I think people probably attribute a greater role on Jesse's part to Pat's deteriorating relationships with the legislature than may be justified. Any governor toward the end of his second term has had to veto a lot of bills and has had to say no to a lot of legislators on special projects. Familiarity breeds considerable contempt in that relationship, and I think a naturally deteriorating relationship was occurring that contributed in large part to Jesse's efforts. Jesse obviously contributed and didn't prevent its deterioration in any way, didn't seek to prevent it. But I think many overestimate the contribution Jesse made to that deteriorating relationship.

MORRIS: By then, were you close enough to Pat to have your own conversations with him about whether or not he should go for a third term?

WALDIE: Oh, no. I never advised him on things of that nature. I was close to Pat, liked Pat. I think he liked me; I think he trusted me. And it was a strange relationship, because I was clearly known as a close ally of Jesse's; yet I had also had relationships with people that were not close to Jesse, and it didn't seem to necessarily detract greatly from those relationships. And that was true with Pat. I think Pat always puzzled how I could be so close to Jesse.

MORRIS: Because he wasn't?

WALDIE: Well, because he liked me.

MORRIS: And if he liked you, how could you . . .

WALDIE: Yes, how could I like Jesse. I think there was some of that in Pat's makeup—as well as Jesse's!

MORRIS: Well, he, too, has always seemed like a person, like the Burtons, who really enjoys politics.

WALDIE: Yes, but not like the Burtons. Pat enjoys politics, but Pat enjoys a lot of other things. And politics is more fun for Pat than it is for the Burtons. There were times when politics was fun for Phil, but there were times it was so consuming it could hardly be described as fun. There was nothing in Phil's life that I was aware of except politics. Sala had other things: her daughter and Phil. Phil had nothing except politics; and he found his fun, but he found a lot of other things in politics. For Pat, politics is a lot of fun; but there's a lot in Pat's life other than politics.

MORRIS: Children and grandchildren and things like that.

WALDIE: Sure.

MORRIS: What was it that you felt you really got to know Pat on? Was it a particular bill or issue?

WALDIE: No. I just was attracted to him as a human being. I like Pat. I like him now immensely and I liked him then immensely. He just always struck me as being so open and so much fun. He and Hubert Humphrey were a lot alike that way. It was so rare in

politics to find people like Pat, and I just liked him. I felt terribly sorry for him at times, in his dealings with the legislature, with the frustration he was experiencing, and that I shared with him in several instances. There's nothing particular I can think of; he just rarely did anything that I disagreed with, except the water plan. But other than that, he was. . . .

About the only time that I found myself contrary with him was on the [Caryl] Chessman thing. I talked to him about Chessman and told him that he should let Chessman go, that it was so politically destructive that his concern for Chessman would. . . . And that was the wrong advice, and he didn't take it. It was the right political advice, but it was the wrong advice. Often the right political advice is the wrong advice as a human being. And Pat was right as a human being, and I was wrong. But politically I was right; he should have let Chessman be executed without the long delay, and he would have been politically better off.

#### Clair Engle's Death and the 1964 Senate Campaign

WALDIE: The other time that he and I disagreed, he called me after [Senator] Clair Engle died and wanted to know whether. . . . He said he was making calls to check out whether he should appoint Pierre Salinger to the unexpired term or let it stay vacant till the election. I said, "Let it stay vacant. People are going to resent your intruding in the middle of the campaign." This was after the primary and there were only a couple months left. "They're going to think you're seeking to give Pierre a partisan advantage over George Murphy when there's no sense to have him there for the state's sake and people are going to misunderstand what you're going to do and the press is going to make a fuss about it; so are the Republicans." He later told me I was the only one that so

advised. He said in retrospect he should have taken my advice on that one.

MORRIS: Why was it that the Chessman case became such a cause celebre? Wasn't the death penalty being reevaluated at that point anyway?

WALDIE: Yes, by the legislature, but not by the people, apparently. I think the legislature was ahead of the people in their consideration of that. Part of it was Pat's delay. If Pat had said, "Now, I'm not going to let him go, period," and walked away from it, he would have caught hell; but he was kind of wringing his hands, like Hamlet on the balcony, trying to decide what to do. And so he came across as indecisive as well as soft on a guy who did, as the press described it, "this terrible, horrible, revolting, perverted crime." I think his biggest problem was in the fact that he was not going to let him die if he could save him, but that it took him so long to come about this and publicly he was agonizing over it so long.

MORRIS: And the Engle thing is strange, in that Pierre Salinger had been in politics, but as a professional person; and one of the things I don't think's ever been really discussed—and I'm not sure that Mr. Salinger has been all that informative on it—is why he was running for the Senate anyhow, particularly when Pat Brown was also interested in being a senator, and George Miller was interested in being a senator.

WALDIE: No, no, not during that time. No, none of them were seeking the Senate at that time.

MORRIS: Alan Cranston?

WALDIE: Alan was, but in that time, you recall, Clair Engle had had his stroke, and there were conflicting stories as to whether Clair was disabled and whether he was terminal. If he were not terminal, or not going to be permanently disabled, nobody would file. He would be the candidate. There was no Republican candidate at that point. He was the incumbent U.S. Senator.

Pat Brown got word from Washington that apparently was quite accurate, though there was a question as to whether it was accurate, that Clair was terminal. Pat was governor; Pat attempted to get Clair to resign—not to resign, but to announce he would not file for reelection, so that [Controller] Alan Cranston could file. [Lucretia] Lu Engle, Clair's wife, was the fierce, protective mother bear and would not permit anybody to see Clair, and did not believe that he was dying and did not want him to announce that he wouldn't run. So there were all kinds of pressures being put on Lu Engle, but only for Alan's sake, not for George Miller's sake or for Pat Brown's sake. And Pat Brown was, in retrospect, I suspect, thinking that he could protect a Democratic seat in the U.S. Senate by getting Clair out of it, because he had, apparently, inside information as to Clair's health.

I happen to know a lot about that, because I was involved in it. I was probably the first person ever to see Clair after his seclusion. Lu Engle was a friend of Jesse's. I was back in Washington on some legislative thing. Jesse and I and our wives had been to a legislative leaders' conference, and I went up to Washington and Jesse followed from wherever this was, New Orleans, I guess it was. And Jesse had made arrangements for me to visit Lu Engle and Clair and to determine what the situation was with Clair as best I was able to do. And so I was taken into the house by Lu, and I guess I was probably the first politician to see him after the stroke. He came down to the front room, and I was seated there with Lu and talking to Lu; and Clair couldn't communicate verbally, but he nodded on occasion. And he had a wig on, a toupee, because he'd had a brain tumor.

MORRIS: Surgery?

WALDIE: Yes. And he seemed alert to me, and seemed to respond to my general questions. And that afternoon I accompanied Lu and

Clair to his medical doctor and his speech therapist. The medical doctor told me that there was a tumor but it was nonmalignant; they had it removed and his prognosis for recovery was good, and that his speech impediment was the result of his stroke. I went to his speech therapist with him that afternoon, watched them work with him for about an hour, and though the sounds were still unintelligible, I came away honestly convinced that he was not terminal—that he was seriously impaired but that the prognosis was he would recover. Well, I was wrong and Pat was right. Pat had access, apparently, to God knows what, to medical records that showed the tumor was malignant and they had not been able to get it all. I didn't even know if Lu knew that; I suspect she did, but I don't know.

MORRIS: That was twenty years ago, and the medical profession dealt very differently then with . . .

WALDIE: Anyway, as a result of that. . . . No, this is before that. Clair had, in fact, announced that he would not run. After my visit with him, I announced—and it was a front page story—that he seemed okay to me. He was not able to communicate well and he was taking speech therapy, and I thought, from what the doctors told me personally and from what I observed, that he would recover. Then, I guess, the medical information subsequent to that became so extreme that Lu consented that he would not run. So then, Pierre filed. Pierre filed against Alan in the primary. Alan and Pierre both filed. You recall Kennedy had been assassinated shortly before that. Pierre was kind of press secretary for [President Lyndon B.] Johnson but not happy and not content with it. Jesse had a political dispute with Alan Cranston, too, and Jesse tried to get Stanley Mosk to run, and Stan would not run. So then Jesse apparently somehow or other persuaded Pierre to take a run at

it, and Jesse got Lu Engle to endorse Pierre Salinger three nights before the primary. So that's how Pierre won.

Alan Cranston-Unruh Rivalry

MORRIS: What was Jesse's dispute with Alan Cranston?

WALDIE: I think Jesse's dispute with Alan Cranston was that Alan was clearly CDC and clearly grass roots. Jesse became very, very hostile to the CDC group. The volunteer group first took Jesse on strongly because of his paying precinct workers, a practice now that anybody in their right mind does. But Jesse was the first to do that. In the Kennedy campaign, Jesse paid \$10 a day, I think, to precinct workers, and that outraged CDC, and they took him on for "Big Daddy," and they took him on for his reign in the assembly as "Big Daddy," and his grossness, and all that.

And Alan was part of it. Alan, I think, sensed Jesse as a competitor for governor, because Alan, I think, wanted to run for governor, too. You know, there are a lot of politicians in the state looking for a place to go. Remember, Alan was controller all those years, and he was probably as ambitious as anyone in the state. He had to either go to the senate or to the governorship; there was nowhere else to go. And Jesse would be between him and wherever he wanted to go, ultimately. So he began, I think. . . . And Jesse sensed the same thing about Alan, that Alan would be between Jesse and the governorship, which is where Jesse wanted to go. So there was just a natural competitiveness there because of both of them having the similar objectives. And Jesse started a new group of volunteers, not called the CDC but called the DVC which was designed to confuse.

MORRIS: Democrats for what?

WALDIE: Democratic Volunteer Committee, sort of a California Democratic Council. And he started chapters all over the state

with the DVC. Their mission was to support Jesse Unruh, when the CDC's mission was to support Alan Cranston. So the plot got thicker and thicker. And the CDC and the DVC fought each other for a few years. As usual, as a party gets too confident and too many majorities and too comfortable in its support, it starts fighting itself instead of the real enemy, the Republicans. And as a result, now there is no DVC, and the CDC is fairly innocuous as a force in California politics.

MORRIS: Right, and the grass roots enthusiasm seems to have waned.

WALDIE: I think it always is the case that once you obtain your victory—while you're fighting to get power, there's a lot to hold people together. But when you've got power, then you've got to decide who's going to exercise it; that's a little different.

MORRIS: Right. Then the implementation . . .

WALDIE: Start arguing, then fighting over it.

## V CONTRA COSTA COUNTY AND THE CALIFORNIA WATER PLAN

### Salyer Land Company and the Sacramento River Delta

MORRIS: If you've got the time and the energy, could we talk a little bit about the water plan from Contra Costa County's point of view? Had Contra Costa been part of the development of the legislation, or had there been concerns from the beginning that it was going to be a long time?

WALDIE: Oh, from the beginning. I guess in the history of Contra Costa County, before my time, Contra Costa County had always been active in California water, but mostly through the Bureau of Reclamation. And we always were concerned about the Delta, always concerned about salinization of the Delta. There was never any real threat to the Delta, though, till the California Water Project was proposed. And then, my first involvement in it occurred shortly after I was elected, and it

was through George Miller. George had me over to his house, and I met a couple of folks, Clarence Salyer. That's not the same Salyers as run the Salyer Land Company. It's the same family; it's the father of those fellows, but he had a fight with his sons and his sons threw him out. I mean, they threw him out with millions, but he ended up . . .

MORRIS: . . . without the control.

WALDIE: Yes. The sons kept the land in the Central Valley, and he kept Victoria Island, an island in the Delta, and some other land in the Delta. And the other fellow was a fellow named Walter Gleason, who was an attorney for Clarence Salyer. Clarence was an old Oklahoma dirt farmer, came out during the Depression, and built up this magnificent empire that is the Salyer Land Company. And he built it up, essentially, through the shrewdness of Clarence and Gleason, this small, dumpy, unassuming attorney in San Francisco who had a little, one room office over in San Francisco and whose secretary was probably eighty years old and had a green visor hat on. Just wonderful. But a multimillionaire too, because he took his fees in land and water rights; and he got water rights for Clarence to develop all this magnificent Salyer Land Company. Anyway, all of a sudden Clarence Salyer now finds himself worried about water being taken from the Delta to water Salyer Land Company as well as [Los Angeles] Metropolitan Water District. Because he has no interest anymore in the Salyer Land Company, whereas his sons had a big interest in the Delta. So he finances, and Gleason is the legal mastermind to start putting together, opposition to the California Water Project. And the first opposition was to the bond issue.

[End Tape 2, Side A]

[Begin Tape 2, Side B]

WALDIE: In Contra Costa County, George and I both ran on that. George spent almost all his campaign funds on it that year. He didn't really have any opponent; George never did. But he sent out a letter to all the voters saying that this would be his campaign, urging them to vote against the bond issue. Contra Costa County defeated it about ninety to ten. It passed in the state. Then the issue became implementing it, and the question of the Peripheral Canal became the paramount political issue.

Problems with the Peripheral Canal, Metropolitan Water District, and Bureau of Reclamation

WALDIE: I happen to think I was the first one to pinpoint the Peripheral Canal as the soft part of the entire California Water Project. And I started portraying it as the faucet on the plumbing system, that if you didn't hook this faucet up, we could survive the water project, because they could not pump the Delta—the flow of fresh water coming into the Delta would be sufficient to keep salt back and to keep the Bay flushed out. If they're able to complete the plumbing system to avoid the Delta by hooking the pipe up above the Delta and below, and directly to the Metropolitan Water District, they could get us. The Peripheral Canal was the key; if we could prevent the Peripheral Canal, we could do all right. And that has become, was then, and remains now, I think, the key opposition to the California Water Project. The Peripheral Canal's where it all has to happen. If they don't hook this piece up with this piece, we get water; if they hook it up, we don't get water. It goes down south.

And pretty soon we began getting more support in the north, though when we began we didn't have much support in the north, because the Bureau of Reclamation played off against us. And even in Contra Costa County we had opposition through the Bureau of Reclamation, Contra Costa County Water District;

John DeVito and those folks were supporters of the California Water Plan.

MORRIS: Were they?

WALDIE: Yes, because of the Bureau of Reclamation. See, their water comes from the Bureau of Reclamation. They never were overt supporters. You couldn't be in Contra Costa County, or they'd put you on a rail and put you in tar and feathers [Laughter]. But they were near to being overt in their support of the California Water Plan. They had the Metropolitan Water District board of directors up to Contra Costa County for a big dog and pony show to persuade us how wonderful they were. I was invited down to speak to them during my tenure as an assemblyman, to the Metropolitan Water District, because I had acquired by then a reputation of being outspoken on it. I had a delightful afternoon down there speaking to the Metropolitan Water District board of directors. To no avail, but . . .

MORRIS: Well, is it the environmental issue, that it's going to increase the salt flow?

WALDIE: I think there's two primary issues. One is whoever controls that faucet. Once you get the faucet in, the control of it's political. If you can prevent the faucet being built, you don't worry about it. But whoever controls that faucet controls, literally, the whole water supply of any consequence in California, because all the water in California of any consequence now is north. And if you give them that, you give them political control over the entire development in California. And that means people have to sell an awful lot of rights and privileges in order to keep water flowing to the north. I mean, you have to give up an awful lot of control over other things in your life to get water.

And in the Delta, agricultural lands irrigate directly out of the Delta. This Victoria Island, why Gleason and Salyer were so interested in it, was that their siphons go right into

the streams of the Delta. If they can't get water because it's salt, they've got to buy it from the Metropolitan Water District, essentially.

MORRIS: Buy it to keep it from going south, even though it's northern water [Inaudible].

WALDIE: That's right. They'd have to buy it because it belongs to the California Water Plan. The second thing is the flushing effects of San Francisco Bay. It's only flushed from the Delta; it's the only source of water to flush it, and if you diminish that flow, you diminish all the flushing effects and you diminish the fresh water needed for the saline marshes along Suisun Bay. I mean, the ecological consequences are quite extraordinary.

Roles of Department of Water Resources and George Miller, Jr.

WALDIE: The other thing that seems to me to be so gross is the policy of the State Department of Water Resources. Essentially its initial objective was to conserve, protect, and develop the water resources of the state of California. But with the California Water Plan, that mission changed to "conserve, gather, and sell" to the highest bidder the water supplies of California. That's all the California Department of Water Resources is now—it's a seller of water. It has no other mission. It sells water to water contractors: the Metropolitan Water District, the farmers in the Central Valley, San Diego—all the customers of the state of California become customers of the Department of Water Resources. So if I don't buy water from those bastards, they're going to pay more attention, as they should, to their customers than to me. I'm just a guy who lives on San Francisco Bay. And if I say to you guys, "You've got to give me some water," they say, "How much are you willing to pay for it?" And we're not willing to pay for water that's naturally ours. But politically, in the long run, it

will no longer naturally be our water, if they build that Peripheral Canal.

MORRIS: Why is it that this concern has focused in Contra Costa County? How about up around Stockton, where . . .

WALDIE: It arrived elsewhere within seven or eight, nine years. But it took that long. Partly, I suggest, because they're not as smart as we are in Contra Costa County. [Laughter]

MORRIS: Well, you're surrounded all along one side by the water in question.

WALDIE: That's right. There are two reasons. Maybe there's one reason. And it sounds egotistical to say it, but you had George Miller in the senate, a powerful voice under any definition of a political voice in California, and probably the most respected state senator in his era. Probably the most respected state senator for intellect, political capacity, and for just being a decent, nice guy that people liked. And then you had me in the assembly at that time, and I was articulate on this issue. I don't mean to be boastful, but I really was. And I got a sense in my mind that this would be such an overwhelming issue that it would probably be the central part of any campaign I ever ran in Contra Costa County. No matter what else I did in Contra Costa I probably could survive if I kept right on this issue and kept it in the foreground. I believed that then, I believe it now.

MORRIS: If you kept "right" in terms of the perceptions of the people in Contra Costa County?

WALDIE: Yes. So you had two pretty powerful guys--and I was by that time majority leader--who were both articulate and who both understood this water issue, because we had been dealing with masters on it, Gleason, Salyer, these old-timers who really understood it. And we also understood where the good guys and the bad guys were, pretty much, from our standpoint. And the other counties didn't have that kind of a background or that

base from which to work. For about five years, San Francisco was of no consequence. It took the Sierra Club a long time to understand that San Francisco Bay was involved. The Sierra Club took a long time before they opposed the California Water Project. And we were harping on them, Miller and I, all these years to do it. And we couldn't get their interest, because San Francisco Bay seemed so remote from Clifton Court Forebay, and it flows through the Delta, the San Francisco Bay.

There was a great suspicion that was developed by the proponents of the canal to try to offset George's and my opposition, that we were a voice for the industrial interests of the waterfront of Contra Costa County, which clearly was not so. And anyone that paid any attention to industrial development in Contra Costa County knew that wasn't so for two reasons. One, most of their water came from the Contra Costa Water District, and they were supportive of the California Water Plan. Secondly, almost all the industry on Contra Costa County waterfront has its primary home offices in the southern part of the state. So they clearly would not be opposing any water plan. And in fact, none of them ever did. None of them ever took a position against the California Water Project-- Fibreboard, none of them. But there was always a strong suggestion in Bay Area circles that Miller and I were the voice of the oil companies, and the steel mills, and the paper mills on this issue.

MORRIS: It's an issue that doesn't seem to go away, you know, the Peripheral Canal.

Shortages of Water and Air: Northern and Southern California Views

WALDIE: Water issues in California will never go away. Never have and never will, because water's always going to be short in California. And whoever controls water in California

politically controls California. It's always been the case. Eugene Burdick wrote The Ninth Wave. Do you recall reading that?

MORRIS: I do remember it, yes.

WALDIE: The central theme of The Ninth Wave, you recall, was this young attorney who found a candidate who was going to run for governor, and the backing for that candidate came from Central Valley agricultural interests who wanted water from the north. The campaign was developed around his promises to develop northern water and get it to the Central Valley. And this was before Pat Brown's administration. Burdick was just really remarkable.

But the significance of that to me is that Burdick was pointing out that, in California, you've got an arid state where most of the population lives in the arid section of the state, without water. So the political stakes in California are always going to essentially evolve around who controls the water of this state.

MORRIS: Does the question become more urgent now that we're, I understand, facing the end of agreements with Arizona on use of Colorado River water?

WALDIE: Yes, I think it does.

MORRIS: Does that mean that it's inevitable that northern California water will eventually be transported the way southern California wishes?

WALDIE: I don't think so, no. I don't think it's inevitable. I think a couple of things might prevent that. I think if you were to bet, you'd want big odds before you'd bet that it isn't inevitable. But a couple of things could go against that. One is a consciousness on the part of the south that more water in the south is not necessarily a productive thing for the south.

If your problem in resources is a shortage of air, not water, you've got two problems. You've got insufficient air

and insufficient water. But more people depletes both those resources. But the one that is most serious is the air depletion. So if you can limit your water, you limit the growth and thereby limit the draft on your air resource of people sucking in air and pumping out gasoline fumes. So I think there's an increasing consciousness in the south that there are certain areas of the world that develop to their maximum growth, that their resources simply cannot sustain more. You can import some resources when you run short, but you can't import air. So they can import water, but if the water importation creates a greater draw on the limited air resource, it's nonproductive; and I think maybe you'll find an increasing consciousness in the south that they're at the limits of their air resource, which is the real danger.

Secondly, there is such overwhelming opposition in the north; boy, that vote on the Peripheral Canal was just so extraordinary. Now it's true, there are a few weird distortions in that. The Salyers, for example, in the Central Valley, pumped a lot of money into that campaign, not for the right reasons. They weren't getting enough water under the plan that was being tested; our view was they were getting too much, if they got any. Their view was they weren't getting enough. So they wanted to kill it because they weren't getting enough. Our view was that they if they got any, it was too much. But the fact of the matter is, it shows that with enough money to campaign, you can persuade people to vote against any California water plan. So I'm not pessimistic. I would have been pessimistic if that vote hadn't been so overwhelming, but. . . .

The other thing, by the way, that could help us is that the Central Valley Project now—even though that's still questionable as to whether they're going to really have to pay a correct price for water—that is a factor that I haven't

quite worked out in my mind how this impacts upon the California Water Project vote in the Central Valley.

MORRIS: That relates to the water supplied to people with 160 acres?

WALDIE: Yes. Westlands Water District and those people.

Congressional Impact: Toxic Waste, 160-acre Limitation

MORRIS: But you did pursue this in Congress, the issue of water.

WALDIE: Yes, although not a great deal. George Miller III has really been, I think, very, very good, since he's been in Congress, on that. He serves on the Interior Committee; I did not. And there wasn't a hell of a lot going in those days. The only thing I was involved in in Congress was to keep the drain from dumping into the water in Pittsburg. They had proposed that the San Luis drain, which takes all the residues, the salts, the selenium, and all the crap that leaches out of the soil when it's irrigated. . . . Their theory was to dump it in Pittsburg, then Port Chicago. I managed to stop that, and they therefore had to pump it in big holding ponds, which they're now finding are killing ducks and producing mutants.

MORRIS: That's the ponds down around Kesterson?

WALDIE: Yes. But that's about the only time. The San Luis drain was about the only time at the congressional level I got involved in water to any degree.

MORRIS: That also sounds like sort of a classic, you know, the people against the special interests.

WALDIE: Which?

MORRIS: The way the issue is presented in the north is usually that it's us poor people who want to water our three tomato plants against the Metropolitan Water District.

WALDIE: Yes, that's the way we phrased it. There was another dimension to it that we didn't emphasize because it isn't as appealing politically. Probably the greatest wasters of water are the agricultural interests in the Central Valley. The Metropolitan

Water District; at least, probably paid a fairer price for its water from the California Water Project than did the Central Valley.

See, the whole theory of Burdick's book, and the whole theory of Pat Brown, was to develop the California Water Project to send water down here rather than the Bureau of Reclamation, because the Bureau of Reclamation always had hanging over that threat of a 160-acre limitation. And beyond that you have to pay a fair price for water. Whereas the California Water Project, though we tried in the state assembly when I was there to amend it to include the 160-acre Limitation Excess Land Law to apply to the California Water Project, we were wiped out, because none of the agricultural interests in the valley would support the California Water Project if it had a 160-acre limit on it.

MORRIS: So they saw it a way around the federal limitation.

WALDIE: Absolutely. You wouldn't have to worry about it. They could get subsidized water without paying a full price for it, and they would never be subject to any acreage limitation, as with the Bureau of Reclamation.

MORRIS: In the assembly, were the agricultural interests the strongest organized lobby you had to deal with?

WALDIE: No. It was just that Pat Brown, at that point, and the southern California interests, including the Central Valley, were so adamant in getting the water project through without anything changed. . . . The excess land law provision that we sought in the assembly would have been such a destructive amendment—it would have killed the project is what it would have done. Because the farmers would have pulled their support out right away. They simply would not have supported the California Water Project with a 160-acre limitation, because that would have meant they would have had to pay full price for water; it could end subsidized water.

Lack of Interest in the 1960s Outside Contra Costa; Southern California as Media Center

MORRIS: That sounds like with developing the water plan, Pat really changed his overall thinking from being a northern Californian to a southern Californian?

