

California State Archives
State Government Oral History Program

Oral History Interview

with

JOHN A. FITZRANDOLPH

Staff Attorney, California Constitution
Revision Commission, 1966 - 1968

March 23, April 11, May 9, 1989
Los Angeles, California

By Carlos Vásquez
Oral History Program
University of California, Los Angeles

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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.

Participating as cooperating institutions in the State Government Oral History Program are:

Oral History Program
History Department
California State University, Fullerton

Oral History Program
Center for California Studies
California State University, Sacramento

Oral History Program
Claremont Graduate School

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The Bancroft Library
University of California, Berkeley

Oral History Program
University of California, Los Angeles

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

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INTERVIEW HISTORY

Interviewer/Editor:

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Interview Time and Place:

March 23, 1989
FitzRandolph's office in Los Angeles, California
Session of one and one-half hours

April 11, 1989
FitzRandolph's office in Los Angeles, California
Session of one and one-quarter hours

May 9, 1989
FitzRandolph's office in Los Angeles, California
Session of one and one-half hours

Editing

Vásquez checked the verbatim manuscript of the interview against the original tape recordings, edited for punctuation, paragraphing, and spellings, and verified proper names. Insertions by the editor are bracketed. The interviewer also prepared the introductory materials.

FitzRandolph reviewed the edited transcript and returned it with only minor corrections.

Papers

There exist no private papers which the interviewer was able to consult for this interview.

Tapes and Interview Records

The original tape recordings of the interview are in the university archives at UCLA along with the records relating to the interview. Master tapes are preserved at the California State Archives.

BIOGRAPHICAL SUMMARY

John A. FitzRandolph was born in Boston, Massachusetts, on June 6, 1935. His parents moved to California in the 1940s. He attended Marshall Junior High School and Pasadena City College. After graduating from PCC in 1955 with his A.A. degree, he earned his B.S. degree in Public Administration in 1958 and his J.D. in 1964 from the University of Southern California.

FitzRandolph served in the United States Army Counter-intelligence Corps from 1958 to 1960, stationed in Germany. He married Susan Trumbull on June 18, 1961. They have three children, Laura, Daniel, and Kenneth. After finishing law school, FitzRandolph was accepted into the Ford Foundation Legislative Intern Program. As part of that program, FitzRandolph was assigned as a staff attorney to the California Constitution Revision Commission where he served from 1966 to 1968. He became assistant director of the California State Department of Housing and Community Development from 1968 to 1969. He next assumed the position of chief consultant to the Democratic caucus in the state assembly, where he directed efforts to regain a Democratic majority. From 1970 to 1974, FitzRandolph was chief of staff for Speaker of the Assembly Robert Moretti and from 1974 to 1976 FitzRandolph served as executive director of United States Senator John V. Tunney's staff. Initially a registered Republican, FitzRandolph switched his registration to the Democratic party in the early 1960s.

FitzRandolph has been dean of the Whittier College of Law in Los Angeles since 1976. From 1982 up to the time of the interview in 1989, he had been the chairman of the Los Angeles County Commission on Local Government Services and had also served on numerous other public service commissions.

[Session 1, March 23, 1989]

[Begin Tape 1, Side A]

VASQUEZ: Mr. FitzRandolph, to begin this oral history, would you tell me something about your personal background?

FITZRANDOLPH: I was born on June 14, 1935, in Boston, Massachusetts.

VASQUEZ: Who were your parents?

FITZRANDOLPH: My mother, Hazel [Brewster FitzRandolph], was a schoolteacher in New England. [She] had graduated from Boston University and had been raised in Portland, Maine, where her mother was a schoolteacher before her. My father was Roy [B. FitzRandolph]. He was born [and raised] in New York, lived there all of his life. He was from a wealthy family but he, himself, was not wealthy. My mother was from a very poor family. Schoolteacher wages in those days were not very high, nor are they today. She had a college degree; he did

not. He worked in business.

VASQUEZ: Why is it that he was not wealthy and his family was?

FITZRANDOLPH: He was one of three children. He was the middle child and he was the alcoholic of the three. The other two did very well in business; he did not.

VASQUEZ: What kind of business was he in?

FITZRANDOLPH: He sold insurance. He sold various products in the import-export business. He tried several [things], but alcoholism always got him sooner or later. How they met, I'm not quite sure.

VASQUEZ: What were their respective origins? Were they both from the eastern seaboard?

FITZRANDOLPH: They are both from the eastern seaboard, both from old English families. I think there's some Swedish on my mother's side, but basically [they came from] old English families. The name FitzRandolph is an old English name.

The story goes that Princeton University was donated by a FitzRandolph, by that [branch of the family] in that part of the

country. To this day, there is a FitzRandolph Gate tied to that family, a branch of which went South and dropped the "Fitz" and became Randolphs.

I think the Randolph family in the South is historically well known. My mother's story goes that the Brewsters on the Mayflower were related [to her family] somehow. The ties go way back to early America. One of my father's brothers had a study made of his name. There's a book called One Thousand Years of FitzRandolph and it ends in 1750 somewhere.¹ They traced it back to England.

All of that is very amusing. I don't find it important, but I think it's interesting. They see themselves as original colonists, really, in that sense.

VASQUEZ: You were brought up with that kind of attitude?

FITZRANDOLPH: No. We were brought up so poor that it never had much impact. We never saw much relevance

1. Publisher and date of publication not available.

[to that]. We moved around quite a bit on the East Coast trying to get my father settled somewhere. My mother taught all the time while we were growing up. She was the breadwinner, really.

VASQUEZ: She taught wherever you moved?

FITZRANDOLPH: Yes. She taught at private girls' schools in various places. She was the breadwinner, and it wasn't a lot of bread. In 1946 or '47, when I was ten or eleven, he [my father] joined Alcoholics Anonymous, and that dramatically changed his life.

The big drama was, "Let's move to California." For him, at age forty-eight to pick up those East Coast roots and come out to this frontier was quite a dramatic incident, both for him and for her, too. But she came out here and began teaching, so she had a job.

VASQUEZ: Where did you move?

FITZRANDOLPH: First we moved to West Covina, because she had a brother who was there. The little town of West Covina at the time was mostly orange groves and walnuts. We didn't stay there

very long. We wound up in Sierra Madre for a year. We moved out with nothing but what a 1937 Pontiac would hold. So we didn't have much.

Eventually, she wanted to get into a good school district. She heard that Pasadena was such a district, so we moved into the Pasadena [Unified] School District. It turned out to be a blessing, for me at least, because it was a good school district and had opportunities that I took advantage of when I was a teenager.

VASQUEZ: There was a controversy at that time in the Pasadena School District because of a liberal superintendent who was brought in. Were you aware of it?

FITZRANDOLPH: I wasn't really aware of that, but it was supposed to be an experimental system in many ways. In fact, the system they had was called a "six-four-four" system. I've had to explain this every year since.

It involved a four-year junior high school and a four-year junior college. So one never went to high school, one went to a

lower division of a four-year junior college. It was the last [years] of that experiment. Apparently, it had started in the 1930s in several school systems, all of which had given it up by the time I hit it. In fact, I was there at its demise, as was my brother who was two years behind me. He went to Pasadena High School the first year they had such a thing. I think that was in 1955 or 1956.

VASQUEZ: What is your brother's name again?

FITZRANDOLPH: Scott FitzRandolph. At the time, it was a jarring thing to come out of that [eastern] environment into this one. In terms of dress, I was going to school with kids in Levis and t-shirts. Back East, we always had collared shirts and slacks. I didn't fit in very well for the first year, which was my eighth grade.

I guess I had some things going for me. I was very big. I had full growth by the age of thirteen. I was about six feet one inch. Nobody messed with me, but I didn't fit in very well.

At the end of the ninth grade in this four-year junior high, I decided to run for student body president for reasons that are not clear to anybody, including me, because I didn't know anybody.

VASQUEZ: Was it an effort to fit in?

FITZRANDOLPH: It was an effort to fit in. I was very shy. I had seen the student body president who had opened the assembly. I said, "I think I'd like to do that." It was an effort to get some acceptance, it was my draw to politics. It was not very subtle. I can look back and see it.

So I ran for student body president and won. I beat the basketball hero of the school because of my speech. We both gave speeches. Mine was serious, and his was a joke. People took me seriously. I could clearly see my interest in politics and government.

VASQUEZ: What were the kinds of arguments you made in your speech?

FITZRANDOLPH: It was very general, and I don't think there was any platform in it at all. It was a

serious statement by a serious-looking person that the future lay ahead. It was general. It wasn't very specific. My opponent talked about having Kool-aid in the drinking fountains. It wasn't a very substantive campaign. It was all style. I was aware of that, but it worked. Whatever it was, it worked.

VASQUEZ: Before that, had there been any interest or influence in your family that drew you into politics?

FITZRANDOLPH: Not really. Well, let me retract that. Not politics, per se. There was always a good deal of family discussion about current events. My father was a newspaper reader and followed things. He knew a lot and was an older man. He had a lot of historical [knowledge]. And for me, as a kid, it was history. His [knowledge of history] only went back twenty or thirty years, but he was very informed about current events.

My mother was seriously concerned with civil rights at a time when it wasn't very popular. She had left her college sorority

at Boston University because they refused to take in a Catholic girl, and that was part of my upbringing. She wasn't a Catholic and wasn't particularly sympathetic, but she just thought it was wrong to turn somebody down.

VASQUEZ: What was your religious upbringing?

FITZRANDOLPH: It wasn't much. There was nothing formal, and nobody belonged to a church. In New Jersey when we lived there in the 1940s, during my elementary school [years] and one year of junior high school, she [FitzRandolph's mother] had a choice of an all-white school or an integrated school, and she sent me to an integrated school out of choice. In fact in my sixth-grade graduating class of thirteen, seven were blacks. This was in 1946, which was very unusual. I wasn't aware that it was too unusual except I knew she cared about that.

That summer, as we drove across the country, a conversation took place at a motel. She said to me, "Come over here while we're talking to this woman." This woman said to me, "I just heard you went to school

with them." I said, "What does that mean?" She said, "Negroes." I said, "My sixth-grade friends?" She said, "That's shocking." She was from Missouri and she just thought it was terrible.

So I became aware that it was somewhat unusual, particularly as I got older. I realized what an unusual thing it was to select an integrated school. I can't say that it was politics, but it was certainly an interest in what was going on in the world. My father, if he had to pick, I guess, was a liberal New York Republican. He liked [Thomas E.] Tom Dewey in 1948, and we listened to the election results together. I guess I must have been thirteen. I think the Dewey attraction was more that he was from New York than because he was a Republican. Certainly, nobody was conservative in my family, but I suspect that the Republicans of New England--the [United States Senator Leverett] Saltonstalls and the New York Dewey people--were pretty worldly Republicans compared to what the Republican party

became. So my first attraction was as a Republican.

For some reason, I got into it very early. I was on the board of directors of the Pasadena Young Republicans when I was sixteen years old. I don't think in Pasadena we knew that there was a choice. It was whether you were a liberal Republican or a conservative Republican. In an historical context, the Republican party in the fifties was fighting between [General Dwight D.] Eisenhower and [United States Senator Robert A.] Taft. Those kinds of issues were not Democrat-Republican issues. Particularly, the California tradition at the time was a crossover. Earl Warren was governor. All the people that I could see out there [in politics] that I respected were Republicans. Earl Warren particularly attracted me. I thought he was an attractive political figure.

VASQUEZ: And some of the Democratic figures in Congress were less than attractive?

FITZRANDOLPH: That's right. Congress, at that time, was

dominated by southern racists or corrupt labor leaders. That was how we perceived it. There were a lot of us in my age group who had a similar experience in California. I know several Democratic officeholders who started out the same way I did, as liberal Republicans.

VASQUEZ: Did you ever change your party [affiliation]?

FITZRANDOLPH: Yes, I did.

VASQUEZ: When?

FITZRANDOLPH: Officially in 1964, but I had really left it in 1960.

VASQUEZ: Why?

FITZRANDOLPH: It was the beginning of the civil rights movement, with which I identified. It was John [F.] Kennedy with whom I could identify. One of the first things I did when I got to Sacramento was hear a debate. I guess this was 1964. Martin Luther King [Jr.] was given the Nobel Peace Prize. There was a debate on the floor of the assembly. Some Republicans got up and left the room. I said, "I know I did the right thing."

VASQUEZ: Do you remember who they were?

FITZRANDOLPH: I don't, but all of them were from Pasadena. There was a fellow from South Pasadena that I can't remember [Assemblyman John L. E. Collier]. I can see him, but I can't come up with his name. There were six or eight who just got up and left and wouldn't participate. So there were a whole lot of things that happened from 1960 on that really forced me to leave.

The other thing was [when] I was on the state board of the Young Republicans in the late fifties. I went to one meeting. The president was John [H.] Rousselot. I heard and saw him, and I said, "This isn't me. I don't understand why I'm here." But I hadn't prepared myself to become a Democrat. I really became apolitical, a nonpartisan, I guess. I went to law school and said, "I'm just going to become a lawyer and not worry about that."

VASQUEZ: Let's talk a little bit about your formal education. Why did you decide to go to law school?

FITZRANDOLPH: It was a very late decision as these things

go. I had gone to USC [University of Southern California] after two years of junior college.

VASQUEZ: Where did you go to junior college? Pasadena [City College]?

FITZRANDOLPH: Yes, I was still there. I was student body president at Pasadena City College in what would have been my senior year in high school. I was the only twelfth-grader ever elected. It was kind of heady stuff. I stayed for another term.

I then got into debate at Pasadena. I found that intellectually stimulating, which is what I needed. I didn't find school particularly stimulating, intellectually. I was a good enough student, but not a very good one, because these outside activities intrigued me much more.

VASQUEZ: What topics were being debated?

FITZRANDOLPH: One topic was recognition of communist [People's Republic of] China.

VASQUEZ: Which side did you argue?

FITZRANDOLPH: You had to argue every side every other hour. I came out of that in 1956 saying

that, "Nonrecognition is really stupid. I don't understand my country's foreign policy." And, I must say, I never understood my country's foreign policy ever since.

To give [President Richard M.] Nixon credit for having gone to China so many years after it became obvious to me that he should have been doing that all along. . . . I came to the conclusion that we ought not to make too many moral judgments about other countries. If it's in our self-interest to recognize them and to deal with them, we ought to do that and not try to reform other countries.

I thought the strength of the ideas of this country was so powerful that other countries would eventually see that. I never took communist theory very seriously. I didn't think it had a lot to offer. Yet, at the time I was growing up, this was the big issue. It was communism or anticommunism. It was not having communists speak on college campuses, all of which I found very offensive.

VASQUEZ: Do you remember any particular incidents in Pasadena?

FITZRANDOLPH: No, there weren't any really, locally.

VASQUEZ: Did that have anything at all to do with being Republican or being Democrat in those days?

FITZRANDOLPH: It didn't. Democrats seemed to me as anti-communist. Everybody was trying to be anti-communist. It was an irrational fear of an idea that I didn't think was too valid to begin with.

VASQUEZ: Did you see it as irrational, then?

FITZRANDOLPH: Yes, I did.

VASQUEZ: Did you have trouble with your peers or any of your elders?

FITZRANDOLPH: Yes, and I stopped going to Republican board meetings, because it seemed so silly to me. I wasn't so confident of being right that I was willing to do much about it. I didn't think anyone would pay attention to me anyway. I said, "They must know something I don't know." As it turned out, they didn't. [Laughter]

I didn't take any affirmative action to

do anything about it except to bail out. The loyalty oath issue was going on. I didn't understand that either. So the milieu in which I was a late teenager but very interested in politics was very discouraging. I must say, while I have always thought that someday I'd like to be an officeholder, I didn't see any room to do that unless times changed. And times did change.

VASQUEZ: In 1950 you went on to USC and studied public administration?

FITZRANDOLPH: I went to USC and majored in public administration.

VASQUEZ: Why public administration?

FITZRANDOLPH: Because I thought that a city manager was a good career. I really did believe in affirmative government doing something for the people, and I thought as a city manager you had a role in that. It seemed to me more realistic to do that than get into politics.

If I hadn't been drafted and gone overseas and had a couple of years to think about it, I'm sure that's what I would have

been. In fact, I enjoyed public administration. I had graduated and interviewed for a job as assistant city manager in some little town in San Bernardino [County], and I was about to take it. The manager said, "You have been in the service, haven't you?" I said, "No, I haven't." He wouldn't hire me because he was afraid I would be drafted. Which, in fact, within six months happened.

VASQUEZ: What year was this?

FITZRANDOLPH: This would be 1957.

VASQUEZ: This was after you went to USC?

FITZRANDOLPH: After I graduated. I graduated in 1957 and was drafted almost immediately. It was a peacetime draft, actually. It was [terminated] immediately after I was in it. That's how it goes. So I was drafted and went in April of 1958.

VASQUEZ: What branch of the service?

FITZRANDOLPH: I was drafted into the army. I was given a battery of tests, the result of which was that I was asked if I wanted to join the CIC.

VASQUEZ: Which is?

FITZRANDOLPH: [United States Army] Counterintelligence

Corps. I said, "What is that?" They said, "We can't tell you, but we'd like to know if you would like to be in it." I said, "I guess it's better than the infantry, so I'll do it." It turned out to be a good decision.

The training was at Fort Holabird, Maryland. It was [composed of] all college graduates who had done similarly well on aptitude tests. I met an interesting group of people. It gave me the opportunity to be in the East. I spent many weekends in Washington, D.C., in New York, and visited some family we still had back there.

Then I was sent overseas to Germany in 1958, November, I guess. I spent a year and a half in Würzburg, Germany, a small town. Because of the branch of the service, we were given money to eat away from military bases. I had an office job and was free every evening and on weekends to travel around Europe, which I took advantage of.

VASQUEZ: What were your duties, if you can talk about them?

FITZRANDOLPH: I was a clerk, essentially, for people who

were spies. But I was not one. I was assigned to headquarters. I took care of their personal lives, their vacations, and I kept records. I had nothing to do. I knew what was going on in the building, but I wasn't part of it, really. I was a low-level, private clerk, but my income was such that for the first time I had more money than most people in the town in which I lived. The dollar amount for our food was, I think, \$80 a month. In 1958 or 1959 in Germany, I couldn't have spent it even if I wanted to. You would try to find the most expensive meals, but you couldn't spend enough money.

VASQUEZ: Times have changed!

FITZRANDOLPH: Yes, they have. I think it was four marks to the dollar at the time. So for the first time, I had some money and had the opportunity to do some traveling. [It was] really a different kind of perspective. I started to read a lot of magazines and newspapers. It gave some distance to things. When I returned, the city manager-ship didn't look as attractive as it might

have.

VASQUEZ: What did you learn in the service about yourself? About your country? About being American? About America's role in international politics?

FITZRANDOLPH: It was very interesting, because if you are gauged by people in different countries, they have a different perspective. I spoke enough German after a while so that I did get into discussions. There was a University of Würzburg.

See, you have to defend a lot of things. You have to listen to criticisms. For example, students were very aware of a couple of things. That there was a lot of crime in Chicago, for example. In almost every conversation, everyone knew about crime in Chicago.

VASQUEZ: As a function of what? Of movies or current events?

FITZRANDOLPH: Absolutely it was from American movies. It wasn't current events. They were talking about Al Capone, they were talking about stuff they got out of the movies. And I

realized the power of movies, for one thing, something which I didn't know we focused on a lot. Overseas attitudes were dominated by what they got out of movies. If you said, "America", and they didn't have any other thing to talk about, they would say, "Chicago, gangsters." It was unbelievable to me the depth of understanding of a period long since gone.

They also knew about the treatment of Negroes in America. They talked about lynchings. How do you defend that? Of course, you can't defend it. You have to listen to it. You have to try and isolate it as to where it was happening and how infrequent it really was. But it sensitized me a lot to the perceptions [held] overseas.

I also learned some interesting things. To go to Germany that close to the war [World War II]. . . . The war was a very important part of life for a kid in those days. To meet German people and try to separate that from Hitler and what had gone on was a real chore. I was well treated. I wasn't an ugly

American, partly because where I was [stationed] did not have a heavy concentration of soldiers. In the big cities like Frankfurt and, I guess, some other cities that had a lot soldiers where they [Americans] dominated, [we] weren't very well received. But I tried to avoid those cities. I went to Munich, Würzburg, and Nuremberg where there weren't a lot of Americans. Folks always treated me very nicely.

I didn't look terribly American because we didn't have the requirement of having those G.I. haircuts. My hair was normal, and I dressed in dark clothes, not sports clothes. I integrated fairly well and spoke German very well after a while. That helped. But I never found any hostility toward Americans, per se. They didn't expect me to be hostile towards Germans because they were Germans. It was very fascinating.

They were very candid in discussions. I never asked how this [Nazism] could have happened there. Those kinds of questions I

would avoid. Every time it would come up at all, it was always, "We fought the Russians." I never found a German who didn't fight the Russians and not the Americans. They always played on our anti-Russian feelings. They said, "We did the wrong thing after the war. We should have gotten together and turned on the Russians."

So a lot of foreign policy discussions were going on in a place where it was extremely relevant. I could see rubble. Every place you went in 1958 or 1959, there was rubble left over from the bombings and so forth. So it [the war] was a very current event.

VASQUEZ: How about your relationship with other Americans as a result of being in the service? What did you learn about the American character?

FITZRANDOLPH: The Americans that I dealt with were usually educated. The Counterintelligence Corps was a very select group. They were from all over the country, and I did have discussions with a lot of very educated Americans. I did find

that the Easterners knew California as some frontier very similar to the moon. In fact, I had an eastern friend who one night and in all sincerity said, "In spite of the fact that you went to USC, you seem to be a very educated person." And he meant that as a compliment, so I couldn't get angry. It was such a culture shock to realize how East Coast Americans view Californians. As a kid, I had always seen California as the wave of the future. For me it was. It certainly changed my life. I assumed that everybody who came to California would have the same [outlook].

VASQUEZ: Would have that outlook before they got out here?

FITZRANDOLPH: Yes.

VASQUEZ: But that wasn't the case?

FITZRANDOLPH: It was very interesting to see perceptions of California by eastern people. If I had stayed in Pasadena I could have fit in with the establishment, I suppose, part of that community. Taking me out of it for two years was the best thing the country ever did for

me. First of all, nobody was shooting at me. So that kind of a war I can understand. It gave me a lot of perspective just dealing with people. I traveled in Scandinavia, I traveled in France. I made up my mind about France after a week.

VASQUEZ: Did you like it?

FITZRANDOLPH: I didn't like it.

VASQUEZ: Why?

FITZRANDOLPH: I didn't find it attractive. The people were not nice. They were abrupt. They were condescending. It wasn't because I was an American; it was just because I wasn't French, I think. But I did have the feeling that if I grabbed them and shook them a little bit, they would speak English to me. Even if they knew it, they were not helpful at all. So I had a sort of negative impression of France.

I had a very positive impression about Scandinavia and its people. England I felt very good about, but Germany was where I spent most of my time. That was the fascination. The rest of it was sight-

seeing. I became part of the day-to-day life of the German people. I watched them and made some decisions about them. I did find them hard-headed in many ways, impolite in many ways, but not out of rudeness. They were very determined people.

I tried to draw conclusions about how these people could be led in this way. It's hard to answer that question because you find such decent people who enjoy life. They have a real zest for life. They played hard. At the time, I watched some basketball. They were beginning to teach themselves basketball and were terrible at it. It wasn't a skill that they knew, but they were trying it. It was exciting to see them. They were rebuilding out of these rubble buildings. I saw nice buildings coming out of the rubble.

It was a peasant culture at that time. I don't know if there still is. My guess is there isn't. But you could drive out of the cities and find very primitive farming techniques: old wagons with manure, men and women working the fields with this very old

equipment. You had the peasant culture and the urban culture. You could find a [peasant] culture within a ten-minute drive where the women did not shave their legs or use cosmetics. They looked like the peasants that you see. I'm sure that doesn't exist today. I think Germany has come a long [way], but this was postwar Germany. It was fascinating.

VASQUEZ: Now, you came back. Did you decide to go to law school?

FITZRANDOLPH: I actually came back and said, "I need to go to graduate school in international relations. I think that international relations is the way of the future."

VASQUEZ: As a function of the experience you got?

FITZRANDOLPH: Oh, absolutely. I said, "I've got to get involved in this somehow." I didn't have any money particularly so I had a job. I enrolled in the International Master's Program at USC. I took six units and said, "I don't see a profession coming out of this." Maybe it was a function of being on the West Coast. We still were very remote

from the action in international relations.

"If I really want to do this, I'm going to have to go back East. I don't have the money to go back East, so I have to make something of where I am."

And then law school occurred to me. A very funny thing happened when I was a debater at USC. One of my partners said to me one Friday, "Let's go take the law school admission test tomorrow." I said, "What is that?" He said, "I think I'd like to go to law school." Well, it was so remote from anything I understood that I said, "Well, I'll take it with you as a lark."

VASQUEZ: Who was this? Do you remember his name?

FITZRANDOLPH: It was [Kenneth] Fager, who never went to law school, but he was a debate partner of mine. So I went down one Saturday and took the test. The score--which I cannot tell you to this day because it meant so little to me--went on file at USC. So here, five years later, I was thinking, "Maybe I should go to law school." I went over, and they said, "Your scores are on file. Just fill out this

paper and you can go."

They had a night program at the time which they no longer have. I said, "This is something I can do. I'm now twenty-six years old." I thought I was a little old to be doing this. As it turned out when I got there, the whole class was old. These were people who were going back to get a second career. Seventy-eight of us started, fifty took the first-year finals, twenty-one graduated, and twenty-one passed the bar. It was a very intensive experience.

It was the first time I felt intellectually challenged enough to work at it. To that extent, it was valuable. It was discipline that I needed. I had gone through school being reasonably bright, getting reasonably good grades without that much effort, which I'm not proud of. But that's the way it was. Other things interested me more.

VASQUEZ: Was there any particular instructor there that you remember?

FITZRANDOLPH: Yes, almost all of them. One was Dorothy

[W.] Nelson. She taught a class called Legal Process. She was the only woman on the faculty. Subsequently, she became the dean and a federal appeals court justice. This May she will be introduced by me to get her honorary doctorate from Whittier College [of Law].

She did inspire me in many ways, because so much of law school was not policy. It was a trade-school mentality which I found shocking. I went to learn concepts and the legal system. I had several teachers at the USC faculty at that time, but [they were] very old. Many were in the sixty-five- or seventy-years-old annual-contract range. She was in her mid-thirties. She was tied into some things that were interesting. I got the highest grade in her course--the only time I got the highest grade in class--because it was what I thought law school should be all about.

VASQUEZ: What legal process was leaned on in those days?

FITZRANDOLPH: It meant a perception of how courts worked,

how they changed, how they respond to social changes. The law is not just what the black letter is today. It also has some implications for what it ought to be. She talked about "ought" once in a while.

VASQUEZ: Which is very rare in law school.

FITZRANDOLPH: It is rare. It is not as rare today as it was then. Then it was very rare. If anybody had said, "You're going to wind up teaching law," I would have laughed. It never occurred to me. It was the furthest thing from my mind. So I didn't respond, "This is what I'd like to do someday." I just responded, "This is what I thought law study was about."

I had some others. One was a constitutional law teacher named Pendleton Howard who I found fascinating. There was a first-year teacher that I disliked a great deal, but when I got into teaching I started to emulate him in my own teaching. I saw the irony of it.

VASQUEZ: Who was that?

FITZRANDOLPH: His name is Francis P. Jones. He is still at

USC, I believe. He was teaching one of his first years. He had been a Yale [University] graduate. He was making a point never to answer the questions. As a first-year student, you wanted certainty. His message was, "The law is not certain. It's something you ought to know and understand." I didn't take it very well at the time. But, as I say, when I got into teaching, I said, "That's what he was doing. That's the message I want to convey." So I now emulate this guy that I didn't like very much.

Law school was made more complicated by the fact that I was working at the time, trying just to pay the bills. I got married [to Susan Trumbull] after the first year. If I were rewinding the tape, I would love to go as a full-time student and enjoy it more. It was more of a drudgery because I just couldn't do it. I think it deserves that. But if they hadn't had the program, I couldn't have gone at all. So the trade-off was that I got to be a lawyer and passed the bar. But even at that point--I was now

twenty-nine years old going on thirty--I was still not interested in practicing law, per se. I was still more interested in public policy. I just couldn't shake it.

VASQUEZ: What did you do between the time you graduated and the time you became a legislative intern?

FITZRANDOLPH: It was almost simultaneous. In my senior year, I saw an announcement on the board about this internship, the Ford Foundation Legislative Intern [Program], for ten months. I knew [about it] by reputation. My younger brother [Scott FitzRandolph] had also gone to USC.

VASQUEZ: To law school?

FITZRANDOLPH: No, undergraduate. He graduated in 1959. I'm not sure what his degree was in. He was student body president at USC in 1959.

The name [listed] on the flier was [that of] Totton [J.] Anderson. I asked Scott about him, and he said, "Yes, he's a fine guy. You ought to go and talk to him." I went to see him and said, "I'm curious about this program." He said he would help me get

through the screening process. He was somehow involved in the selection.

At the time, I was still a registered Republican because I hadn't bothered to change. I told him that. I said, "I probably ought to go change officially." He knew my background a little bit. He said, "Why don't you stay registered that way? They have a hard time finding Republicans in this program." So I said, "All right. I'll leave it alone." I put my registration down as Republican. I do think that probably helped get me into it, because when I got there everybody was a Democrat except two of us. I didn't really need it. So I went through the oral process. They flew us to Sacramento and screened us. I was accepted, one out of ten. It was a wonderful experience.

VASQUEZ: Who were you assigned to? Who was your mentor?

FITZRANDOLPH: Totton Anderson said, "If you get into this, I'd like you assigned to the California Constitution Revision Commission" of which he

was a member. They had no staff at the time. They did have John [A.] Busterud, a former assemblyman who was the general counsel. He was it, and they didn't have anybody else. I said, "That's satisfying to me. It gives me an opportunity. I don't care where I'm assigned." I really didn't have any subject matter that excited me so much that I had to be there.

VASQUEZ: So you had no sense of what the constitutional commission did?

FITZRANDOLPH: No. He [Anderson] said, "I think it's an exciting opportunity. We're going to study state government. We're going to try to revise this document." I said, "Fine." He was the only game in town as far as I was concerned. Since he helped me get there in the first place, I took it seriously. So when I did get in, he got me assigned to this constitutional revision commission.

It was going through an early stage. Busterud left and Richard [L.] Patsey was hired as the chief counsel. I was assigned as an intern stationed in Sacramento. The

office itself was in Sacramento. It was a window, I don't know how I would have gotten it any other way. This group was constituted to be the representative of all of California. We met monthly at different places around the state. I was specifically assigned to the Judiciary Article Subcommittee.

VASQUEZ: What did that entail?

FITZRANDOLPH: That entailed doing drafts of the existing constitution, researching the history of how it got there, taking information from members as to how we might go about changing it. The judicial article encompasses everything to do with the judiciary, from the setting up of the courts to the administrative body which administers the courts, and the state bar. Every aspect of the judicial system of this state is in that constitution, so it was an intense education.

VASQUEZ: In a way, you got a graduate course in constitutional law because you had both micro and macro levels of analyses. Is that right?

FITZRANDOLPH: Absolutely. The people on that commission

were the most informed you could find. The administrative director of the courts, Ralph Kleps, was on it. It was chaired by a senior partner of one of the large firms, Burnham Enerson of McCuthern, Doyle, and Enerson. They were ex-presidents of the state bar. There was [Joseph A.] Joe Ball, a noted attorney in the state; Herman [F.] Selvin, a noted attorney in the state. It was just an incredible entrée to people that I couldn't have otherwise met. I was still waiting for bar results when I started. This was the whole idea. I got up there in July and was assigned immediately. I didn't know if I had even become a bar member until December of that same year.

VASQUEZ: You were already married?

FITZRANDOLPH: Yes. My wife was a schoolteacher in Sacramento.

VASQUEZ: Oh, she went with you?

FITZRANDOLPH: Yes, she went with me.

VASQUEZ: Did you have children yet?

FITZRANDOLPH: No. So I thought this would be a nice ten months. I would find out whether I passed

the bar, and then something would happen. I didn't know what that something was. I really admire people who know what their destination is. I just said, "This is a nice opportunity to get some exposure and see what goes on."

Well, at the conclusion of the ten months, they asked if I would be the staff attorney. They were then adding two others. One was Barry [D.] Keene who had been an intern with me. He was assigned somewhere else, but this was a good opportunity, and he came on. He's now a state senator, as you may know. I think the staff now had Richard Patsey, me, Barry Keene, and a fourth [person] named Gregory [L.] Bounds, who was hired by Patsey. I don't know his background. The four of us became the staff for the sixty-person commission [California Constitution Revision Commission] whose assignment was to revise the constitution a piece at a time.

The politics of it was that [Speaker of the Assembly] Jesse [M.] Unruh wanted to make

a full-time legislature. The way he did that was to create this body, pretty much understanding that is what they would conclude if they were at all smart and wanted to continue. And to take the salary of legislators out of the constitution. That was his agenda. What else we did was gratuitous.

VASQUEZ: Were you aware that was his agenda?

FITZRANDOLPH: Yes, we were clear that that was the significance.

VASQUEZ: Did you have the majority supporting both?

FITZRANDOLPH: No, he created that body.

VASQUEZ: He usually didn't leave too much to chance.

FITZRANDOLPH: No, no. There were legislators on it, and they knew what their agenda was.

VASQUEZ: Who were some of the legislators on it?

FITZRANDOLPH: [Assemblyman Jerome R.] Jerry Waldie was on it.

VASQUEZ: His [Unruh's] right-hand man.

FITZRANDOLPH: [Assemblyman Thomas] Tom Bane.

VASQUEZ: His left-hand man.

FITZRANDOLPH: Actually, they did not take a very significant role. As they saw we were headed in the

right direction, they thought that they should stay back, and they did. The fact that I don't know is quite interesting, because it meant they didn't tell me until it was right down to the pole. [Assemblyman William T.] Bill Bagley, I think, was involved.

[End Tape 1, Side A]

[Begin Tape 1, Side B]

FITZRANDOLPH: [Assemblyman] Bruce Sumner was the chairman. I think he understood what his role was.

VASQUEZ: Why do you say that?

FITZRANDOLPH: He had been a very well liked, respected legislator as a Republican. He represented what was known in those days as the liberal Republicans. There were several. I found them very decent people and good legislators. He was an ex-legislator, but he had been part of that group that those of us who had any affinity for the Republican party could identify with. They were the Earl Warren Republicans. He became a Democrat in 1966 himself after serving in the legislature as a

Republican. John Busterud was part of that group, Bill Bagley, and [Assemblyman] John [G.] Veneman. There were several people that the Democrats respected and coalesced with, unlike the current situation. Partisanship was not very serious in those days.

VASQUEZ: But by 1964, you were beginning to get a more pronounced Democratic assertiveness?

FITZRANDOLPH: Yes. Absolutely.

VASQUEZ: Did you feel that?

FITZRANDOLPH: Sure.

VASQUEZ: How did that manifest itself?

FITZRANDOLPH: First of all it was probably more institutional. Let me rephrase this. The assertiveness of Jesse Unruh and his group was as much against [Governor Edmund G.] Pat Brown [Sr.] as it was against Republicans.

VASQUEZ: And in some cases, more so?

FITZRANDOLPH: More so. It was institutional. It was saying, "The legislature is a body to be taken seriously. We need our staff. We need our information." It was pro-legislature more than it was partisan Democrat or Republican. You felt it because ex-interns

were taking staff positions. From zero staff, you'd have two staff members or four staff members. You'd have this fight with Pat Brown. Some of it was artificial, I think.

VASQUEZ: Tell me what your perception was of that Brown-versus-Unruh conflict at the time.

FITZRANDOLPH: I think it was as much institutional as it was personal. Pat Brown was not a figure that legislators respected, for reasons that I wasn't in a good position to [be able to] tell you why. Well, if you remember the 1960 [Democratic national] convention, apparently, he waffled or appeared to be a "waffley" kind of governor.

VASQUEZ: He was booed.

FITZRANDOLPH: He was booed.

VASQUEZ: A convention in his city [Los Angeles], in his own state?

FITZRANDOLPH: He had created this waffling image which, as I look back--and I've known Pat Brown a little better since--I have a lot more sympathy for him than I did at the time. But I picked up the same vibrations. Jesse Unruh

knew where he was going and knew what he wanted. Nobody accused him of being a waffler. He was a power in his own right, and the governor was almost incidental and a figurehead that got in the way.

Pat Brown let that happen. I don't know where the truth lies, but I know that there was something else besides that that was going on, which was the institutional assertiveness of the legislature. I think they might have done the same thing with a strong governor. But Pat Brown was not perceived as a strong governor. So it was a vulnerable governor and a very assertive, aggressive speaker.

It didn't matter whether they were Democrats or Republicans. Looking back, everybody says, "It was the beginning of partisanship."

VASQUEZ: I think I understand what you're getting at with a bipartisan acceptance of the results of this assertiveness. But at the time it very much looked like the people taking the chances, doing all the leg work, and walking

point on this thing, were Democrats. Why would more Republicans fall into support?

FITZRANDOLPH: It's interesting. Why was the public . . . ?

VASQUEZ: No. No. Republican legislators.

FITZRANDOLPH: I think some of them really believed that they were part of a nonpartisan tradition.

VASQUEZ: Was what the Democrats were doing more partisan than institutional?

FITZRANDOLPH: No, I think that the Buseruds and the so-called liberal Republicans thought that they were helping Jesse Unruh strengthen the legislature, and they believed in that. They didn't have much use for Pat Brown either. They thought that some of the things Jesse was doing were worth doing. They were willing to support him on them. The goal of making a full-time legislature was universally accepted by liberal Republicans. The only resistance was from the [Assemblyman Charles J.] Charlie Conrads of the world. The liberals had no use for him. He [represented] a very small minority who thought we shouldn't have a full-time legislature.