WALDIE: That may be too harsh. Because you've got to remember that George Miller and I were about the only ones voicing and talking and thinking in terms of what is now called northern California. San Francisco didn't stand up and fight this; Alameda didn't fight it; Sierra Club didn't fight it. Nobody in the north fought it. Sacramento didn't fight it; Yolo didn't fight it; San Joaquin didn't fight it. All those supervisors were supporting it. Solano didn't fight it. Because we went to all these boards of supervisors and tried to get them to block it.

MORRIS: Up there in Redding and Red Bluff?

WALDIE: None of them. So what now seems to be so clearly a northern California position was a Contra Costa County position, and exclusively alone. I mean, we were really out there alone. I couldn't see why the others wouldn't—and I'm not being facetious about it—I could not see how the others could possibly not see that scheme for what it was. Now it seems so clearly a northern California position that you can't believe there was a time. . . . So I wouldn't be that harsh about Pat. Pat was not in my view expressing a southern California view in carrying water—if you will forgive the pun—for the southern California interests, but that was not necessarily a northern California position. It wasn't defined as such in the state. It was, but it wasn't so defined or perceived.

MORRIS: Then the legislation also carried the names of the legislators<sup>1</sup> In that sense, is it a legislative plan or is it the governor's plan?

WALDIE: Oh, it's the governor's plan.

MORRIS: Well, I must say it's fascinating, because politically, in terms of party organization, there's the habit of changing party chairmen from north to south in both parties, which I guess has been going on back into the mists of time. So there has been that sense that . . .

WALDIE: It used to be same practice for U.S. Senator. There always was one north and one south, always. That broke up with Alan, I guess, when Alan was elected. Let's see, who was the second senator? [Thomas] Kuchel, I guess, was from L. A. Anyway, that used to be the system in California. One senator was from the north, Engle, and one senator was from the south, Kuchel.

MORRIS: Now you have people locating in the south in order to strengthen their political base.

WALDIE: Sure, you bet.

MORRIS: Which is an interesting comment on the great state of California.

WALDIE: And the political base is still the south. Orange County, San Diego County, and Los Angeles County, clearly the political base. If you're going to run for a statewide office, you better make your presence known in those three counties overwhelmingly.

MORRIS: Does that mean that they are suspicious of outlanders and mountain folk from the north and feel that there is no way of developing a statewide . . .

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1. Senator Hugh Burns and Assemblyman Carley Porter. Burns-Porter Act, ch. 1762, 1959 Cal. Stat. 4234.

WALDIE: No, I don't think so. I think it's media again. Your media markets are down there, and your population's down there, so you locate where you can hit the population. And it's not necessarily that you're hitting them with north/south issues, except that you're located in San Francisco and you're missing the evening news in Los Angeles County, and San Diego, and Orange County every night, and you're hitting San Francisco or Sacramento. You're getting about one-third of the coverage you get down there on a statewide election. So you go down there, not because it's a north/south issue; it's just that that's where the television is that will cover the most people on the news at night.

MORRIS: I think that's a good place to stop for today.

[End Tape 2, Side B]

[Session 2, June 18, 1987]

[Begin Tape 3, Side A]

More on Environmental Issues

MORRIS: I wanted to pick up a couple of questions. One was when we were talking about your work on water policy. You said it took a long time to get the Sierra Club to come around to your point of view. Do you remember what it was that finally convinced them?

WALDIE: No, I don't. It just seemed that they did not deem it to be much more than a battle of special interests involving economic concerns rather than environmental concerns. I don't think they perceived the diversion of water as a threat to San Francisco Bay. They, I think, assumed it may have been a threat to the Delta, but were never persuaded that Contra Costa County was really interested in protecting the delta environmentally; [Contra Costa County] was interested in protecting the Delta, I think the Sierra Club believed, only to assure flows for the industry along Contra Costa County shores, which was not the case. But the pro-water people always depicted Contra Costa County's opposition to the plan as being motivated by that. And I think they persuaded the Sierra Club people pretty much that was the case; so they didn't pursue it very deeply until, I think, they began to understand that what affected the Delta adversely in terms of flows of fresh water had to have consequence to the bay itself, and the estuaries of the bay.

- MORRIS: Was it while [David] Dave Brauer was still the head of the Sierra Club that they came around?
- WALDIE: No. Dave, I think, by that time was with the Friends of the Earth.
- MORRIS: Did you work eventually with the local Sierra Club people?
- WALDIE: I never worked with them at all. In fact, they stayed pretty much out of that struggle till--I probably was in Congress before they even became very interested in it. They were very late coming to that battle.
- MORRIS: There was a reference in some of your congressional papers on the origins of the Redwood National Park which said you were interested as early as '63. Do you remember that coming up while you were still in the assembly?
- WALDIE: No, I don't remember it coming up that early. It's vague, but I remember a trip with Jesse Unruh to Eureka where we spent--actually we got "weathered in" and had to spend three days there, which was kind of fun.
- MORRIS: In the rain.
- WALDIE: Yes.
- MORRIS: You were traveling by plane?
- WALDIE: Yes, out of Sacramento, and we couldn't get out. But I really do not recall that the purpose of that trip involved a redwood park; I just have no recollection of what that was, but it was a great deal of fun.
- MORRIS: That's kind of far afield for a couple of big-city legislators.
- WALDIE: Yes, but there were some people up there that we were interested in promoting politically.
- MORRIS: Candidates. Would this have been also connected with any timber legislation?
- WALDIE: Not to my recollection. There wasn't much of that in the legislature; most of the timber issues were federal issues.

MORRIS: There was a California Forest Practice Act.<sup>1</sup>

WALDIE: I don't even recall that.

## VI SOCIAL LEGISLATION

### Issues and Committees

MORRIS: Maybe we could go on to some of the social legislation, when you were in the assembly. Was your involvement as a member of a policy committee, or was it mostly as a member of the Ways and Means subcommittee?

WALDIE: Well, I also served at various times in the legislature on the Education Committee, which is a policy committee; and on the Judiciary Committee; and chaired a special committee on mental health and mental retardation. I was the first chairperson of the committee that became the Waldie, [Frank] Lanterman, and [Nicholas] Petris committee. When I left it became Lanterman, Petris, and somebody else; I don't know who was the third one.

MORRIS: [Alan] Short? No, he was in the senate.

WALDIE: Yes. I don't know who the third one was.

MORRIS: Somebody commented that you kind of took over . . .

WALDIE: Oh, and I was also on the Criminal Procedure Committee, which was a major policy committee in terms of civil liberties, essentially.

MORRIS: Somebody commented that you had worked with [Assemblywoman] Dorothy Donahoe on some of these issues and then took over for her when she died.

WALDIE: No. On Education? No. [Assemblyman Richard] Dick Hanna took over Education when Dorothy died. My recollection is it was

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1. Z'berg-Nejedly Forest Practice Act, 1973-1974, Reg. Sess., Cal. Stat., ch. 880 (1973).

Dick who took over; maybe Dorothy took over from Dick. Anyway, I didn't take over. Education was never my prime interest or subject matter in the legislature.

### Mental Health

MORRIS: The press clippings that I came across referred to a big reorganization of the Department of Mental Hygiene.

WALDIE: Yes, I was involved in those issues only through Ways and Means, and as chair of the Ways and Means subcommittee, that dealt with the mental health program. That was essentially Jesse Unruh's project, and he had come across a fellow named [Arthur] Art Bolton, who was then a young . . .

MORRIS: . . . graduate student at Berkeley.

WALDIE: Yes, I think working on his doctorate degree or maybe his master's degree; I don't know. But very, very bright and very, very able. So Jesse wanted this subject explored, mental retardation, essentially, and I had been involved in carrying legislation on the assembly side as kind of Alan Short's opposite coin in the assembly involving mental retardation and special education programs for handicapped children, emotionally and mentally. Just for no particular reason; I got into it because of the executive working for Safeway who lived in my county. I can't recall his name now, but he had a child who was neurologically handicapped, and I'd never heard of an NH child; and he invited me over one Saturday afternoon to discuss the problems of NH children, the lack of programs in California for NH children. They were not widely recognized as birth-damaged children. I became very interested in and active in all those kinds of issues; so Jesse selected this special committee to, one, go through the mental health system, because he was convinced that it had not been thoroughly looked at in an oversight sense by the legislature.

MORRIS: The whole state hospital . . .

WALDIE: Essentially the hospitals. But we weren't limited to that. That was the initial program, to do a thorough oversight on the mental hospital programs, with the objective of, one, determining if they were properly administered; and two, if there might not be a better manner by which that problem could be addressed. Jesse's concerns—and I think Bolton was probably the key person to formulate those concerns and articulate them for Jesse—were that options for people, for parents particularly with a retarded child, were extremely limited. If you had a lot of money, you could get private care. If you did not have a lot of money, you had two options. You could keep the child with you, or you could institutionalize a child; there was nothing in between home care and institutional care for most people. And they'd have to be very wealthy to find anything in between that. His view was that that was not a sufficient number of options for people to have. There ought to be something in between home and institution which would be better for the child, better for the family, and, in the long run, better for the state, in terms of cost.

And so we started in on this committee with Bolton, Nick Petris, and I as the Democrats, and Frank Lanterman as the Republican. An extraordinary committee with an extraordinary staff person; maybe one of the best committees I ever served on or ever had anything to do with. And we did an awful lot of staff work before we did any hearings at all. Then we did most of our hearings on site, at the institution. Not with any design to embarrass, but with the objective to really find out what in fact was going on—if warehousing was the only answer—and as a result came up with Assembly Bill 620, I believe it was, which was the regional diagnostic and counseling center,

a concept that's been now expanded to extraordinary dimensions.<sup>1</sup>

MORRIS: Cradle to the grave.

WALDIE: Kind of. Where a parent goes in with a child. "This is our problem. What alternatives are available?" The first thing they do is do a lot of counseling, a lot of examination to determine the possibilities. And it's worked out, I think, pretty well. This program has expanded, so I assume it's worked out okay.

Then I went into Congress very shortly after that, and Frank Lanterman took over because the Republicans had a majority in those years; it became the Lanterman Committee. That's when the Lanterman-Petris Act came into being.<sup>2</sup> Then they began getting concerned with another aspect of the system—how people enter into hospitals. And that dealt mostly with adults at that stage. And I wasn't involved in that portion of it. My involvement was almost exclusively with youngsters. Prior to that, I had authored a bill called A.B. 464, which was the neurologically handicapped bill.

MORRIS: That provided school services, didn't it?

WALDIE: Yes. It may be the bill of all the bills I've ever offered that I think I'm most satisfied with.

MORRIS: That's kind of a tricky process, isn't it? I remember that when the bill passed, there was some concern that the first time around it didn't do all the things people wanted it to.

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1. A.B. 619, 1965 Reg. Sess., ch. 1242, Cal. Stat. 3106 establishes regional centers for mentally retarded persons. A.B. 620, 1968 Reg. Sess., ch. 207, Cal. Stat. 508 relates to expenditures of public guardians.

2. Lanterman-Petris-Short Act, ch. 1667, 1967 Cal. Stat. 4074.

- WALDIE: Yes. That's quite correct; it didn't. And it never would. The first time we proposed it, it was strictly limited to the neurologically handicapped child. A child had to be diagnosed as an NH child. And that was far too limiting, because there were an awful lot of neurologically handicapped children, emotionally disturbed children, mentally retarded children. Well, not mentally retarded, because they had classes for mentally retarded children. But they didn't have the class for the NH and the emotionally disturbed. So rather than build a lot of different pigeonholes, which is the way we first started—here's a pigeonhole for NH, here's one for emotionally disturbed, here's one for a blind-in-the-left-eye child . . .
- MORRIS: You were also running parallel to the economically disadvantaged, which was coming along at that time.
- WALDIE: Probably, yes. In any event, we solved that pretty much, or we thought we did, by just saying, "If they're educationally handicapped children—not disadvantaged, but handicapped—then they are entitled to a program of some sort, and the schools should define what the program is."
- MORRIS: Did that require building a coalition or constituency of community activism?
- WALDIE: Yes.
- MORRIS: Did you get A.B. 464 through the assembly in the first year?
- WALDIE: I think probably the first session we put it in we did, yes.
- MORRIS: What was Mr. Unruh's concern about the mental health services? I seem to recall that Pat Brown had brought in a guy from Washington.
- WALDIE: Yes, Dan somebody.
- MORRIS: [Dr. Daniel] Blaine.
- WALDIE: And a good guy, yes. Everybody liked him. But I think it was just part and parcel of that. I think Jesse was reflecting a

concern that Pat had already probably articulated, and Jesse was seeking to make it a legislative parameter to that kind of concern that was being voiced throughout the Democratic party. No question, by ascribing this legislative initiative to Jesse, I did not mean to imply in any way that Pat's efforts were not important and material; they were. This just happened to be a legislative effort, and it was not instigated by the administration, the governor's office. This came through the legislature. This is when the legislature was beginning to assert itself, particularly the assembly, as a not aggressive, but as a positive part of . . .

MORRIS: "Pro-active instead of reactive," to use today's phrase?

WALDIE: Yes, pretty much so. And this was just one of those initiatives that was part of that effort; but it was one I think that Unruh particularly was responsible for, largely because of his selection of Art Bolton. I ascribe to Jesse a lot of credit for this program, mainly because of his selection of Bolton as the staff person; that was his selection, not mine.

MORRIS: Was he a regular assembly staff person, or was it purely as an intern kind of thing?

WALDIE: No, he was recruited for this purpose.

MORRIS: And he was sort of a temporary staff.

WALDIE: Yes, just for this. That's when he came into government, and he stayed many years after that. But this is what brought him into government.

MORRIS: He's now a public policy professor at Cal.

WALDIE: Oh, is he? I saw him recently. He was lobbying up here. He had an office in Sacramento a year ago, I guess.

MORRIS: Right. There's now a School of Public Policy at Cal [University of California at Berkeley].

WALDIE: He's a good one. He sure has had a lot of experience at it.

MORRIS: What I was sort of trying to piece together is the development, not only of legislative initiatives, but staffing.

WALDIE: Yes, that was all part and parcel of it. Jesse's point in bringing the legislature to a different role in California state government was that it could never perform adequately as an equal branch of government or a check and balance to the executive—or to the senate for that matter, but particularly the executive; it started out with the executive—unless it was capably staffed.

And the assembly had fallen into further decline in terms of being an important part of the three branches of government than had the senate. The senate always had a more substantial role vis-a-vis an executive and the special interest of the state than did the assembly. But Unruh brought the assembly up to a par in terms of the senate, within the legislative branch, and brought it, certainly not to a par, but brought it into a much stronger ability to perform the check and balance function of the legislative branch to the executive and judicial branch; and part of that effort was staffing, that's true.

MORRIS: Did that, while you were in the assembly, also include personal staff for you to staff your district office?

WALDIE: No, it didn't. It took a while for that. When I was in the assembly, I had one part-time employee in the district. I could pay \$250 a month to him. As a majority leader, I had one additional staff person and one additional secretary in Sacramento. But now a majority leader probably has fifteen. But the majority leader, I think, was the only one probably to have extra staff. Committee chairmen did, but not caucus chairman. . . . I was caucus chairman for a while, and never had extra staff for that, either. But it was just beginning,

at that point. Unruh had just become the speaker; I became majority leader shortly afterward, so it took a while.

MORRIS: With a limited staff, did you recruit Mrs. Waldie to do some chores in the district or anything like that?

WALDIE: No.

MORRIS: And your kids were still pretty small.

WALDIE: Oh, yes. In fact, my third one was born the eve of my election, on Halloween Eve.

MORRIS: The Department of Mental Hygiene hearings. This is '63. There's an article that I came across that involved whether or not Dr. [Daniel] Lieberman had been dismissed inappropriately as head of the department. Was that something that was internal for the department or was it governor . . .

WALDIE: It must have been more internal than external, because I just vaguely, when you mentioned the name, recall that issue; but I don't recall any details and I can't recall any involvement in it. Neither can I recall the legislature. Certainly our committee wasn't involved in it. Our committee was never involved to my knowledge in any individual maladministration of any hospital or program. We went into all the hospitals, but mostly with major written inquiries. We had what now would be known in legal circles as "interrogatories." Art had drafted them, and we had approved. There were, oh, probably twenty pages of interrogatories relative to their programs and how they were administered, which created a lot of consternation within the bureaucracy as to the time required to respond to this. But we nonetheless insisted upon it, and they did comply.

MORRIS: So you were asking the same questions of each hospital.

WALDIE: Yes.

MORRIS: For the retarded or for the mentally ill?

WALDIE: Everything, yes. It wasn't just limited to the retarded; this involved the entire hospital [system]. And all kinds of

questions about administration, mostly. Just performing the function in probably as pristine a way as it can be performed at legislative oversight, where you were not involved in legislative oversight to make a political statement, as often is the case. We weren't involved to dig out a scandal which you could politically capitalize on; we weren't involved to embarrass anybody; we were simply trying to determine if the policy that was being implemented relative to the care of mentally troubled people was being carried out properly; and if it was defective in any way that we could determine, we would respond legislatively.

MORRIS: Was it felt that the legislative analyst's office was not doing as thorough a job of the oversight function?

WALDIE: No, I don't think that was necessarily felt, not necessarily at all. Alan Post was probably the most revered and respected person in the state government, and that included legislators of my day. So nothing we did was ever done in any way to reflect dissatisfaction with Alan's function. His function was different from that; his function was to determine if the monies we'd allocated were being properly expended, and if they needed more, or needed less, or what they should do.

Ours went beyond that. That was part of what we were doing, but ours was much deeper than that. Ours was really a policy determination. The mental health program of California had not really been examined; hardly any programs had been examined, because oversight was not a function the legislature performed very readily. One, they weren't equipped prior to Unruh. Two, they had little interest in it.

The legislative function of oversight, which is its primary capacity to check and balance, was never utilized. And you couldn't utilize it with a part-time legislature. The ability of a legislature to check the executive, particularly of a part-time legislature, is minimal; and if you don't fund

a part-time legislature, either with the salaries of legislators—we were \$500 a month, plus no staff. . . .

When I was first elected to the assembly, John Williamson and I shared an office and a secretary. So you cannot really perform the check and balance function of a legislative branch if you do not equip it with the proper tools to do that. And every time you seek to equip it with the proper tools, you run into a great deal of opposition, essentially generated from the legislative branch, but also from special interests. Because the legislative branch, if it's quiet and doesn't do much, is no big factor anyone has to worry about. But once the legislative branch begins to perform its function of checking and balancing, then it becomes a different ball game. And so all governors, particularly, I think, never desire to see a strong legislature, let alone a legislator.

MORRIS: You say that you encountered opposition of special interests in developing this oversight thing.

WALDIE: Not this oversight. I think the oversight function, period. I think special interests don't want to see a strong legislature. They'd a lot rather deal with the governor. Legislatures are harder to deal with than governors.

MORRIS: There are more of you.

WALDIE: Well, there are more of us, but if we're also doing our function, it's just more difficult. If a legislature is a nonentity, just sits out there and shows up in Sacramento every couple of years, like it used to, for six months, and lives off of [Arthur H.] Artie Samish, or whoever they lived off and were rubber stamps for the governor. . . . They pretty much had to. They had no other capacity doing much else. They had no role in oversight or policy formulation. They couldn't initiate policy, they had no capacity to do that. So a special interest only has to deal with the governor; it's a lot easier dealing with one person than it is with—not three branches,

because theoretically, until the recent judicial elections, a special interest didn't deal with the judiciary; they only dealt with the legislative and executive branch. But it was easier to deal just with the executive; now they've got to deal with all of us.

MORRIS: Is "special interest" a proper term to use, say, for the administrative people in the Department of Mental Hygiene?

WALDIE: Yes. I think so, though I was not using it in that sense. But I think your question is correct. There's a major constituency for any program, and that consists of the people that are in place administering that program. Changes in administering that program are generally construed to be threatening.

MORRIS: Yes, because there was a fairly recent Community Mental Health Services Division. My recollection of it is that it was set up to do the kinds of things that you're describing in terms of alternatives to hospital and support for both individuals and families. Did you have a hand in this?

WALDIE: When I think back on it, about the only real opposition we had. . . . There were two groups of people that expressed concerns about the program. Probably the most important group was the CSEA, the California State Employees Association. And they saw the alternatives that we were providing between home care and institutionalization as a threat, because the alternatives were for the state to support private care as an option for a parent; and the CSEA found that quite threatening, because if the only alternative to home was institution, that meant there'd be all these state employees employed doing that. So they opposed, as they traditionally have, contracting out, which is what they construed this to be.

They were fairly active in their opposition. We overcame it, but they, as I recall now, were quite outspoken. Well, I can't say they were outspoken, because it was a sensitive

thing for them to deal with, because to speak out against it, in essence, was speaking out against the ability of a child to receive private care closer to its home; and that's not a good position to take for a person interested in mental health. I mean, there generally is a belief that if you can take care of people with illnesses closer to their family, they're better off. Nonetheless, they did.

The other group that was, of course, very active in it, and I presume now are the most supportive of it and active in it, are the providers, because there were no providers in this field before. Now we were setting up a system where the private sector would come in and provide mental health care and the state would pick up that tab. So the providers, now, become a constituency for the program, along with the parents. But in those days, there were no providers. But the moment the program began being developed, when they began sensing that here was a major opportunity, they became advocates of the program, too.

MORRIS: By then, Pat Brown had set up a kind of an oversight agency himself, the Health and Welfare Agency, I think it was called.

WALDIE: I don't recall that [Inaudible]. I don't recall his functioning in that regard.

MORRIS: That's interesting, because one of the aspects of government administration is this evolving of the idea of superagencies. That didn't register with the legislature?

WALDIE: It may have. It didn't register with this legislator. It didn't come to my attention. If it did, it didn't trouble me, or it didn't concern me, or was not of any interest to me. And I liked him a lot. Pat Brown was very supportive, by the way, of this program, too.

[End Tape 3, Side A]

[Begin Tape 3, Side B]

WALDIE: . . . any opposition to any program with which I was involved, too, one of which I authored, in this field of mental health. He would always support it, invariably.

MORRIS: By the time you got this study and the resulting legislation in place, we're up to 1965, which was when the state approved Medi-Cal. Were you involved either in steering that through, or was that pretty much the governor's program?

WALDIE: I have no real information on that, no recollection of it. I was not involved in Medi-Cal in '65.

MORRIS: So it would not have been a factor in . . .

WALDIE: Not in this program, no.

#### Education, Civil Rights

MORRIS: What about anything else particularly in the education area that you recall as being critical?

WALDIE: Well, we had during that era, too, the Master Plan for Higher Education by Dorothy Donahoe. And I was quite interested in that, though I did not play any major role in it. Dorothy was the primary mover in the assembly, I think, though probably Winton—he's now a lobbyist, I think, for the school superintendents—[Assemblyman] Gordon Winton. Gordon Winton was probably the other person that may be the most important. I think Dorothy probably was, Dorothy and George Miller in the senate. But I was a bystander on that issue. I was supportive of it, but never paid much attention to it.

MORRIS: How about civil rights in general? Was that a major legislative concern?

WALDIE: It was not. It was a major one for Jesse. The Unruh Civil Rights Act.<sup>1</sup> Jesse carried a lot of bills in that area, and of course Pat Brown put through fair housing with the Rumford Act, Byron [Rumford's] and Pat Brown's act.<sup>2</sup> So there were a lot of initiatives in that field, but that's because nothing had been done for one hundred years before that. So it just seemed like we devoted a lot of time to it. It never occurred to me, being in the legislature, we were devoting that much time to it. And it really wasn't that controversial, either.

MORRIS: It was sort of a consensus that nothing had been done for one hundred years.

WALDIE: Yes. And the Democrats were just solidly behind almost all of those initiatives, with the exception of the senate. I'm talking about primarily the assembly. The senate still had some very conservative people like Luther Gibson, who were very unhappy with fair housing, particularly; but almost all civil rights issues concerned a lot of people in the senate. But the assembly, after 1959 when a majority resulted with the Pat Brown election, that was the agenda, and we all were committed to it, and there were just not many people in the assembly on the Democratic side who were opposed to civil rights legislation. And there were a surprisingly large number, compared to what sits up there now in the legislature, of Republicans committed to it also.

MORRIS: Were you prepared for the Rumford fair housing legislation to go to an initiative measure?

WALDIE: I wasn't, no. I had no idea it would be that controversial. I just assumed that it made so much sense and had so little

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1. Unruh Civil Rights Act, ch. 1866, 1959 Cal. Stat., p. 4424.  
2. A.B. 1240, 1963 Reg. Sess., Cal. Stat., ch. 1853, p. 3823.

impact, really. I just underestimated the capacity of the real estate industry to pander to fear and bigotry.

MORRIS: As majority leader, would you have worked with Mr. Unruh to kind of develop a pro-Proposition 14 campaign in '64?

WALDIE: Oh, yes. I was strongly in support of that, yes.

## VII LEGISLATIVE POLITICS

### Role of Majority Leader

MORRIS: I'm not quite clear what a majority leader does.

WALDIE: Oh, well, a majority leader doesn't have much to do in terms of the state. Now, I'm talking then. I'm not sure what a majority leader does now, and I'll tell you why, some of the things that have happened since then. But in those days, the majority leader's role began and ended, essentially, with the legislative session. In between legislative sessions, during the campaign, the role was a fairly limited one. You were available to speak at fund raising events for candidates, generally incumbents, who sought your assistance. And that was not very often, because there wasn't very much money for that purpose. The candidate would have to put up the money.