VASQUEZ: Was there more support in the senate or assembly for a full-time legislature? Do you remember?

FITZRANDOLPH: The assembly. The senate, they had . . .

VASQUEZ: They liked the things the way they were.

FITZRANDOLPH: Absolutely. Absolutely. They were non-partisan, but they were not interested in a strong, assertive role for the legislature either. They were hand and glove, the old-boy network was powerful stuff.

So the assembly was not only taking on the governor, they were taking on the senate. The liberal Republicans saw this as reform, we saw liberal Republicans as reformers. This is a throwback to the Progressives. These were people who really believed in good government, assertive government, and maybe their economic well-being in some ways, but they really thought that the process ought to be clean and ought to be assertive. They really were caught up in, "Let's have a full-time legislature. Let's hold them accountable."

Bruce Sumner once told me when he was a

legislator, "The temptations [are great] when you're making \$500 a month, trying to support a family, and a lobbyist wants to take you out, wine and dine you, and then ask for your vote." He [Sumner] could withstand it. But he said, "It's so tempting. It's hard for me to get mad at a legislator who doesn't resist it, because I understand the pressures." He wanted to pay legislators a decent salary so that they would be independent. That was his motivation. I'm sure that the liberal Republicans, while they may not have wanted to help Jesse Unruh's political career, saw it as reformation of a system they didn't like. The senate, which was dominated by Democrats, too, wasn't their cup of tea at all. Jesse [represented] what they thought they ought to be.

VASQUEZ: How did that manifest itself in the proceedings of the constitutional commission?

FITZRANDOLPH: Everyone there understood that his [Unruh's] ultimate goal was to get the salaries out of the document, to get the legislature on a full-time basis, to take this opportunity to

clean up the language, and do some other things, too. But that was the goal. It was a worthwhile goal.

They had to wrap it in some reformatations too. And they did. They cut out 80 percent of the language of a third of the constitution. They made the document readable. They made it understandable. They made it accessible. They didn't do many substantive changes, almost none. If you're looking for substantive changes, there aren't too many except for the legislature.

VASQUEZ: There's a lot of language, but little substance to it.

FITZRANDOLPH: Little substantive change. For example, in my area, the judiciary, the state bar has provided for it there. It doesn't make any particular sense to have that as a constitutional body, but we couldn't debate that. To delete that institution would have been a substantive change. It would have gotten some people mad. So we couldn't do anything except try to change the language.

And we couldn't even change the

language. The document says, "There is a state bar of California" which does so-and-so. We tried to delete the words, "of California" on the simpleminded theory that no other institution in the document says, "California." It says, "The legislature." It doesn't say, "The legislature of California." It says, "The governor." It doesn't say, "The governor of California." We thought the fact that it was in the California constitution would preclude anybody from getting confused. So we took out, "of California."

I had an opportunity as a puppy lawyer to go before the state bar governors on a Saturday morning with Frank [C.] Newman, who had been the drafter. He was the dean of Boalt Hall School of Law, UC Berkeley. You can imagine. We started to take this up. Frank Newman had to leave, so I was there defending by myself the deletion of the words, "of California." I was told in no uncertain terms that I had gone too far.

I asked, "Why I have gone too far?" I

went through this whole thing. "Because our building says, 'The State Bar of California' on it. Our letterhead says, 'The State Bar of California' on it." I was told by the state bar president that I could not delete, "of California." I assured them that as far as I was concerned, they could leave the seal on the building. They could leave the letterhead. They went to the legislature and got "of California" put back in because it wasn't worth taking out. So that was kind of frustrating, that sort of dialogue. We didn't make many changes. We deleted a lot. We made it readable. We did all of those good things.

VASQUEZ: Where did you draw most of the opposition to any change in the constitution or, maybe, to the notion of the commission itself?

FITZRANDOLPH: There was very little. There were some what then we called "right-wing groups" that picketed a couple of our sessions.

VASQUEZ: What were some of these groups?

FITZRANDOLPH: I don't know their names, probably the John Birch Society at the time. That was the

focal point for this kind of mentality which said, "Don't change the constitution." They didn't want a full-time legislature.

Something was unpatriotic about changing anything with this beautiful document. Now, this beautiful document happened to be the second longest constitution in the country, second only to Louisiana (which had a civil code system, so [it was] really the longest document).

VASQUEZ: One of the longest in the world, as a matter of fact.

FITZRANDOLPH: In the world, that's right. It was difficult to read. You couldn't study it. It made a lot of sense to do what we were doing. I don't think I wasted my time, even if we didn't make a lot of changes.

Well, there was another change I'll share with you. The political scientists in the group got together and wrote a minority report, in fact, trying to tie the governor and lieutenant governor to the same party. That was resisted by the commission itself.

VASQUEZ: It is a very current issue, I might add.

FITZRANDOLPH: Oh, absolutely. Here is the dialogue. I can tell you the entire dialogue. The staff person for that article was Barry Keene. He was asked by a commissioner in a meeting, "Mr. Keene, has this ever happened in our history?" Mr. Keene: "No, it hasn't." "Then why should we bother changing it now?" "Because it might happen someday." End of discussion, and they didn't change it.

A few years later, as you know, it became extremely relevant with [Lieutenant Governor] Mike Curb's election along with [Governor Edmund G.] Jerry Brown [Jr.], and then [Lieutenant Governor] Leo McCarthy with [Governor George] Deukmejian. Now it's back in front of the legislature twenty years later to do what should have been done [then.] If they were really serious about doing anything substantive, that's what they would have done. It wasn't controversial, it was logical. But because it hadn't been a problem, nobody wanted to change it.

There was no resistance to [a full-time legislature] change, really. If you look at

the ballot argument of 1966¹ that presented this to the electorate, it was signed by both Pat Brown and Ronald [W.] Reagan who were the nominees of both parties. The opposition was really [from the] fringe. No money was spent on it. It passed overwhelmingly because everyone in the established community of California agreed that there should be a full-time legislature and that they ought to get a decent wage.

VASQUEZ: Tell me about some of the other people that served [on the commission] in those years. Larry [L.] Sipes?

FITZRANDOLPH: He became the counsel when Dick Patsey left. He was hired by Bruce Sumner. He came out of a private law firm in Los Angeles. He had been a student at USC [and at the] law school at NYU [New York University], I believe. I don't know more than that about him except that Bruce hired him.

VASQUEZ: How about Robert Williams?

FITZRANDOLPH: He came quite late, and I don't really

1. Proposition 1A (November 1966).

remember him, to be honest with you.

VASQUEZ: You were already . . .

FITZRANDOLPH: I was on my way out. I left in 1968. I was on the staff counsel for four years.

VASQUEZ: When you started out as staff counsel. . . . By that time you had done your internship, which I want to get back to in a little bit. What did you feel that you were going to accomplish?

FITZRANDOLPH: Personally?

VASQUEZ: Personally.

FITZRANDOLPH: I knew that the exposure was something I couldn't have bought. Plus I found it intellectually exciting to be exposed to every element of California government. It was a microcosm.

VASQUEZ: Professionally, it was a good period?

FITZRANDOLPH: Yes. I just couldn't have gotten this kind of exposure [otherwise].

VASQUEZ: Politically, what did you think you were going to accomplish?

FITZRANDOLPH: I had no idea, really. I thought it wasn't bad to be associated with this reform movement. Certainly, in the early sixties,

this was happening in a lot of places. In Michigan, [Governor] George Romney came to prominence chairing a constitution revision commission. He became governor out of it. I thought Bruce Sumner might have a career out of this. Certainly, I worked well with him. I just thought that this was an education that I couldn't afford to pass up. I had no idea how many years I'd stay with it. I liked being in Sacramento.

VASQUEZ: You liked Sacramento?

FITZRANDOLPH: I liked Sacramento. As I said, the staff was in Sacramento. I was the constitution revision commission in Sacramento. I had an office there and was observing. I was on it but not in it. I met all the players. I saw it. I always had a scholarly interest. I guess that's the word. It wasn't that I was going to write any great work, but I had a detached interest in watching the legislative process even though I wasn't involved in it on a day-to-day basis. It was fascinating.

I'd go on the [assembly] floor when issues would come up. I viewed it as an

extension of my education. I didn't see where it would go particularly. It crossed my mind, "Maybe someday I'll be a candidate. I'll certainly be a knowledgeable one." I guess in the back of my mind I always had that aspiration, as does everybody who serves in Sacramento, I think, just by participating in an important process. I did think that the revision itself was important. I think that for me, personally, the exposure was incredible, and I certainly couldn't have done it being a clerk in a law firm in Los Angeles.

VASQUEZ: Did it pay very well?

FITZRANDOLPH: It paid enough. I didn't have a family except a wife who was working. I don't have expensive tastes. We had a nice apartment and a couple of automobiles. That was it. We traveled a little bit. It was paying at the time. . . . It's hard to remember, but from the intern salary of \$500 a month, it almost doubled that. So that was okay. I know it wasn't competitive with law firms everywhere maybe, but it was okay. Money

just hasn't been awfully important.

In fact, one of the things I don't understand about myself is, when you're brought up really poor, I thought you should have a real interest in money. I haven't. It's never been the thing that made the decision. I've always had enough. That's all I ever wanted.

VASQUEZ: Why did you leave when you did?

FITZRANDOLPH: In 1968, I had been there four years. We had the second ballot proposition in 1968.¹ I had worked on the education article, which again was fascinating. I dealt with people in the university system and the state college and junior college systems. At that point, I began to say, "Where does all of this go? I've got four years. I've had this great exposure. I ought to be doing something with it. I'm not sure what I should be doing."

I had a couple of opportunities to lobby. I said, "I don't see myself doing

1. Proposition 1 (November 1968).

that." Out of the blue--and I really can't tell you how this happened--I was teaching at McGeorge [School of Law] part-time. One of my friends from the legislative staff said, "Come on over." I was working at McGeorge and was offered a job as assistant dean. They were going to become a serious law school going for the ABA [American Bar Association] accreditation. Oh, excuse me. I'm leaving out a short period of time here. I blanked out.

I don't know how this one happened, but somebody approached me and said, "Would you like to be the assistant director of the [California State] Department of Housing and Community Development?" I said, "I'm not a Republican. I don't know any of the players." They said, "We don't care what your party is. We want somebody . . . "

VASQUEZ: Excuse me. Was there a feeling--this was during the [Governor] Reagan administration--that partisanship [was necessary] for serving in agencies like this?

FITZRANDOLPH: Yes.

VASQUEZ: The Republicans had changed by then?

FITZRANDOLPH: The Republicans had changed, although Reagan wasn't really viewed as a conservative threat the same way that I think he became. He was an enigma at the time. He didn't bring a lot of Republican conservatives with him. That really didn't happen for years, although he was a Republican and I wasn't.

VASQUEZ: Anymore.

FITZRANDOLPH: I did worry about that. Officially or unofficially, I wasn't [a Republican]. I had no use for him. I was embarrassed that he had been elected. I thought it was a bad joke.

But when I was approached, the department head [Charles LeManager] said to me, "We don't care what your party is. I want somebody to help draft legislation. I'm interested in housing and community development. I'd like you to help us draft some legislation." Well, this was something I knew about and felt comfortable with. That was what I was told my job was going to be. After I got into the department, he turned

out to be a fairly weak manager after all. His great plans for housing never materialized, and I knew I was going to be out of there very quickly.

VASQUEZ: You were there for eight months?

FITZRANDOLPH: Yes, I guess eight months. Most of which time I realized I wasn't going where I wanted to go. Then I got this approach from McGeorge [School of Law] to be assistant dean, and I accepted that job.

Somewhere along the way, the Democrats were looking for a chief consultant for the minority caucus. They had gone into the minority in 1968, and they wanted out. They didn't like it. The logical candidates all had problems. A friend of mine came and said, "Would you like to be considered for this job?" I said, "You've got to be kidding. I just don't understand why we are even having this conversation." He said, "Because everyone knows you, but you don't have any allies or enemies."

So they sent me to see [Assemblyman] George [N.] Zenovich. [Although] Jesse Unruh

[was] actually running the minority caucus, he just had the title. He was running for governor, so he didn't care. It didn't matter. The guys in the caucus said, "You can run for governor, but let us do our own thing here." So George said, "Well, maybe." We got along pretty well on a personal basis. He said, "Let me have you interview with ten of the caucus members." So they got ten of the caucus members together and peppered me with questions for an hour and a half.

VASQUEZ: What kinds of questions?

FITZRANDOLPH: "What do you think we should do if we have a [budget] surplus?" It really was ideological stuff in many ways. "What do you think the caucus ought to do?" Since I didn't think I had a chance at the job and I really didn't want it, I was very candid. I suppose that was why I got it. I said, "It seems to me that you don't want to be in a minority position. You ought to be focusing on, 'How do we get back into the majority position?' The staff ought to be used in a very partisan

way to develop the issues and to try to save the people who are in trouble."

Apparently, the caucus itself had a conflict about this issue. The next day I got a call. George said, "You got the job if you want it." I really had to think that one through, because this was a chance to really get into [legal] education, which I did want to do, or to take two years in what I knew was going to be a difficult job. It was the most difficult two years I've ever spent.

VASQUEZ: In what way?

FITZRANDOLPH: The caucus was so split itself. Zenovich was the leader, but everyone saw themselves as leaders. I was reporting to a constituency that didn't agree on its own agenda. But I was young, and it looked like an opportunity that I couldn't pass up. I talked to no one who thought we [Democrats] could take the place [assembly] back and become a majority. I was the only person who believed it. I really did.

VASQUEZ: On what basis?

FITZRANDOLPH: I had taken a look at the districts. I had

done this without responsibility for it at the time. I had two or three friends on the staff. We sat down with the numbers. I had concluded that [we could do it] if we could win four districts, and they were winnable because the numbers were there. We could be the majority party.

Literally nobody believed it. In fact, later on, after I had taken [the job], many months later, George Zenovich decided to run for the state senate because [Senator] Hugh [M.] Burns retired. I tried to talk him out of that. I said, "You can be speaker here." [He said] "We're not going to take it back." I said, "George, we're going to take it back." [He said] "I hear you and I love you dearly, but it's just not going to happen." Then he even became a lame duck boss. It was very difficult.

VASQUEZ: Who were the pillars of stability, if there were any? Who could you count on in that fluid situation?

FITZRANDOLPH: It was so fluid that I had to count on George Zenovich or nobody. I had relationships with

[Assemblyman Robert] Bob Moretti, with [Assemblyman Walter J.] Wally Karabian, with [Assemblyman Henry A.] Waxman, but they also had their own candidates before I got the job. I had no relationship with [Assemblyman] Willie [L.] Brown [Jr.]. He was probably the one who most wanted his own candidate.

VASQUEZ: Who was it? Do you remember?

FITZRANDOLPH: I think it was Rudy Nothenburg, who went on to San Francisco to become a CEO [chief executive officer] there, or something. I believe that was his candidate. So the first thing I had to do was hire twelve staff [members].

They all wanted me to hire their people. I said, "I can't do the job if I hire your people. I've got to hire people that I want." They let me get away with that. I don't know exactly why, but I did. I hired the people whom I thought could do the job. In fact, at one point, I fired somebody who had a constituency among the black caucus. He was white, but the black

caucus defended him.

VASQUEZ: Who was this?

FITZRANDOLPH: [Daniel] Dan Visnich. I got a couple of phone calls, but nobody leaned on me too hard. I don't know why exactly. They respected the fact that I had to do what I had to do. I had a knock-down-and-drag-out with [Assemblywoman] March [K.] Fong [Eu] and [Assemblyman] Leo [J.] Ryan about somebody they wanted me to hire. The vision I had of what had to be done and the vision they had were different things.

I respected the differences, but I was really adamant. If I was going to make this a success, I was going to do it my way. I don't know what gave me the arrogance to do that, but it was the only thing that worked. Zenovich defended me to the extent that he had the power to do that.

VASQUEZ: What did you see as your charge in that position?

FITZRANDOLPH: My charge was to take back control of the house.

VASQUEZ: That bold?

FITZRANDOLPH: Yes. That was the only way I could see that the job was worth anything. I knew how much they hated being in a minority. I didn't think they had to be there. I thought that the election that had cost them the majority was a fluke, and they didn't.

VASQUEZ: Nineteen sixty-six?

FITZRANDOLPH: The 1968 election. Here was the difference. When Jesse [Unruh] was running those district elections, he was sending checks and was winning or losing. I thought that he had not looked at the districts in the same way that I would.

What I was telling the caucus was, "You can't send money to these people, because they don't know what they're doing. You've got to centralize your election efforts in the caucus. Don't send money. Send something else. Don't let them spend it on balloons and billboards. You have the strategy and you control the strategy of the election. You don't do it for everybody. You do it for those that have a chance to win."

With some of the [elections] they lost that cost them the majority, I think they just wasted their money. That was my premise. It was one that I had reached intellectually as a spectator, which was an interesting thing. My own fascination with the process through the years while I was sitting around the capitol bs'ing with the guys, was that they had merely thrown money at problems and not taken control.

VASQUEZ: Do you think the Democrats used the Baker v. Carr reapportionment in the best way they could have?¹ You were seeing the results by this time.

FITZRANDOLPH: I guess not, no. They came into power probably because of it, although they had the numbers before that. The answer is no. I don't think they were. They knew what number they had to have to win.

They said, "If we have 58 percent [Democratic registration] in the district, we can win it." Well, they couldn't. But they

1. Baker v. Carr (369 U.S. 186) March 26, 1962.

could have if they worked it. That was what I was arguing. I had pegged four districts and two others that maybe were marginal. I had them put on a fund-raiser. I had them send their money into a caucus committee. I had them dispense it the way I thought it should be dispensed. I went to organized labor, to [John F.] Jack Henning and said, "Here's my approach. I'd like you to send the money in this direction to these people." I spent hours with him.

VASQUEZ: Do you remember [which districts] those were?

FITZRANDOLPH: Yes, absolutely. One was an incumbent named [Earle P.] Crandall out of San Jose. One was in San Diego. The incumbent was [Assemblyman Thomas E.] Tom Hom. I got lucky in that one, because he was indicted before the election. I might have been wrong, but I think the indictment helped. One was in the San Fernando Valley, [Assemblyman Henry] Hank Arlkin. [Assemblyman] Don [R.] Mulford in Oakland.

I said, "If we get the right people in these districts. . . ." We didn't. We

didn't even get the right people in a couple of those. The numbers were there, and we were running the campaigns, channeling the money and turned it around. All those people lost. We were right. We had to protect [Kenneth J.] Ken Cory, and we had to protect Ken McDonald in Ventura. If we could keep those two and win those four seats, we would win.

Now, my friend Barry Keene was a candidate in another marginal district [Humboldt, Mendocino, Sonoma counties]. I had to say, "He can't win this thing, so we can't send him money." It hurt me a lot, because I loved the guy. I think I was right that we couldn't have won it. He did win two years later, but he was two years away from winning. So we focused on the right districts.

VASQUEZ: Who did this bring in?

FITZRANDOLPH: This brought in [Assemblyman James] Jim Keysor into the [San Fernando] Valley, [Assemblyman] Peter [R.] Chacón in San Diego, [Assemblyman] Alister McAlister in San Jose,

and [Assemblyman Kenneth] Ken Meade in Berkeley.

It was a stunning episode, except to me. It wasn't an upset. In fact, Zenovich called me a week before the election. He said, "How are we going to do it?" I said, "The districts are going to win." He said, "I think you're crazy, but I love you. I hope you are right."

This is a small-world department kind of story. [On] election night, I was down at the Hilton Hotel. KNX Radio came in. They were sent to me to ask, "How are you going to win the legislature?" So on live radio I went through these districts, "We're going to save X and Y, win A, B, C, and D." By midnight, it all came true.

About a year later, I ran into Totton Anderson. Totton Anderson said, "I was in Orange County having dinner with a bunch of my political friends, all of whom were Republicans. You came on the radio with your predictions on the legislature. They laughed. They said, 'Is this guy crazy?'"

He said, "I didn't even acknowledge that I knew you. We were sitting around all night long, and when the results came in and everything that you said was right, I got the last laugh. It was one of the great moments of my life to say, 'He knew what he was talking about.'"

That's how bizarre it was that nobody saw it coming. The reason that we won it really was because they didn't see it coming. In fact, in one of those districts, I was later told by the Republicans that they had done a poll two weeks earlier. They were so far ahead that they pulled out all of their money. We spent what little we had in the last two weeks. We had an endorsement from César Chávez, and it landed in the last week. We had so little money, we couldn't poll. We spent it all at the end, because that was our strategy.

VASQUEZ: On what kinds of things?

FITZRANDOLPH: Direct mail, mostly.

VASQUEZ: Not on the air? Not TV?

FITZRANDOLPH: No.

VASQUEZ: Not radio?

FITZRANDOLPH: Some radio in a couple of districts where it was relevant, but mostly direct mail.

VASQUEZ: Was this the beginning of [using] direct mail?

FITZRANDOLPH: Absolutely.

VASQUEZ: Did you work with Tom Bane on any of this?

FITZRANDOLPH: No, he wasn't around at the time. I worked with [William] Bill Butcher on some of it. They had done [San Francisco mayoral candidate Joseph] Alioto in 1967 through direct mail. That may be the first serious direct mail that I can remember in the state.

I knew they were onto something. I spent a lot of time trying to get somebody to give us direct mail at a discount price. [Kenneth A.] Ken Ross, whose son [Kenneth A. Ross, Jr.] was running a mail business, was who I talked to. I talked to everybody who could [tell] me about it. I found a firm in Long Beach which had done direct mail commercially but had never done it privately. They gave me a deal that no candidate and no firm could touch. They were

going to lose money on this thing. I knew they were, but they didn't. They were so cocky about it that they gave me this price.

So I took the caucus resources and said, "If you're the candidate, here's what I'll do for you. I'll send out four pieces of direct mail. We'll write them and we'll send them."

VASQUEZ: Did you get any [opposition] to that?

FITZRANDOLPH: Yes. A couple of them said, "Hey, let me do it myself." I said, "No. The caucus has decided we're not doing it that way." I worked with them on the letter, so they got to see it and got to do the first draft. Then we threw that away, because they never wanted to say the right things. I used outside people who really knew what they were doing. I think that's how we did it.

VASQUEZ: What kinds of things would clash? What would a candidate think he should say and what did you, the caucus and outsiders [think should be said]?

FITZRANDOLPH: They were usually too bland in their letters. Well, we sent one from Peter Chacón's wife [Jean L. Picone]. Peter

Chacón's wife said, "I'm sorry this election must not turn on the fact that my husband's opponent [Thomas E. Hom] was indicted for taking a \$5,000 bribe. Peter got into this because he believes in X, Y, Z," whatever.

VASQUEZ: But you got into the indictment?

FITZRANDOLPH: Yes, but she wasn't crazy about [mentioning] the indictment. I said, "That's what this election is about. Peter is not going to win unless we keep reminding people." We had access to a poll from some other candidates which [indicated that] even after the indictment, Peter was losing.

VASQUEZ: Why do you think that was?

FITZRANDOLPH: Nobody knew him. He was a nobody. Tom Hom was a well-respected guy. The word was not [yet] out about this indictment. It was a very poor district that the newspaper story didn't really penetrate. It was going to take time. Or maybe they didn't believe it. It wasn't relevant. So we had to keep reminding them about this indictment.

Well, she wasn't crazy about doing that. It wasn't untrue, it was just that she

thought she should talk about something else. We wanted to remind them about this indictment and we did it three or four times. It turned out he was finally convicted, but not before the election. I think it was fair game.

VASQUEZ: What was it you saw that no one else saw?

FITZRANDOLPH: Two things. One, the way they had done it in the past was not the way to do it. Local candidates were not sophisticated enough to do what they had to do. Number two, the numbers were always there, the registration was there. I was looking at districts with 60 percent Democrats that were losing. I said, "This can't be." I also did an analysis of other candidates. Reagan carried these districts. So did [United States Senator] John [V.] Tunney. "If John Tunney could carry it, why are we losing it?" So that's the kind of analysis I went through with each district. I looked at their voting pattern over a period of time. It's common practice now. Everybody does it now, but at the time they weren't doing it.

VASQUEZ: Something else that some Democratic losers in the 1966 elections--and even in the 1968 elections--attributed their loss to was their support of the Rumford Fair Housing Act or their opposition to Proposition 14 to overturn it. What happened there?

FITZRANDOLPH: I think by 1968 it wasn't an issue anymore.

VASQUEZ: I'm saying that about the districts that had 65 percent Democratic registration which were lost to Republicans.

FITZRANDOLPH: Well, the Rumford [Fair Housing Act] carried some of those districts two-to-one, as you remember, but this was 1964. It wasn't much of an issue by the time I got there. It didn't linger around. In those days, I don't think single issues mattered as much as they do now.

VASQUEZ: By 1968?

FITZRANDOLPH: By 1968. I think that in today's elections there are a lot of single-interest groups that say, "This is the only issue that matters." Abortion is one. The hater's hate and the lover's love. I don't think politics was that. . . . What's the word?

VASQUEZ: Some people today trivialize or reduce . . .

FITZRANDOLPH: Fractionalized. You could tolerate a candidate who didn't agree with you. I remember a 1974 primary when all the Democrats, the Catholic Italians would take the position, and Jerry Brown took it, "I don't like abortion, but I won't impose my view on the electorate." They didn't get any static in that. Alioto said it, Moretti said it, Jerry Brown said it. It wasn't anything that you would go over the wall for.

Now it seems to be one of those issues that if you utter those words, you've got a real problem. I don't think politics was as fractionalized that way. Even if the Rumford Act had caused a lot of controversy, I don't think it carried over four years later. I don't think there were any issues really. . . . Crime, taxes, they all showed up in the polls just as they do today. There was still some sense of "Oh, we're Democrats. We vote for Democrats."

Alister McAlister is not one of the thrilling political figures of our time as an

individual. He was not a great candidate. He won a fluke election and a primary with thirteen people on the ballot. The Democrats had apportioned that district for Ernest Abeytia saying, "This ought to be our Hispanic district." Ernie Abeytia was supposed to win it. He came in second by 141 votes because the Hispanics didn't know what the game plan was.

A guy named [Alfred F.] Cervantes got in the primary and took just enough votes to keep Ernie from being the nominee. Where did Alister McAlister come from? He ran seven times in seven years and lost for every office he ran for, but his name had an alliteration that people remembered. "Alister McAlister," that's kind of cute. He had no money and no concept of what to do in an election after he won.

In fact, I went to see him the day after the primary when our candidate didn't prevail. The Democrats had beaten this guy. I said, "What do you propose to do?" He said, "I'm going to raise \$4,000 to \$7,000

and I'm going to take out radio commercials." I threw up my hands. I said, "He won't win it." We took over that district. I got Leo McCarthy to assign his AA [administrative assistant], Art Agnos, to be a hands-on manager of that district. We pumped in \$40,000 or \$50,000. We remade Alister McAlister's image in the brochures and billboards. We took off his brown shirt. On his campaign literature he had a brown shirt. He had no sense on how to get elected.

He may be a perfectly wonderful legislator, but the discrepancy between politicians and legislators is one which I think is very misunderstood out there. There are great candidates who are lazy office-holders, and vice versa. We really had to make the candidate who could win the district. We did.

Peter Chacón was another one. He is one of the sweetest guys I have ever met in my life. How did he win in the primary? He was in against a guy with a lot of money, a Greek

named [George D.] Koulaxes. Koulaxes was supposed to win this thing walking away. Everybody in San Diego told me that. So one of my staff guys and I were driving to Koulaxes's house on election night, or the day after, listening to the radio, and they said, "Oh, there's been a big upset. Koulaxes didn't win. Peter Chacón won." We pulled over and called Peter. I said, "Peter, I've always wanted to come see you."

So I went over to his house. He had his house as his campaign headquarters. A very small, unpretentious house. He has four wonderful sons and his wife. The six of them had walked that district every day for months and pulled out a very slim victory. Now he was the nominee. "Where do you go from here?" He didn't know. He didn't have any money. He didn't have any game plan. He didn't have any sense of, "Where do I go now?" So we were able to do that. He's still in office, as you may well know.

[End Tape 1, Side B]

[Session 2, April 11, 1989]

[Begin Tape 2, Side A]

FITZRANDOLPH: The Republican party [developed] something called the Cal Plan [a Republican plan to take over the legislature]. Remember that at all?

VASQUEZ: Tell me about that.

FITZRANDOLPH: The Republican party--not the legislature but the party which had some resources--had targeted some districts in 1962 or 1964. They had a long-range plan to take over the legislature. It was done with party money. We knew that was going on and we had nothing parallel [to it]. The Democratic party had nothing like that. I guess by process of elimination the caucus wound up as the institution that could do something about assembly races to stop the Cal Plan and to have their own little plan.

VASQUEZ: When you worked with the caucus, were you

clear that you were counteracting these efforts?

FITZRANDOLPH: Yes, I was. Whether everybody in the caucus was. . . . It's hard to say what the caucus was thinking about, it was so big. Some of the members were that sophisticated, most were not.

VASQUEZ: You were telling me that there was not a great deal of unity [amongst the caucus members].

FITZRANDOLPH: There was not much leadership.

VASQUEZ: In many cases, were people looking out for their own [interests]?

FITZRANDOLPH: Absolutely.

VASQUEZ: [They] didn't have a broader view, as you did?

FITZRANDOLPH: That's right, partly because Unruh, who had performed that function for so long, was out of the way. He was worried about the governorship. So the [Democratic] caucus was essentially thirty-nine disgruntled people. They didn't like being in the minority, but they didn't have a leader. They had little cliques of power.

VASQUEZ: Tell me about some of the cliques as you remember them.

FITZRANDOLPH: Zenovich seemed to be able to get the vote of everyone on a personal basis, I guess, because he didn't seem to be a threat. He had been around and was a good guy, but he wasn't ideological. He was a guy that we could live with. [There] was the San Francisco Willie Brown-[Assemblyman John A.] Burton axis, if you will. I guess Henry Waxman was in that group. They were the kind of people who had come out of Democratic politics . . .

VASQUEZ: The [Democratic] clubs?

FITZRANDOLPH: The clubs. There was a much more conservative group. Ken Cory was fighting for his life in Orange County every two years, although they liked him personally. His ideology had to be more Orange County than theirs. There was Walter Karabian. I guess Robert Moretti and Karabian were viewed as a clique from Los Angeles.

VASQUEZ: Were these the liberals?

FITZRANDOLPH: No, they weren't really viewed as liberals.

VASQUEZ: How were they viewed?

FITZRANDOLPH: I guess [as] Democrat pragmatists.

VASQUEZ: The tag of liberal then would be the norm for Willie Brown and [Philip A.] Phil Burton?

FITZRANDOLPH: [Assemblyman John] Vasconcellos, I guess, saw himself in that group. [Assemblyman Charles] Charlie Warren, who was then state party chairman and who was from Los Angeles, identified with the liberals. Jerry Waldie, although he was not. . . . I guess he was in Congress, so he was out of there. And [Assemblyman John T.] Jack Knox. There were ten or twelve of them, as I recall. There used to be a group called the "Brown Bag Lunchers" or something. They got together and had lunch. They were a force, but I think they were not personally united enough about it to take over the speakership.

VASQUEZ: Let's get to that. In the time that you had served, you were able to observe four speakers: Unruh, Moretti, [Robert T.] Bob Monagan, and Willie Brown.

FITZRANDOLPH: Yes.

VASQUEZ: What happened when Jesse Unruh stepped back

[from the assembly]? Or when he went after the governorship?

FITZRANDOLPH: Well, the dynamic was that people had not realized how much they relied on him for so long.

VASQUEZ: Everybody threw rocks, but everybody depended on him?

FITZRANDOLPH: That's right. They all depended on him.

VASQUEZ: Yet he was able to unify all of them on the basis of what? What they wanted?

FITZRANDOLPH: Yes, he knew what they wanted and he gave it to them. He also made the institution strong. They all liked that, because all of a sudden they had staffs, they had perks. He was jacking around the constitution so they could get a pay raise. So he was doing what had to be done.

VASQUEZ: He was something of a pragmatist. He left ideology off to the side, right?

FITZRANDOLPH: I think so, although there were some pretty heavy-duty Unruh bills going through. The Civil Rights Act was going through.¹ He identified himself with one or two issues

1. Civil Rights Act of 1964 (P.L. 88-352, 78 Stat. 241) July 2, 1964.

[where] the liberals said, "That's wonderful." But they never thought of him as a liberal. That's kind of a precious view of what a liberal is. "Hilltop liberal" I guess is what we've come to call those views. I think he was a fairly liberal person.

He had enough legislation to pacify the liberals that he was identified with. But what he was really delivering was institutional. His ideology didn't matter too much as long as he was making the trains run on time, which he was. He took a sleepy, little institution and gave it some real clout. And they all respected that. That leadership also meant that he controlled a lot.

He controlled who did what. Your bill turned on what Jesse Unruh thought of it, a very heavy-handed leadership. I guess it was justified at the time by, "If it's not going to work this way, it's not going to work any way." They had a Democratic governor, and he took on a Democratic governor.

[Those] were exciting times, because he

was making an institution of something that hadn't been and was getting national attention. He was flying around the country telling all the legislatures how to do it. The guys in [the legislature] were getting all of what they wanted. He didn't have that much clout the day he left. I think they really asked him to leave. That's a story I was not quite totally involved in.

VASQUEZ: What is your understanding of it?

FITZRANDOLPH: My understanding was that in 1968 they said, "Jesse, we are in the minority. You're going to run for governor. You're going to have other fish to fry. Let us run our caucus." He said yes. He essentially took himself out of the legislature mix, and they let Zenovich become the titular head. I don't know what his title was. I guess he was the minority leader.

The ramification was that they said, "You're going to have to take your staff people and run for governor. Let us put our own staff together." He agreed to that. So when Zenovich took over the job, he had

twelve or fifteen staff positions that were caucus staff positions which he was able to fill.

The fight for the chief consultant went on before I got involved. I think I went through this a little bit last time. The cliques had various people that they were promoting. My virtue was that I didn't have anybody promoting me.

VASQUEZ: Nor any enemies.

FITZRANDOLPH: Nor enemies. That's right. I was a presence that didn't have any effect. They knew me, but they didn't know much about me.

When Zenovich decided that I was going to do it, I asked him for some things. I said, "I've got to name the staff. I cannot let every [legislative] member pick a name for the staff." He said, "That's yours. Fine." "And you've got to back me up." He said, "I will."

Well, I got into some heavy fights about this, but my vision was that nobody wanted to be in the minority. There was nobody helping these people take back the majority, so it

fell on the caucus. I made that pitch to a ten-member committee that Zenovich put together to clear me, to hire me. Some of them were quite taken aback.

They hadn't thought about us doing that job. Somehow, they were going to do it. The fact was they couldn't have. They had no staff, they had no money, there was nobody they could have turned to. So we fell into that vacuum, really. But I had a good deal to say on who I hired on the staff. I wanted people who were politically pragmatic aimed at the election, not at a lot of bills. We just didn't need more bills as a minority. That's no fun.

VASQUEZ: You needed to get into power?

FITZRANDOLPH: That was it, and Zenovich bought that. The majority of the caucus bought it. I must say that, by and large, they honored it. I do think that if I hadn't said it, it wouldn't have happened, because nobody else was saying it. I think they saw it as a threat. If they did take it back, who was going to be speaker? The fact was, I didn't care. I

literally did not care who became speaker.

There were several good people.

VASQUEZ: Whom did you think would be a good possibility?

FITZRANDOLPH: Before it happened, I always liked Leo McCarthy, even though he was only a freshman at the time.

VASQUEZ: What was it about him that you were particularly impressed with?

FITZRANDOLPH: He dealt with people very strongly and forwardly. He seemed to me a pragmatic liberal, which was what I always thought would make Democrats successful anyway. He had a legislative agenda, he had things he cared about, and everybody knew what it was. It was limited, but they knew what it was. I just thought his approach to being a legislator was pretty good.

John Knox would have been a good candidate, although for some reason he could never convince people that he was going to exercise any leadership. I thought he was really one of the smartest and, again, pragmatic, liberal guys with an ideology.

It's a mystery to me to this day why he never became speaker. He somehow lacked the stomach for it, I guess. I didn't know that as an outsider. I just assumed he would be one of the contenders.

Moretti had no legislative agenda. I heard people liked him, but as an outsider, I couldn't see any particular reason why he should be speaker. I did learn, as I got closer, why. He was a fund-raiser, for one thing.

VASQUEZ: Do you think, perhaps, that there was the concern that another Jesse Unruh would rise? Or perhaps that the very institution [strong speakership] that they all had benefited from might become as overbearing, no matter who was in that [position]? Might that have been [the case]? Was the thinking even that sophisticated?

FITZRANDOLPH: Well, I don't think it was that sophisticated. I think it was very day-to-day.

VASQUEZ: Just don't go over my head?

FITZRANDOLPH: Yes. Ken Cory was another one that people were talking about for speaker. I could see

him, because he was a survivor in a very difficult district. Realistically, I think it would be tough for an Orange County Democrat to be a speaker.

VASQUEZ: Why?

FITZRANDOLPH: He had to fight every two years just to stay in power. He had to vote against his caucus, he had to vote against his majority to survive.

VASQUEZ: So a speaker has got to be in a pretty safe . . .

FITZRANDOLPH: I think he's got to be in a safer district, and that is why Willie has survived so well . . .

VASQUEZ: Exactly, yes.

FITZRANDOLPH: . . . and Leo survived so well. Moretti's district was pretty Democratic, but not for a liberal. I'm sure that as the years went by, that would have been tougher for him. Although Tom Bane, I guess, has much the same district now and survives pretty well. It can be done.

VASQUEZ: But he consistently has a lot of problems with the press.

FITZRANDOLPH: Yes, but not his district, really. He's never going to lose his district. I think he will retire and die in it. I think there were five or six legitimate speaker candidates, and I literally didn't care. In fact, I had assumed that if I took over, I would be going to do something else. It never occurred to me that I was going to stay after 1970.