During the legislative session, the majority leader was then and is now appointed by the speaker. There's a tacit understanding that the caucus must agree with the speaker's selection, or the speaker would not go that route, I'm quite certain. But when I was appointed majority leader, I'm sure had it been submitted to caucus, I would have been selected in any event. Not as caucus chairman. When I was selected caucus chairman, I was brand new, and it was simply Jesse said he wanted me and the caucus said okay, you can have him.

MORRIS: The caucus was fairly new at that point, too.

WALDIE: That's right. We had not had any caucus prior to those days. But the majority leader's role was twofold. He sat on the

Rules Committee as the speaker's representative, and everybody knew when I spoke in the Rules Committee I spoke as the speaker's representative. There were rare occasions that Jesse would give me instructions in terms of the Rules Committee, very, very rare, I expect largely because we generally saw things pretty much the same and he had no need to.

Another role of the majority leader is for the majority leader to counsel and confer with the speaker on many things: in-house problems, burgeoning threats to the leadership that might be developing. And I think the speaker selects a majority leader in part to neutralize opposition, too. I mean, the majority leader is selected from a group normally that might not be that close to the speaker, so that the speaker removes a gathering point for opposition by bringing that person into the speaker's operation rather than leave that person out there to perhaps organize against the speaker. It's kind of a preemptive . . .

MORRIS: Making of you a loyal opposition kind of a thing. Did you see it that way?

WALDIE: Not then, but I did later. I don't have any particular objection to it. I only saw it when I was selected because I was so bright, intelligent, and able: that was the reason.

MORRIS: Of course. It was just natural recognition.

WALDIE: That's right. [Laughter]

MORRIS: [Laughter] Well, obviously Unruh felt that way, too.

WALDIE: The other things, I think, that the majority leader does is, you lead the debate often on the floor, because the speaker rarely takes part in debate, Jesse even less than Willie [Brown]. Willie takes part in debate, I think, more than most any speaker. Jess did not take part in debate very often.

MORRIS: He is sitting there, sort of listening to the intonations and evaluating the [Inaudible].

WALDIE: Yes. Sometimes he's presiding, but he didn't preside very often. He generally just sat in the chambers. He might participate in the debate, but usually he did not. So the majority leader sits in the front and the minority leader right across, and they lead the debates for their respective parties. The committee chairmen carried the debate on the particular bill, or the author of the bill, in the legislature; but if it's a party proposal, then the majority leader becomes quite active in that.

Also, the majority leader, I think, seeks to ascertain if there's unhappiness with any of the legislation that's critical to the party, and we try to address whatever the unhappiness is. Then we try to determine whether loyalty in this bill can be foregone and we've got enough votes that we don't need to burn anybody.

MORRIS: If somebody's got a particular problem in their district with this piece of legislation.

WALDIE: Yes. And they have to have the confidence that they can go to the majority leader, and the majority leader will sympathetically try to solve it; if he can't, he'll go to the speaker. They'll go the speaker themselves, too, but hopefully they'll work with the majority leader.

MORRIS: So you're both keeping track of the votes, as it were, and of any individual variations.

WALDIE: Yes, and if it's a real critical vote and it's close, we try to get key people to speak on the issue that might be able to persuade somebody, or to go to somebody on the floor and talk to them.

MORRIS: Can you remember an instance or two of a key issue in which one person speaking did make a difference?

WALDIE: If the issue involved civil rights, you obviously wanted Byron to speak and Gus Hawkins, when Gus was there. You wanted your

black members to speak on civil rights issues that involved black/white civil rights issues. If it was a civil liberties issue and you were trying to get neutral people to move over—not the civil libertarians, because they would normally be there—then you'd try to get a John Williamson or someone who was more middle-of-the-road, and moderate, and nonlawyer, to speak on the issue. I can't think of any particular one. Those are just general guidelines that you tried to do on it.

Candidate Selection, Reapportionment

MORRIS: Is part of your function as majority leader to keep an eye out for likely potential candidates?

WALDIE: No. That was almost exclusively the speaker's.

MORRIS: I was thinking about your trip to Eureka.

WALDIE: Oh, no. I went with the speaker on that; I went with Jesse. I'm sure if I had come to Jesse with a candidate and said, "Look, I think this person is real good," I think I would have gotten a lot of attention. But I never construed that as part of my role.

MORRIS: That's more the caucus's role, per se?

WALDIE: Not really. That's essentially the speaker and leadership, whomever that leadership might be. In my day it was the speaker; myself; Bob Crown; Nick Petris, to a degree, probably a lesser degree; Tom Bane; George Zenovich. There may be others, but those are the ones that seem to me were the most . . . . Carlos Bee, too, but Carlos was the speaker pro tem and was almost in a class by himself. He was just such a popular, nice person, but he was not really part of what they would call the hardnosed leadership type.

MORRIS: That's an interesting distinction. Just because of Mr. Bee's personality?

WALDIE: Yes. He was one of those people that everybody liked. Both sides of the aisle liked him a lot. There are people every

once in a while that fit that, but not many. Carlos was one of those.

MORRIS: Did he have some strong convictions about what the legislature should undertake or how it should conduct itself?

WALDIE: I don't know. That's hard for me to answer. He wasn't that partisan, number one, which made him well liked by the Republicans, as well as a lot of conservatives. He just had a wonderful sense of humor. He was a different kind of a person than we were. We were more ideologically oriented, I think, the ones I mentioned, other than Bane; and Tom Bane was more of a mechanically oriented politician. He wanted to see things done process-wise. Carlos just enjoyed being there, enjoyed education, enjoyed people.

MORRIS: Were you, the more ideologically minded group, looking for minority candidates? In other words, there were only a couple of. . . . Mr. Rumford and Mr. Hawkins were it for a long time.

WALDIE: Yes. To the extent that was a prominent feature of candidate selection, I was never made aware of it.

MORRIS: The NAACP [National Association for the Advancement of Colored People] didn't call upon you and discuss this matter?

WALDIE: The only time those issues ever came up in terms of candidate selection was reapportionment; then it was a major issue . . . when you were creating a district and the black and Hispanic voice was very strong in that issue relative to candidate selection. But candidate selection, outside of reapportionment, is not much of a gain; there are no seats for Hispanics or blacks in this state, except by reapportionment. Rumford and Hawkins were the only two black districts in the state, and there were one or two Hispanic in L. A. County that stayed. Occasionally [John] Johnny Moreno would get in, and different people, but there were not. . . .

You wouldn't go into Contra Costa County and select a black candidate, or a Hispanic candidate, probably, in those

days. So there were no great pressures for selecting minority candidates, but the pressures for that came in reapportionment. To create a district where a minority candidate would have a shot at election, then you would have a candidate selection problem. I was only there for one reapportionment, so I didn't see candidate selection after reapportionment. There were a lot of candidate selection concerns being voiced during the reapportionment, but we were not creating districts that were sufficiently cognizant of the need of increased minority representation.

MORRIS: And was that coming from outside the legislature or from members of the legislature?

WALDIE: Outside, essentially.

MORRIS: That's a separate committee that meets on reapportionment?

WALDIE: Yes. It's an election committee. There is an ongoing election committee, but when reapportionment year comes up, that committee is the committee.

MORRIS: Of the year.

WALDIE: Of the year. No other committee comes anywhere near that committee in terms of importance, and in terms of a selection of chair and its members, and in terms of a necessity for loyalty toward the speaker.

MORRIS: Was Burton evident in your day in the assembly in his concerns about . . .

WALDIE: Not evident; that's far, far too minimal. [Laughter] Phil was pervasive, paramount, and superb. Bob Crown was the chairman, but Phil was the one who did all the real work on it, with Bob's total acceptance and Jesse's total agreement.

MORRIS: That's probably the thing people remember most about him, and it leads me to wonder how he got so interested in reapportionment and how he got so skillful in the negotiations.

WALDIE: I think Phil's probably the most astute politician in a lot of ways that I've ever known in my life. I've also never known anyone whose devotion to politics and the process of politics is so total, to the exclusion of literally everything else in his life. And if you're that committed to anything, that fanatical about anything, and you're that strong a zealot about anything, I suppose you acquire those skills. But Phil had a genius for understanding the demographics of a district and how you could put pieces together to obtain foreordained results; that's what reapportionment's about. It's not necessarily what the Constitution intended it to be about, but that's what it's about.

MORRIS: That's reality, as opposed to the ideal.

WALDIE: Yes. To put together a map that will have foreordained results before the election is held. And Phil succeeded in that effort more than anybody in the world's ever succeeded, before or since.

MORRIS: Was this all in his head, or did he work with people outside the legislature?

WALDIE: Oh, he worked with a lot of people; he had a lot of consultants. We hired at Phil's direction some very, very excellent statisticians, and this was before computers came along. Now, I suppose, it's much faster and easier, and much less susceptible to interpretation. Phil had to put a lot of interpretation on the figures that he got, but I suspect there's less of that now because of the capacity of computers to think.

MORRIS: Then it's a matter of whose computer you're using, and whose data bank. The last couple of reapportionments, there's been competing views based on the computer printout.

WALDIE: Well, not really. Your computer comes up with what you want it to come up with. I think the people that came up with

different views had different objectives, was all; I don't think the computers are any different. But the statistics came up to confirm their objectives. If the objective was to have a Republican dominated reapportionment, you have a different set of computer statistics.

MORRIS: Or a different formula you are using. You know, the numbers of people in a given county are the same whether you're looking at it or I'm looking at it.

WALDIE: Yes, but all I'm saying is, the computer is the same. The computer's the same, and I don't think you get different answers. You get the same answer; you can present different figures. But the Republican computer knew that the figures the Democrats were presenting would present a Democratic legislature; the Democrats knew the figures the Republican computer was presenting would present a Republican legislature. All I'm saying is, in those days Phil Burton had the capacity to understand lines better than anybody in the world, and what they meant, and he even had the capacity to understand such esoteric little things as. . . . Merchant mariners were part of Phil's district, though they were out at sea and probably never touched land to vote; but they became part of the numbers that Phil used to comply with the minimal numbers for an assembly district or a congressional district. And there were thousands of them. But the port of San Francisco, he made them his constituents. So that he was able to keep his district very small, very low, and probably had one of the lowest turnouts in the state—but one of the heaviest Democratic turnouts.

MORRIS: Very homogenous kind of . . .

WALDIE: As he drafted it.

Factions, Partisanship

MORRIS: You were saying that there have been some significant changes in the majority leader function. Since your time, or . . .

WALDIE: I think there has been. I was in Washington when the [Howard] Berman/[Leo] McCarthy fight occurred. I read about it in the papers for a while, and I called Jesse one day and I said, "Hey, something's happened out there that apparently is different from when I was majority leader." Because Berman was majority leader opposing McCarthy, who was the speaker. I said, "I gather the majority leader is now elected by the caucus."

He says, "Why do you say that?" I said, "Well, Berman's majority leader, and he's running for speaker against McCarthy, who appointed him." And Jesse practically broke up laughing. He says, "Yes. Can you conceive of that happening when you were majority leader?"

I said, "No. I can conceive of me running against you, but not in the position of majority leader. One, I would have had the decency to resign. Two, if I hadn't resigned, you would have the guts to fire me. In any event, I wouldn't have been running against you as majority leader." So it's changed. Berman did run against McCarthy as majority leader; McCarthy did appoint Berman; Berman didn't resign; and McCarthy didn't fire him. And I don't understand that at all, at all, at all.

MORRIS: That sounds like the pattern of loyalty may have changed.

WALDIE: I don't know what it sounds like. It just sounds so bizarre to me. Certain things don't compute in my mind, and that did not compute and still doesn't.

MORRIS: Maybe this is the time to ask you about a newsletter you sent out that one of the [San Francisco] Chronicle columnists picked up in August of 1963. And it says that "Mr. Waldie indicates a personal disenchantment with various factions and

individuals of both parties, and concludes that the image of the legislature with the public declined during this session." And the quote goes on that "partisanship has definitely become more pronounced on the part of both parties where partisanship formerly was nonexistent."

WALDIE: What? Sixty-three?

MORRIS: Sixty-three. This was the year that the assembly was locked in its chambers overnight by a parliamentary maneuver. And the governor left for Europe days before the end of the session.

WALDIE: Yes. I was thinking that I was in Congress then. Okay. What about that?

MORRIS: It sounds like by 1963 you were expressing some disenchantment with the legislature.

WALDIE: Yes. I think what was happening there was that prior to that time, on the budget, at least, there was really no political division on the budget; there were individual differences, but there wasn't a Democratic budget and a Republican budget.

MORRIS: It was from the legislature's point of view.

WALDIE: Yes. Then with the development of what we called the "Young Turks"--bright, able, young Republicans . . .

MORRIS: By then you were a graybeard senior . . .

WALDIE: [Laughter] No. I was still called "the young assemblyman from Antioch."

MORRIS: But you weren't part of the Young Turks.

WALDIE: The Young Turks were Republicans. I always thought of myself as being a Young Turk as far as Democrats were concerned, but these were Republicans. That group was led essentially by [John] Veneman, though [Robert] Monagan had the title. Veneman and [William] Bagley were the key people; Monagan was part of it. Monagan, [Houston I.] Flournoy, Veneman, and Bagley--all four of whom are dear, dear friends. Veneman was certainly one of my closest friends, ever.

MORRIS: Regardless of partisanship. That's interesting.

WALDIE: We used to have more fun together.

MORRIS: How did that work?

WALDIE: Well, lawyers would understand it probably better than most people. Lawyers can argue during a courtroom, and while the jury's out go out and have a drink and have dinner together; the clients would puzzle if they saw them do it, but they do it all the time. You can disassociate your personal life from your professional life; so I can fight on the floor of the assembly and on committees with Jack Veneman—and did, day after day—and go out evenings and have drinks with him, and have dinner with him, and have a ball with him, have family relationships and all that. You can leave that behind. I think lawyers do it better than most people.

MORRIS: Football players?

WALDIE: Yes, football players surely can do it. Most pro athletes can do that.

MORRIS: I think I understand what you're saying; it's an interesting quality.

WALDIE: It is. And it doesn't always work. It depends on the issue and how bitter the fight is. Like, the legislature today I don't think does that. You didn't have any H. L. Richardsons or John Doolittles. You did not have the gut kind of fighting that takes place. Rarely was there a personal, vituperative comment made publicly, let alone during debate, about another legislator. I think that was probably better. I suppose to a degree it lessens the intensity of the political debate, but sometimes to lower the intensity might be helpful.

What I was reacting to was, for the first time since I'd been a legislator—I hadn't been in very long—there was what is now known as block voting. The Republicans voted en masse without any selectivity, just voted against the budget, as they're doing now. That's when this started. This evolution that has brought this to where we are now started in 1963,

with Monagan, Veneman, Flournoy, and Bagley, who brought discipline to the Republican side of the aisle. From their standpoint, it was a very shrewd and very able operation. But as a result, they got a lot more attention from the majority than they would have. Because the only capacity they had to influence anything was the need to get fifty-four votes. Because we had, I think, fifty-one, so we could do anything we wanted with forty-one votes. We had plenty of surplus Democrats we could let go their own way. I probably was speaking from the eye of the beholder when I said that I find the growth in partisanship is distressing; that probably doesn't reflect what was happening on the Democratic side, because we always had our forty-one votes without block voting. The Republicans had to block vote to keep the Democrats from getting fifty-seven votes. So when I'm blaming the Republicans for block voting, they were confronting a necessity that we weren't. If I had been unable to get forty-one votes as majority leader, I'd have been indignant as hell about that. But I never had any problem. I think we had fifty-one or fifty-two votes.

MORRIS: So you sort of had de facto block voting on the Democratic side.

WALDIE: Absolutely. But I only needed forty-one, so I always had about eight or nine that could vote anywhere they want; so I pretended we were letting people vote their conscience, and the Republicans were insisting upon hardnosed block voting. But we were only letting people vote their conscience because we had surplus. When we needed fifty-four votes, we didn't let Democrats leave the fold without some cost. I think that's what I was reflecting, that mostly. It was probably an unfair rap at them.

MORRIS: Yes, particularly since there was a lot of alarm at that time about Mr. Unruh exerting his "Big Daddy" . . .

[End Tape 3, Side B]

[Begin Tape 4, Side A]

Lobbyists and Their Influence

MORRIS: . . . recurrence about conflicts of interest or campaign irregularities that were surfacing at that point?

WALDIE: No. At least I don't recall any. I don't recall any burgeoning scandals involving conflicts of interest. The only campaign scandal I recall—it seems so foolish in retrospect—was Jesse paying \$10 a day for precinct workers in the Kennedy election, when John Kennedy was elected president. And he received a lot of criticism from the Republicans, and an awful lot of criticism from the California Democratic Council, the liberal wing of the Democratic party, that buying precinct workers was an abomination. People ought to be willing to vote because of ideological incentives. The fact of the matter is, everybody does that now; nobody bats an eye, I'm sure. But that's about the only thing I remember of any flap about campaign finances.

MORRIS: Well, the other one that's sort of recurrent—my study of California politics goes back to [Governor] Culbert Olson's day, and there were investigations of lobbying and connections with the [Inaudible].

WALDIE: Artie Samish and all those . . .

MORRIS: Right. And earlier, that the Southern Pacific [Railroad] owned the California legislature and things like that. What was the state of concern about lobbyists and their influence on the legislature and political campaigns in those days?

WALDIE: I don't recall much concern in those days about that. We were constantly seeking a pay raise, and we always used as a reason for a pay raise that it would diminish the influence of the "Third House." But that was just part of the rhetoric that surrounds any request for a pay raise. Whether they seriously believed it would diminish the influence of the Third House,

or that anyone in those days was seriously concerned with the influence of the Third House—it just was not a major factor. It should have been; in retrospect, I think it clearly should have been. But it was not a big thing. There's an insensitivity that happens with third house when you're there.

MORRIS: You become insensitive to their presence?

WALDIE: Yes. You're so used to it. Probably a good way to describe that is an incident that happened to me. After I was elected to the Congress in a special election in 1966, the legislature was still in session. Before I was sworn in, I came back to do a few things, close my office up two or three days after the election. And I took all my staff, my two secretaries and my administrative assistant, out to lunch at Posey's.

I'd never been to lunch at Posey's in my entire legislative career that I can recall without the waiter coming over and telling me that my bill has been picked up by Mr. Smith, Mr. Smith being a lobbyist for somebody; and I would say, "Please tell Mr. Smith thank you." And that seemed quite proper to me, although again, in retrospect, it seems to be pretty raunchy, pretty terrible. But here I have this lunch with my two secretaries and my administrative assistant, and nobody came over with a message that my lunch was being picked up.

MORRIS: Because you were no longer . . .

WALDIE: I was no longer a legislator, two days removed. I was now only a congressman. [Laughter] There were no congressional lobbyists. Though I must tell you, when I got back to Congress, the other shock of Congress was that doesn't go on much in Congress.

MORRIS: They don't pick up your lunch.

WALDIE: Nope. The influence of the Third House in Congress is absolutely nil compared to the state legislature. None of that

was apparent to me; I'd never, ever served in Congress until I got back there. I thought life was performed everywhere like it is in the legislature; that's why you become insensitive to it. You don't realize how pervasive that is.

MORRIS: What does a legislator do? What is the dividing line? Presumably you work with industry representatives in getting the technical information for a bill. Then what is the line when the same legislative advocate says, "Gee, if you're going to be on this committee, I can be a lot of help to you"?

WALDIE: Well, the line is drawn differently by every single individual, I suspect. Some of them draw no lines; others draw very close lines. I can only tell you the line that I drew; and it was not drawn well in those days, because, again, I just simply had no sensitivity to it. It was much different once we got back to Congress and saw there was a different way of doing it.

I was firmly convinced that no lobbyist ever improperly influenced my vote, though my vote was influenced by lobbyists on many occasions. On every occasion that I can think of where the influence was clear, it was based upon either, one, their capacity to make it clear to me that the issue was so heavily weighted on their side that on a close call I'd vote for their side; or, two, that the issue was so politically sensitive and damaging that I could not cast a vote the way my conscience would tell me I should vote.

There are probably two times I think I did that in my entire career, and I'm ashamed at each instance that I ever caved in, but I did. One of them was in Congress, when there was a bill during the Vietnam days. There was a bill to make burning the flag a felony. It was essentially a free speech issue; burning the flag is an indication of speech and ought to be protected. It's hard to say that. As you say it, you kind of quiver a little when you say it, but it's true.

Burning the flag is revolting, as it is, and speech is often revolting, but it's protected by the Constitution. I understood that; I'm a civil libertarian and a lawyer, and I happened to have a good tutor, Congressman [Donald] Don Edwards, in this area. And Don voted against the bill. He was one of about twelve or thirteen in the entire Congress. I panicked, because I was afraid of my opposition exclaiming that "Waldie votes to burn the flag." And that was wrong. So there was a time when the special interest, which was a political interest, caused me to vote. . . . Special interests aren't always, by the way, economic interests at all. When you use the term "special interests," you construe it as an economic interest. A special interest is quite often not an economic interest at all. A civil rights issue can be a special interest; the NAACP—they're not economic.

MORRIS: An organized advocacy.

WALDIE: Yes, clearly. Environmental issues are rarely economic issues; if you vote for the environmental issue and don't vote for campaign contributions, you're voting, generally, because, one, you're an environmentalist, or, two, the environmentalist vote is strong. But I always thought, and still believe, that the special interests in the cold sense, the economic interests, the hardnosed ones that people talk about in stereotypes, are a positive thing that should be, and will be, around for a long time, if their job is done ethically, and by that I mean if they are advocates for their cause. In a confrontational system, which the legislative decision process is, truth is best divined if there are able advocates on each side of it. It's like a courtroom. If you have a good lawyer for the plaintiff, a good lawyer for the defendant, the jury has a better chance to divine where truth is.

MORRIS: I like your use of the word "divine."

WALDIE: Did campaign contributions influence me? Yes, they do influence me. There's no question that my legislative door opened more readily to me or my staff if there was a campaign contributor knocking on that door. It just is the truth; it's not good, but it's the truth.

Did I sometimes vote for a lobbyist because of campaign contributions when I otherwise would not? That's harder for me to say. There are times I voted for a lobbyist when I didn't care about the issue, because the lobbyist was supporting the issue. It would be a bill where there's no great interest in the world on it; it would be a bill where there's no great political, ideological views; it would be a bill where there's no massive campaign one way or the other. And I would often cast a vote for good old "John" because it was his client's bill. And that's, in a sense, a corruption, a dilution of integrity. But I found the capacity to become close friends with lobbyists the most debilitating, in terms of a vote. It's awfully hard to vote against a good friend. And you too often, I think, rationalize the vote for an issue on the basis of your friendship with a lobbyist for that particular issue. That's obviously what their objective is in Sacramento, to become as close friends with the important decision makers in the process as you can.

MORRIS: What's the quality of that friendship?

WALDIE: The quality is, two days after I was elected to Congress . . .

MORRIS: . . . then you were no longer a friend.

WALDIE: A lot of people congratulated me, but nobody bought my lunch. [Laughter] So I really never had many illusions about it. I confess to having, apparently, some illusions, because I was somewhat taken aback by the . . .

MORRIS: . . . the change in behavior.

WALDIE: Yes, and it's very difficult for a legislator to believe that he's not really loved by these folks, because they make it

very clear to you they're very beloved of you--until your successor is elected. And then you become among the rejected of the world.

Reelection Campaign, 1964

- MORRIS: I'm interested in what you're saying about the politically damaging potential of some votes. Somewhere, I think--was it '64?--in your reelection campaign, one of your opponents was reported to be a John Birch Society member.
- WALDIE: Oh, yes, [Jack B.] Azevedo.
- MORRIS: Was that something reported because the press thought it was interesting or was that something that caused you concern in your campaign?
- WALDIE: Azevedo never caused me any concern about anything.
- MORRIS: He was a perennial candidate?
- WALDIE: No. I don't know where he came from, don't know where he went to. And of all the [opposition] candidates I'd had, until you mentioned his name I would not have remembered him. I don't remember all the candidates that ran against me, but Azevedo would be one of those that would more quickly than almost any other fade into obscurity. He was of no consequence, and the fact that he was a Bircher was, I think, only of interest to the press; nobody else gave a damn. Because nobody cared about him. He wasn't a candidate, as such. The Republican party, in effect, did not conduct a campaign.
- MORRIS: So he just ran on his own.
- WALDIE: He ran, as Birchers. . . . In those days, they were trying to capture, I suspect, the Republican State Central Committee. By declaring himself as a candidate, he became automatically a member of the Republican state committee. I think that was part of that effort. The religious right do that now. But he had no intention of running a campaign, didn't run a campaign. The Birch Society never had too much doing in Contra Costa

County. At least it never reflected in my particular campaigns.

MORRIS: How about Frank Newman?

WALDIE: Frank was probably the strongest candidate the Republicans ever ran against me, and that was when I ran for Congress. Very able, because he was a moderate and attractive, articulate, and had a lot of money, and ran at a time when it was a special election, so they didn't have a host of other problems connected with it. But he was a good candidate.

Judiciary and Criminal Procedures Committees; Pornography; Heroin; Anti-Communism; Drunk-Driving Laws

MORRIS: Before we get into your congressional campaign, I would like to ask you a little bit about the Judiciary Committee in the legislature.

WALDIE: Judiciary or Criminal Procedure? The Judiciary Committee did not deal with too much. We dealt with looking at the judicial system, how it ran, passing a few bills, increasing the judges' salaries. I don't know what the hell we did. We revised vehicle codes now and then. We did nothing of any major consequence in the judiciary system.

MORRIS: That's interesting, because there's sort of a recurring little line in the accounts of those years which says that somebody was introducing a bill regarding the appointment of judges, that it should be taken out of politics, that there should be some nonpartisan professional review.

WALDIE: I don't think that was ever a major issue, and it would never have passed anyway, if it had been.

MORRIS: Was [Senator] Donald Grunsky . . .

WALDIE: That's senate.

MORRIS: Grunsky was one of the people who regularly introduced the bill.

WALDIE: Well, he carried most of the bills for the bar association, too. We just didn't have much to do. See, the judges are pretty much—once you take them out of the senate confirmation, legislative review of judges is very minimal. We deal with the pensions; we deal with the new courts. We don't deal with administrative problems. See, the Judiciary Committee didn't do a great deal, didn't have much in the way of controversy. The controversial affairs went to the Criminal Procedure Committee.

MORRIS: That relates to the Department of Justice, state.

WALDIE: Yes, it relates. . . . The controversy in the judicial system involves the criminal court system, the justice system dealing with criminals. That's now getting a little bit into another era, because of the insurance crisis, but there was no insurance crisis involving civil courts then. But in those days and still to this day, it's the criminal justice system that creates the climate in which a supreme court can be thrown out. [Chief Justice, California Supreme Court] Rose Bird, the death penalty, defendants' rights. And the Criminal Procedure Committee was carved out of the Judiciary Committee. It doesn't happen in the senate. All those bills go to the Judiciary Committee in the senate, but in the assembly the Judiciary Committee was a quiet committee, for people that wanted to become judges.

MORRIS: I see. I have noticed there was . . .

WALDIE: And they particularly come out of the senate committee, too, the judges. The chairman of the Senate Judiciary, as you know, often becomes an appellate judge, as does the chairman of the Assembly Judiciary. But in the assembly, in order to stop these kinds of bills from getting to the floor where people had to vote on them, they created the Criminal Procedure Committee. And they put people on the Criminal Procedure Committee that were, for the most part, very hardnosed civil

libertarians. I was one of them. I'm a freshman and I'm on this committee, and I don't even know I'm a hardnosed civil libertarian in those days; I didn't know what I was. Bob Crown, Phil Burton, John O'Connell, and myself. And when you've got Bob Crown, Phil Burton, and John O'Connell, you got some pretty heavyweight people. You stick a little guy from Antioch on with that crew, and he has to learn fast or get run over. And then the Republicans, of course, would have a Bruce Allen, [Louis] Lou Francis, and some other right-wing guy on the other side of it.

Our issues dealt mostly with pornography; those were the controversial issues. The justice system wasn't that much; the death penalty to a degree, but not much; it wasn't a big issue in those days. I mean, it was a bigger issue, I suspect, than I thought it was; but it had never manifested itself adversely to me, and I was always against the death penalty. Pornography was the one where we had most of the fights on that committee, because there were always people wanting to cut off something that people were doing. And Bob Crown would always, and Phil Burton. . . .

Heroin was becoming a major drug concern; not marijuana, heroin. And there was a lot of hysteria about that, and we had to fight off some of those bills in the Criminal Procedure Committee. And the death penalty, we'd always put out a bill to abolish the death penalty; and we never succeeded in doing it, but we always put it out to do it. But that was probably the most exciting committee I served on when I was in the legislature was the Criminal Procedure Committee.

MORRIS: Because there was all this uproar about the death penalty?

WALDIE: Well, mostly, the people that appeared before that committee were extremists on the right or the left.

MORRIS: These were generally bills that were not originated by the legislature; they were people from . . .

WALDIE: No, no, they'd come in from the legislature. But there were a lot of extremists in the. . . . There were a lot of anti-Communist bills. Lou Francis and the big anti-Communist crusade. Do you remember Lou Francis?

MORRIS: No. I remember the state Un-American Activities Committee.

WALDIE: Well, that was in the senate, and that had been pretty well done away with. When Pat Brown got in he did away with that pretty quickly in the senate.

MORRIS: I remember [State Senator James] Jim Mills saying something about that.

WALDIE: Yes, the senate got rid of that pretty fast after we got a majority of Democrats. But Lou Francis from San Mateo was on an anti-Communist campaign, and so we had a lot of that legislation come before the committee. But that was the first time I really got involved in any ideological stuff in the legislature. It was exciting, and I enjoyed that. People were serious about their concerns. I mean, you didn't have many lobbyists. There weren't many lobbyists who appeared before that committee. ACLU [American Civil Liberties Union] would appear, and then a lot of organizations would appear, but these weren't. . . . There was no money; no campaign contributions ever came from your activity on that committee.

MORRIS: Really?

WALDIE: No, none at all. Nowadays it's different, because the police have organized. But in those days the police weren't very well organized. Nowadays that committee is a lightning rod committee because of the increased organization on behalf of law enforcement. In those days, there wasn't much of that. So it was much more interesting. It was still exciting, because you felt you were in some political peril on that committee all the time. At least I did, as a freshman, particularly. After I'd been there a year or so, I didn't feel it.

MORRIS: Because they were your "right or wrong" kinds of issues?

- WALDIE: Yes, and because people were so angry. They'd get so. . . .
- MORRIS: I see what you mean.
- WALDIE: The Judiciary Committee was not of any great consequence in my view; Criminal Procedure was.
- MORRIS: Okay. Nobody's had anything very interesting to say on it, and you're the first one to explain why. Was Criminal Procedure the committee that would deal with sentencing and probation?
- WALDIE: Yes. And the mandatory-sentencing laws, drunk-driving laws. Drunk driving was beginning to become the statewide issue it is now, but you could just sense. . . . It was fought out in those days under the issue of blood alcohol content, whether it should be lowered from .15 to .10, where it now is; it was .15 in those days. And there was a lot of controversy.
- MORRIS: About how drunk is drunk.
- WALDIE: Yes. That's right. They wouldn't prosecute normally if the content was under .15 in those days. If it was .15 or over, it was conclusively drunk; but to lower it to .10 seemed to be an outrageous proposal.
- MORRIS: The drunk driving, and the mandatory sentencing, and things like that, and the death penalty—that seems a different category from pornography and anti-Communism. Am I right?
- WALDIE: Yes, except they all had amendments to the criminal code involved in them. Any other code went to the Judiciary Committee, but any amendment in the penal code went to our committee. So most civil liberties issues would. . . . The civil liberties issues almost always deal with defendants' rights, and governmental power against individuals, and the exercise of First Amendment rights. And so civil liberties find themselves reflected in the Penal Code more often than in any other code.
- MORRIS: Did that mean that you had a lot of contact with [Attorney General Thomas C.] Tom Lynch and the attorney general's office?

WALDIE: Hardly any. No. Tom Lynch never appeared before the committee. His office occasionally would appear before the Criminal Procedure Committee, but not very often. If we had any police appear at all, it would be local police. The ACLU was there all the time. I mean, that's about all they did was appear before our committee. That's where I got to know [Coleman] Cole Blease and people like that. That's why I became so fond of the ACLU in those days.

MORRIS: Did they help in making you discover that you were a hardnosed civil libertarian?

WALDIE: Yes, very much so.

MORRIS: Because of the quality of their advocacy?

WALDIE: Yes.

MORRIS: They're probably one of the older of the issue advocacy organizations.

WALDIE: Probably. I think so.

MORRIS: How about the Constitutional Revision Commission? That was a whole separate operation?

WALDIE: Yes. I never had much to do with that.

MORRIS: That was not something that was of interest to Mr. Unruh?

WALDIE: If it was, it never reflected through me or anything I did for Jesse or with Jesse.

#### Legislative Salary, Pension Increases, 1966

MORRIS: What about Proposition 1-A, the full-time legislature and salary increase?<sup>1</sup> Did that come out of the Constitutional Revision Commission?

WALDIE: No. That came out of me and Jesse and. . . . Let's see, what year was that? Sixty-six?

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1. November 1966.

MORRIS: Sixty-six. It was on the ballot in '66.

WALDIE: The reason it was on the ballot is because I carried it, because I was not running for reelection. I was running for Congress in '66, and so they gave me the bill to author, because then I would not be asking for a pay increase [for myself]. We had tried pay increases before, but could never get the press to go along with it; so this time we made a deal with the press—when I say "we," it was essentially Jesse, because I was devoting twenty-four hours a day to my congressional campaign. I'm just the front person on this bill because they wanted someone who would not personally benefit from it. So they made a deal with the press that they would reform the pension system. That's what the press was concerned about. So they did change the entire pension system for legislators and made it less generous for legislators that stayed in the legislature.

MORRIS: Has it been changed again?

WALDIE: No.

MORRIS: That's interesting, because one of the current issues, twenty years later, is that pensions rise at a pretty geometric rate. That seems to be how a lot of people feel.

WALDIE: I'm not sure that's true. I just started drawing my pension, and I'm drawing \$700 a month.

MORRIS: That doesn't seem astronomical.

WALDIE: No, it doesn't. Although that's more than I was making. I was making \$500.

MORRIS: Right, but that was also how many years ago?

WALDIE: Yes. Anyway, that was the deal, and the full-time legislature was part of it. But it's not a great deal different from the way a full-timer was in those days. Because we were in session every year till June, July. Then they would take vacations in July, and then we'd often come back in the fall for a quick

session. It's longer now, I suspect, but I think the biggest compromise was the pension.

MORRIS: When you say "the press," who particularly in the press was . . . ?

WALDIE: Well, I think the press--and I'm guessing, because I wasn't, again, part of those conversations since I was so involved in my campaign--it was clearly the L.A. [Los Angeles] Times, and clearly the [Sacramento] Bee, and clearly the Chronicle, and probably the San Diego papers, and maybe the San Bernardino papers, too. The press generally, as I use it, were the large metropolitan papers, because the assumption was, if they were to oppose, as they had every other pay raise for legislators, it could never be voted on by the people; they'd oppose it, too. And the press bought this pension reform in exchange for a pay increase. I was getting \$500 a month when I left; the next session they ended up getting \$18,000 a year or something like that. Now they're up to \$25,000, \$26,000. No, I guess they're up to \$30--something.

MORRIS: I think it's \$37,000.

WALDIE: Is it that high?

MORRIS: But when you say "the press," is that the political reporters, or is that the publishers?

WALDIE: No, that's editorial page. How they come about--I'm sure the publisher has a role in that, but it's the editorial page.

MORRIS: It's not just the daily contact back and forth in the halls of the capitol.

WALDIE: No, that's who . . .

[End Tape 4, Side A]

[Begin Tape 4, Side B]

WALDIE: . . . because I was leaving the legislature, and they wanted someone who would not be pointed at all. That seemed to me to

be, in retrospect, of little concern. And I don't even think the bill was passed before I left, because I was sworn in in June of '66. Then I imagine someone else had to carry the bill to its conclusion.

Relations with the Press and Constituents

- MORRIS: Did you and Mr. Unruh meet as a matter of course with editorial boards?
- WALDIE: I never met with any of them. Remember I mentioned I was tied up in my congressional campaign. Oh, you mean on other issues?
- MORRIS: I meant on other issues.
- WALDIE: No. Jesse, I'm sure, as speaker, did a lot. I didn't very often at all. Occasionally, in the local areas I'd do it on my own.
- MORRIS: In general, how was the press to deal with, both as a representative of Contra Costa and as majority leader?
- WALDIE: I have never found the press in a negative situation where I've been concerned. I've always had a good relation with the press; they've always been friendly with me. I've been burned a couple of times, but I thought probably deservedly so. And if not deservedly so, it was not done with any intent to hurt me; it was just a mistake, I think. I have never found anything in terms of coverage of either my activities as an individual assemblyman or congressman, or my activities as a leader in a legislative body—I've never found their coverage to be inadequate or unfair. I really have no complaints about them at all.
- MORRIS: That's an interesting comment, because the press takes a lot of pounding, like legislators do.
- WALDIE: I know. But I think a lot of that pounding is just anguish from people that have been struck at by the press. As far as a politician is concerned, the only role for the press is to publish their positive aspects; and when the press does

anything other than that, the press is being unfair. I'm not saying the press is always fair, because I don't think they are. But with me they have been always fair. I cannot think of a time when the press has been grossly unfair with me, or unfair enough that I'd publicly criticize them about it.

MORRIS: Did you make a special effort to get out press releases and make sure that there was lots of stuff for them?

WALDIE: No, I really didn't. Partly, I think, that's maybe why I've had such good relationships with them: I never sought to exploit the press, and I think the press senses that, too. A lot of politicians attempt to use the press, and I never did much of that. I tried it on several occasions, and succeeded on some, but I never, ever had a press representative. I did in Congress in my office. But I never, ever had a professional campaign. I ran my own campaigns; I never hired anybody to run my campaigns. So we never dealt that much with the press, except on a pure amateur, personal basis.

MORRIS: I was thinking about, in the assembly, how you stayed in touch with your constituency. You did use a newsletter occasionally, and questionnaires.

WALDIE: Yes, but I was home almost every night, talking to them in the district. And every weekend. If I was in the legislature, I was home on Thursday night, Friday, Saturday, Sunday, and go back Monday. And I was out every night at a meeting, every night.

MORRIS: Democratic clubs, or . . .

WALDIE: Everything. Rotary Clubs, Lions Clubs, veterans, garden clubs --anything that would invite me. When you live as close to Sacramento as Antioch . . .

MORRIS: Right. What is it, an hour, forty-five minutes?

WALDIE: An hour and ten minutes. So you're accessible. And a lot of people would come up to Sacramento all the time. There was

never any trouble getting coverage, and Antioch's a suburban area with a lot of newspapers. And they're small newspapers, so the activity of a legislator is an important story for a small newspaper. It's not much for San Francisco or Los Angeles, but for the Antioch Ledger, the activity of an assemblyman or state senator representing Antioch is a major story. I could always drop into the editorial offices, talk to the editor, and get a story. I could always call them on the phone and get a story. I could go into almost any television station in San Francisco and Sacramento, when I was in Congress, particularly. There weren't any, really, when I was in the legislature, of any consequence. But when I was in Congress, I'd go into any of those television stations, and they would generally put me on in a moment's notice.

MORRIS: Great. That's spot news. That's not bad. When would you . . .

WALDIE: When I'd come home on weekends.

MORRIS: With something specific to say?

WALDIE: Generally just an interview. My staff person would call the local stations and say, "Hey, . . ."

MORRIS: "Waldie's in town . . ."

WALDIE: "He's going to be in town. Do you guys want to talk to him on water? On Vietnam? On impeachment?" or whatever.

MORRIS: You had some fairly significant issues.

WALDIE: Yes. You'd give them a potpourri of things, and they'd say, "Oh, yes, we'd love to." They've got to fill time in, and I was news. So they could put in a three-minute segment and take care of a lot of their needs and a lot of mine. So the press was very, very good to me in giving me access. Just never, ever turned me off at all.

## VIII CONGRESSIONAL CAMPAIGN, 1966

Special Election, Short-term Incumbency

- MORRIS: Would you have run for Congress if John Baldwin had not died?
- WALDIE: I would not have run against John Baldwin.
- MORRIS: Right. But were you thinking of Congress?
- WALDIE: No, not really. Because I never thought John Baldwin was going to die.
- MORRIS: It was unexpected?
- WALDIE: He was a young man; he died of cancer. It wasn't unexpected once I knew he had cancer, but he went very quickly after that. But, hell, John was only about five or six years older than I. So had he not died of cancer, he'd have been there a long time. And I wouldn't have run against him--not because of any devotion to John or belief in his policies, but because I don't think I could have beaten him.
- MORRIS: Yes, an able incumbent.
- WALDIE: Yes.
- MORRIS: How much advance warning did you have that he was in serious condition?
- WALDIE: I'd heard he had cancer, but those kinds of rumors go around all the time. Jesse has cancer, but Jesse has had it for three years, four years.<sup>1</sup> I was emceeing a dinner over at the Fairmont Hotel. Pat Brown was the honored guest and I was the emcee. There were probably 1,000 people there, a big fund raiser. And Pat Brown sent a message down to me during the dinner, just as the benediction was taking place. He said, "John Baldwin died. Will you be leaving us?" And I at that point was caught totally by surprise, but decided that night,

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1. Jesse Unruh died in August 1987.

yes, I would be leaving. I started smoking again, too; I'd not smoked for three years and I started smoking again that night. I smoked for another five years.

MORRIS: Had you given up smoking the first time while you were in the legislature, or before?

WALDIE: I guess I quit maybe three times, and that was the first time I'd ever seriously quit. When I was in the legislature, I quit for three years. I started smoking and I quit again in Congress a few years later for a year. I've now quit for about four years now.

MORRIS: That's a great success story.

WALDIE: It is for a smoker, and I was three packs a day.

MORRIS: Cold turkey, or hypnotism, or . . .

WALDIE: Cold turkey; I just quit. It was easy, finally. It was never hard when I quit. It was hard finding the time when I could do it. I tried a lot of times, but it wasn't hard. I'd have no idea why it would catch, but it caught. I just put the pack down and never picked them up again. But I'm an addict; if I were to light a cigarette today, I suspect by the end of the day I'd be smoking again. That's something I didn't understand. I was like an alcoholic; you can't have that first cigarette or first drink.

MORRIS: Have you read on the subject, or talked to people?

WALDIE: No. I just know how I react to it.

MORRIS: How do you go about putting a congressional campaign together from a standing start? What have you got, six weeks before the special election is called, or did Pat give you some leeway?

WALDIE: We had probably two months, I guess. We didn't have much, because the special election was called in conjunction with the June primary; the June primary dictated the special election. This was a fund raiser for that campaign year that I was speaking at, so I can't recall what it was; but it wasn't long. But I had a running start on everybody, because I

represented half of the congressional district; my assembly district was half of the congressional district, and I was very popular in that half of the district. The other half of the district, down in Richmond, San Pablo, I was not well known and did not have much support down there. So our job was essentially to put that end of the county together. And we just went at it tooth and toenail, with volunteers. Again, we never had any professional people.

MORRIS: Where do you find the volunteers and who do you . . .

WALDIE: The Democratic clubs, and then my staff. I had some awfully good people on my staff, and they took off for the duration of the campaign.

MORRIS: But your staff at that point is two secretaries and an administrative assistant.

WALDIE: Yes, but I had lawyers, too. I had a law office; there were three of us in the law office, and they all helped. It sounds like a big thing, but it wasn't that big a thing. You don't have any TV in this county, so you don't have to buy TV. You don't have real radio you can afford, either, because there's nothing in this particular. . . . Some local radio stations, but they don't figure very strongly in a campaign. It was mostly, again, attending as many meetings as I could possibly attend, walking as many precincts as I could walk--I did a lot of that. Supermarket campaigning and mailings. We did two mailings, I guess, maybe three, before the primary. And raising money for the campaign.

MORRIS: How much did it cost?

WALDIE: It cost \$60,000, which was the most money I'd ever spent, up to that point.

MORRIS: Well, it's about twice the size of your assembly district.

WALDIE: Yes. We spent in the primary, I guess, about \$60,000. No, I guess for the whole campaign. We probably spent about \$30,000

on the primary and about \$40,000 in the general, so it was less than \$100,000 for the. . . . There were essentially two campaigns. See, I was elected in the primary. You had to get 50 percent of the vote, and I got 50-point-something percent of the vote.

MORRIS: That's not bad.

WALDIE: No. That was good, because there were about seven candidates, so that was a tough, tough job. People had to vote for me as a Democratic candidate for the November election and as their choice for the remainder of John Baldwin's term, which was six months.

MORRIS: So there were two blocks on the ballot?

WALDIE: Yes. And I was on the Republican ballot, too, which you normally are not on. So Republicans could vote for me for the remainder of John Baldwin's term, but they couldn't vote for me as their candidate for November. Democrats had to vote twice for me: once for the remaining portion of Baldwin's term and as their candidate for November. So we spent a lot of money trying to explain to people how the hell to vote.

MORRIS: I could believe it.

WALDIE: Just the mechanics of it was very complicated. A special election is not normally complicated, but when it's held in conjunction with another election, it becomes very complicated. So I won both the nomination for November, as well as the unexpired portion of John's term. Then Newman won the Republican primary, so I had to run against Newman in the general. I ran against him in the primary, too, and I really defeated him badly in the general, as it turned out. But by that time I had the capacity of being a congressman, and being an incumbent, and having the franking privilege, which I abused something terribly. I sent out probably five newsletters in that short length of time to everybody in Contra Costa County. I made no bones about it.

- MORRIS: But you were also serving your constituents.
- WALDIE: That's what I kept telling them.
- MORRIS: Did anybody raise that question with you?
- WALDIE: Frank Newman raised it all the time. Nobody paid any attention to him, but Frank raised it all the time. We Democrats used to raise it against John Baldwin all the time, that he was wasting taxpayers' money sending out newsletters. Nobody paid any attention to us, either. [Laughter]
- MORRIS: It sounds like you were active in the Democratic campaigns against Baldwin while he was . . .
- WALDIE: Always. Unsuccessful in all of them. One time we almost did it. When Howard Jewel ran, the year I was elected to the state assembly, when Pat Brown carried the state by one million votes, the first morning papers in Contra Costa County had John Baldwin defeated. Because Howard Jewel won Contra Costa County, but he lost in Solano County. In those days, the congressional district was Contra Costa and Solano, and Mare Island pulled John Baldwin through because he had been so good to federal employees at the shipyard. So he won Solano County and managed to win by less than 1 percent; but we came awfully close. Yes, I always campaigned against John.
- MORRIS: And Mr. Jewel didn't run again?
- WALDIE: No. Never ran again.
- MORRIS: Do you remember the people who ran against you on the Democratic side in June?
- WALDIE: No one ever ran against me, except in that special election for Congress. I've never had a candidate run against me.
- MORRIS: That was what I was wondering. What other candidates ran in that primary?
- WALDIE: Oh, in that special election? No one of any consequence. There were three or four from Richmond that ran for reasons that no one could quite understand, but no candidate of any consequence.

- MORRIS: So you sort of preempted the field from the Democratic side.
- WALDIE: Yes.
- MORRIS: Were there still George Miller contacts that were helpful in that campaign?
- WALDIE: Not too much. John Knox was in the state assembly then, too, and George Miller was a senator. But I was not generally part of that operation in Richmond. And they had hoped John would be a candidate. John Knox had planned on being a candidate till I decided I'd run; he decided he wouldn't.
- MORRIS: Did you talk to him and tell him you were going to run?
- WALDIE: He talked to me. He'd talked to me earlier and said, "John Baldwin's got cancer. If he dies, I think I'll run." I said, "Fine. Good luck." And then when John died, I decided to run, and he said, "You'd already agreed you'd support me." I said, "Well, I changed my mind after John died. But you can run. I just will be running, too." And so he did not run.
- MORRIS: Had you been close to him as adjacent legislators or anything?
- WALDIE: No. No, we had not been very close.
- MORRIS: That's interesting, because he went on to do a lot with environmental legislation.
- WALDIE: Great assemblyman, I think. Good assemblyman. Oh, ideologically, I think, we were very close. There was no disagreement in terms of political views. There's a naturally competitive thing when you have two able members of the same party on the same rung of the ladder, when the next rung of the ladder is going to be available to only one of them. There's going to be a natural controversy there that will only resolve. . . . It doesn't resolve itself amicably or gently; it resolves itself only by who has the power to move up. And that's not generally an intellectual exercise.

#### November Issues, Opponents

- MORRIS: No. Did you have a particular set of issues that you . . .

- WALDIE: For Congress?
- MORRIS: Yes.
- WALDIE: No, I really didn't. If anything, I was on the wrong side of the issues. I was supportive of Johnson; I had paid little attention to the Vietnam War. It had never been a major issue in my assembly campaign. I had never involved myself much in any at all of the peace movement. In '66, it didn't particularly interest me as a major concern of mine.
- MORRIS: Were there some Contra Costa issues?
- WALDIE: Water, always. Water was always the primary political issue for me, and I used that heavily.
- MORRIS: Did you get any advice or support from other members of the California delegation in Congress?
- WALDIE: No. I never sought it. I had a meeting with [Congressman] John Moss one time. I'd never met him, and I knew one of his staff people. John was in California during the campaign, so the staff person suggested I have breakfast with him, and I said I'd like that. So I drove to Sacramento, because we had a problem that I thought John could help me with. When Baldwin died, they closed the office down. He's permitted a skeleton staff, but they cannot have a phone. They can't make outgoing long-distance calls; they can only take incoming calls.
- MORRIS: That's weird.
- WALDIE: It is weird. They can't make long-distance calls because it's too costly, according to. . . . And they'll abuse it. And I thought that was about as shortsighted. . . . The county was having some real problems with that, because the county had a lot of problems that John's office was dealing with, and the staff was helping the county with. So the county asked me if there was anything I could do about it, knowing anybody back there.
- MORRIS: This is during the campaign, when there's no congressman?

WALDIE: No congressman. But his office is there. You can write to him and you can phone to him through his staff, but the staff cannot phone to Contra Costa County to return the calls. So I told the county administrator, "Well, I'll talk to Moss, who's up high in the delegation, and maybe he can help us." So I met him for breakfast in Sacramento and said, "Hey, there is something you can do. The county's having this problem." I explained it. I said, "It seems absurd to me; there must be a mix-up. But if you could straighten it out, I could take credit for it, and it would be nice." And he said, "What do you mean, 'straighten it out'?" John's so pompous, when he says good morning to you, you'd swear it's a major event.