VASQUEZ: Oh, really?

FITZRANDOLPH: Which gave me a pretty good perspective and made me do what I thought had to be done. If March Fong Eu, Leo Ryan, and a few other people were mad at me because I wouldn't hire their pet horse, why. . . . My goal was very narrow at that point: "Let's take this place back." That's when we started looking at these districts.

VASQUEZ: Your strategy, again, was to target districts?

FITZRANDOLPH: We had to figure out which ones [could be taken back].

VASQUEZ: And allocate resources according to where it was most needed?

FITZRANDOLPH: That's right. We had to save a couple of people. We knew who they were. We had to win four districts. As I say, most people didn't think that could be done, but we kept looking at the numbers. We were grinding the numbers. There were no computers at the time. It was all hand done.

We would get the secretary of state's figures and we would say, "How did this district vote?" We would go back to the Tunney [senatorial] election. Not Tunney. Let's see, 1966, the Reagan-Brown race was on. It was Tunney and George Murphy, and there were great splits in the districts about those races. Then we would look at the history of who was elected to the senate and the legislature. We found some openings. I think we were right on three of our four guesses. We got lucky on the fourth one, because there was an indictment.

VASQUEZ: We went over that.

FITZRANDOLPH: Yes, we went over that. So I became a genius because I had figured this out. Actually, I was wrong on the indictment, but we still had

taken it back by the three districts that we finally figured out.

Having said all that, we had no control over the candidates. We had very little control of the candidates. We tried to make one work in Santa Clara. I think I mentioned this. Crandall's seat looked like a winner for us. What appeared to be the wrong person got out of the primary, so we had to make that person win anyway. We had very little control over primaries, almost none. We wouldn't have wanted to get tagged in [the primaries] anyway, because it was hopeless. We had to say, "We could win this district with a reasonable candidate, whoever it is."

Then the question was, "How do you raise the money?" The caucus raised a little. [United States Senator] Alan Cranston got [United States Senator Edmund] Ed Muskie, who was a hot property, to speak at two dinners for us. So the caucus put on a couple of dinners. Ed Muskie was the speaker. We raised [a certain] amount of money. It wasn't a lot. I can't even guess anymore how

much it raised, but it was a little kitty that we had.

Then we went to the AFL-CIO [American Federation of Labor-Congress of Industrial Organizations] and tried to convince them that their priorities were our priorities. We dragged out all this statistical stuff we had worked on and said, "Whatever you're going to do, we hope you do it in these districts."

VASQUEZ: Who did you go to? The PAC [Political Action Committee]?

FITZRANDOLPH: Well, it was . . .

VASQUEZ: The PACs were approved last year.

FITZRANDOLPH: It wasn't called a PAC, whatever they called it. I guess it was a PAC.

VASQUEZ: It was called that. Now PACs are an institution.

FITZRANDOLPH: We went to Jack Henning at that point. He was political director of the California Federation of Labor. He was in the power in the states. Actually, Henning just signed off on this. I think we probably got there through McCarthy. I think they were close.

I said, "I'd like to make this

presentation to you." Jack Henning said, "Fine. Do it." So we got together and we went through the districts. They would say, "What about this one?" We would say, "We don't think so." For some reason, we had better information than they did. I think in those days the level of information was minimal everywhere.

People were going on their gut feeling, what they knew about the district in the old days. I kept hearing these war stories: "So-and-so can win this race." So I would go into the district and I'd look around. I'd look at the numbers and say, "There's no way so-and-so is going to win this district. I don't care what they say." I'm sure that it's different [now].

- VASQUEZ: What about the Democratic party apparatus?
- FITZRANDOLPH: There wasn't any.
- VASQUEZ: There was no using any . . . ?
- FITZRANDOLPH: It simply didn't exist.
- VASQUEZ: No county committees to raise money? None of that?
- FITZRANDOLPH: The local candidate could do it fine. But

this was, as Jesse Unruh correctly called it, a "feudal system." He was absolutely right. I forget who the party chairman was. That was how important he was. I think it was Roger Boas at one point. We played all the games. We went to talk to them, told them what our targets were, and so forth.

There was no Tunney election. The Tunney election was 1970. So we had shared our information with the Tunney people in the hope that when they went in, they would make a special pitch in these districts. They didn't help us financially, but I think that they were sympathetic because they could see how it would help them, too.

What is the election that I'm trying to think of in 1966 that was. . . . ? It was more than Pat Brown-Reagan. It was the Cranston [versus Maxwell L. Rafferty, Jr.] race, I guess, in 1968. . . . I can't put it together, but there were some splits between the senate and the governorship races before Tunney. Maybe it was Cranston, because Cranston had done better in some districts

than Pat Brown. Anyway, that is what we were looking for, discrepancies in voting patterns.

VASQUEZ: You're not thinking of the [Pierre] Salinger race?

FITZRANDOLPH: Well, that was in 1964. With Cranston winning before Tunney, he must have gotten in in 1966 or 1968.

VASQUEZ: Nineteen sixty-eight.

FITZRANDOLPH: Okay. Well, that was a fresh election. Those figures were in the mix, too. He had done well after the Reagan [sweep].

VASQUEZ: What factors were you looking for in these splits?

FITZRANDOLPH: We were looking for people who had been attracted to the Reagan personality but [still] had some Democratic loyalty. What we were trying to find was some Democratic loyalty, because at the lower-level races, it was clear then--I don't know if it still is or not--that people tended to be willing to differ at the top of the ticket but stay loyal at their congressional, assembly, and senate races, either out of ignorance or

loyalty. Whatever it was, we thought that they would go off on president, governor, maybe even senator.

VASQUEZ: What about coattails? Some people argue that coattail factors pull in people.

FITZRANDOLPH: Jesse Unruh wasn't going to pull anybody with him. As a given, one of the problems we faced was that John [Tunney] was not going to have any coattails. I remember telling Zenovich one night that if Jesse could keep his loyals to half a million, we could win. Jesse lost by half a million. We won. It sounds like more sophistication, but that number looked more reasonable to me. The given was that he was not going to have coattails. It was true, he didn't.

Reagan was not necessarily viewed as a Republican, strangely enough. He was just viewed as a nice guy who wanted to be governor. When they [the voters] got back to it, they voted for the congressional and assembly [representatives] of their party. Also, the registration numbers were pretty good. We knew we had no chance with a

district of less than 58 percent [Democratic registration]. I think 58 percent was the magic number in those days. There were some districts that had over 58 percent Democratic registration that had gone for Ronald Reagan in the 1960s. So that was the obvious target, and those were the ones that we were focusing on.

VASQUEZ: What was the object of the focus? What kind of message? What kinds of efforts?

FITZRANDOLPH: To get to the issues.

VASQUEZ: Using direct mail?

FITZRANDOLPH: Yes, we wanted direct mail to pick up the loyalties and try to find local issues. The genius of direct mail, which was a new phenomenon, was that we could have different people talking about different things in different districts. It didn't matter. That cuts against the coattails, too. You could be running on whatever Reagan was running on.

VASQUEZ: [His campaign slogan was] "Cut, squeeze, and trim," I believe.

FITZRANDOLPH: Yes, he was going to cut the budget and all that. But if people cared about education,

about streets, or whatever it was they cared about in their district, you could address that in a paragraph in your direct letter, which is essentially what we did.

At the time, as I say, I don't think direct mail had been used. I think Alioto had used it in his mayoral race. It was [still] a new phenomenon. It just hadn't been used that much. So it was a novelty. Now it is boring. You get so much of it, it gets boring. You get so many messages from so many people.

I don't know how somebody sorts through all that stuff anymore, but at the time, as a direct-mail person told me when I was exploring all these [methods], most people did not get as much mail as you do now. If you're a magazine subscriber, you're on a lot of lists, you get a lot of mail. But the average guy doesn't get that much. If he gets a lot and he opens it, he at least takes a look at it and sees his name on it.

VASQUEZ: Perhaps its very success has negated a lot of the effects of direct mail?

FITZRANDOLPH: I think so, today. Although, if you look at the districts that [Willie] Brown and [Howard L.] Berman go into, they might have won all those races anyway. But these endless slates that come through [direct mail], I'm sure people take them to the polls. I don't want to overstate the American voter's sophisticated response.

VASQUEZ: Did the slate approach work to the benefit or to the detriment of Democrats, in your experience?

FITZRANDOLPH: My experience is now too limited in L.A., and that's all I see. It's been very successful, but I'm on the Westside. I live there. Now, whether those people would have won anyway is another question. I got a Democratic mail piece the other day with a Republican board of education member on it. She [Roberta Weintraub] is probably going to win anyway, but it bothers me that this committee, whatever they call themselves, has got this woman in.

I then got another piece from the real Democrats that said, "Don't be fooled. This

woman is not a Democrat. She's a Republican." So I don't know. My vision is so narrow now, [limited to] Los Angeles County. It works here, but I have no idea what the effect is [elsewhere]. I really cut my ties from all of that after 1976. At that time, it was quite novel to get a letter from a candidate, to get a letter from a candidate's wife, to get a letter saying, "We missed you at the coffee at Mrs. Jones's house." It was stunning in those days to get that sort of thing, and it worked.

I think it was the difference in a very cheap campaign, really. Our resources [were limited], even with the dinners that we had, even with the labor support. But the difference was that we controlled everything. We asked labor not to just send the guy [the candidate] a check. That was what Jesse used to do, send money. We didn't send any money to anybody. We sent out a few of these letters. "This is what they look like. If you don't want them, you don't get them." They all took them. In fact, one candidate

[James Keyser] didn't want them, and we met with him.

VASQUEZ: What did he want?

FITZRANDOLPH: He wanted the money and more balloons and billboards. We said, "You are a nice fellow, but we are just going to have to tell you that you don't know this as well as we do." It was kind of arrogant on our part, but our careers were at stake, and so was his. So we said, "If you don't want this, fine." Well, we had a late-night dinner with him, and he finally decided to let the mail go. It went, and he won. I'm sure he thinks that it is his charisma that did it, but the fact is that we did.

It was that control that I think distinguished us from the Unruh years. Jesse left. I'm sure if he had stayed, he would have sent money. He would probably have raised as much as we did, and he would have mailed it.

VASQUEZ: What kind of money did you raise?

FITZRANDOLPH: Well, in today's terms, it doesn't seem like a lot.

VASQUEZ: Obviously.

FITZRANDOLPH: I don't think any one of those races cost over \$100,000. That wasn't just ours. That was all the contributions we could direct.

VASQUEZ: In contested races?

FITZRANDOLPH: Yes, these were contested races, which today would be . . .

VASQUEZ: Now an uncontested candidate can spend \$200,000.

FITZRANDOLPH: We stiffed the uncontested races entirely. We wouldn't send a dime. We wouldn't let them get a dime. We got the caucus to buy into that. Which was really tough.

VASQUEZ: You were a pretty junior person in a kind of a fragile coalition there. How did you manage that?

FITZRANDOLPH: I told Zenovich that that was the only way it would work. He supported me on it. He had his guys support me on this. Now, a new wrinkle came toward the end. It was an open seat in Fresno.

Hugh Burns retired from the state senate. Zenovich called me one day and said, "I'm going to run for it." I said, "George,

don't do that." He said, "No, you guys aren't going to win this thing." I said, "You're wrong. I'm sorry." He said, "I can't risk it, so I'm going to go for the senate."

Now, you had a vacuum within a vacuum. Everybody else who had probably decided that Zenovich would have been speaker all started to make their own moves for speaker. It was so late that they couldn't do much to our race. They had to buy into it, I guess. I suppose they could have said, "You're fired. You stop all this." I did really worry about that. They had a caucus. I remember I was driving somewhere. I got on the phone and called up. I said, "Who is taking Zenovich's place?" It was some one from Oakland [Assemblyman John J. Miller]. Really a caretaker caucus leader. He was a black from Oakland. A very nice guy who was a lawyer, but very quiet. You would never have guessed it.

[It was] one of those decisions that everybody reaches because they can't reach

anything else. He [Miller] decided to let things go as they were and not interfere. He could have said, "We're going to stop all this. We're going to send all our money to our friends." But he didn't. We hardly talked. He just let us go about our business. I was really unprotected there after Zenovich ran for the senate.

Moretti began to see himself as speaker, so he and Karabian got together with me and said, "What is going on here?"

VASQUEZ: Why with him and not others?

FITZRANDOLPH: He was the one who asked. He said, "I've got some money." And he did have some money. "I'll send it to the districts if you can convince me." I convinced him. He and Karabian had access to some money and they probably could have. . . . Anyway, he [Miller] was absolutely a titular head, and he didn't want to deal with it. That's how much exposed I was. I went back. I looked back afterwards and said, "Well, I was out there to be shot at," but it was too late.

The die had pretty much been cast. We

had been doing our thing. The game plan was under way. He didn't want to change it. Moretti might have been able, because he did have some of that money and could have sent it anywhere. I convinced him to send it where I said to send it. I did it. The rest of the caucus was all split. I don't know what they were thinking about, but it was obvious that they were not thinking about things.

Number one, [they thought] we were not going to take over the majority anyway. I think if they had really smelled it, they would have been tougher about it. They didn't smell it. After I talked to Zenovich, I said, "Can I go talk to Moretti?" Because he was making these speakership sounds. So I went to Bob and said, "You may have a shot at the speakership." He said, "I don't believe you." I said, "Well, let me show you how."

I showed him the districts and the elections. I said, "I don't really care who the speaker is, but I'd like to finish this project, because I think we're going to take

it [the assembly] back." He said, "You're dreaming, but go ahead." He didn't believe it. I think it was probably to our advantage. Since nobody believed that, they said, "Let FitzRandolph play his silly game. It can't hurt." The night of the election, he asked me to be his assistant.

VASQUEZ: Nothing succeeds like success, right?

FITZRANDOLPH: Right, and it hadn't even occurred to me. Maybe it is naive, but I had really seen myself saying, "It's time to go practice law. That's what I went to law school for, years ago. Maybe I ought to go and do that."

VASQUEZ: Let's talk about the period you spent [with Moretti], which was 1970-74, wasn't it?

FITZRANDOLPH: Yes.

VASQUEZ: You were his chief of staff, right?

FITZRANDOLPH: In an earlier question, you mentioned that people were worried about the Unruh model. They were, to some extent. They didn't want to create [another] Larry Margolis [Jesse Unruh's chief of staff]. They said that to him, "Don't create a Larry Margolis."

VASQUEZ: Why?

FITZRANDOLPH: I think Larry really did abuse the job in some ways. He walked onto the [assembly] floor. He told people how to vote. Bob didn't want to create that impression. He wanted to create the impression, "If you have something to do and you're a member, you deal with me. You don't deal with a staff person." So he created three assistants with that title. It was called the "assistant to the speaker."

VASQUEZ: Recently, there has been a concern that staff has too much power. Was that already beginning to manifest itself?

FITZRANDOLPH: Absolutely.

VASQUEZ: That was quick!

FITZRANDOLPH: The personification was Larry Margolis. Some of it was a bad rap, some of it was the staff itself.

VASQUEZ: Somebody as aggressive and as [bright] as Margolis was going to catch that anyway, because he never steps back.

FITZRANDOLPH: He fit Jesse's image. At one point, Jesse was talking about hiring me. It never worked out, and I'm glad it didn't, because I think

I could admire him at a distance. I don't think we would have made it as a team. Larry fit his image and took himself in the same way. He had Phil Shott, and they were like mirror images of Jesse Unruh, kind of tough, cigar-smoking guys. I was a little bit more cerebral.

Moretti wanted to create a different impression because he was worried about this "You don't want a Margolis." Everybody said, "We don't want a Margolis." So he divided up the job. I got the highest pay, and I was supposed to be the political guy.

VASQUEZ: What did that mean?

FITZRANDOLPH: That meant we're going to run for governor pretty soon. Plus we wanted to help these guys in their districts. We wanted to keep tabs on what was going on in the districts. He knew, as does everybody on that job, that some members have no idea of the politics of the district. They got there somehow on a fluke. You have to watch them, you have to hold their hand.

Ken McDonald of Ventura was a classic

case. He was a guy who had been a county supervisor, who got elected and didn't really like the assembly. He had no clue as to how to keep the seat. One of the people who was kept in [office in] the 1970s was Ken McDonald, because we took over his operation, essentially. We told him what literature to put out. The first chance he got he left, after 1970. He was there for the reapportionment bill, then he left. I think he became a county supervisor [again].

VASQUEZ: You were really campaign consultants, independent campaign consultants?

FITZRANDOLPH: Yes, and whether that is appropriate or not is discussion for another day. We became that. Really, we were filling this vacuum. I thought that retaining incumbent members was a legitimate minority function. We retained them partly by having them carry the right bill, by being seen, and by going back to the district and making sure they went to the right places.

At one point, I even went to [Ken McDonald's] district and said, "Put together

the people that matter to you in this county, and I will speak to them and tell them what a great guy you are and why you are so important to the caucus." So he put these people in his house, about twenty of them, and left. I made this speech while he was in the kitchen somewhere. I said what a great contribution he was making, why Ventura was so important, and so forth. I got some people to say, "Well, okay, we will help Ken one more time."

Apparently, they were quite disaffected and wanted to find another candidate. I put that down and took the message to the caucus, [which] needed Ken McDonald because the reapportionment was so crucial. He was doing good things for the county and had three or four important bills.

VASQUEZ: Why did somebody like that run for office?

FITZRANDOLPH: I don't know. He was a supervisor and he really enjoyed that. I think because it [the opening] was there they talked him into running. He was like that. He was really out on his own in many ways. He didn't like

to give and take. Not everybody likes that.

Myself, looking back, I think I would not have liked it. I wanted to get into it [office] at one time, but the closer I got, I said, "This isn't the way I want to live my life." I think it turns off a lot of people.

VASQUEZ: The insecurity, the tense political . . .

FITZRANDOLPH: Well, you really can't make decisions. If somebody asked, "You want to be governor?" I'd say, "Okay, I'll do that." But if you wanted me to be an assemblyman, I wouldn't do that. My own instincts are much more executive than they are legislative.

Some people love it. Bob Moretti thrived on it. He loved making deals. He loved putting bills together. Some [people] are really caught up in all of that. More power to them.

VASQUEZ: Compare Moretti with Unruh apart from [their] demeanor.

FITZRANDOLPH: I think a lot of folks thought he was going to be a little Jesse Unruh. He had to distance himself from that right away. He wasn't. He was much more laissez-faire in

terms of letting members develop their own agenda. I think he could have been speaker for as long as he wanted to be. In many ways he was the ideal speaker.

VASQUEZ: Why?

FITZRANDOLPH: Because he understood that individuals who didn't agree with him had merit, had constituencies to please, and ought to be allowed to try to get their bills through. He did not control, in the way that Jesse did, the ideological agenda.

VASQUEZ: He didn't have a legislative agenda?

FITZRANDOLPH: [He had] his own agenda. He told a high school group once, very candidly (the thing about him that everybody really responded to), "Everything is negotiable for me except civil rights. I will not bend on that. That means the most to me, but everything else is negotiable."