MORRIS: You've been blessed.

WALDIE: Yes. So he says, "What do you mean, 'straighten it out'?" I said, "Well, will you fix it so they can call back to Contra Costa County? Just the county number, not . . ."

MORRIS: This is the Washington, D. C. office.

WALDIE: The Washington, D. C. office of a congressman who's died. And they're awaiting his successor. They were paying for his staff, they were paying for his supplies, and they were paying for everything except outgoing telephone calls. And I said, "You know, John, it seems crazy." And John goes, "The congressman is dead, and only the congressman can speak for his office. He has no need for a telephone."

MORRIS: Oh, dear.

WALDIE: I said, "Oh, okay." [Laughter] I assumed, probably incorrectly, that that was the extent of the kind of help I would get from the congressional delegation. So I never inquired of any. . . . They never sent me any money; I never had much to do with them.

MORRIS: But the phone was turned on by the time you'd been elected and gotten to Washington?

WALDIE: After I was sworn in.

- MORRIS: When you got there, they hadn't turned the phone on yet?
- WALDIE: No, not until I was sworn in. When I was sworn in, then I had an operating office.
- MORRIS: Is that still the case?
- WALDIE: I haven't any idea. I hope not. I never inquired, to tell you the truth, after I got back there. There's something nice about sitting back and pompously stating, "The congressman's dead. The congressman is dead, and no one shall use his phone." I didn't realize how important congressmen were till John told me that. I could hardly wait to get elected!
- MORRIS: Was John Veneman back in Washington, or was that the following year?
- WALDIE: No, John came back when [Nelson] Rockefeller became vice president, after [Spiro] Agnew resigned. No, wait a minute. I guess not. I can't recall. John worked for Rockefeller, but he also worked, I think, for--yes, he worked for Nixon, too. John may have been back there, come to think of it. I can't recall. No, he couldn't have been, because Johnson was back there when I got back there, and Veneman came back with Nixon.
- MORRIS: With the Nixon administration?
- WALDIE: Yes.
- MORRIS: Anything else about the campaign that [Inaudible]?
- WALDIE: No. It wasn't a very difficult campaign. I was worried about the inroads that Newman seemed to be making, but the votes did not reflect that.
- MORRIS: He didn't have any better connections than you did in the Richmond area?
- WALDIE: No, he had hardly any connections there. He worked for one of the industries. He was a chief executive officer in one of the industries there. His connections were with the Republican party people in the manufacturing section, but they would have been for anybody. His appeal was far beyond that. Fortunately, he didn't have enough time to develop that appeal. If he'd had

as many years as I had had, he would have clobbered me; he was that attractive.

MORRIS: And there was that much of a Republican or conservative vote in the district? Because Baldwin . . .

WALDIE: Well, it was a district that elected John Baldwin. I'm the first Democrat that ever held that seat.

MORRIS: Maybe that's a good place to stop for today. There's one sort of a wrap-up question. You wrote a letter of resignation to Unruh in which you said something really nice about how the assembly had afforded you opportunities that exceeded your expectations.

WALDIE: Where did you come across that?

MORRIS: It's in your papers down in The Bancroft Library.

WALDIE: My assembly papers?

MORRIS: No. There's a brief overlap.

WALDIE: After I got to Congress.

MORRIS: Yes. June 16 you wrote a letter of resignation to Jesse Unruh, from the assembly.

WALDIE: But on assembly stationery?

MORRIS: I didn't think to look at the stationery.

WALDIE: That's interesting, because I didn't know where any of my assembly papers are.

MORRIS: There's a very small quantity. There's one folder of incoming letters that say, "These are dead issues, because I don't have to deal with them anymore." There's a marvelous folder about the Waldie Fund, in which Houston Flournoy was taking up a collection to reimburse you for an outdated check that has probably seventy-two-cents worth of pennies that people sent you from all over the state.

WALDIE: [Laughter] Anyway, go back to the letter. What was the question on the letter? I must go down and look in that collection down there. I've really not seen any of those things.

- MORRIS: There's some nice things. Carton 52 has what there is of 1966-67 material.
- WALDIE: I'll be damned. Fifty-two cartons?
- MORRIS: It is Carton 52. There are 150 cartons.
- WALDIE: There are 150 cartons? Holy mackerel.
- MORRIS: The size apples come in. I was interested, if you could recall what you had in mind when you wrote to Mr. Unruh, resigning from the assembly, saying that the assembly had afforded you opportunities which exceeded your expectations.
- WALDIE: In retrospect, I'm sure what I was alluding to was, I had never, ever believed that I would become majority leader at any time, let alone as quickly as Jesse had permitted me to become that. I never, ever thought I'd ever become a United States Congressman, and the assembly permitted me that opportunity. So I think that's all I'm really saying, that everything that happened to me politically in my career has always been kind of a surprise to me--always a pleasant surprise, except the defeat for governor.
- MORRIS: Great. Well, why don't we stop there for today, and then next time we meet we can talk about some of those crucial issues in the Congress. The gubernatorial campaign, you had a really incredible bunch of heavyweight people in the field. It was not a dull election.
- WALDIE: No, there were some really top candidates.
- MORRIS: We should all be so fortunate as to have those kind of people.
- WALDIE: I think that's absolutely right. That was as good a slate of candidates as the Democratic party has ever fielded, I think, at one time.
- MORRIS: The other side of, if there's a vacancy and two people of strong stature, one of them's going to lose, is one of the bad things about our political system.
- WALDIE: Absolutely.

[End Tape 4, Side B]

[Session 3, June 26, 1987]

[Begin Tape 5, Side A]

IX MEMBER OF CONGRESS, 1966-1974

First Impressions

MORRIS: Last week we had gotten you elected to Congress, and I wondered how you went about orienting yourself. What does a brand-new congressman . . .

WALDIE: My experience was not typical, because I came in in a special election. I was the only congressman elected at that time, whereas in a normal election you might have anywhere from three to thirty new congressmen. They give them quite a course when they're elected in explaining to them the perks of the office, what they do, how to staff, how to campaign—there's quite a bit of instruction given them. But in my case, there was none whatsoever. And I probably didn't need too much, though I had. . . . There's enough parallel between the legislative process in the state and federal government that the legislative process, at least, was no mystery to me. There were a few differences. Individuals, particularly freshmen individuals, were a lot less visible in the federal system than in the state, but nonetheless the process was similar enough that I didn't feel uncomfortable or ill at ease in that regard.

There was a great problem in setting up the office, because I just had no idea how to do that and I made a

decision that I thought was good then and have had no reason to regret it: I kept the chief office manager of my predecessor, who was a Republican. Normally, that's not the case; you would not keep the predecessor's staff in almost any circumstances, but particularly if he or she's from a different party. But I did, because she had been an old hand back there, had worked for several congressmen before John Baldwin, and I needed that experience. I had nobody, and I wasn't in a position to look around. And then she staffed the office pretty much. We had no one from the district. We brought back people, one or two, from the district as the years went by, but for the first couple of years we didn't have anybody from the district back in Washington; we recruited everybody back there.

The physical location, though, of the Congress is so much different than in the state; it's scattered more, and it's more huge, and it's more difficult to find your way around it. And I didn't get any breathing space, because the day I was sworn in, I was voting that afternoon.

MORRIS: That must have been pretty overwhelming.

WALDIE: Not really. It should have been, but I was sufficiently arrogant and confident that it wasn't overwhelming. It should have been, but I just voted the way people I respected voted if I didn't understand an issue. I didn't miss any vote.

MORRIS: Did you have any things that you wanted to accomplish, reasons other than there was an opening that you got for Congress?

WALDIE: No. Essentially it was that shallow. I really had no great visions of how I was going to make the world a better place. Forget about it. Politics was my career, and that was a step up in that career, and it was one that provided a great opportunity to move up, and they don't come along very often in a political career. So you move. And it isn't that I thought I could reform the world from Congress; it's just that

Congress is an elevation in the career ladder of a politician if he or she is a state legislator; then a federal legislator's a step up. And I would have run for senator, governor, the first that seemed to me to be realistic. Then I sought to be governor because it seemed to be reasonably realistic; I guessed wrong. But in none of those did I seek the office because I felt I was particularly unique or had a major program.

#### Differences Between State and Federal Legislatures

MORRIS: In the things that you'd worked on in the legislature, had you had much dealing with California congressmen?

WALDIE: Hardly any. I didn't know many of them. I knew Phil Burton, who had preceded me, and then Tom Rees, who had preceded me from the legislature, but I had not met hardly any of the others. I can't even remember any of the others that I'd known. I didn't know Lionel Van Deerlin; he became one of my dearest friends and still is. I met John Moss during the campaign. I didn't know Don Edwards. I don't think I'd ever met Don, even; he became another dear friend. I'm thinking of Bay Area congressmen you would have thought I might have met.

MORRIS: Jeffery Cohelan was . . .

WALDIE: I had met Jeff, but was not close to Jeff. The only reason I had met Jeff was because he was elected to Congress the first year I was elected to the state legislature, 1958. So Jeff and I were somewhat on the same campaign trail; with me being in Contra Costa County and he being in Alameda County, we would go to some joint affairs. And then [ ? ] Chuck Bosley, who was Howard Jewel's campaign manager, who ran for Congress against Baldwin that year. Bosley was a reporter from Contra Costa County. Bosley later became Cohelan's administrative assistant, and Bosley was a very close friend. So I had some acquaintance with Jeff, but not much. I just did not spend

much time with congressmen. There's a feeling in the legislature that congressmen are irrelevant to life, and there's a feeling in Congress that legislators are irrelevant except in reapportionment years.

MORRIS: Because it's the legislature that does the reapportionment. Does that bother Congress? Would they prefer to do the reapportionment?

WALDIE: Oh, sure. Yes, it bothers them. Legislators think congressmen are irrelevant all the time; congressmen think legislators are irrelevant for nine out of every ten years; the tenth year they become really important.

MORRIS: Even though increasingly in the last fifteen years the issues are both in the state legislature and the Congress?

WALDIE: They are, but having been in both, I can tell you. . . . And I went back to Congress with the belief that the legislative body, in the state of California, particularly, was the most important institution in America. I am absolutely convinced that the issues dealt with in California are miniscule compared to those you deal with on a day-by-day basis in Washington. You cannot deal with war and peace and feel there's any other issue that comes near it. You deal with war and peace every day in Congress; in the legislature you deal with unemployment insurance, toxic waste disposal, education--all important things, but none of them come up to Vietnam; none of them come up to Nicaragua; none of them come up to nuclear holocaust. And those are the issues you deal with in Washington. So I'm totally convinced that the congressional role is a far more important role in the ultimate life of an individual than is the state legislative role.

The congressman, however, is not nearly as visible as is the state legislator, because of the media. The media coverage of the state legislator is total, whereas the media coverage of the congressman is pretty spasmodic. There is no local

coverage to speak of in Washington, D. C. The Sacramento Bee has a branch there, an active one, but it's staffed with one person, maybe two, now. It had two for a while, and then they had to let one go. The L.A. Times has a big bureau, very active. The Chronicle used to, no longer does. There's not a Bay Area paper that has anyone back there, not even a stringer, to my knowledge. The San Jose Mercury may have.

But there's hardly any coverage, in any event, of congressional activities, whereas you can't pick up the paper without state and local, particularly state, legislators being visible and prominent on television or in media. And that has a political effect on the career of a congressman versus the career of a legislator: a congressman finds it much more difficult to move from federal to statewide office. A state legislator, thus a Leo McCarthy, would have a much better shot at becoming a United States Senator than would a [Congressman Robert] Bob Matsui. They're both facing each other to a degree now; Bob Matsui is well known in Sacramento, but he's not known anywhere else. Leo McCarthy is well known throughout the state, not only because of being a lieutenant governor, but because of having been a speaker, and because when he was in the state legislature he was covered well in the state. And if a state legislator decides he or she is going to run for statewide office, they can take certain steps to ensure them of coverage in the media markets of California with great ease; whereas, the congressman who decides that he or she is going to attempt to move into a statewide office is just simply going to find media contacts very difficult.

MORRIS: Good advice for career planning.

WALDIE: Yes. That's advice I hadn't thought of when I decided to leave the legislature and go to Congress. Should have given more thought to that move.

MORRIS: When you were in the legislature, did you have a press aide?

WALDIE: No, but we still had better coverage in the state by far than was the case in the federal. Though towards the end I was getting statewide coverage because of impeachment, which was, of course, a major national issue, and I was on that committee.

Again, another issue which makes the issues dealt with in the state legislature seem rather inconsequential—you're dealing with impeachment, the removal of the president of the United States. You don't do things like that in the state government.

MORRIS: Well, they're the constitutional issues.

WALDIE: You deal with constitutional issues on the state level, too. They deal with pornography and freedom of the press. They deal with a lot of civil liberties, defendants' rights, because your penal code is essentially the state penal code, not federal. So you are dealing with constitutional rights, the Bill of Rights, particularly. But the major world issues are dealt with in Washington. A congressman is more important than a state legislator; it just simply comes down to that.

MORRIS: That seems logical.

WALDIE: It does. But ask any state legislator what he or she thinks of that view.

MORRIS: I meant to ask you this earlier. In some of our research we've come across associations of state governments and national legislative associations which published lots and lots of studies and reports. Were those helpful? In other words, when you and Jesse Unruh were looking for ways to . . .

WALDIE: I suppose. I must tell you that I didn't find them that helpful to me. They were a delight, because you traveled; in those days, legislators didn't travel very much. Legislators travel all over the world now, but in those days we didn't. And that was the only avenue to travel. I enjoyed that aspect of it, but I cannot think of much that I learned, though I

suppose meeting other legislators and listening to their problems is helpful. I suspect it was more helpful to them than it was to us, because we were so far ahead of almost every other legislature in the United States. And Jesse Unruh was a major attraction at all these conferences because of his reputation for having brought this legislature so quickly into a position of prominence vis-a-vis the executive branch. So to that degree, I think, those associations were helpful more to other legislatures than they were to us.

Post Office and Civil Service Committee Assignment

MORRIS: One of the letters that I came across early on in June of 1966 was that there was no committee vacancy and you were somewhat concerned about what committees you might serve on and how you went about that.

WALDIE: When I was elected, I didn't have any particular, again, vision of what I would be doing as a congressman. The thing came up so fast, and all my energies were devoted to the campaign, not to thinking about what would happen when I'm elected. And I'd never met any of the congressmen, never talked to the head of the delegation, didn't know anything till I was sworn in.

After I was sworn in, I still hadn't asked for a committee. I just made an assumption that it wouldn't matter what I asked for, I probably wouldn't get it, anyway. So wherever they wanted to seat me for the remaining portion of Baldwin's term—which was all we're talking about, a six-month period—it didn't matter, because of that six-month period, we weren't even going to be in session three of the six months; and the other three months I would be campaigning. So I wouldn't be spending much time with it, anyway. It happened I spent more time, because there was an airline strike, more

than I had planned on spending. So I just didn't even ask for a committee.

I finally got a call from the dean of the California delegation.<sup>1</sup> He said, "What committee are you asking for?" I said, "I don't really care. It doesn't make any difference to me. Wherever there's a vacancy, I'll be pleased to sit." It happened that, because of the means of selecting committee slots—they're allocated on the basis of party strength, to a degree. I was replacing a Republican, and there was no way I could be put, then, in a committee that he had vacated by his death, because the Republicans were entitled to that slot. And he was a senior Republican, furthermore, so that I was in a kind of awkward position; the Democrats didn't have any slots, really, because I wasn't really part of their computation. I'd won, but it was in a special election. So the only committee on which there would be the least hassle, where nobody much gave a damn, was the Post Office and Civil Service Committee. So they put me on the Post Office and Civil Service Committee.

I knew nothing about the post office; I knew less about the civil service. I didn't think much about it; it didn't much bother me either way, because I was more interested in my reelection campaign, which commenced immediately, because, you recall, it was a special election. As it turned out, I became fascinated with the problems that were presented in the committee. I liked working with the postal people, particularly, and also found, which surprised me, a major political entity in the postal workers. They are very active politically.

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1. Congressman [ ? ] Chet Holifield.

MORRIS: Because there are so many of them and they reach out so extensively?

WALDIE: And they're generally pretty popular people in their community; everybody likes the postmen, particularly their letter carrier, but their clerks, too. They were very politically active, and no other political employee was politically active because of the Hatch Act. The Hatch Act, in fact, applied to the postal workers, but they ignored it. And in those days, two things impacted upon that unique characteristic of postal workers: one, their pay raises were always voted by Congress, and whatever we gave postal workers, all federal employees got, in those days; and postmasters were appointed by Congress. So I found myself in this committee. One, I didn't even know when I got there that postmasters are appointed by Congress. So I find myself the congressman representing Contra Costa County—first time a Democrat ever represented Contra Costa County.

MORRIS: So there was a lot of interest in changes of postmastership.

WALDIE: A lot of interest. Well, not so much that, because they didn't change them until they died or moved on. But there were a lot of postmasters in this county, so vacancies occurred quite often. All of a sudden, I'm the one who's making these appointments. And that gives me a lot of interested people in what happens to my career. The pay raise is very interesting to all federal employees, mostly postal workers. So I found myself being courted by the postal employees of Contra Costa County in a way that I couldn't believe, and became very attracted to them. From that day to this, I have a great affection for postal workers. I think they're really tough, hard politicians, and I like them.

Public Works, Judiciary, and Other Committees

WALDIE: In any event, I stayed on the committee the rest of my congressional career. I had other committees. That was my minor committee; you're entitled to two committees, and you can have a third, a one-time special committee. I always kept that. And when I was elected, I still didn't express any choice for a committee. It really didn't make much difference. The committees I wanted to get on I knew I couldn't get on. I'd like to have gotten on the Ways and Means, and I'd like to have gotten on Appropriations, and I would have liked to have gotten on Armed Services, but I knew it wouldn't be possible. So not getting my choice, I didn't even express it.

They gave me Public Works, thinking they were doing me a wonderful favor, because that's what John Baldwin had had all these years. I could not care less about ports, and that's all Public Works deals with. John loved it, because he liked messing around with building deep water channels, ports, dams and roads, and things like that, and dams. And I couldn't stand it. I didn't care one bit about it.

MORRIS: Except that turned out to be the platform from which you made some speeches regarding construction of dams and whatnot in California.

WALDIE: Yes, but not much. You just use it as a platform. I could have made those speeches no matter what committee I was sitting on. The only interest in that committee that I had was one issue involving setting up Ralph Abernathy's. . . . When Martin Luther King, Jr. was assassinated, Ralph Abernathy was his successor to set up the poor people's camp in Washington, and they had to use one of the parks in Washington. It became a major issue, and it came under the Public Works Committee; and it was the least equipped committee to handle an issue like that, which dealt with freedom of speech, dealt with civil

rights, dealt with demonstrations, dealt with all those things that were so . . .

MORRIS: Camping out on the Mall, isn't that it?

WALDIE: Yes. It came under our committee. I loved it. It was the first time I finally found something I cared about on that committee. And the committee was just absolutely staggered by it, because they've been dealing with the Corps of Engineers and bureaucrats, and all of a sudden they're dealing now with activists in the 1960s. The 1960s could have just been wiped out as far as members of the Public Works Committee were concerned. This committee never had anything to do with the 1960s. The 1960s didn't have anything to do with dams or rivers. For what was happening in the country, the Public Works Committee was the backwater to sit on. If you didn't want to get involved in anything that's happening in the country, sit on the Public Works Committee, because it built highways and built dams; that's all it did. And the cities are burning, Vietnam's exploding, civil rights is critical, and here's this committee building highways and concreting over the country.

All of a sudden, they get this big social issue. It involves civil rights, freedom of speech, political dissent, and everything. And they don't know what to do; they're scared to death. They want to throw them out; they'd like to send the army in, [Douglas] MacArthur's World War I veterans. . . . If they could have resurrected MacArthur and sent him in with bayonets to get Ralph Abernathy and the poor people out. . . . Anyway, that's the only thing in that whole committee that I enjoyed: giving them that permit.

MORRIS: So did you convince the rest of the committee that they . . .

WALDIE: Oh, I wouldn't say that. I think I was helpful in getting the necessary votes, but it was essentially the Johnson administration that did it.

- MORRIS: You were also on Interior and Insular Affairs?
- WALDIE: No.
- MORRIS: There's a lot of files.
- WALDIE: No, I was never on that. I was on Judiciary. That's how I got on impeachment. I gave up Public Works after two terms because I couldn't stand it, and asked for Judiciary and got on it, by the way. So I gave up my seniority on Public Works and went to the bottom of the seniority in the Judiciary Committee, which didn't make any difference to me. Seniority didn't make much difference, though they say, and I became more understanding of it, that when you first get there, the seniority system is an aggravation to you, and you detest and condemn it; but the longer you're there, the better you understand it, and pretty soon you get sympathetic with it.
- MORRIS: You had made a few waves on the subject of seniority the first term you were there.
- WALDIE: That's a cynical comment: "The longer you're there, the better you like seniority."
- MORRIS: Well, that's true of many things. The older you get, the more [Inaudible].
- WALDIE: The more you understand it. But in this case, it isn't that you understand it. All of a sudden you have a vested interest in it.
- MORRIS: It begins to work for you instead of against you.
- WALDIE: Yes.
- MORRIS: What about the committee to explore the ethics of Congress that was. . . . I have so many notes here I may get lost.
- WALDIE: I wasn't on such a committee.

## X CRITICAL NATIONAL ISSUES

Congressional Reform; Opposition to Speaker McCormick on Vietnam

MORRIS: There was a House Committee on the Standards of Official Conduct, and there was a man named [ ? ] Mel Price, who was chairman, from Illinois. The committee was established in 1967, and they were recommending that there be some changes in financial disclosure and investigation of alleged violations of financial disclosure rules, and that there be a code of official conduct amongst congressmen, and a review of the existing Federal Corrupt Practices Act. I wondered if that was a big issue, or if that was just a housecleaning issue.

WALDIE: Congressional reform was a big issue. I was involved in at least two instances that I can recall. One was when I introduced a resolution of no confidence in the Speaker of the House, John McCormick, to be dealt with in the Democratic caucus. And I did that on the basis of a speech that he had given to our caucus involving Vietnam. I thought that he was so far removed from his understanding of what was happening in Vietnam and what the country was experiencing about Vietnam. That, coupled with his inability to see the reputation of the House and the frustration of the younger members of the House in not being able to do anything in that body because they were relegated to such insufficient roles, and all the power of the House was concentrated in committee chairpersons, and they would chair two or three committees or subcommittees  
 . . . . .

So, putting all those together, I introduced a resolution for a vote of no confidence in the speaker, because of his inability to address Vietnam in a more positive manner and his inability to support reforms of the House of Representatives. It wasn't necessarily that I ever thought I could get the

votes to overthrow the speaker because I obviously couldn't. I was in my third, maybe my second term, I don't know. I wasn't very far along. I did it out of anger, mostly, at a caucus, when I had stood up and had not had a chance to speak on an issue, and spluttered and sputtered and muttered.

The effort was met with utter outrage by about everybody. [Laughter] It was interesting—when the vote was taken, the great liberals like Phil [Burton]. . . . I never got Phil's vote on that. The vote was taken in caucus. I noticed it for two weeks, to let it simmer for two weeks. I wasn't exactly put in the back room, but a lot of people found it difficult to speak to me and be civil. Then the speaker was very upset about it, because he didn't figure he'd ever done anything to warrant that kind of treatment from me, and, in truth, he hadn't. He was very kind to me; I never had any problems with him. And that wasn't the point. The point was to point out to the members that the institution was beginning to decay from within, and it needed some major changes.

Anyway, I made the argument. I spoke for about forty minutes in the caucus. A caucus was convened of all the Democrats just for this issue. And then the speaker's defenders responded with almost contempt, and they moved to table the resolution. And I got seventeen votes. But seventeen votes was pretty important, people having the nerve to vote for that resolution against all the power in the House.

MORRIS: That's seventeen votes not to table it?

WALDIE: Yes. Some of those seventeen weren't in favor of the resolution, either. They just felt it ought to be debated and I ought to be humiliated by an overwhelming vote. [Laughter] Their view was not at all sympathetic to me. But there were a few, like Van Deerlin, like Allard Lowenstein, that really stood up on it. From California, I think Van Deerlin did. I

can't recall anyone else from California. I did not have widespread. . . . Don Edwards, maybe; I don't know.

MORRIS: How about Harold Johnson?

WALDIE: No. I'm sure Bizz would not have. I don't recall specifically, but that would not have been Bizz's position. Bizz was about to become chairman of his committee and he wasn't about to take on the leadership.

MORRIS: He was head of the California delegation for a period in there.

WALDIE: No, he wasn't then. Chet Holifield was. No, I don't think Bizz ever was the head of the delegation. He became chairman of the Public Works Committee, but I don't recall him being the chairman of the delegation. In any event, the interesting thing about that whole episode, in one . . .

[End Tape 5, Side A]

[Begin Tape 5, Side B]

WALDIE: . . . so it illustrated, I think, one of the great weaknesses of the House of Representatives, and that was the lack of authority in the speaker. Power was so diffused in the House of Representatives among all the committee chairmen and subcommittee chairmen, generally one and the same person. There probably were thirty people in the House of Representatives that wielded the power, and they wielded it, literally, in little fiefdoms. But the problem was, there was no accountability. When policies failed, you couldn't ascribe failure to any one person, because the speaker could quite properly say, "Well, I had no control over that. That person became chairman because of his political long life and his physical long life. He lived a long time and he came from a safe district, and he became chairman, not because I wanted him. He just became chairman because he selected that

committee thirty years ago, and he stayed there and lived long enough and he is now chairman." And the speaker would be dead right; but the speaker didn't want to reform that system. So there was no accountability because there was no power in the speaker. The speaker could not discipline anybody for failing to carry out policies of the institution or of the administration of the majority party, as the case might be.

So here's a whippersnapper who takes on the leadership in the most up-front manner you can imagine: total confrontation. I introduced a resolution and put out a press release saying we ought to vote no confidence in the speaker because he's in another era; he doesn't understand what's happening to the country or to the House of Representatives. And if I'd done that in California with Jesse Unruh as speaker, or Willie Brown as speaker, there would have been a variety of things that would have occurred, not the least of which is I would have been removed from all my committees. And certainly if I'd had any choice committee assignments they would have been removed—and I probably would have lost my parking space in the capitol too! [Laughter] Nothing happened; not a thing happened to me. Not one, single derogatory thing happened that I can think of from that exercise in irresponsibility in a sense.

#### Seniority System; Allard Lowenstein's Principles

- MORRIS: So emboldened, you did go back again and propose a measure on seniority?
- WALDIE: Oh, I supported efforts, and we did, in fact, reform the seniority system, partly because of that. I'm quite convinced that that did produce that kind of fruit. And there were other incidents. For example, there was a chairman that was indicted. While awaiting trial, he retained his chairmanship and his voting rights. He was convicted, and on appeal; nobody

was going to do anything. And I and [ ? ] Chuck Wiggins felt that that was just inexcusable, so we announced we were going to move to have him deposed, or to be moved from his chairmanship and from his right to vote—since he was convicted—while he was awaiting his appeal. Rather than putting people to vote—nobody wanted to vote on that issue, and it resolved itself by the fact that he did, not resign from Congress, but he resigned his committee chairmanship and announced he would not vote pending his conviction appeal. So we did make some moves forward on it, and that was helpful.

MORRIS: There are a couple of references to Allard Lowenstein that sounded as if he was somebody that became really important to you and brought about a change in your thinking.

WALDIE: Yes, I think so. Allard did become important to me. I had not known him. I'd heard of him vaguely as one of the leaders of essentially the student movement, though he was not a student at the time, in the 1960s. When he was elected I was pleased, but again I didn't really know Allard. But the day I stood up in the caucus and raised hell with the leadership about Vietnam—the caucus preceding my introducing the resolution—he came up to me after and he said, "Geez, you know, I've been around here not a very long time, but I thought that was one of the real courageous moments since I've been here, and I want to tell you I'm supportive of what you're trying to do. I don't think you're going to succeed, but count on me to help."

I really was touched by that, and he was so obviously sincere, and he and I became very close friends. I traveled a lot with him on matters that he would go out politicking on. And every campaign that he ever got involved in after he was defeated—he ran for reelection I don't know how many times, sought election again, unsuccessfully—but I worked in every one of his campaigns, at least one or two days aboard those campaigns. He spent time in California with us, and in

Washington, at our home. He'd use that as his base a lot when he came there after he'd been defeated. But he did have a major impact upon me, partly in terms of Vietnam, though by that time I'd pretty well come along in my own thinking on Vietnam; I knew about where I was standing on it.

But his commitment to inclusion of everybody into the political debate was impressive to me. There was just something about the man that I liked and that I respected, and that was his dedication to the political system for no personal gain whatsoever—except his ego, I'm sure, was involved, but clearly there was no financial gain that Allard was ever looking for. He would have been an extraordinary senator; that's where he should have been.

MORRIS: The Daniel Lowenstein who worked with [Governor Edmund G.] Jerry Brown [Jr.] on the Fair Political Practices Commission [FPPC] out here, is he a relative or is that pure coincidence?

WALDIE: I don't think so. I think that's just coincidence, like Smith and Smith. I don't think there's any relation; at least he never indicated to me there was. Daniel never indicated to me there was. Allard was a very close friend of Jerry Brown's, too, you recall; in fact, he worked in his administration at one period in Sacramento.

MORRIS: On the Fair Political Practices Commission?

WALDIE: No, no, no. Allard Lowenstein, not Dan. Dan Lowenstein was the chairman of the Fair Political Practices Commission. But Allard Lowenstein worked for Jerry Brown in his first term.

MORRIS: That's what I thought, and I got confused by the fact that they were two people with the same last name, and since Allard Lowenstein was also concerned with political reform.

Vietnam: First Trip, 1972 Trip, Phoenix Programs, War Opposition

MORRIS: How did the course of your feelings about Vietnam develop?

WALDIE: When I was first elected, it was an issue in the campaign, though not raised by me, raised by Frank Newman. I think Frank Newman was more understanding of that issue and more correct in his view of the issue than was I. I had, again, been little concerned with those issues, being in the state legislature, and so when the campaign came along--this was '66--the issue of Vietnam was still not a very cutting issue in America. It was just beginning to evolve as such. And I never assumed it would be much of an issue in the campaign. It became at least a vocal issue; there was a lot of conversation about it and a lot of coverage about it on the political circuit, on the campaign trail. I don't think, though, in retrospect, looking at the vote, that it had much of an impact on the voter yet. It was still too new for that. So I was generally supportive of the administration. Whatever Johnson was doing, he seemed to know best, was essentially the position I took. That was '66. In '67, I made my first trip to Vietnam.

MORRIS: How did that come about?

WALDIE: I just decided that I should go over there and try and find out what was going on as best I could. And so I went over right after Tet. I was scheduled to go into the country during Tet, but then they canceled it because of Tet. I was the first congressman in after Tet. Tet was such a major setback. All of a sudden this "light at the end of the tunnel" nonsense became clear; there was no light at the end; there might not have even been a tunnel.

But I went over by myself, with a military escort, an individual who was a liaison for the army on the Hill, [ ? ] Scooter Burke, a colonel in the army. A Medal of Honor winner in Korea. Had been in World War II and Vietnam also. Had a Medal of Honor in Korea and got wounded in Vietnam in '65, shortly after he first arrived. So he hadn't been back since his wound in '65 and he was interested in going back. He heard

I was interested, so he put the trip together for me; he and I went. My brother-in-law was stationed over there on the border in Special Services in the navy, the border between Vietnam and Cambodia. And Scooter arranged to have him meet me in Saigon, which was a surprise to me; I didn't even know I'd get to see him.

We were there a week, and we traveled all over the country; I began understanding that things were a little different than I had been led to believe they were. It seemed to me that we were really going to have some problems there.

MORRIS: In terms of the nature of the people? Or the countryside?

WALDIE: I don't know. The whole thing just appalled me. That may be too strong an adjective, but I came away from there struck by a couple of things: one, my own shallowness in playing at war, flying around in helicopters with machine gunners on each side of me and bomb craters below. And I'm doing a lot of things that are foolish, but I'm not jeopardizing myself at all, because I'm a VIP.

MORRIS: Had you been in combat in World War II?

WALDIE: No. Unfortunately. That's always been a kind of lack in my life.

MORRIS: Well, it may mean that you're still with us.

WALDIE: I know. This is a shallow view, but it's an experience that I wish I had had, recognizing how foolish it is to say that. But nonetheless, that's how I feel. It may not make sense, but that's how I feel. I'm not proud of those feelings. And I found myself in Vietnam experiencing a kind of an excitement about going around. And, geez, we saw kids just brought in, shot up, bleeding, dying, and then I began to understand that I was just flying around in a helicopter looking at jungles and bomb craters, with kids down there being blown apart. And I saw them in the hospital as they were brought in, and I saw some South Vietnamese soldiers loaded off of a helicopter,

just all shot up. It began to look different then, and I came back and I wrote a letter to the constituency that I would no longer support the Johnson policy in Vietnam; I thought it was wrong and I wouldn't support it.

Next time I went over was with Pete [Paul N., Jr.] McCloskey; that was in '72. That was when Nixon came in. I became by then increasingly sort of like the reformed smoker, or alcoholic, or the converted Catholic who become very strong believers in their cause. I became a very strong believer in the peace movement at that point.

MORRIS: Did your wife also become involved in some of this? Is she Joann?

WALDIE: Yes.

MORRIS: There were some files about Joann's Vietnam activities.

WALDIE: No, Joann didn't go over with me on any of them. Joann was always, I think, more anti-Vietnam than I was, until the end. But I think she was expressing a view of a mother of sons. And I've always been kind of attracted to war, too, which is terrible, again, to say. I was an avid reader about World War II and the Eastern Front between Russia and Germany. Those things still attract me. They don't attract her at all.

In any event, later on, McCloskey, when he was gearing up to run against Nixon for president, was going to go to Vietnam. Pete and I had become very close friends by this time on a variety of levels. And so he asked if I wanted to go with him, and I said, "Yes, I'd love to." We went privately; we were sponsored by Harold Willens of Businessmen for Peace. Harold's very active in the peace movement.

MORRIS: Is that an organization, Businessmen for Peace?

WALDIE: Yes. And Harold is a southern California businessman of considerable wealth who had organized this among businessmen—who were few and far between—that were opposed to Vietnam. So Harold sponsored the expenses of sending Pete and I. [ ? ] Lou

Cannon went with us; he was a reporter for the Washington Post. He was from California; he was from Contra Costa County, originally. He wrote Ronnie and Jesse. He was going to write a book on Pete, gambling Pete might make a real national impact when he ran against Nixon. And he did write the book, and a large part of the book involved this trip to Vietnam. I think it's just called McCloskey. Anyway, Lou went with us.

And, though Pete and I had access to all the military facilities and governmental facilities, people that went with us did not. We were not able to take Lou on a lot of our trips because he was civilian, but we took him on most of them. But that was really a different ball game entirely. Pete and I went through a lot of Vietnam that Scooter Burke and I had not gone through, were more in the combat areas than Scooter and I had been. We went to the demilitarized zone, at a fire base right on the demilitarized zone. We went into Laos. It was much different.

I became interested in the Phoenix Program then, and I wasn't even aware of it. I came across it while I was in Vietnam. Someone had mentioned the Phoenix Program, and Pete had some awareness of it. So I decided that I'd take that as my interest on the trip. So we'd stop in at a briefing area in a village or a town, and during the briefing I would say, "I want you to continue here, but I want to leave. And I want you to assign me a driver and take me to a local Phoenix office." The Phoenix Program was a program of our CIA [Central Intelligence Agency], designed to suppress any opposition within the domestic society in South Vietnam, and theoretically designed to root out Viet Cong infrastructure. It was a nasty program, and I spent a lot of time on it and made a major speech to Congress that got no attention whatsoever, under special orders. About ten people in the balcony and nobody on the floor. And that's somewhere in the

Congressional Record around that time; I don't even know where it is.

Then we went into Laos. The background of this trip is that Pete is perceived by everybody we were talking to as anti-Vietnam War, number one. He's an enigma to everyone there, because he's a marine, and he's a hero. He should have gotten the Congressional Medal of Honor in Korea. He got the Navy Cross, which is the next thing to it, but the Congressional Medal was given to a member of the squad. He led a squad of seven up a hill to take it from the Chinese occupying it. They'd held the marine division up for three days, and Pete took the hill with seven men. He lost a couple of them, and he got the Navy Cross, the second highest medal of valor there is; and the Congressional Medal went posthumously to a young man in the squad.

So here are these folks dealing with Pete; they don't know what to do with this guy. Here's a marine who's a combat marine, not just a marine, who is a peacenik. And on top of that, he's going to run against Nixon. I mean, this just boggles those folks. And so Pete's the enemy, not the Viet Cong; Pete's the enemy. And it's visible when you go into these places that there's hostility all over, and they're trying to keep anything from us they can. They're not going to tell us anything. We've got to know all the right questions. And they're just really upset with my inquiry, by the way, into the Phoenix, very upset about it. Because I was getting people to tell me things in the presence of a colonel they made accompany me, who was clearly CIA, too. We get into Laos, though, and there is nothing but CIA; Laos is run in those days by the CIA. We were running this mercenary army up in . . .

MORRIS: In civilian clothes. They weren't in . . .

WALDIE: No. We just pay their army. Oh, you mean our CIA people?

MORRIS: Right. The people that you dealt with in Laos.

WALDIE: Yes, they were in civilian clothes; all of them were. There were no American military there. They were American military; they were almost all colonels. But they were in civilian clothes. There were little [Oliver] Ollie Norths all over the place. They were. It was just amazing. And the ambassador . . . . I forget his name, but, boy, he could have played a role in [Dr.] Strangelove and everybody would have thought it was just perfect. He boasted about his situation room, where he picked out the bombing targets. An ambassador! And he took us into his situation room in the embassy and showed us the map; and he's the one that selected the bombing targets and relayed back to the major American air base in Thailand--I forget the name of it--where the B52s took off to bomb the Ho Chi Minh Trail. He's leading all these mercenary armies that we're paying out of our treasury.

He has us over. We stay at the embassy, at his residence; we're going to be there three days. And from that day to this, I've never been as--I guess "frightened" is the wrong word, but it's close; as uneasy, as fearful of people as I was of those people. Every one of them was just venomous about their feelings about us, and I was absolutely convinced there was total surveillance of us. They would have loved to have caught us in some way where they could have embarrassed us. I never felt a more pervasive attitude of oppression than I felt in Vientiane, the capital of Laos, while staying with Americans.

MORRIS: You felt personally a sense of oppression, or oppression around the local people?

WALDIE: Personally. No, no, me. That's the only time I've ever had a beginning sense of how people that live in a society that has no freedom must feel. I could hardly wait to get out of that place. I'm really convinced that there was evil all over that place. It sounds so bizarre to hear me describe it now and to

use those terms in describing it, that it sounds like I'm exaggerating it; but I don't intend to. It was maybe the worst emotional experience, politically, I've ever had. And I was delighted to get on an airplane and get out of there. I wasn't even sure that was going to happen.

MORRIS: It's not the normal picture of—you should pardon me—a congressman on a junket. And they all throw down the red carpet that was turned out by the American establishment.

WALDIE: We insisted on going to refugee camps. They did not want us to see refugee camps. We were trying to elicit information to demonstrate that most of the refugees were not refugees that were produced by Communist activity; they were refugees produced by American bombings of villages in Laos. So we wanted to go out and interview refugees, and we had with us a couple of reporters from Vientiane, one from a French newspaper, another from a German, I guess, newspaper. They could speak Laotian as well as English. The embassy sent along a priest and a minister, who I'm convinced both were on the CIA payroll. They were called "old hands" in Laos; they'd been there forever and were part of their personnel. And they resisted us even going to refugee camps, but we absolutely insisted, so they finally acceded.

We selected the camps we wanted to go to. We didn't want them to take us to the usual demonstration project where they usually take congressmen, a wonderful project they wanted to show them. They took us to it. They wouldn't take us to one area; they said it was too hot, and I suspect it might have been, as far as combat's concerned. But they were clearly deceiving us. The interpreter the embassy provided us would tell us that the person we're interrogating. . . . Pete went this way, I went that way; he interrogated about ten, I interrogated about ten of them as to their experience. And the experiences were so common—they were there because an

American strafed their village and killed his mother or whatever. I mean, they were pretty common war stories. But they were Americans that did it. It wasn't that the Viet Cong had come in there and blew up their village, dropped that bomb.

Anyway, the interpretation by the American embassy. . . . The French newspaper guys are with us—and the Americans didn't know they could speak Laotian—told us at a break, "You're not getting the right interpretation. The people are saying this, and this is what the Embassy is telling you." They were absolutely lying to us. So we went back to the same people we had asked the same question. We told the interpreter, "Now these guys speak Laotian. We're going to go back, because they say we're not quite sure that you gave us the right interpretation." It infuriated them, but they were absolutely lying and they were caught at it. A terrible scene over there.

MORRIS: What kind of response did you get? I assume you made a report or talked to fellow Democrats or committee people in Washington in Congress.

WALDIE: The difficulty is, you talked to the committed pretty much; there are not many in this gray area that. . . . The Nixon people, the hawks, the pro-Vietnam people, the anti-Communists, would never believe that story. They would say that we're pinkos over there, making it up, and Americans would never bomb a village and create refugees; they are protecting them from Communists. That's why we burned their village, to protect them. The other side of the coin, people like me would say, "I'm not surprised." So in Congress, it's a nonstory. There's nobody there in the middle. And to get the story out to the public, it's not that big a story to the public. How many times can you tell the public about people

being blown up by American bombs, and American guns, and American artillery?

MORRIS: But by 1972, there were beginning to be. . . . There were a couple of letters in your file about people who felt that President Nixon should be impeached for continuing the war in Vietnam, which had not been authorized by Congress.

WALDIE: Yes, but that would be a person who, probably in 1968, would have thought Johnson should be impeached, too. There wasn't a big switch in opinion. Nixon had effectively, I think, pretty well dampened that by ending the draft. I may be cynical, but it seems to me there was a precipitous decline in opposition to Vietnam when the draft was ended and college kids no longer had to go. I'm really cynical on that, and I hate to conclude that; but there was a correlation between the numbers and the intensity of the demonstrations against the war and the strength of the peace movement when college kids were subject to the draft. The moment the draft was ended, so that mostly blacks, Mexicans, and poor people went to the army, it's just amazing how the peace movement subsided into a far less confrontational mode and accepted Nixon's statement that he's withdrawing. It was a four-year withdrawal with a lot of bodies along the line, but they weren't college kids, by that time.

MORRIS: Was part of it economic, that the drain on the federal budget  
. . .

WALDIE: I don't think that. I think the opposition to the war, unfortunately, was because the middle class and the upper class had their kids threatened. And that's a perfect reason to oppose the war; but once their kids weren't threatened, the concerns for the wrongness of the policy diminished greatly. And it seems to me, their kids being threatened is clearly a reason to oppose a policy, but there's other reasons, because kids are being blown up in Vietnam for no good reason, too.

MORRIS: Vietnamese have youngsters, too.

WALDIE: That's right. So it's again maybe my cynicism, but I still saw, as a politician in those days that tried to sense political winds, the amazing success of Nixon when he abolished the draft in ending the protest movement, or pretty much thwarting it. In that whole era, there were so many inconsistencies. And then [President Gerald R.] Ford comes into office and he offers amnesty, amnesty to kids who go to Canada. And we condemn kids that go to Canada to escape the draft. No one says a damn word about the kids that went into universities and colleges all over America to escape the draft, went in for the very same motivation, had the same result: they didn't want to go into the army, for whatever reason.

[End Tape 5, Side B]

[Begin Tape 6, Side A]

WALDIE: The kid that went to Canada and the kid that went in the service did so because of their fear of going to Vietnam, their distaste for going to Vietnam. And we condemn the kid that goes to Canada. I don't hear anybody condemning the kid that went to college. The college enrollment exploded. I don't think they should be condemned for going to college to escape going to Vietnam, but we ought to be a little more tolerant of that young man who was twenty years old, or eighteen, or nineteen, that went to Canada.

MORRIS: Were there any specific things that the organization called Members of Congress for Peace Through Law were working toward or were able to do? Or was that mostly just a support group?

WALDIE: A support group, mostly.

Watergate; Special Prosecutor

- MORRIS: Before you were out of the inconsistencies of Vietnam, there were the inconsistencies of Watergate, which is purely a political kind of a . . . . What's happening with campaign money and campaign papers.
- WALDIE: It was far more than that. Watergate was far more than that. Watergate essentially was the failure of a president to perform his constitutional duty to faithfully execute the law. And that's a lot more than campaign financing and papers. It involved some of that, but, I suspect, had it involved only that, there never would have been impeachment. It opened the door to the examination that revealed the morass of violations of law. Nothing, by the way, to my view, at least, as serious as Iran-Contra revelations, but sufficiently serious that I have no regrets about avidly pursuing and enthusiastically joining in the impeachment process.
- MORRIS: "Avidly pursuing." When did it begin to be a real possibility?
- WALDIE: Well, I think it became a real possibility the moment the special prosecutor was appointed, Archibald Cox. However, there was still a pretty remote possibility—it was real but remote, because Archibald Cox, had he been left to proceed, as it turns out, probably would have taken the issue to the point where we would have had to commence impeachment proceedings. I think Nixon recognized that. It was only a probability with Cox's investigation. Nixon guaranteed that result, though, when he fired Cox, contrary to his agreement with the Senate when Cox was appointed. When Nixon reneged on his commitment to grant Cox independence, the die was irrevocably, I think, cast at that moment, that impeachment would be the only response that the Congress could possibly deal with. I mean, the man was just simply now beyond. . . . He knew that the offenses that he had committed would be ultimately his

downfall; and the only potential avenue of escape was to end the prosecution and to get a friendly prosecutor, or else turn it over to his [Attorney General Edwin] Ed Meese [III] at the time, let him do the prosecuting. And send a fellow like [ ? ] Cooper that testified yesterday to do the investigation.<sup>1</sup> Let people have about eight days to shred their documents before you seal their offices.

MORRIS: The question that we have had recently is that it's not legal to appoint a special prosecutor.

WALDIE: The only person you have that question from is [President Ronald] Reagan. You don't have it from anybody else. From Meese and Reagan, and I guess the fifteen or twenty people they have under investigation by special prosecutor in their administration. God, what a corrupt administration; amazing how people ignore it.

MORRIS: Was that question raised during the Watergate scandal?

WALDIE: Yes. You see, there was no statute creating a special prosecutor in those days. The question of the constitutionality of a special prosecutor was not raised. Nixon's position was, "I appointed a special prosecutor because you folks thought that was the best way to get around this. You didn't trust my Justice Department to do it." And this is what Nixon, I'm sure, was saying in his mind: I guaranteed you that I would respect his independence because I needed to get this thing on the back burner; it was consuming me, and this would get it on the back burner. What he did not understand was that they would appoint an Archibald Cox, and I think the moment they did that, he began getting concerned

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1. June 1987 televised hearings of joint congressional committee on alleged unauthorized use of U.S. government funds to purchase arms in Iran for use of Contra groups in Nicaragua.

that they were appointing someone that he would have to worry about.

He misjudged people, though, pretty consistently, because he thought that his Supreme Court would not have given a unanimous opinion ordering him to turn over his papers. I mean, he appointed a number of those folks, and remember he said, when he was contemplating that decision, "I'm not sure I'll turn them over, no matter what they say. If it's a divided opinion, I may not." He was hoping for a divided opinion where he could say, "Well, the issue is so divisive . . . ." But it wasn't divided; and that took a lot of courage from people like [Chief Justice Warren] Burger that he had appointed and had on that court. And my guess is that, once a special prosecutor was in place, that was probably the end of the ball game for Nixon.

#### Judiciary Committee Role; Impeachment Considerations

MORRIS: How actively involved was the Judiciary Committee?

WALDIE: Oh, very.

MORRIS: Did you have your own oversight or observers?

WALDIE: No. We're the ones that impeached him. We spent a year on it, all of 1974, until his impeachment in August. We had a staff of about forty lawyers working on it, just for this purpose.

MORRIS: An additional staff that you brought in for this process?

WALDIE: Right, hired just for this purpose. John Doar was the chief counsel, Albert Jenner, the minority counsel, and there must have been at least forty lawyers working under them in a special building set aside with high security. And much like the Iran-Contra inquiry, they worked around the clock. But there were a lot of parallel investigations going on. The grand jury was going on, the special prosecutor, and these folks were all kind of working together. We were correlating an awful lot of investigative matters that had already been

undertaken. But we were also seeking subpoenas, seeking orders of court. It was very active. We had a whole floor of one of the major office buildings in Washington devoted to just the files of our staff on that. The Judiciary Committee hardly did anything else for that year. We didn't go public with our sessions until July, but we were in daily sessions, Monday through Thursday, usually six hours a day, for about four months. It was a major, major commitment.

MORRIS: I was interested in the comment—it comes out in a couple of places, both in a couple of statements you made and in some material that your staff put together on what the mail was like, that the Congress could not proceed with the impeachment until they felt that there was a real consensus of support out amongst the citizens of the United States.

WALDIE: That was my view. I'm not sure that was the committee's view. That's my view. I don't think impeachment can ever occur unless the populace generally wants it to occur. I think that's why impeachment was placed where it was in the Constitution. The drafters had several choices: they could have put it in the judicial branch or, as they did, in the legislative branch. But when they made the decision to put impeachment in the legislative branch, they said there'll be a political component to the process of impeachment. If it had been in the judiciary, obviously they would not have intended a political infusion into that decision. But when you put it in the legislative branch, when you let Congress decide, shall a president be impeached? you obviously want a political part of that decision. You want a factual determination. Did he commit an impeachable offense? If he did, should he be impeached? That is, removed from office. And I think if you were to examine Reagan, you could conclude, yes, he's committed an impeachable offense in Iran. I don't think there's any question about that. Should he be impeached? You

conclude today, no, because there's not support in the country for his removal from office.

MORRIS: Well, it took a year for that to develop in relation to Mr. Nixon.

WALDIE: That's right; maybe longer. And I'm not saying that it's not possible to develop in Reagan's case. It is, but it would be a minimum of a year and maybe longer, in his case, and he only has sixteen months left in his term.

MORRIS: Wait out the clock.