That was probably true. Why would you tell that to people who could quote you? I don't quite know, but that is really where he was coming from. He was a Democrat because of civil rights. That's how he got caught up

in the Democratic party, I'm sure. The thing that mattered [the most] to him was civil rights.

In economic matters, he could have been anything. He didn't have many views about those things. Even if he did, he was willing to let you have your [own] view in your district, unlike Jesse Unruh in many ways.

VASQUEZ: So long as you didn't endanger yourself?

FITZRANDOLPH: Yes.

VASQUEZ: And that was your job? To see that people didn't hurt themselves, right?

FITZRANDOLPH: That's true.

VASQUEZ: Were there occasions that you could think of where someone was hurting themselves?

FITZRANDOLPH: No, not really. What happened was that we had a lot of special elections which he hadn't counted on. So we were involved in two or three special elections, one of which we won in San Diego. Everybody said, "You can't win it."

VASQUEZ: What election was that?

FITZRANDOLPH: What was the fellow's name? It was a special election in San Diego and . . .

VASQUEZ: What year?

FITZRANDOLPH: . . . the Democratic numbers were not there. It was a special election in which Democrats [normally] didn't win. We won with an unknown candidate. He didn't last too long.

VASQUEZ: Was it in 1970?

FITZRANDOLPH: It was 1971 or 1972. We lost one in Monterey, but people were either dying or something like that. So we had those elections going on, plus Reagan put together his Proposition 1 of 1973,¹ if you remember. That engaged us, and Moretti was the only one who was ready to take him on of all the Democrats. We won that. So we were kind of heady about how to make things happen. It probably deluded us into thinking that . . .

VASQUEZ: Were you threatening any of the old-guard Democrats' power in the state?

FITZRANDOLPH: First of all, we had a Republican governor

1. Proposition 1, Tax and Expenditures Limitations, was defeated in the special election of November 6, 1973.

that everybody thought was invincible. The Democratic power had to reside somewhere. Now, the first test was this party chairmanship, and [Assemblyman] George [E.] Brown [Jr.] ran, and [Charles] Chuck Manatt ran. Chuck Manatt was an unknown attorney from L.A. George Brown was a respected liberal congressman from the Riverside-San Bernardino area.

VASQUEZ: Colton, I believe.

FITZRANDOLPH: This was the race for party chairman. Moretti was in power one week, and I went and said, "Bob, we ought to make sure that Chuck Manatt wins this race." He said, "Well, I'm going to support him, but I don't really want to work much on it." I said, "You've got to work on it. You can't afford to have George Brown as a spokesman for this party when you're the speaker. If you want to be the focal point, you have to be the focal point." He said, "No, I don't want you to get involved."

So I started talking to his colleagues, and they agreed with me and told him so. So

a week later he said, "All right. Help Chuck Manatt." Chuck Manatt finally won by six votes. But for the speaker's involvement, it would not have happened. It would not have happened. Everybody understood that. Chuck and I have known each other ever since.

VASQUEZ: You thought that then?

FITZRANDOLPH: I just thought that.

VASQUEZ: George Brown was just a little too liberal for the [political] climate?

FITZRANDOLPH: That's right. I thought so. Yes, he was too liberal for Bob. He would have been a [party] spokesman.

VASQUEZ: Too liberal opposite a Reagan, I'm saying.

FITZRANDOLPH: No, I don't think it was as ideological as, "Who would be the spokesman against Reagan?" [But] I thought, "He ought to be the spokesman in the assembly and not the party chair." First of all, the party didn't have much clout, anyway, except by press releases. We really did have the agenda that we could control.

VASQUEZ: You said you couldn't depend much on the party.

FITZRANDOLPH: You couldn't. Chuck viewed the party in a very realistic light. He was going to help people. He was going to try to raise money. He was going to centralize things. I think Brown was trying to get exposure. I have nothing against Brown, I just thought that from Moretti's perspective, he couldn't afford to have a George Brown if he had this nice choice. Now, nobody had ever heard of Chuck Manatt. So we had to sort of create Chuck Manatt. And I did that.

VASQUEZ: Being an unknown seems to be something of an asset in California politics.

FITZRANDOLPH: Yes, for one shot. That's right. [Los Angeles City Attorney] Burt Pines was an unknown. Sure, people like to see a scrap. Anyway, Manatt became party chair. When you say politics, that was mine because that was part of my function. He had two other people in his office. One to handle the day-to-day bill assignment, personal laundry, and things like that. Then [William] Bill Hauck, who was in charge of the legislative agenda . . .

VASQUEZ: What was his function?

FITZRANDOLPH: He was called assistant to the speaker, and he was supposed to make decisions about what Moretti ought to be tied to and not be tied to. If it was a bill he was going to co-author, Bill Hauck was responsible to see that the bill got drafted. He tried to look a little bit long-range [when] picking bills that we wanted next year. He put together a legislative package for Moretti, things he cared about taking on.

VASQUEZ: When you went from the two-year to the annual sessions, did that [increase] the volume of work a great deal?

FITZRANDOLPH: It didn't change that. That was one of Hauck's ideas and one of the things that Bob had carried into law. It didn't really change things like we expected. The bills seemed to pile up at the end of the session anyway.

VASQUEZ: Why is that? [Was it because] everybody tried to use the same tactic?

FITZRANDOLPH: Right. It's the way the process works. If you can defer things, you defer them. If they don't go away, maybe they will change.

[End of Tape 2, Side A]

[Begin Tape 2, Side B]

FITZRANDOLPH: I suppose it did help in one sense. You didn't have this annual rush to look at everything, decide on it, and then have to reintroduce it the next time. The key issues--maybe four or five key issues every session--still seemed to me to back up at the end of the year.

We always had to fight with the calendar. So if that was the goal--and it wasn't the only goal, but it was the most obvious goal--it didn't work to that extent. But I think not to have to reintroduce bills after two years of kicking them around made some sense. It wasn't the great reform that I think we were hoping it would be. Others may have a different view of that.

VASQUEZ: So, you were there four years?

FITZRANDOLPH: After we ran the Proposition 1 campaign successfully, I came to Los Angeles to begin to put together the governorship race.

VASQUEZ: What were the steps [involved] in that?

FITZRANDOLPH: First we took a look at the assets and liabilities. We tried to be candid about those. I did a long memo about how we could win this race. It rested on the assumption, which proved not to be true, that Joe Alioto would not run. It was a whole lot of good stuff about how we could beat Jerry Brown. We did some testing. We did some polling. We did some fund-raising. We did have pretty good resources. We were everybody's second choice, and that was the scenario. At that time, Alioto was under this cloud from Look magazine.¹ It never occurred to anyone that he would run for governor.

VASQUEZ: Was money a problem?

FITZRANDOLPH: It wasn't going to be a problem. Moretti had a pretty good ability to raise money as speaker.

VASQUEZ: Was Moretti's image a problem?

FITZRANDOLPH: That was always going to be a problem.

VASQUEZ: Why?

1. Look magazine had linked Mayor Alioto with organized crime.

FITZRANDOLPH: He was a very ethnic-looking person. He was balding and had a big nose. He looked kind of tough. He played to that. We tried to make that a strength: experience and strength. Because of Proposition 1, he did have a very positive image. Here was a little guy taking on the invincible Reagan. No other Democrat would touch it. In fact, Jerry Waldie would not touch it. Jerry Brown wouldn't touch it. They all thought, "Reagan's going to get this. Let's leave it alone." Bob took it on. Now I must say, I'd like to take credit for having talked him into that, but I didn't. His instinct was, "This thing is bad. I'm going to take it on."

We had a group of contributors one night [who] were saying to him in the nicest way they could, "Is there some way you can avoid a confrontation on this?" He said, "No. Not only can't I avoid it, I don't want to avoid it. I think it is wrong, and whether I win it or lose it, I [will] still have done what I think is right. I think that will be to my

advantage."

He was right about that. I played along with him. I ran the campaign. Even I was skeptical about how this was going to come out. Reagan had had a huge, smashing victory. On the other hand, I said the same thing Bob did, "Hey, we've got nothing to lose, anyway, unless we win it." So we won it in November, and the polls showed we got great headlines, great press, and how courageous he was to have taken it on. All the other Democrats were saying, "Yup, I guess he did the right thing. Thank you, Bob."

Six months later we lost the primary. But at the time you could see why it looked as though we had created an image of somebody who was a fighter, who would take on what was right. So the image of the speaker was not a good image to run [on] for governor. Jesse had really screwed that up, if it needed to be. I think we had somehow managed to [make a] dent by the fact that he [Moretti] was willing to step out on a nonlegislative

matter and take on this invincible good guy.

We did it with commercials that [had him] sitting in his living room, talking to the folks one-on-one with the camera. He was very good at it. We had [Robert] Bob Squire come out. He was a topflight professional. I think we did a good job. Obviously, we did something right, because election night was really an upset. I don't think I've ever seen an upset quite like that. Looking back, everybody sort of forgets it, but it was a tremendous success at the time. That gave him hope to think he could be governor.

Jerry Brown was well known but had no record from where he was, secretary of state. What kind of record did he have?

VASQUEZ: How much credit did he get for the 1974 Political Reform Act?¹

FITZRANDOLPH: Jerry?

VASQUEZ: Yes.

FITZRANDOLPH: That was what he rode, sure. It was on the same ballot as the primary, but Moretti had

1. Proposition 9 (November 1974).

to endorse it. He hated it. That's the one thing I talked him into that he didn't want to do.

VASQUEZ: Why didn't he like it?

FITZRANDOLPH: Because he didn't think it was effective. He thought people were going to get around it and that it was a cheap shot at an institution that he loved dearly, which was the legislature. It presumed that people were doing things that they shouldn't do. He didn't like that presumption. He saw it for what it was, Jerry Brown's attempt to have "two hamburgers and a Coke" or something like that. He didn't think that's the way the world worked.

We went to the CDC [California Democratic Council] convention. It's not a big thing in the scope of things, the CDC convention.

VASQUEZ: Not anymore.

FITZRANDOLPH: Even then it was not terribly important. But it was something we thought we had to do. I said, "The only way you're going to get out of this thing whole is to endorse this

whether you like it or not." So he did. In fact, Jerry Brown was decimated at the CDC convention. Waldie won it, as we all thought he would. Moretti was second. Jerry finished a dismal low place. It got a lot of play. In the press and amongst activists, they said, "Jerry Brown can't do any better than this at the CDC? Bob Moretti, who was supposed to be this power-hungry speaker, comes away with 30 percent of the vote." It was really very stunning.

VASQUEZ: Did you see that CDC vote as a litmus test?

FITZRANDOLPH: Its importance was that we didn't get labeled. Jerry didn't get labeled as the "darling of the left." I think in primary races, the most ideological person usually emerges. I always saw Jerry as a problem. If Jerry could not be seen as the "darling of the left" and comes in at a dismal third, they were shaken up. I was told afterwards that they were thoroughly shaken by that. We had done our homework. We worked the CDC. We wanted to take every step at a time.

VASQUEZ: Who were the people [with whom] you had a

good association at the CDC?

FITZRANDOLPH: It was some of the legislative members who still had ties there: the Charlie Warrens, the Willie Browns, the Waxmans, and so forth, all of whom had endorsed Moretti. He had every ethnic legislator ever. . . . Liberal, I mean. I suppose they could have peeled off and gone for Jerry, but nobody did ostensibly, except for Henry Waxman who really understood what was happening. But he would have been wrong, too, I think, if Alioto had not run.

Everything we had was aimed at Jerry Brown. As soon as Alioto got into it, he had a constituency and a poll of 20 percent. The day he walked in, he had 20 percent; the day of the election, he had 20 percent. Take that 20 [percent] out there, and Moretti had access to that 20 [percent]. That was our scenario, that constituency. In fact, every Jerry Brown voter had Moretti as a second choice.

VASQUEZ: Were you polling at this time?

FITZRANDOLPH: Yes.

VASQUEZ: Who did your polling?

FITZRANDOLPH: Hugh Schwartz out of San Francisco. He was Tunney's pollster. We knew Alioto's strength, we just couldn't imagine that he would ever run. Bob had made up his mind pretty much to run.

Sunday night before, he asked Chuck [Manatt] and me to go to his house. He put the question to us both: "Why shouldn't I run?" Well, there were a couple of reasons. One, "You might lose, and you wouldn't be speaker anymore." "Give me some more reasons." "Well, that's the main one." I said, "Can you be speaker with Jerry Brown as governor?" He said, "No." "Well, that should affect your decision, but that's what you have to ask yourself." I was convinced he could be speaker for as long as he wanted to be.

VASQUEZ: You have said that several times. What is it that you saw either in him or in the process that made you come to that conclusion?

FITZRANDOLPH: Because I think he understood what you had to do to stay there, which is to give people a

lot more room than Jesse did. Let them do their thing and still keep loyal to you as the speaker. They really dealt with him on a terrific basis. He was extremely candid with them. He never played games with them. He was most direct.

I knew people who were opposed to him for speaker during the race, and they would come and tell me [that]. He called them in and said, "Why don't you do yourself a favor? Why do you keep fighting me on this? This is something that is in your interest. Here's what I will do, and this is the committee you can have. I know you think of yourself as an enemy. I don't. Here's what I'd like you to be in my administration."

They were taken back. He knew exactly what it was that interested them. He said, "Look, you care about this. This is yours. I'm not going to touch that. You want to handle X legislation? That's what you handle." I'm sure he would have stayed that way. He would have never gotten caught up in

the ego thing. He had Unruh as background music, and he didn't [want to be] what Unruh was. [He knew] what all the complaints about Unruh were about.

VASQUEZ: How does someone like Willie Brown remain speaker so long?

FITZRANDOLPH: Well, I've asked some people who should know. First of all, he does a lot of that. He doesn't try to. . . . He watched Moretti, and he didn't try to affect the agenda.

VASQUEZ: He was not as brash as the press makes him out to be?

FITZRANDOLPH: When he is with you as a colleague, he knows that he needs those forty-one votes. He'll deal with you. I think there's also a vacuum. From what I'm told, if there were somebody to take him on, he might not have lasted this long. Some of the people who could have have left. Others don't want to fight him. He's pretty good, too. I think he learned more from Moretti than he did from Unruh. If he had been elected in 1974 when he first wanted to be, he wouldn't have lasted.

VASQUEZ: [He learned] during this time as well?

FITZRANDOLPH: Yes, during his time in the wilderness. He needed some humility, and he got it. So he is brash out front, but he is still a wheeler-dealer. Remember how he got there? He got there with a Republican coalition.

He was always the smartest guy I ever knew there. But the fact that he lost in 1974 probably was stunning. The average person who was the [Committee on] Ways and Means chairman for four years would be speaker if he wanted to be. It was really a rejection of his arrogance and his style. He can think it is racism, or he can think whatever he wants to think of it, but he just made people mad. You cannot go around making people mad for four years.

I watched the committees where he would insult colleagues by showing that he knew more about the bill than they did. He was right, he did. But you can't operate that way. You can't tell your colleagues that you are smarter than they are and then expect them to make you speaker. So when he was out

in 1974 he watched, he did his homework, he listened.

I remember election night watching the TV, watching some commentator saying, "It looks like Howard Berman is going to be the next speaker." I said to my wife, "I don't believe it. I bet you Willie pulls this off. If not Willie, somebody else [will]." I assumed it would be Willie just because I thought that that fight was so damaging that a third person would pick it up. I knew that Willie was the smartest guy out there, and he did.

VASQUEZ: You're talking about the Berman-Waxman fight?

FITZRANDOLPH: The Berman-Waxman fight was so divisive that I didn't think it mattered [who won]. I just thought that the caucus would say, "Pox on both your houses. This is too divisive." He [Brown] didn't win such a smashing victory that they had to give it to him. He won two or three races. I knew that Leo [McCarthy] was out, but I just couldn't see them turning to either one of those two combatants.

I just picked this up anecdotally from

an assemblyman who said, "This is the worst thing of my life. This is the most brutal thing that I've been through. People were double-crossing each other." How he [Willie Brown] survived was that he took some of the Moretti lessons, I think, and decided that, "These guys are my peers. I've got to stroke them."

VASQUEZ: Let's go back to Moretti. You were telling me the style. I was using Willie Brown as contrast. I think it is very interesting that you indicated that he [Brown] probably learned from that.

FITZRANDOLPH: Bob's style was not to take credit for other people's bills, to give credit a lot to peers for what happened. Personally, he just didn't have that strong of an agenda, so he could let other people have theirs. He saw it [the speakership] as an administrative job in many ways, a central clearing house if you will, but [giving] a lot of latitude to the members.

A classic example: Jesse's criminal committee [Committee on Criminal Procedure]

had five liberals and five conservatives. The theory was, "Nothing gets out." So he [Moretti] got elected speaker. He promised the liberals stuff would get out. So he set up a new justice committee: six liberals, five conservatives. Stuff [legislation] came out. I don't know if he cared about that stuff, particularly. I never knew whether he cared about those issues at all but he said, "This is what I'm doing for the liberals." The bills came out and they got onto the house floor.

VASQUEZ: If you work for somebody for four years and really get involved in delicate strategizing, do you know what a person really believes is important?

FITZRANDOLPH: I knew he [Moretti] thought that civil rights [was important]. First of all, part of that was because he was young. He got elected to the legislature at twenty-eight. He hadn't done much with his life then except to go to college. He had no money, so he knew his identity was with a social class and immigrants.

His father was an illegal immigrant from Italy, so he had a lot of those cultural identities. Issues that he [saw as important] came out of that. He thought that blacks had been dealt a bad hand. He identified with that. That is why he and Willie were more than colleagues. They were much closer than that. Bob's brother died when he was speaker, and Willie [became like] his brother. I don't know if Willie felt as strongly as Bob did. [There] was a very symbiotic relationship [between] those two guys, and part of it was that he [Moretti] listened to Willie telling him what was right and he was growing in his views. It is hard. I just didn't know, and I don't think he knew. He would react to a bill, and he could be talked into it.

VASQUEZ: Was he, as people would call it, a "gut politician"?

FITZRANDOLPH: If that implies that they don't have any views at all . . .

VASQUEZ: No. It implies that they just can't sit down and explain to you why something is right or

why something is good, but they just have a sense that it will fly and it will succeed.

FITZRANDOLPH: Maybe. Let me give you another issue: women's rights. He had no empathy for that at all. By his own admission he was a sexist. He couldn't have cared less about those issues.

VASQUEZ: Yet this was a period when the women's movement was strong.

FITZRANDOLPH: Very strong. He knew what he had to do politically. He supported the ERA [Equal Rights Amendment] and so forth, but in terms of his own reactions women did not play that kind of a professional role. First of all, he came out of an ethnic background where the "mama" does the cooking, and that's it.

He went to an all-boys school. He went to Notre Dame High School in Van Nuys. He went to Notre Dame University. His wife had four children and didn't work. He just didn't empathize with that at all until we had discussions through the years. We said, "Bob, there is something going on out there. We can't. . . ." "All right, we

will hire a woman staff person." He finally agreed to hire a woman on staff, but she couldn't be in the office. She had to be in some distant office somewhere because he didn't want to be around her.

VASQUEZ: Is that right?

FITZRANDOLPH: It was incredible. We hired a press guy once. At the interview he said, "I've got to go home and talk to my wife, and I'll let you know tomorrow." So he left. Moretti said, "Why would he talk to his wife?" He just couldn't understand a man wanting to make a decision and asking a woman. He was a real throwback, but intellectually he knew something was going on. We couched it to him in terms of, "Women are in the same position blacks are in."

VASQUEZ: He understood that?

FITZRANDOLPH: He understood that, and he knew he had to do some things. He would be willing to support some legislation. Intellectually he could get there if he could identify women with blacks. It was incredible.

VASQUEZ: Why did Bob Moretti fail to be governor?

FITZRANDOLPH: A couple of reasons. One, the very practical: Having two guys with vowels at the end of their names at the same primary is not a good idea. I knew that the day of registration. It was really pathetic, because I had been building for this for a long time, three and a half years. The day that Alioto filed, in my heart of hearts I said, "This thing is over."

VASQUEZ: You saw it already?

FITZRANDOLPH: Yes, but I couldn't say that out loud. I had to go through the motions, making the speeches and raising the money. I just didn't see how we were ever going to get positioned against Jerry. That's exactly the way it worked out. Moretti and Alioto had more votes together than Jerry Brown did by a lot.

VASQUEZ: But they eliminated themselves?

FITZRANDOLPH: Yes. They shared too much of the same constituency. I guess, together, they got about 40 percent of the primary votes, and Jerry got 37 percent. So that scenario was right. It just had the wrong people in it.

There was nothing you could do about it except do your best and keep fighting, but there was just no way to make it a Brown-Moretti confrontation.

We tried, but Jerry Waldie was always out there with his 10 percent. William Roth with his 6 or 8 percent. I never worried about them. I only worried about Alioto. Alioto never changed. He had whatever he had on day one. Moretti did make some [movement]. One [Mervin] Field poll [had] us very close, but never close enough to make a race. Plus what was going on was the [Patricia C.] Patty Hearst affair.

Somebody from the Ford Foundation wrote a book about that period.¹ I was asked by her what was going on. I said, "We couldn't get any attention." Nobody could, because every night [when] you planned something and turned on the TV, it was Patty Hearst this and Patty Hearst that. So the background

1. Mary Ellen Leary, Phantom Politics: Campaigning in California. Washington, D.C., 1974.

music of Watergate was going on, and Patty Hearst was going on. The California gubernatorial primary was for Jerry Brown to have, because it was all name identification.

VASQUEZ: Did he get press?

FITZRANDOLPH: Oh, he didn't get much either. He just had a head start. He had a name identification that was so high.

VASQUEZ: How many points do you think a name identification can give you, right off the top?

FITZRANDOLPH: Well, he started out with the high 70s or 80s, as I remember. We started out with 20 after four years as speaker. So we had to build and build to get over that hurdle.

I think that is crucial if you can't get attention. I think it can all be turned around, but you've got to get exposure and we couldn't buy the exposure. We couldn't get free media exposure. The background music was too strong. The Patty Hearst [case] and Watergate dominated every news [program] every night. As I say, Mary [Ellen] Leary did the Ford Foundation piece on the whole

campaign, to the extent that the primary was part of it. It was terrible. Houston [I.] Flournoy came awfully close to beating Jerry Brown, because I don't think people liked Jerry after they got to see him one-on-one. That was what we were trying to do: we were trying to make it one-on-one. That was the only chance we had.

VASQUEZ: What was it that people didn't like about him [Jerry Brown]?

FITZRANDOLPH: Well, he wasn't his father for one thing. If voters thought he was his father whom they had nice feelings about. . . . He wasn't. He was cerebral, sarcastic, distant, aloof, whatever you want to call it. He wasn't Pat, and I don't think people realized that until then. Secondly, he didn't come across as a nice kind of guy.

VASQUEZ: How important is that in politics?

FITZRANDOLPH: It seems to me to be crucial in this day and age. I think Reagan proved that. It may be less so as we get more sophisticated, but right now with no loyalties at all. . . . I think there was once [something] called

"party loyalty," or even "issue loyalty."
Now you've got no loyalty, and you can have an electorate who says, "I don't agree with this guy ever, and yet I'll elect him president twice." The great dichotomy of the approval of him versus the approval of his views is something that I think we have to think about long [and hard].

VASQUEZ: Do you understand it?

FITZRANDOLPH: I don't understand it.

VASQUEZ: You don't understand it?

FITZRANDOLPH: Well, I guess I do . . .

VASQUEZ: Because of the lack of sophistication, or the over-sophistication of the electorate? Which is it?

FITZRANDOLPH: Probably the failure of the education system.
[Laughter] No, I guess for president, people want to be made to feel good about themselves as a country. A bigger perspective, for me, is nationalism. When I was a very young man, I thought that World War II had taught us that there is something suspect about nationalism. Yet I'm convinced today that it is the strongest force in the world of politics.

VASQUEZ: And rising?

FITZRANDOLPH: It is.

VASQUEZ: Not only in Europeanized countries, but it's probably a stronger force in the Third World.

FITZRANDOLPH: Absolutely. It's a stronger force inside of Russia. It is going to be Russia's downfall.

VASQUEZ: It could be.

FITZRANDOLPH: Because they are holding all of these nations under a false umbrella. It is such a powerful thing that it may be what we've all missed in analyzing Reagan. I think he made us all very nationalistic. That was his appeal: "We'll be stronger. We'll be better. We'll be respected."

VASQUEZ: And, "There's nothing wrong with us."

FITZRANDOLPH: "There's nothing wrong with us. What deficit? What does that matter?"

VASQUEZ: "What [national] malaise?" Is that it?

FITZRANDOLPH: Yes, that word that they wrapped around [President James C.] Jimmy Carter, which he apparently never said. Jimmy got caught up in that, because Jimmy is a decent sort of guy who understood that we were facing some tough times. The fear that I have with all

of it is that nobody ever wants to tell the people the truth anymore. I would love to see a politician who says, "Hey, we've got a problem, and this is it."

VASQUEZ: Two of the last three Democrat presidential candidates did that. Look what happened to them.

FITZRANDOLPH: Well, I'm not sure Dukakis really did it.

VASQUEZ: Perhaps not Dukakis, but before that.

FITZRANDOLPH: Before that, yes.

VASQUEZ: Dukakis did do it the the last week [of the campaign].

FITZRANDOLPH: Yes. I think if Dukakis had asked me, I'd say, "Look, you can't just be another Republican. You've got to take the message. Now, I realize you're probably going to get it." I'm not sure [with Vice President Walter] Mondale it's fair to say that about him. Here's a guy who didn't have a shot no matter what he said. I don't think he lost because of the taxes statement. I think he lost before that ever started.

VASQUEZ: Why?

FITZRANDOLPH: It was just this feeling that the guy

[Reagan] deserved another term. He was a good guy. He was making us feel good. I mean, things weren't bad. The things you could touch, see, and feel--the immediate things--weren't bad. People were fairly well-employed [and] inflation was down. There was no argument to be made against Reagan's second term except, "We're buying up a load of trouble down the road," a very unsaleable argument. I'm glad he made the statement, but I couldn't conjure up a Mondale scenario for victory. It wasn't there.

I liked him a lot. I met him a couple of times. I thought he was underrated, but the taxes statement was an easy out for people who say, "That killed him." I don't think it killed him. I don't think he was alive to be killed. He may have been performing a service.

VASQUEZ: Was Reagan just too strong an opponent?

FITZRANDOLPH: Too strong.

VASQUEZ: There had been little sustained publicity about troubles within his administration, but

troubles had been there.

FITZRANDOLPH: That's right. Troubles there had been. But Mondale, a good, decent guy, I don't think people saw him necessarily as president. He picked a weak vice presidential choice [Congresswoman Geraldine Ferraro]. I thought that was almost the kiss of death to put her on the ticket. So there were a lot of things going wrong with that.

VASQUEZ: Why? Wasn't the country ready for her?

FITZRANDOLPH: No. She wasn't legitimate. I don't think the country would reject a woman vice president if they were legitimate.

VASQUEZ: [Congresswoman Patricia] Pat Schroeder, maybe?

FITZRANDOLPH: Maybe. If the Republicans had put on [United States Senator] Nancy Katzenbaum this time, she might have won. She's been a U.S. senator with her own record. I'm not sure a congressperson should ever go on a ticket as vice president. I don't think they'll believe any congressperson as a vice presidential candidate. I happen to think that that's as good as a [United States]

senator for me, but not out there in the real world. With a senator, somehow you've got legitimacy to be vice president.

I would stack up a Ferraro against a [Vice President J. Danforth] Quayle any day of the week, but in the public perception, "He's been a senator. He must have been exposed to the big issues of the time." That's the reality. She was a three-term congressperson. She was a woman, which was not the only thing she was, but she wasn't a major woman [political figure], a [Supreme Court Justice] Sandra Day O'Connor. Ironically, the Republicans seem to have more legitimate women than the Democrats.

VASQUEZ: Yet the Democrats are always talking about promoting women. That takes me to ask you something else. The failure on the part of the Democratic party to take back the presidency, the failure of the Democrats to take back the initiative in the articulation or political discourse in the state, and the floundering over who they are. What does that tell you about what has happened to the

Democratic party over the last fifteen or twenty years?

FITZRANDOLPH: Big question. If you limit this to the state, you go back to the feudal system analogy. Try to figure out what ties Democrats together in a state this diverse. It's very hard to think about what that is. We have a congressional delegation that goes the gamut.

The legislature itself. One of the geniuses of Willie Brown's leadership is that he has kept a lot of folks together that really have very little in common. It seems to me a little less true with the Republicans, although there are some serious splits there, too. They just haven't surfaced. A guy like Reagan keeps it all together.

VASQUEZ: Is it the personality or is it the "eleventh commandment," whether Reagan is around or not to take it to heart?

FITZRANDOLPH: I think they were out of power for so long and are so out of power in legislative races that they are willing to find the right guy

to win the big election. They have to be satisfied with it because the numbers are so much against them in the legislature, in Congress. So now they are focusing on the courts. How do you get the courts? You get the executive.

I grew up when Eisenhower and Taft were the extremes of the party. They were vicious. [Governor Nelson] Rockefeller [of New York] and [United States Senator Barry] Goldwater [Sr.] had vicious divisions, and they were out of power because of those divisions. Now they don't have those divisions. They can manage to keep it all together. Deukmejian seems to have kept it together, maybe [United States Senator] Pete Wilson [as well].

The success that Democrats have at these lower levels is part of the reason that they can't have the big success. If you're going to have congresspersons from Orange County and San Diego be Democrats [as well as] from Oakland and Berkeley, you've got to let them be independent and do their thing. How do

they get together and agree on X? They don't.

Look at primaries. People who are divided seem to be able to win those Democratic primaries. Maybe last year [United States Senator] Albert Gore [Jr.] would have been a better choice than a Michael Dukakis, but Albert Gore can't get out of his primaries. The primary system that we've developed since 1972 has almost ensured some ideological litmus test that is guaranteed not to win a general election. On the other hand, I hear that a lot, and I buy it mostly.

VASQUEZ: Which is different from some time ago.

FITZRANDOLPH: Yes, I believe that a Dukakis nonetheless could have made a different message and taken the old-line Democrat--you know, "Government is a positive force. It can solve problems. Here is how it can do it"--and stay at some level of generality that we can all agree on. Democrats really believe in the positive power of government. That is the thing that ties them together. They

differ on this issue or that issue, guns, abortions, or whatever. But get away from those things and see it as a "Government making a difference in lower- and middle-class lives." There's a lot of skepticism out there about that.

VASQUEZ: In the last ten years, have Democrats become myopic to what the public perceives?

FITZRANDOLPH: Yes.

VASQUEZ: So it is the opposition that comes out with a Proposition 13?

FITZRANDOLPH: Sure. They've been intimidated by Reagan, Proposition 13, and there is an anti-government [mood]. There's no question about that. I worked against Proposition 13. I managed that whole campaign. The polls were just shocking to me. We did it weekly, daily. I realized from that, that taxes weren't what that thing was all about. Politicians were what that was all about.

VASQUEZ: Exactly.

FITZRANDOLPH: But the Democrats carry a big blame. Jerry Brown, Leo McCarthy, they saw it coming. They had their big surplus. What did they

do? They screwed around and didn't solve it. They lent themselves to this attack.

VASQUEZ: You had Brown going the other way.

FITZRANDOLPH: Afterwards. So I think they've been intimidated. The one thing that holds them together is this power of government to help people. They've been so intimidated that the people don't want to hear it. They don't have anything to say. They don't have a unified [position], even a theme. "We're all against crime." Republicans have gotten away with crime as their issue. Are they willing to pay more money for prisons? No. Are they willing to pay more for cops? No. Are they willing to do anything to stop drugs? No.

VASQUEZ: They've been in power for eight years and the drug inflow has, I think, gone up by a factor of six.

FITZRANDOLPH: Exactly. That should have been a Democratic issue.

VASQUEZ: That's my question. What is wrong with the Democrats?

FITZRANDOLPH: I think they've lacked a person to personify those things. You still have to have a

spokesman that catches on. Dukakis wasn't a particularly effective spokesman. Mondale wasn't a particularly effective spokesman. He wasn't bad, but he wasn't [effective]. I mean, we're talking about the "great communicator" [Reagan] who I've never thought was so great, but he seems to have been perceived as that.

VASQUEZ: Is it perhaps that the coalition that kept Democrats in power is sliding around and, maybe, breaking up or changing?

FITZRANDOLPH: Sure. That coalition, which really was the [Franklin Delano Roosevelt] FDR coalition, was for a long time back trying to keep that together.

VASQUEZ: Some people argue that prosperity has killed the Democrats?

FITZRANDOLPH: Yes, with success. Plus the demolition of organized labor's power. When I was playing politics, I think membership in unions was in excess of 30 percent of the work force. Now it's down to . . .

VASQUEZ: Seventeen percent.

FITZRANDOLPH: Yes. I argued that at the time, and I got

really involved in public employees unions. We tried to set up a state board. We were playing to labor because I thought that was where the labor movement was going. To some extent, it has, but it [really] hasn't . . .

VASQUEZ: Regained its strength?

FITZRANDOLPH: No, it hasn't. So there's a power base that has diminished. The arguments that they make aren't even taken seriously by labor anymore. Now, maybe in a few more years they'll see that it is in their interests, but they've been beaten up by Reagan's airline controllers [strike] thing [which] started it. So that's part of the coalition which is weak. The blacks are in power in a lot of places now. Anything that seems to support them seems to peel off some other part of that coalition which is the blue-collar [sector]. You see the tension there?

VASQUEZ: Why did leadership of the party work so hard to keep Jesse [L.] Jackson out of having any chance of being vice president?

FITZRANDOLPH: [They were] scared to death.

VASQUEZ: Why was he scary?

FITZRANDOLPH: Part of it is him. He is a loose cannon, in a way. If it were [Mayor] Tom Bradley, I think that would be reasonable, but I think Jesse Jackson. . . . First of all, his past scares you. When are they going to turn up a scandal against Operation Push? When are they going to turn up all of his affairs or whatever it is? Forget his color at this point. He is just a politician, but he's not a traditional politician. He is a minister.

It is sort of a strange thing. He's never held office. If he goes and becomes mayor of Washington, D.C., which is what they're talking about, or senator from Illinois or something, then you're talking about a candidate. You're talking about a candidate who is very clever, very glib, but what can you expect from him? It's scary. So I think part of it is Jesse Jackson. Of course, there is his charm, too.

VASQUEZ: Right. Some people argue that he is too "hot" in [Marshal] McLuhan terms. The example you picked, I think, is excellent, Tom Bradley. Look at Bradley. He's going to

win the election today. He also has no reason to lose.

FITZRANDOLPH: This is a white community, and he has done very well. It's not a black community.

VASQUEZ: It's a white community?

FITZRANDOLPH: Yes, and he has managed to rise above race and not scare people. He doesn't scare people.

VASQUEZ: By being nonthreatening?

FITZRANDOLPH: Yes. He is a nonthreatening person. Jesse Jackson is a threatening person.

VASQUEZ: Next time, we'll extend this discussion about the perception of government and how that leads to movements for the reform of government.

[Session 3, May 9, 1989]

[Begin Tape 3, Side A]

VASQUEZ: We were talking about the formation of an image that politicians have to be very careful of. We were contrasting Mayor Tom Bradley with Reverend Jesse Jackson, how both have a clear definition of who they are but one seems more threatening than the other. What are the factors that go into the definition of a politician that aspires to state or national office?

FITZRANDOLPH: Just looking at history for the last twenty-five years, in this state at least, it seems to me that you have to be fairly undefined, not threatening, sort of okay but not ideologically defined. Just think of the present officeholders: Pete Wilson, Alan Cranston, [Attorney General] John Van de Kamp. Jerry Brown, when he first ran, was a nonthreatening person. He was not very well-

defined. He almost lost to a nonthreatening person, [Controller] Houston [I.] Flournoy. People don't seem to much want hard-edged definition to the candidate. They tend to merge towards the middle, nonideological, pragmatic candidate.

VASQUEZ: Jerry Brown, however, by the second term had defined himself.

FITZRANDOLPH: In the second term, that is true. But then he was the incumbent. His opponent was nothing special in public perception.

VASQUEZ: This would be [Attorney General] Evelle [J.] Younger.

FITZRANDOLPH: Evelle Younger. Even though he [Brown] was a little more controversial, it was almost for conservative reasons--the Plymouth automobile, sleeping on the floor--fiscally. He wasn't perceived as a liberal or a big spender or somebody who was using government to raise taxes and spend. So he was a non-New Deal type of candidate. Yes, he was a little flakey, but he was okay and not going to take our money and spend it on social programs.

VASQUEZ: You think that overcame the kind of

appointments he was making?

FITZRANDOLPH: Yes. Those kinds of appointment issues are really esoteric, I think. Everybody in the judiciary knew what he was doing to the judiciary, but nobody in the real world cared or could see it.

VASQUEZ: Elaborate on that.

FITZRANDOLPH: Well, he was making appointments of minorities. Maybe that was his greatest legacy, in fact: his judicial appointments. But it is the kind of thing that doesn't affect "Joe Six-pack's" life. He doesn't see it. He doesn't appreciate it. He may read it in the Times, but he never reads the Times.

It is the kind of thing that doesn't go very deep into the electorate. So his appointments were a matter of hot controversy with the legal community and probably were beneficial in the minority community, but it didn't seem to affect the population at large very much.

VASQUEZ: Why couldn't he translate that successful image-making--if we can call it that--to the

national level when he ran for president?

FITZRANDOLPH: Well, he was fairly successful. The first time he ran I think he won six primary elections, but much too late in the game to pay off. But he was a real comer at the end of that primary season. I think the tide had turned by the next time he wanted to be president. [United States Senator Edward M.] Ted Kennedy was around and got into the race against Carter. And Carter had won some [primaries].