WALDIE: Yes. So that would be factored in. So therefore, my view that the political dimension of impeachment, namely the desire of the people to see him removed from office, is not present and cannot be developed in that length of time. I think that's part of what all these things were about was developing within the country a consensus for a decision. And that's why, though, we had probably a majority vote on that committee for impeachment long before we finally voted the articles of impeachment. We were quite sensitive to the fact that if the majority was all Democrats, it would be portrayed, properly, by the Republicans as a partisan effort, and that would have destroyed. . . . You simply cannot sell impeachment to the public if the public believes it's one political party trying to throw out another political party.

MORRIS: That seems reasonable.

WALDIE: Absolutely reasonable. So that we had to develop within the committee the capacity to get a substantial number of Republicans to join the Democrats so it was nonpartisan, and in fact we did.

MORRIS: And is that done by the demonstration of the mood of the public and more so, or less so, or how does it relate to the actual factual information you're developing in there?

WALDIE: I think all of those are part and parcel of that decision of the individual sitting on the committee, because it would be

too facile to say that all they were testing was the political wind of their district, and once they found the political wind had shifted to anti-Richard Nixon, they became a part of the majority to impeach. Because that clearly was not the case for some of those folks on the committee. I'm not even sure what it was in Contra Costa County. I was pretty sure the majority supported impeachment, but I wasn't positive.

My seatmate was Walter Flowers, who's dead now, from Alabama, and Walter gave a very persuasive speech. It took a long time before we could count Walter as a pro vote for impeachment, because on that committee, you not only had Republicans, but you had conservative southerners. It was awfully important, if you're building this consensus, that you have the southern representatives on the committee; and we did, all of them: Arkansas, Texas, and Alabama all voted for impeachment. But they didn't move as fast as did the eastern and western seaboard states, where you have a more liberal sentiment and a more vocal desire to impeach Nixon than occurred in other parts of the country. The Midwest and the South were particularly less vocal.

MORRIS: Because generally less interested in international or . . .

WALDIE: No. I just think conservative, and impeachment is not a conservative effort. Impeachment is a very radical process. We've only done it one other time in our life to a president, Andrew Johnson. That was a suspect process. So it's very radical and, if you're a conservative, you don't like to resort to processes that are radical.

Anyway, we had to develop the consensus on the committee that would reflect, we thought, the consensus of the country, or would help develop it. Walter Flowers from Alabama was probably the last southerner that we finally got to support impeachment. And Walter did it, I'm sure, because he was

absolutely convinced after all those months of listening to this deadly dull, in some instances, testimony.

Pretty soon, though, what John Doar, who was the counsel representing the majority party sought to accomplish in the committee became clear. The massive nature of the case, though only circumstantial at that point, just smothered you. I mean, we sat for four months being surrounded by documents and testimony. You take one item in isolation and you say, "You don't impeach a president for that." But pretty soon all this stuff overwhelms you. You don't have the smoking gun yet, so it's a circumstantial case. We ended up with a smoking gun, but we had already voted impeachment by the time we ended up with the smoking gun.

We had this consensus within the committee of all the Democrats, including the southern Democrats and midwestern Democrats; and then we had, I think, five of the fifteen Republicans with us. So it no longer could be considered a partisan effort because these were substantially respectable Republicans that people admired. And two days later the smoking gun appeared, so the circumstantial evidence case became confirmed by the smoking-gun tape. And then all ten Republicans who had voted against impeachment switched their votes. So without the smoking gun, you still would have had a divided country. But by that time, the political support of the president had eroded so badly that he still would not have survived an impeachment vote in the Senate, I don't think.

MORRIS: Do you think that the feelings about that issue, and the number of people who so strongly felt that Nixon had gotten a bum rap, it was just a political maneuver--did that, do you think, contribute at all to the continued strength of the conservative political stance in this country; that this might have been a major factor in Reagan's . . .

WALDIE: No, I don't think so. In fact, it slowed it up; it would have moved much faster. You recall, the next congressional election, the Democrats smothered the Republicans. We had the biggest majorities that we had had in years, the elections after Watergate. The clock immediately switched back after that initial surge of support for Democrats resulting from Watergate. But then, after the enthusiasm for what Watergate had accomplished had subsided, the electorate went back to its conservative mode and voted Republican, including Reagan. So I think Watergate did not enhance the Republican, conservative surge in the country; it delayed it. It came back quickly, though.

Gerald Ford's Attack on Justice William Douglas

MORRIS: What was there about Ford? Had you had contacts with him in the Congress?

WALDIE: Oh, yes, I knew Ford well.

MORRIS: What was it particularly that led you to vote against his nomination as vice president?

WALDIE: There were two issues. One was his attack on Justice [William O.] Douglas. He introduced the resolution to impeach Justice Douglas about three years before that. Justice Douglas is a hero of mine. I absolutely adored him. I just thought he was probably the most wonderful justice in terms of civil liberties that ever sat on that court, and in addition to that, he was an environmentalist. And if ever there was a patently disgusting effort, that impeachment was such. The effort by Ford to impeach him was essentially because he had married a young woman.

MORRIS: [Laughter] Really?

WALDIE: Yes, that's it exactly. There was another cause I'll get to in a minute. That was essentially what he was relying on. Then he

claimed he had had an article involving the Bill of Rights printed in Playboy, or one of the "pornographic" men's magazines. His agent had sold it to Playboy, not Justice Douglas. But Jerry Ford displays the Playboy centerfold on television. But what really was involved was, Jerry Ford brought his impeachment against Douglas right after the U.S. Senate rejected those two idiots that Nixon had proposed for the U.S. Supreme Court. One was a racist, and the other was an incompetent. I forget their names.

MORRIS: They sort of rhyme. I have them in my notes.

WALDIE: I have erased them from memory, they were so disreputable. And the U.S. Senate rejected them.

MORRIS: [G. Harrold] Carswell.

WALDIE: Yes. Two of them, though.

MORRIS: Right. And Clement Haynesworth.

WALDIE: There was a threat made by Jerry Ford that if they did it to the second one, he would go after Douglas. It was quite clear. And in the process of doing it, he got [Attorney General] John Mitchell to send him the FBI records on this outfit that Douglas allegedly had a connection with. And I found that in Ford's personal files. One of my staff investigators, when he came up for confirmation, got access to Ford's files on this. And we found in those files a memo from the FBI containing the exact speech that Ford gave on the floor supporting impeachment of Justice Douglas. It came directly from Attorney General John Mitchell's office. It was not ascribed by Ford as coming from the AG, but it was exactly the same words as in the speech.

Ford admitted the thing had come from John Mitchell, and my point to the committee was, "How can you trust a man to become a vice president who uses the intelligence agencies—essentially, the FBI—for legislative purposes?" That's not permissible. The attorney general has no business. . . . The

attorney general, Mitchell, wanted pressure put on the Senate by seeking to impeach Douglas to let this other idiot get by, Carswell. I was absolutely furious with that. It just seems to me a fellow that wants to become vice president one, ought to have more sense of moderation than seeking to impeach a justice of the United States Supreme Court in order to obtain political advantage. I mean, you don't mess with another

. . . .

I'm not naive about political attacks, but I am sensitive to the court being attacked, no matter what court it is. I just feel so strongly as a lawyer about the judicial branch of government being free from political influences. But having the attorney general messing with the minority leader, and that's what Ford was, carrying out Nixon's bidding to attack the Supreme Court on its most prominent civil libertarian on absolutely fraudulent grounds, and being supplied with this fraudulent crap from the attorney general; and then bringing in all this nonsense of Playboy against a respected justice of the United States Supreme Court—that fellow does not deserve to be president of the United States. That's such a weakness demonstrated in his character that I would never vote for him, and I wouldn't. And I didn't. And I'm real proud of that interrogation, too. If you ever get a chance to take a look at that setting of hearings involving the confirmation of Gerald Ford and my examination of Ford. . . .

MORRIS: You really were in Congress during an incredibly . . .

WALDIE: Wasn't it, though?

MORRIS: Yes, it was an incredible period.

WALDIE: Rockefeller; Ford; Twenty-fifth Amendment; two vice presidents confirmed by our committee, the Judiciary Committee; a president almost impeached; Vietnam; civil rights. Just an amazing era to be in Congress.

MORRIS: We've talked about a couple of not very positive aspects of life in the Congress. What's your sort of overall assessment? Are the positive aspects in the majority?

WALDIE: I wouldn't even concur that we've talked about some of the nonpositive aspects. Everything I've been talking about has been positive, to me. Not the results.

MORRIS: The process.

WALDIE: Yes. I mean, having been there, and participating in those things, is just extraordinary; that's very positive. The results and the issues were negative issues, but my God, for me it's just still beyond my possible comprehension. I never found any bit of Congress boring. The experience in Congress was a positive one from the beginning to the end. I never, ever found a very negative thing about Congress. I enjoyed being there; I liked what I was doing.

## XI THE 1974 GUBERNATORIAL PRIMARY

### Deciding to Run, 1972

MORRIS: I find comments in letters to you right after you'd been elected to Congress that somebody's hoping to find you back in California at a larger level; then you did declare for the gubernatorial race in 1972.

WALDIE: Yes. I guess it was '72.

MORRIS: In '72 there's a letter that went out in terms of a little financial support.

WALDIE: Okay. So the question is?

MORRIS: The question is, what made you decide to switch?

WALDIE: Well, in '72 there wasn't much going on. [Laughter] A lot of things happened between '72 and '74; we had an awful lot of things happen between '72 and '74. I was still ready to leave Congress; I don't mean that I loved it so much. There's just hardly anywhere that I've ever been, by the way, that I

haven't been pleased or satisfied with being there; so I'm not difficult to please.

MORRIS: Yes, you're a positive kind of person.

WALDIE: I'm not difficult to please. But in terms of being in Congress, I thought I'd been through everything by '72. I'd been there for six years, three terms, going on my fourth. But if I ran for governor I would have been there four terms, almost five, and that surely would have been enough.

MORRIS: What is this theory about every ten years you need to make a change?

WALDIE: It just happens to me. That's about the way my life has gone. It isn't that I need to; that's the way it happens, and I suspect there's something in me that says, "Ten years of doing this is enough; you ought to try something different." And I've always had an opportunity to do something different, but I would always seek to move up to a different position of responsibility in those days, a higher position.

MORRIS: Greater responsibility and scope.

WALDIE: Yes. But now that doesn't attract me, that kind of thing. Now I like to do different things, but I just like to do different things now. I don't have the same drives.

MORRIS: How do you go about thinking about what you might do to put together a campaign for governor of the state of California?

WALDIE: Well, I didn't think much about it, and if you saw my campaign, you would discern that rather rapidly. [Laughter] No, I really didn't. It just seems so weird when I think about it, but I always just had the view that once I announced I was going to do something, it would get done. I never was quite sure how I was going to do it, but somehow or other people would gather that would know, and we'd all get it done together; and that's essentially what happened in my political career up until the time I ran for governor.

- MORRIS: Was any of the decision to run for governor the fact that you might have developed some strong feelings about the way Ronald Reagan was functioning as governor?
- WALDIE: No. I had strong feelings about it, but I wasn't going to run against him for that reason. I was not going to run against Ronald Reagan for any reason; he wasn't going to be there.
- MORRIS: Right. But did that make 1974 a good year to run, that there was not . . .
- WALDIE: Yes. Seventy-four was selected for me to run because there'd be no incumbent and, looking at the Democratic candidates, I assumed that [Joseph] Joe Alioto and I would be the final contenders in the Democratic primary, that the rest would drop out or something terrible would happen to them. That Jerry Brown wasn't much to begin with was my view--erroneous. And that he was shallow and would not be able to stand the course. That [Assemblyman Speaker Robert] Moretti and Alioto would fight and both of them couldn't put together much out of the same constituency, so one of them would drop out--and I thought Moretti was the weaker of the two; he'd drop out.
- MORRIS: And [State Senator] George Moscone had already gone on to be mayor of San Francisco?
- WALDIE: No.
- MORRIS: He was an earlier one you mentioned.
- WALDIE: Yes. I just thought George would drop out early. I thought George and I would be the liberals in that race, and that George would drop out rather than confront me. George dropped out; I doubt that that's the reason. But that was the only correct prognosis I made about the whole thing. George dropped out. But all the rest stayed in, and [William Matson] Roth came in as a late entry that no one had ever heard of or thought of as a political candidate; but he had \$1 million, which made him credible immediately, and he was an awfully good guy.

MORRIS: He wasn't particularly active in the race?

WALDIE: No.

[End Tape 6, Side A]

[Begin Tape 6, Side B]

WALDIE: . . . partisan Democrat in those days. My assumption was that Roth, wasn't. . . . I never heard of Roth as even interested in partisan politics. So he wasn't part of the consideration. Jerry Brown, I thought, was young Jerry Brown who was the secretary of state only because of his father's name. And I gave him no credence at all as having any substantial capacity to withstand the race. I thought Moretti would drop out, and Moscone would drop out, leaving Alioto and me.

MORRIS: Both northern Californians.

WALDIE: Both northern Californians and conservative versus liberal. And the Democratic primary, that I could take my liberal credentials and knock him out in the primary. Then it would be Flournoy and me—that's the way I saw it—running for the general election.

MORRIS: What did Jesse Unruh think of that strategy? Did you confer with him at all?

WALDIE: No. I thought Jesse probably thought I was crazy. [Laughter] Jesse is a more practical politician than I am.

MORRIS: Well, the other way around. Had you worked at all for Jesse, or talked with him at all when he was running in 1970 against Reagan?

WALDIE: Yes.

MORRIS: That's a campaign that still continues to puzzle me, whether Jesse saw himself as really being able to unseat Reagan after one term.

WALDIE: Yes, I think Jesse thought he could. I don't think there's any question Jesse thought he could. And also, you get pushed into

these things, because clocks are running all the time. There's another old saying in politics: "When that streetcar goes by, or the merry-go-round, the ring is hanging out there, you better grab it, because you're only going to get one shot at jumping on that streetcar, or one shot at grabbing the ring on the merry-go-round." And that's the fun of politics: you guess wrong. [Laughter] It's a very high risk profession; it's a horribly high risk profession.

MORRIS: It takes a strong stomach.

WALDIE: It does. They talk about the private entrepreneurs and risk takers, and how politicians are just nothing. But if they want to see where risk is involved, become a politician, look at your life. You go on the market every two years. I never had an office that lasted longer than two years; my whole career was put up for grabs every two years. It takes a certain kind of fiber to withstand that kind of nonsense.

MORRIS: A strong self image and a strong constitution.

WALDIE: That's right. Sometimes you end up with a pretty imperfect human being who develops those qualities to extreme and at the expense of some other more desirable qualities. But those qualities have to be very, very strong, and I'm proud of those qualities. I really enjoyed the political career, and I was treated well by people, and not one single regret except that I wish I'd had a little more money for the gubernatorial thing. I'd like to have won, mainly because I don't like to lose, I think.

#### Supporters, Finances, the Press

MORRIS: That's a good, healthy trait, too. What did you do about a statewide base? Were some of those post office employees helpful?

WALDIE: Yes, we had a lot of help from them; we had a lot of help from federal employees throughout the state. I say "a lot"; we

didn't have a lot of anything, because we didn't have any money. We only raised \$400,000, I think it was, for the whole campaign.

MORRIS: Where did that come from, primarily?

WALDIE: Mostly from Contra Costa County.

MORRIS: People who had contributed to your congressional and legislative campaigns?

WALDIE: Yes. We couldn't attract much money from elsewhere in the state. We put on a dinner down south, trying to attract money down there, but we had to fly in a planeload of people to make it look like we had enough people down there. We just could not raise any money. I was not considered a viable candidate, and unless you're considered a viable candidate by the press, you don't get much publicity; and if you don't get much publicity, you don't get much money. That's a Catch-22. You can't get the publicity without the money; you can't get the money without the publicity.

MORRIS: I took a look at Mary Ellen Leary's book [Phantom Politics] on the 1974 campaign. She said that you went and talked to some of the newspaper moguls about that.

WALDIE: Well, towards the end of the campaign—it was pretty well over by then—but we discussed with some of the L.A. Times people, a person on the Times editorial board who was personally inclined toward me. And I had a lot of people like that, by the way, that were personally inclined toward me, thought I'd be a good governor, liked me, but didn't think I could make it. And in this business, being a good guy and being liked is not as important as being able to make it. And I understand that, too.

MORRIS: "Make it" in terms of winning the election.

WALDIE: Yes, there's nothing else you make in politics except elections.

MORRIS: That's a good reminder.

WALDIE: Unhappily.

MORRIS: The freedom of the press is supposed to be accompanied by reporting accurately all sides of the news.

WALDIE: Well, that was essentially the case I sought to make, unsuccessfully. Even I became persuaded, ultimately, that it's an insoluble dilemma. What this guy said was, "Look, Jerry, there are five of you in this race, and we can only cover probably two, maybe three. We damn well can't cover five. There's no span of attention out there that'll handle five candidates, and so we're wasting resources and the ability to educate people. So we've got to select the two to three that we think are real candidates, and one of the primary bases we use for that is how much money do they have. And we know how much money you folks have because you have to report it, and you don't have any money. If you don't have any money, you can't buy any ads. You can't become a candidate, Jerry. We're covering Alioto, we're covering Brown, and we're covering, to a lesser degree, Moretti, because they've got the money and they're the candidates."

MORRIS: Was it partly that there were five of you competing for. . . . Presumably, there's "x" amount of political dollars available at any given time. Is that true or is that not true?

WALDIE: I suppose that's partly true, and that was part of the problem. But if it had boiled down to Alioto and I, I would have gotten all the liberal money and Alioto would have gotten all the conservative money—I mean, essentially that. First Moretti dried up an awful lot of money that normally would have come in, and I could have gotten some of that, through his role as speaker of the legislature. The special interest money, which sometimes hedges some of its bets by moving around among the candidates, all went to Moretti. Moscone had taken some, at the beginning, of the liberal money as well as—because he was minority leader in the senate—the

legislative oriented money. Jerry Brown had a major network of Pat Brown supporters, and Jerry was collecting a lot of money from Pat's sources.

MORRIS: And Pat's sources covered the whole gamut of conservative to liberal.

WALDIE: Pretty much so. And by that time, there's no place left for me. The liberal money went pretty much with Jerry, I think. Or stayed out. I don't know where the liberal money went. I can never quite identify that. I don't know whether it went anywhere. I know it didn't come to me, though.

MORRIS: Did any of it go into the Proposition 4 campaign?

WALDIE: What was 4?

MORRIS: That was the campaign reform measure.

WALDIE: Oh, the Fair Political Practices Commission.<sup>1</sup> No, I don't think so. I don't think that much money went into that. Whatever money went into that, went in against it.

MORRIS: I was puzzled by that. There was a newspaper comment that . . . . Was it the AFL that dropped its endorsement of you because you endorsed the campaign practices measure?

WALDIE: Could be. I don't even recall that. I don't think the AFL endorsed me; I don't think they endorsed anybody in the primary. They usually don't. I would have been surprised if they had.

MORRIS: I'll go back and check my notes, because that is true; they don't usually endorse in the primary.

WALDIE: Yes, I would have been surprised at that. They may have expressed some great concerns with my endorsing that proposition, but . . .

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1. Interviewer's error. The reference is to Proposition 9 (June 1974).

- MORRIS: You probably shouldn't have endorsed it?
- WALDIE: No. One, I absolutely believed in it. Secondly, I think it was good politics, too; it was excellent politics.
- MORRIS: Even though it was another candidate's personal issue?
- WALDIE: Sure.

Other Candidates; Family Concerns

- MORRIS: In a gubernatorial primary, do all of the candidates appear at all on the same platform?
- WALDIE: We tried to, but of course the front runners would never appear with those who were lagging in the polls, obviously. I remember one time, some attorney, whose name even escapes me . . . . He had \$1 million, too; he was a personal injury attorney and had a lot of money. From San Francisco, I believe. He had his private jet and all. We couldn't get anyone to meet with us, because we were both so low on the polls that he and I flew around and made joint appearances, trying to get some press coverage. It was a kind of pathetic campaign. They had a television debate, the League of Women Voters. I think it was the League of Women Voters. Anyway, Moretti, Brown, and Alioto were invited; I wasn't invited, Roth wasn't invited.
- MORRIS: Really? That's not like the League of Women Voters.
- WALDIE: Well, whatever it was, we weren't invited. It may have been just one of the television stations in L.A., the last week of the campaign. It was a major one. Roth and I both showed up, and they wouldn't let us participate.
- MORRIS: That's very unkind.
- WALDIE: Yes. But you can see the dilemma. They didn't want twenty people at their debate. There were about twelve candidates. I've discussed four or five of us, but there were about another five or six down the line. And the press can't cover them all; and if they even cover five, it really becomes

confusing. The voter's confused enough, knowing whether they deal with the Democratic primary or . . .

MORRIS: I'm not sure that that is legitimate when you consider that the voter manages to keep track of how many baseball teams and how many football teams, including the specific statistics on all their . . .

WALDIE: Batting averages and all?

MORRIS: Yes.

WALDIE: That's a good point.

MORRIS: As somebody who prefers politics to baseball . . .

WALDIE: Me, too. But anyway, they didn't, and I couldn't, and so the campaign sputtered off to a dismal ending.

MORRIS: Before you have to go do something else, I would like to come back to the question of what happens to your family life, particularly with three youngish kids, and the extent to which wife and children participate in the campaigns and the political activity and are a help, or. . . . What happens to your family life?

WALDIE: Obviously it varies from politician to politician, I guess one extreme being Sala and Phil Burton, where Sala and Phil were just as close as any husband and wife political team can be. We're certainly in the middle, maybe even not quite in the middle. Joann never was that keen about a political career for me. She knew I was going to get into politics, but she was never overly enthusiastic about it. She is essentially a home person and a nest builder of the first order, and she felt it would be a distraction from home life. And it clearly was and is.

She felt that her primary responsibility was to raise the children, regardless of my political career, and if my career suffered as a result of that, that's tough. And I think she's dead right on that, so her view was she would do the things that wives were absolutely required to do; she'd go to all the

dinners and things, and she was just extraordinarily attractive to the voters. They really like Joann, partly because I think they sensed she was not a political person; she was there because she was my wife and they sort of felt sorry for her, I think, in a lot of ways. She never made a speech in her life, just hated it. She would attend coffee klatches during all the campaigns and was quite comfortable doing those things. She spent a lot of time at all the local headquarters doing all the chores—the folding, the stamping, the licking that you did in those days.

When we went to Washington, she was very unhappy with the move to Washington. She really did not want to leave Antioch at all. She gets a house and she'd like to stay in it the rest of her life; never contemplated ever moving. But she moved. And it was tough. I had a sixteen-year-old daughter, a thirteen-year-old boy, and an eleven-year-old boy, and it was particularly hard on the sixteen-year-old girl.

The kids didn't play a very active role in the political life, either. We pretty well tried to keep them removed from it. They would walk the precincts occasionally, but not very often. Of course, they were pretty young in those days. My youngest was born the eve of my first election. When I ran for governor, they were in Washington, and the campaign was out here. So their opportunity to participate much in that was pretty remote, too.

MORRIS: But you did say one of your sons came out and walked with you?

WALDIE: Two of them did. My youngest son walked with me for a month the first summer I did it, '73. And my oldest son, the one who's working for [Assemblyman] Elihu [Harris], I guess flew out with me on two weekends to walk with me. Because I could only campaign on weekends, which was another problem.

MORRIS: I wondered about that. If Congress had not been hopping with such interesting things . . .

WALDIE: It would have helped; but mostly it was money. If I'd had half a million to put on television, the walk—which was the concept of our campaign—we were going to do the walk, and you'd get a lot of publicity doing the walk, as we did. But the publicity would be essentially local publicity, and we needed to make it statewide; so we made some beautiful commercials. I still have them. We did about three commercials that we paid \$25,000 for. But we only had \$25,000 to put them on the air, so we got one in Monterey and Carmel, and one up in Chico, I think. But the areas that we had them in, it made a discernible difference. They were great commercials. And so the idea was to project the walk to a statewide image of the walking candidate; but we never could raise the necessary \$300,000 to \$400,000.

MORRIS: Did the family use to go out and walk as recreation? Where did the walk idea come from?

WALDIE: Well, my sons and I have always been backpackers. Every year, even when I was in Washington, we'd fly out for a backpack trip, my youngest, particularly, son and I. My oldest got to working and things; he didn't do it as often. But my youngest and I still do, to this day, go backpacking every year. But the walking thing came from really the success of [Governor Daniel] Dan Walker in Illinois and [United States Senator] Lawton Chiles in Florida, who had done that. No one had ever thought of trying it in a state as large as California. I still think it was a good concept, but the most important part of the concept was the television campaign, where you could take the favorable publicity you got from the walk—which did attract people; we had a lot of fun with it. But you have to get it out there to all the state, because you don't walk through all the state. It's got to be there constantly.

But the kids spent some time with me, and then Joann came out in the last few weeks and campaigned. She came out for two

week-ends to walk with me, and she attended affairs on her own schedule. But not much, because we couldn't afford to fly her out that often, either; that's another problem, the cost of flying from Washington to. . . . Because in those days you were given four trips a year; now they're given four a week, I think. But all the other trips had to be paid for. And that's pretty expensive, so we couldn't bring the family out very often.

MORRIS: So it sounds like she might have been quite happy when you retired from politics.

WALDIE: I don't think happy, because she knew I was disappointed. So I don't think she had glee in my being in an event that caused disappointment to me. But she was not unhappy with that outcome, I don't think, because Joann was never that. . . . She loves issues, but she didn't particularly care for the politics of it itself. And then on top of that, I had to move her again. She didn't want to do that; she'd been living there, then, sixteen years when we moved back here, and she didn't want to. . . . Now we live in Placerville. She swears she'll never move again.

MORRIS: Placerville's at least in the same universe as Antioch.

WALDIE: Yes, but she liked Bethesda [Maryland] by that time. [Laughter] She wanted to stay in Bethesda.

MORRIS: How long does it take to revive from a defeat of that magnitude?

WALDIE: It took me a while. My ego was really shaken, and I thought, God, I just couldn't conceive my losing. I never, ever lost any time in my life, and all of a sudden, I lost. Strange enough, on election day, when I knew there was no chance at all—we'd seen polls by then; we knew there was nothing going—I still thought maybe something's going to happen.

MORRIS: Yes, I can understand that.

WALDIE: You keep that little glimmer of hope. But when it didn't, I went through a real period of withdrawal, in a sense. I thought, I've got six months left in Congress, and I'm a lame duck; I'm not going to come back. I used to wonder, people that had experienced that. I'd see them around there, guys that were running for office and not make it, and they'd have a few months left before their term would expire. And I'd watch them answer quorum calls—not roll calls, quorum calls—and wondered why they did it. I learned why they did it: because you do it. You're there, that's your responsibilities; I found myself doing the same kinds of things I always did, even though I was never coming back to the place again.

## XII LATER ACTIVITIES

### Departing Congress; Brief Appointment to Fair Political Practices Commission; Representing Letter Carriers and Others

WALDIE: I stayed there to the last hour; left the last hour; walked out of that office at noontime on the last day of my term, January 5; and contemplated, for a period of time of about three months, on running for office again the next time around. Which is really bad. Then after, I guess, six months I began getting a hold of the thing, and realized that, contrary to my belief, the nation did seem to be rumbling along about as inefficiently as it did when I was there, and that my absence was not any great loss to anyone but me. And I never looked back. I don't have regrets now; they're beyond me.

MORRIS: There was a brief flurry there where—was it [State Controller Kenneth] Ken Cory who appointed you to the Fair Political Practices Commission?

WALDIE: Yes.

MORRIS: And what was Paul Haerle's objection?

WALDIE: Who's Paul Haerle? Oh, the reporter?

MORRIS: No, he was chairman of the Republican State Central Committee, I think.

WALDIE: I don't even know who he was. But the Riverside Press-Enterprise was the one that probably brought the issue to a head. Because that was the . . .

MORRIS: The appointment didn't take, or you decided not to take it?

WALDIE: I resigned. What had happened, I was appointed. I served, I guess, about two months. It was a pain in the ass in a lot of ways, because I thought it was once a month, but it was damned near two or three times a week. Of course, they were just organizing. And I had to fly out from Washington every meeting, but could only get paid from Antioch. I was coming out once a week for at least six weeks, and it cost me around \$300 round trip. And I was getting reimbursed, I think, forty dollars, because Antioch was my home town.

MORRIS: Much closer, yes.

WALDIE: And they paid me for traveling from there.

But what then broke the thing is that I was hired in the meantime by the Letter Carriers Union back in Washington to handle their legislative program. And that required me to register as a lobbyist. Well, it really didn't, but I thought I should because I believed in disclosure. And so I announced I was going to register as a lobbyist, and there was a belief—at least the Riverside Press-Enterprise found that to be a conflict of interest. There's no legal prohibition, because I was a federal lobbyist, not state, registering in Washington, D. C., not under the law that's being regulated by the FPPC, which was the state lobbyists. But there was a sufficient ambiguity as to whether a lobbyist, even though he was working in the federal system, should be regulating lobbyists working in the state system. The ambiguity was such that I just decided that I wouldn't defend it. The issue

wasn't worth my taking the heat of defending it for the \$300 a week it was costing me.

MORRIS: And you were only getting \$300 in expenses?

WALDIE: I wasn't given that much. I guess they paid \$100 a day, something like that. I was only getting about forty dollars a month expenses. Anyway, the other thing was, I thought it really was probably harming the commission, so I just announced that I understood the concerns, though the legal concerns everybody agreed were not warranted; but ethical concerns were nonetheless present, and that rather than let it continue, I'd just simply withdraw so that the commission didn't begin its existence with any cloud.

MORRIS: That's very noble.

WALDIE: It wasn't as noble as it sounds. I just didn't want to keep flying out every week. [Laughter]

MORRIS: What was it like being on the other side of the process in Washington, representing . . .

WALDIE: Not comfortable. I'll never do it again. I represented other clients. The letter carriers were my primary clients, but I represented Friends of the Earth and David Brauer, and the Contra Costa Water Agency.

MORRIS: Friends of the Earth and the Contra Costa Water Agency you would think might be on the opposite side of some questions.

WALDIE: No. Contra Costa Water District would be, but not the Water Agency. The Water District's owned by the Bureau of Reclamation, essentially, though they would deny it; but ideologically, they are. But the Water Agency is comprised of the county supervisors, and they're protecting the Delta, and anti-Peripheral Canal, whereas the Contra Costa Water District is always supporting the Federal Bureau of Reclamation.

In any event, I made some pretty good money during those years—three years I did it. But I never could get used to walking into a former colleague's office. I just never felt

comfortable doing it, and I disliked it intensely, and quit. And I will never, ever do it again. Some people find no problem with it, and I'm not criticizing those that do it. I just felt uncomfortable. I knew that they opened their door because of me; and I knew that they listened to what I had to say because of me, not because of the issue. And that doesn't make me feel good about that process, so I just. . . . When I got an inquiry from the [President James E.] Carter administration to join them, I jumped, and will never go back to lobbying.

Federal Mine Safety and Health Commission; White House  
Conference on Aging

MORRIS: What did the Carter administration . . .

WALDIE: Whether I'd be interested in becoming chairman of a newly created agency, the Federal Mine Safety and Health Commission, which is an adjudicatory agency similar to an administrative appellate court. And I said, yes, I would, so they submitted my name to the group that makes the choice. And I prevailed after a couple of weeks, and then the Senate confirmed me; I had to be confirmed by the U.S. Senate.

MORRIS: Oh, my, that must have been interesting.

WALDIE: It was.

MORRIS: Sat on other people's . . .

WALDIE: Yes, especially the chairman. He ended up in jail, unfortunately, under ABSCAM, the only senator that went to jail.<sup>1</sup> I forget what his name was now, but I knew him because he was a great labor senator. It was the Labor Committee that

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1. Investigation of corruption in Congress, in which Senator Harrison A. Williams was convicted.

did the confirmation hearings and the full Senate voted approval.

And then the White House—not Carter, but the White House, his office—asked me to take over the White House Conference on Aging, which is a conference they give every ten years. It had fallen into some disrepair. The executive director was not very competent, and the thing was in real trouble. The calendar was running down on them, and it had a \$9 million budget. So they asked me to take it over, and I took it over and spent the rest of the time there, until Reagan was elected. And on Monday, January 5, I guess it was, or whatever date he was sworn in. . . . I'd gotten a call the preceding Friday from his new Secretary of Health, Education, and Welfare, a former senator whom I'd known, saying, "Jerry, we'd like you to be out of the office by Monday at noon." I said, "I understand." He said, "We'll give you a month's consultancy fee to ease the burden." I said, "I'll take it." So they gave me a month's pay, and on January 5, that following Monday, at noon, I vacated the office.

[End Tape 6, Side B]

[Begin Tape 7, Side A]

WALDIE: When you leave Congress, they let you buy your desk and chair, though you probably should put "buy" in quotes; you have to pay seventy-five dollars for the desk and the chair, and they move it the first move. The desk, I'm sure, is worth \$1,500, and the chair is worth probably \$300. But you have to pay seventy-five dollars in order to. . . . [Laughter] I don't know why they make you pay seventy-five dollars, because it costs you that much to move it, and more. Yes. They also give you two trunks, by the way, one of the interesting perquisites of Congress. You get two trunks every term.

MORRIS: A grandmother's trunk?

WALDIE: Yes. And it stems from the days when congressmen had to come from distant parts of the country, and they had trunks that they carried their possessions in; and we still get two trunks. I didn't realize this until I'd been there, I think, three terms. So I got six trunks. Each of my kids, I gave one. They're not very good trunks; they're kind of funky. I mean, they're cheap metal, and they're probably . . .

MORRIS: Like old military footlockers.

WALDIE: That's exactly what they are, except they have "House of Representatives" printed on them, so they look nice in your living room as a coffee table. My kids have them.

Agricultural Labor Relations Board; Cesar Chavez; Issues Facing the Board

MORRIS: That's neat. So that timing worked pretty well. I would like to talk to you about the Conference on Aging, but that's not within my briefing. But I would like to ask you a little bit about the Agricultural Labor Relations Board [ALRB]. Had Jerry Brown's people talked to you about going on that board before, while you were still doing the Conference on Aging?

WALDIE: No. I was out of government, and I came out to California on a trip. I had represented the Alameda Naval Employees Association, and they were interested in whether I would be willing to resume that representation. And I wasn't sure what I was going to do at that point. I was still sort of fiddling around. But I took a trip out because I wanted to come to California, and that gave me a legitimate excuse to deduct the cost of the trip, to confer with them. And while conferring with them at Alameda, I took a day to come to Sacramento just to prowl around a bit, see what was up. Then my youngest son, Jeff, and I—he was up on the Russian River—I went up to visit him, too.

While in Sacramento, I had understood they were looking for a replacement for the ALRB. There'd been two members they had had, that had been rejected by the senate, and I contacted [Cesar] Chavez, and he indicated that he felt I would be a good candidate for that. I was kind of interested in coming back to California by then. Washington was getting too Reaganized for me. All the kids were out here, and my grandchildren were out here, and I thought it would be nice to get back out. Because I was thinking of, ultimately, getting close to retirement, anyway, and I didn't want to retire in Washington. So I contacted the governor, Jerry Brown, and told him that Chavez would be supportive of it, and that I would be interested in it. And he was, I thought, quite enthusiastic about it.

MORRIS: Was he depressed about having the senate turn down his candidates?

WALDIE: Yes. And he said, "Can you get twenty-one votes?" That was his only question. I said, "Yes, I can get twenty-one votes." Because I had in the meantime made some inquiries in the senate during that day while I was here.

MORRIS: This is the Rules Committee that you have to get . . .

WALDIE: You have to get by the Rules Committee, but the entire senate, too. You had to get twenty-one out of the forty votes.

MORRIS: And you got some good . . .

WALDIE: Yes, I'd gotten good feedback. I didn't see any real problems in it. But it had been a long time since I'd been in California, and that issue had not been one that had occupied much attention on my part.

MORRIS: How did you know Chavez?

WALDIE: I'd met him probably three times before that. During the gubernatorial campaign, I'd gone to La Paz and met with him and his board about the campaign, though I think he supported Jerry on that; but I'm not sure whether he did. I'm not sure

how close he was to Jerry. In fact, he says publicly that he supported me, but I must say I don't recall being that clearly supported in the primary. But he was not hostile to me. And I'd always been active in farm worker legislation. Dolores Huerta and I were particularly close. When I was in the state legislature, I was primarily responsible—I was chairperson of the subcommittee that put out the bill to first cover farm workers under disability insurance. They had been trying for years to get coverage under unemployment insurance. And so one night we just simply amended the unemployment insurance bill to read "disability insurance," and shocked the grower community to death, because the farm worker pays all the money on disability insurance. So the argument that the grower couldn't afford it no longer had relevancy. They opposed it anyway, but we passed it. So I'd gotten pretty well acquainted with Dolores and somewhat acquainted with Cesar, but not much.

So anyway, I made the tour of the senate in the two or three days I was out here, and then I went home and I told Joann, "Get ready to go back to California, because I think Jerry's going to appoint me to this board and the senate's going to confirm me." And she said, "Good." Then, geez, I don't hear anything. I just sit back there sweating and I don't hear anything.

Then finally I called the governor's office and I can't get through to him. I get through to Gray Davis. I said, "Gray, what the hell's going on? Am I going to be appointed or am I not?" "Well, Jerry," he said, "it's not that easy. We haven't got that figured out. We're still working on it." I said, "I thought I was being appointed." "Well, we're still working on it." To make a long story short, there were apparently some second thoughts on the part of Brown's staff, not Brown. They had two other candidates that they were trying

to push, with essentially [State Senator] John Garamendi being the key person in that coalition.

MORRIS: And he's in the legislature at that point.

WALDIE: He's a senator, yes. And I had assumed John would support me. I hadn't even talk to John. I later talked to him and he said he'd support me for anything in the world, except this. But he promised his growers he would not support anyone they wouldn't support, which I thought was a little . . .

MORRIS: Well, he's had long-range thoughts of the governorship, too.

WALDIE: That's not a way to implement them, unless he likes growers better than he likes folks like me. He'll have a hard time finding me in his corner. Anyway, they finally couldn't put their votes together for the two they had, so there was nothing they could do except go with [former State Senator Alfred H.] Al Song and me, and they didn't want us at all.

MORRIS: Really?

WALDIE: Yes.

MORRIS: Why? Because you two knew your way around the legislature?

WALDIE: Yes. We were part of the old school. I think Jerry wanted me, particularly, and he knew the senate was going to insist he take Al.

MORRIS: How had Al Song surfaced as a potential candidate?

WALDIE: He had been defeated and he was looking for a place to locate, and he'd heard of this. He'd been trying to get a judgeship, with no success, from Jerry, and so his friends in the senate just essentially told Jerry, "If you want anybody, you've got to take Al, too." As it turned out, he was a very good member; he was an excellent member of the board.

But here they were stuck—when I say "they," the administration, Jerry Brown, wasn't keen about either one of us. He had his preferences, but when his preference couldn't go, he was good, and he did work to get my appointment. But I just barely made it. Al made it comfortably, about twenty-four

votes. But I only had nineteen votes. They had to hold the roll call up for two hours. Then they finally got the twentieth and twenty-first vote, just the most weird guys you can ever imagine. John Schmitz was one of them [Laughter] and [John] Briggs was the other.

- MORRIS: That's support from an interesting quarter, isn't it?
- WALDIE: Totally interesting. I never had met John Briggs, and Schmitz I knew from Congress, and liked him. He told people later I was the second Brown appointee he'd ever voted for. The first one was Wing Fat of Frank Fat's restaurant for some commission.
- MORRIS: I never heard that Fat got a political appointment.
- WALDIE: Oh, yes.
- MORRIS: But Briggs and Schmitz were both very much conservative. They were probably as conservative . . .
- WALDIE: Oh, yes, they were the two most conservative, other than Richardson, they had in the senate.
- MORRIS: And they probably didn't know that Cesar Chavez had said that he'd be happy with you.
- WALDIE: Oh, yes, they knew that, because that was brought up during the Rules Committee. The growers just attacked me terribly on that issue. The growers attacked me as being a friend of Cesar, marching with Cesar—which I hadn't, though I'd attended many rallies with Cesar.
- MORRIS: Maybe they mixed your walk up with his march.
- WALDIE: [Laughter] I think they must have. I never made a march.
- MORRIS: Anybody who's out walking on the highways must be . . .
- WALDIE: I did show up at a rally in Fresno where some farmworkers were jailed, and I did say. . . . This is probably where it came from, because I said on the microphone it's outrageous, that these folks ought not to be in jail for trying to protect their right to make a living. I ended up with a stirring declamation: "You folks march with Cesar, and I stand with

Cesar." The intonation of the accusation was a correct one. I was a friend of Cesar's. And they asked me, and I said, "Yes, I'm a friend of his, and I value his friendship. But that doesn't mean he's going to persuade me any more than my mother-in-law can persuade me." But they really went after me on that. So I lost all the rural county Democrats, every one of them, plus Garamendi and Alan Robbins; he wouldn't vote for me. I never met him.

MORRIS: I only know him by his reputation.

WALDIE: That's about how I know him. Never had any desire to know him any better, because of that knowledge. The ones that probably were the most hurtful to me was the loss of two of them, Walter Stiern from Bakersfield, and Garamendi. Stiern I'd known all my life, and I was really disappointed that Walter couldn't vote for me because of his growers, coming from Bakersfield—especially since he didn't run again. Garamendi, I was disappointed because ideologically I found myself so much in tune with most of his views. The rest of them I didn't pay much attention to; I didn't expect to get their votes.

MORRIS: What were they waiting for?

WALDIE: Who?

MORRIS: The legislature.

WALDIE: They were waiting for candidates that the growers would approve.

MORRIS: My researches may not be accurate. It says Ronald Ruiz was acting chairman. John McCarthy—is that the one that used to be a legislator?

WALDIE: No.

MORRIS: Okay, a different one. And Herbert Perry?

WALDIE: Yes. They're still on, or they were on. McCarthy's still on. No, they were on the board; they weren't up for appointment.

MORRIS: Right. But were any of them grower representatives?

WALDIE: No, they were first original appointees. Then the growers became politically astute, when they ran [State Senator Kenneth L.] Ken Maddy's campaign for governor, and one of the focal points of their political organization has been ALRB. But the people you're talking about—McCarthy was appointed by Brown, but he was a grower appointee. [Governor George] Deukmejian reappointed him; he's still on the board. Perry, Brown would not reappoint. And Ruiz resigned. But they were all appointed by Brown. Song and I made that board, then, five members.

MORRIS: And the counsel was somebody named Boren Chertkov.

WALDIE: Boren Chertkov, and his term expired.

MORRIS: The counsel is also appointed for a specific time?

WALDIE: Yes, a six-year term, five-year term, I don't know.

MORRIS: Can you in five minutes give me a sense of what you felt were the trouble spots, or the important [Inaudible] of the board's work?

WALDIE: It's always going to be the most controversial agency, I suspect, in the state, largely because it deals with the most controversial subject in the state. You start with labor/management relationships, and they're always controversial. They're always fraught with confrontation; that's the nature of them. Then you add to that mix the volatile issue of agricultural labor, which has never had any rights in California. So you've got a work force that has always been held in subjugation, without any power, in California, opposing an employer force that has always had all the power that the world provides employers. No other group of employers have ever had as much power as agricultural employers possess.

So here's a work force that's been powerless, demanding through the state that this powerful establishment employer group give up some of their power. And then the work force is Mexican, and there's a racist aspect to it. And they're

illegal; that is a further diminution of potential power. So you have all this volatility, all these terrible issues mixed up in one pot, and you place them all within an agency that has the power to compel this group of wealthy, powerful individuals who have never been accountable to any source as to how they treat their work force. Now they're accountable under a law. But if you can get that law to be prostituted by those who administer it, you can restore them to their position of invincibility. And that's what's happened.

That's why they campaigned for Deukmejian, because one of his major political commitments during the campaign was that he would "restore fairness" to the ALRB, meaning put it in the hands of the employers and take it away from its role of protecting the workers; and they were his heaviest contributor in both his elections—the agricultural industry. He has repaid them handsomely. Man, that's been a good investment on their part. That agency now, in my view, ought to be simply defunded and put on the shelf until an administration comes back that's willing to permit the law to be enforced as it was written.

MORRIS: When you were serving on the board, did your work involve hearings or anything else at the field offices?

WALDIE: No. They're all under the general counsel.

MORRIS: I was interested in that. There's a little paragraph in the state roster which says there are two primary functions: there's the board and then there's the counsel.

WALDIE: That's right.

MORRIS: The description sounds like the two do not necessarily work together.

WALDIE: They don't; they're not supposed to. It is confusing. It's patterned after the NLRB [National Labor Relations Board], and "general counsel" always assumes the general counsel for the board that he's subject to and accountable to the board. He

has no accountability to the board whatsoever. He's appointed by the governor, not by the board. He's totally independent of the board. He's the prosecutor; the board are the judges. We have no enforcement capabilities at all. We cannot enforce the law. We cannot take a complaint and process it; only he can. He can reject complaints. That's what's happening; he effectively won't take complaints any longer from unionized farmworkers. And the board is only sitting up there as a judge, and he's the district attorney.

MORRIS: So the board can only act upon things that the counsel brings to them.

WALDIE: That's right. Absolutely. The board is passive. And here's the gate, and here's the pipeline. Here's all those workers out there in all the regional offices. Sitting there with his hand on the faucet of this huge pipe is the general counsel. And here's the board, anxiously awaiting an opportunity to make a decision upon the grievance of Manuel Rojas down in Imperial Valley who, after four years, got up to this point, then Boren Chertkov let him through here. [ALRB Counsel David] Dave Stirling would never let him through that pipe, but Boren Chertkov let them get through. And we made an award to him of \$1 million, he and 4,000 of his fellow employees.

Then that went back, and now it's appealed, and now it got back up here, and here we find at that gate, Dave Stirling. And these guys got \$1 million sitting back there that we awarded them. But the liable growers appealed it, and now it has to get back up here before those folks can ever collect it. Dave won't let the door open. Now the door's open, because there are five members now, appointed by Deukmejian. And so the appeal comes through, and the appeal's approved. Manuel goes back to Mexico without any money. So they've destroyed it, absolutely destroyed it. There's a pathological,

almost, hatred of Chavez by Stirling, and it's shared by Deukmejian, and it's because they reflect the growers.

MORRIS: It sounds like the rural version of rent control. Rent control doesn't have a state apparatus, but at the local level there's this. . . . What I hear is sort of a similar "never the twain shall meet."

WALDIE: I think that's right, between the tenant and the landlord.

MORRIS: They each see the other one as total ogre.

WALDIE: Absolutely. And that's okay. It's worked all right nationally, under the National Labor Relations Board, but there's that much more sophistication there. And in the agricultural community, there's not much sophistication.

MORRIS: On either the growers' or the workers' side?

WALDIE: Absolutely. They're both much more militant.

MORRIS: Even though it looks to an urban person as if there are a fair number of minorities or former poor people in the grower population? There are Indians, Asians, Armenians who used to be looked down on in a lot of . . .

WALDIE: Absolutely. And Japanese. And in many instances, they're the worst offenders. There's a Japanese grower down in San Diego County who has his workers living in holes. I mean, holes in the ground. He's probably the worst exploiter of a work force in California, and he was in a detention camp in World War II in California, as a kid. And he comes from that background, and is doing that to people that work for him. It's like the enlisted man that becomes an officer. They say he's often the worst officer in the world, the way he treats other enlisted men.

MORRIS: Really, really tough.

WALDIE: Yes. So the fact that they came from a working background does not mean their attitudes are pro-worker, whether they're sympathetic to poor people. I hear it all the time: "Well, I became a millionaire. Why can't you?"

- MORRIS: How about Governor Brown's role? Did he just let the board do its thing and what happened, happened?
- WALDIE: Yes.
- MORRIS: He did not particularly advocate support . . .
- WALDIE: He at least didn't while I was on the board, nor could he. That would have been a grievous breach of judicial ethics had he contacted the board and urged action of one kind or another on a particular case.
- MORRIS: I was thinking of it more the other way 'round, that if it looked like the pipeline were getting stuck, could people go to him as the governor and say, "I'm not getting any help from the ALRB"?
- WALDIE: You mean Deukmejian? Because the pipeline is . . .
- MORRIS: I was thinking of Jerry Brown, when you were on the board.
- WALDIE: Oh, well the pipeline never got stuck when he was the governor, because the people he appointed to man the faucet—Boren Chertkov or his predecessors—were always people who believed in enforcing the act. So the faucet was never closed.
- MORRIS: Had Chertkov worked with the agricultural. . . . What was his background?
- WALDIE: He came from the NLRB in Washington, D.C. He was a senatorial aide at one time, too.
- MORRIS: So he would presumably have a good sense of how such a process ought to work.
- WALDIE: Yes, he was very familiar with labor law, and it's essentially labor law. But it is no longer labor law now; it's just pure "what does a grower want?" And it's gross, and I'm not exaggerating. It's just terrible. And the people again that are getting screwed over are working people, and the hardest working force in America, the agricultural field worker. And the most exploited and abused working force in America, the one with the least privileges, the least rights, the least rewards from this wonderful system. And the ones now that are

the targets of the most political venality that exists in California. And they're targets because they have no political muscle.

MORRIS: My positively last question. When you're teaching political science now, what is it that you try to convey to your students on the basis of your experience in government?

WALDIE: The thing mostly I'm trying to convey to them, number one, is that the people that occupy the positions of political power in my experience both in the state and federal government have been, on the whole, very decent people. The stereotype about the politician of being on the take, or being a shallow, greedy person, is not a good stereotype, not an accurate reflection. There are those that fit it, but there are those who fit all stereotypes.

But the vast majority, I think, of the people I ran into, both in the bureaucracy as well as in the legislative office, were a cut above those that I would run into in the private sector. I would not put down public employees—state, federal, local, or political officials, elected officials.

I try to, I think, instill in them a belief that government is a positive instrument, and that government can be used to help solve problems, and that the demagoguery that Reagan so successfully peddles—get government off our backs—is just foolishness. There are times government gets on our back and government ought to be constrained, but the general role of government is not to get on our back; it's to protect us from those who are already on our backs in the private sector; it's to protect the powerless in our community, or the less powerful, from having their backs piled on by the more powerful; it's an arbiter, and I strongly believe in that.

MORRIS: Thank you for staying a little bit longer this morning.

WALDIE: Okay.

[End Tape 7, Side A]