The scene had changed a lot, and you could only be a "young prospect" so long. Then you become a fixture. And I think his general reputation as a flake had caught up with him. It certainly caught up with him here when he ran for the [United States] Senate against Pete Wilson. He was fairly soundly rejected for, again, a rather bland unknown fixture in California, Pete Wilson.

VASQUEZ: What role do you think the media--and define that as you want--plays in this definitional process? What does it mean for political discourse and for the voter getting the best

candidate?

FITZRANDOLPH: In California, it is everything.

VASQUEZ: Talk to me, if you will, in evolutionary terms of the last quarter of a century.

FITZRANDOLPH: Well, there was a time when I think people expected to know their candidate, certainly in a state like Maine and with Ed Muskie. [He could] get into his car and drive around from village to village to meet all the people and overcome any prejudice they had. He was a Catholic, he was Polish, but he was forgiven because they knew him. He was "a heck of a guy." Everybody met him, and they could put him into the Senate with some feeling of confidence.

In California, you can't meet everybody. In percentage terms, you cannot meet everybody. Bob Moretti got a lot of credit for a line I may have told you about. Herb Caen in a column [in the San Francisco Chronicle] one day asked Bob, "How are you going to beat Jerry Brown with his high name identification?" He said, "My hope is to meet every Democrat in California, and

if I can't do that, I hope Jerry Brown meets every Democrat in California." That was a good one-liner, but it had a kernel of truth in it.

People who met Jerry Brown were not terribly impressed. He was not a particularly spectacular candidate on a one-on-one basis. Moretti, by contrast was sensational. He was warm, he was outgoing, he was candid. All the things which Jerry was not. But in a media state--which is what we are here--you have four major media markets and six minor media markets, and you've got to hit them all repeatedly. You have the sound bite, the little exposures. It has changed politics. You do not know your officeholder. The people who know the governor are an infinitesimally small group of people.

VASQUEZ: What is it you do know?

FITZRANDOLPH: We know what we saw in the news.

VASQUEZ: The package?

FITZRANDOLPH: The package, and it has become more so in my lifetime, I think. The success of the CDC clubs, for example, in the fifties, was a

grass-roots thing. When I first got into politics, everyone thought, "Even the governorship ought to have grass-roots organizations," and you worked very hard to get field offices.

You worked very hard to get people into every community, at a shopping center or a high school auditorium. That is the way politics was played. I think the transition was the early seventies. I think Jerry Brown was the candidate that exposes that the most. He did nothing for organization. He didn't care. He didn't have field offices. Every dollar he raised was spent on the media. Our campaign in 1974 was torn because we had a lot of people who wanted to spend our money on this sort of thing.

VASQUEZ: Bob Moretti's governor race?

FITZRANDOLPH: Moretti's governor race. A lot of people on our staff and his entourage wanted to spend money on opening up headquarters in all of the cities. We were torn financially between trying to do that to pacify those people and a recognition, on my part at least, that it

was TV that made the difference. So as we used to say, "The billboard is in your living room." That is where we wanted to be.

We had a pretense of organization. But I don't think after 1974 anybody has had a pretense of organization. Some of our people were all enamored of the [United States Senator George] McGovern race in 1972. They thought that it was the grass roots that made McGovern. Well, that may have been true. It may have been the issue of the war that transformed McGovern from a senator to a candidate, but the perception was that it was his grass-roots effort.

VASQUEZ: Some people say that was the last time there really has been a substantial grass-roots effort for a major candidate.

FITZRANDOLPH: That's right. I think those years, 1970 to 1974, that four-year period and those two elections were the transition between folks who still thought that maybe grass roots meant something. . . . Finally everybody understood. They don't. It doesn't mean anything.

VASQUEZ: Now, in 1974, you went to work for Senator John Tunney as executive director of his staff. That is grass-roots work.

FITZRANDOLPH: Well, it was grass roots, but it was [for] an incumbent senator who had obligations as an ombudsman for people in California.

VASQUEZ: So what was the role of his staff in the field offices?

FITZRANDOLPH: Most of the staff, with the exception of me, was to help constituents with immigration services, with Social Security, with all the government agencies that people had problems with. They had field offices here that were really trying to help constituents.

VASQUEZ: You mean you weren't running for office from the first year you got in there?

FITZRANDOLPH: Well, I was. I was. But the people on the staff--there were twenty-two of us--were essentially trying to overcome the impression that he got early on, that he wasn't doing any field work. I think an incumbent senator, particularly one who is three thousand miles from the flag pole, has got to have folks locally who can talk to the mayor

or the constituent and say, "We'll help you with your Washington problems." A senator certainly can't do that in a state of this magnitude.

So yes, the original focus was, "How do we get him into a better position to be reelected?" Part of that was [providing] constituent services. It was the thing that Alan Cranston has always done brilliantly. [United States Senator] Thomas [M.] Kuchel had done it, and when he didn't do it, he lost. Anyone who forgets. . . . It is easy to do when you get back at the Potomac [River]. There is a reputation that spreads. It has to do with how you handle constituents--Republicans, Democrats, cuckoos--I mean, everyone has a right to his senator, whether he is partisan or not.

I think Tunney had made a mistake in the first two years of not recognizing that. He got a bad reputation. We were trying to undo that bad reputation. It was a little late in the game. He still had it. He wasn't as bad at the end as he was in the beginning, but

that was our focus.

VASQUEZ: What were you responsible for in this reelection vision you had? In addition to doing this sort of everyday, nuts-and-bolts constituency . . .

FITZRANDOLPH: Well, my vision was we had to get the candidate back into the state. He simply had been an absentee senator in many ways. So I tried [by taking] advantage of existing forms to get him back into the state.

VASQUEZ: Examples?

FITZRANDOLPH: We set up some luncheon meetings at his house with some leading Hispanic leaders. We set them up with some leading women in the state.

VASQUEZ: Before we go on, why was it that Tunney constantly had trouble--symbolically at least--with an important figure like César Chávez in the UFW [United Farm Workers of America]? He would go into Fresno and meet with the farmers [but not] meet with César. At least a couple of times this happened. He had a hard time overcoming that image in [the Mexican] community. Why was that?

FITZRANDOLPH: I guess I'm not really qualified to speak [to

that]. [When] I came in, he had been in office for four years, so a lot of this had [already] taken place. Mine was a mission of repair, and I had an agenda for repair. When he didn't conform with my agenda, we parted company just before the [1976] election. My perception was he had wanted to be a Washington senator, not a California senator. It was perfectly understandable, and I would go back to Washington and meet with the staff every five weeks. I would spend a week there, and [there was] a pull and tension of those people trying to get him to coauthor this [or that] bill, appear at this hearing. . . . They wanted to make him responsible for more legislation than anybody else elected in 1970, and they were successful. He did, in fact, author and get signed more legislation.

VASQUEZ: Did it burn him out?

FITZRANDOLPH: Sure. It was a terrible burn. That was what I kept saying. Who cares? Nobody cares. In your second term, you can be this great legislative leader, but right now you've got

to be a California senator. I would set up meeting after meeting which they would cancel. I would set up a whole three-day agenda in Monterey, in Carmel, that part of the state; with Democrat groups, with party groups, civic groups, and they would cancel at the last minute because there would be some piece of legislation or some committee hearing.

VASQUEZ: He was already very active in foreign affairs or foreign policy issues. Do you think, that was hurtful to him?

FITZRANDOLPH: I don't think it helps anybody.

VASQUEZ: Anybody?

FITZRANDOLPH: Anybody.

VASQUEZ: Is it especially damaging to a California senator?

FITZRANDOLPH: To a California freshman senator.

VASQUEZ: Why? Is it [part of] the definitional process?

FITZRANDOLPH: First of all, people don't care that much when they go to reelections. In fact, if you look at the chair of the [United States Senate] Foreign Affairs Committee, J.

William] Fulbright, he lost after having been chair because he was so involved in it.

[United States Senator] Frank Church lost after being involved in it because they didn't care in Idaho, either. If they feel that you have let them down in their concerns, then most folks don't care or vote about foreign policy issues. The people who can do that are the safe people, safe in terms of their being reelected no matter what.

VASQUEZ: Like [United States Senator] Jesse Helms?

FITZRANDOLPH: Yes. That's right. He can do whatever he wants. He pays attention to the business that they care about, which is tobacco, and everything else he can do without fear of retribution. But when you are a first-year senator, a first-time senator, from a distant state that has got a lot of issues [some] of which are foreign policy, you've got to take care of business first.

I kept saying, "In your second term, you can do all of this, but you can't do it now." Intellectually, John agreed with all

of that. We never had a disagreement intellectually. But when push [came to] shove, he wanted to be a succesful senator. That is to say, he wanted to know something about the issues.

He was writing a book.¹ His last two years in his first term, he was actually writing a book on the energy policy of this country. He thought we were making a lot of mistakes and he wanted to tell us [so] in a book. I would see him on the airplane handwriting reams of this book. I would wake him up in the morning in a city somewhere, and he had been working on this book, long-hand on these yellow pads. The book got out, and he is not in office anymore.

It was just a matter of priorities. I think the priorities for a politician in this country, particulary when you start out with a bad reputation. . . . He had a couple of things to overcome. [He had a] not-doing-

1. John V. Tunney, The Changing Dream. Garden City, New York: Doubleday, 1975.

his-constituent-homework reputation. I do think we corrected that, but the image had already been established.

VASQUEZ: What is it that pulls senators into foreign policy matters when there is such a track record of it being detrimental, especially for first-termers?

FITZRANDOLPH: It is very exciting. It is what makes presidents. Presidents, when they have domestic problems, decide to take a trip overseas. It has saved a lot of presidents. Folks do think that a president ought to do that. It is one of the things you are, the spokesman for us around the world. And they do tend to forget that maybe the [domestic] policy is falling apart. If unemployment is high, you go to Russia or China.

VASQUEZ: On the other hand, the last two presidents have had [some of] their biggest problems with foreign affairs or foreign policy matters.

FITZRANDOLPH: Well, for presidents they are trying to get a piece of history too. I think Reagan's history, if he hadn't come to some grips with

Russia over the last couple of years, would have been a much worse profile than it probably will be. Nixon. After all is said and done, everybody is going to remember that he went to China, certainly a valuable thing to do. Of course, it was his mentality that created the basis for not going for all those twenty-five years, but beside that, that is what folks remember.

They don't remember that he had wage and price controls in 1971. There is a whole lot of things you don't remember about Nixon, but you remember he went to China. So I understand presidents wanting to do it. I understand it takes the heat off domestically. But for senators it is glamorous, and you've almost got to be in that mix to realize what an isolated life those people can lead, if they are willing to.

One of Tunney's problems, I thought, was that he was surrounded with sycophants. I was not [one]. I was the guy from California saying, "Hey, you've got to come home."

Everybody in California agreed with me.

Nobody in Washington agreed with me.

VASQUEZ: Do you think that was his biggest problem?

FITZRANDOLPH: Yes.

VASQUEZ: And perhaps his downfall?

FITZRANDOLPH: Absolutely.

VASQUEZ: What other experiences can you relate about the period you spent with Tunney?

FITZRANDOLPH: In his defense, he was the beginning of the demise of the so-called liberal candidates. He lost in 1976 for all the reasons that I said, but partly because he was identified as a Kennedy look-alike.

VASQUEZ: Why has Cranston continued?

FITZRANDOLPH: He has never been perceived that way. If he has, he has been forgiven because he seems to be doing his homework.

VASQUEZ: He brings home the bacon?

FITZRANDOLPH: Yes.

VASQUEZ: Defense contracts?

FITZRANDOLPH: He is good for California in that way.

VASQUEZ: Defense, Israel, those kinds of things?

FITZRANDOLPH: Yes, that is right. He does his homework with those constituencies. At one point--you

can stop me if I've already done this--I tried to get Tunney to make phone calls every afternoon. Alan Cranston at three o'clock every afternoon would go into his office. He had a handwritten sheet of paper of people he was going to call.

VASQUEZ: From his "K" cards, I believe they are called.

FITZRANDOLPH: He would call fifteen or twenty people every single day of his life. I tried to get John to do that. Well, it didn't work. I would finally give him three or five names. They weren't called. Then I would give him names with potential conversation pieces. Discuss this, this, or this. And they didn't get called. So those calls never got made.

VASQUEZ: Was that a lack of vision or his staff's priorities? Do you have any idea?

FITZRANDOLPH: I don't think he saw the importance of it. When you get caught up in the world, who wants to go sit in an office and call some labor leader or some city councilman in Duarte [California]? It just doesn't seem exciting when [there is] the chance to do

something about Israel, to do something about Africa. He was involved in some resolution about [the] Congo, a fact which nobody in California knew or cared about.

He was involved in some antitrust act actually. He finally got the [United States Senate] Constitutional Rights Subcommittee when Sam Ervin retired. So for his last two years he was the head of that subcommittee which was a tremendous force, I thought, and tried to get him to use it. But we just couldn't put it all together.

VASQUEZ: Some critics have argued that he became enamored with the use of media, with being in the media. Would you attribute maybe some of this oversight on . . .

FITZRANDOLPH: No, no. I wish he had more.

VASQUEZ: Was he a good media candidate?

FITZRANDOLPH: Not always. He was too hot. He was a very forceful person. If you've ever met him, he speaks loudly and clearly with very expressive gestures. The best that I've ever seen him in media out here was when he was tired. I would tell him so.

One night we dragged in. [He was on the] 11:00 P.M. news. He [had] just came from Washington where it was 2:00 A.M., and he was sensational. Because he was so tired, he didn't jump through the tube. I tried to work with him on that, to tone him down, because he was a very smart man.

People I think underrate his intelligence. He was an intelligent person. He prided himself on reading and knowing a lot. And he did know a lot. What he knew he knew better than most people who ever knew that same subject. I'm saying it was a matter of intellectual honesty on his part. He didn't like the thirty-second [sound bite]. He wanted to debate the whole issue with you. It was very hard to get him down into the thirty-second sound bite. And I must say, it was to his credit that he resented [the fact] that he had to do that.

VASQUEZ: But it was self-defeating?

FITZRANDOLPH: It was self-defeating. If you want to play in the game, you've got to play by the rules of the game. And you can't change it. He

was a transitional figure. I think he was going from a time where politicians sat and discussed things with you to a time where the media dominated what you did and the format in which you did it.

VASQUEZ: He was, in fact, a transition from the backslapping, hand-shaking [politician] to a total immersion of television, wasn't he?

FITZRANDOLPH: Yes, yes.

VASQUEZ: Was he able to make that transition? Or did things change then?

FITZRANDOLPH: Well, he wasn't as successful as Jerry Brown. Jerry Brown understood it from the very first day. John was sort of dragged into it. Now, of course, he also had to come out here to do it. So he would come out here on Thursday night. On Friday we would get him into three media markets, maybe San Diego, L.A., and San Francisco in one day.

He told me one day, he said, "When I tell my friend Ted Kennedy what I do with my life on the weekends, he is surprised. He [Kennedy] says, 'I just go up to Boston and get on TV, and that's it for the week.' He

has got one media market. He has got Boston." I said, "You've got six. We've got to get you into Sacramento once in a while."

VASQUEZ: Do you think his identification with the Kennedys hurt or helped him in California?

FITZRANDOLPH: To that extent, he couldn't do much about it. He [Kennedy] was, in fact, his best friend. They had gone to college together. They debated together in law school. They won the moot court competition at the [University of] Virginia law school.

VASQUEZ: Why did it hurt him in California?

FITZRANDOLPH: Well, I think the tide had started to turn. That is what I was saying earlier. I think with all his deficiencies in staff work, he still could have been reelected in another era. But he caught the beginning of the conservative movement, "Wipe out the liberals."

The evidence of that is that within four years, [United States Senator] Birch Bayh was out in Indiana; Frank Church was out in Idaho; McGovern was out in South Dakota. A whole crowd of people that he would have

identified with were whisked out of office in two or three terms. [And they were] much more solidly entrenched than John Tunney was.

VASQUEZ: But Alan Cranston keeps plugging along?

FITZRANDOLPH: Because he has never been perceived as part of that crowd. He does his homework. He has rapport with the business community. He is not viewed as one of those pointy-headed liberals. He is not. He is so non-threatening in person. He looks so bland. He is so bland, but he does his homework. So he has put together the perfect combination. Now, whether he can get elected in another era is a story for another day. I have no idea. He was rather fortunate. Circumstances helped him, if you remember.

VASQUEZ: Right.

FITZRANDOLPH: He could have never beaten Tom Kuchel, for example. But when the right-wing threw out Max Rafferty, he got wiped out. All of a sudden, it was Max Rafferty and Alan Cranston. Alan Cranston looked fairly moderate compared to Max Rafferty, who was a hot figure and scared people. So Cranston's

election was virtuous for him, and he knew how to make the best of it to his credit.

VASQUEZ: So what you are saying is that to be successful in California, you've got to have staying power?

FITZRANDOLPH: Yes.

VASQUEZ: You've got to be as bland and as undefined as possible?

FITZRANDOLPH: Yes.

VASQUEZ: But you still have to maintain a connection with your base.

FITZRANDOLPH: And it has resulted in some pretty bland politics and some pretty bland politicians. I'm not denigrating those people. They're good people. Alan Cranston is certainly a guy that I'd like to see in the senate, but it has forced into office sort of noncontroversial [types].

VASQUEZ: Has this given media too much of our own [personal] politics?

FITZRANDOLPH: For my taste, yes. I would prefer to hear some debates among candidates, but the public doesn't want to hear debates among candidates. They are used to the thirty-minute

sitcom where everything gets resolved. They watch the presidential debates. But those presidential debates aren't debates. They are staged. The worst example I ever saw was the vice presidential Quayle-[United States Senator Lloyd] Bentsen so-called debate, where you could tell his [Quayle's] canned answers were just not related. Everyone has the same thing.

VASQUEZ: When they asked him questions that weren't in the can, he didn't have answers?

FITZRANDOLPH: Yes. It was so obvious. He was the most obvious example of what the other people have now learned to do. They will tell you. Every media person will tell you--and I've been through this--you make your speech.

You don't answer the question asked unless it suits your purpose. You say, "Yes, but," and you go on with whatever your message is. Because you're not going to get that many chances. People won't go to political debates. I'd rather go to a high school auditorium and see a couple of guys have it out. That once did happen. This

isn't so far-out in my lifetime. Do you remember the superintendent of public education?

VASQUEZ: Rafferty and [Wilson C.] Riles had debates.

FITZRANDOLPH: That is what I was trying to think of. Rafferty and Riles were having it out. They had a series of debates up and down the state. People turned out for them. The media covered them in an extensive way, and I think they made a difference. But it is about the last time I can think of anything like that.

VASQUEZ: Of a substantive debate?

FITZRANDOLPH: Of a substantive debate. There is no such thing anymore.

VASQUEZ: Well then, who puts the substance in politics?

FITZRANDOLPH: I don't know. I wish I knew. Really, it is a stunning thing to realize that we are supposed to be a highly educated nation, all sensitive to the great issues of our time and so forth, and yet it doesn't matter.

You can't tell me of an issue that the last presidential debate ever exposed. It

exposed attitudes and feelings, I guess, what are operative now. And maybe we knew something about the candidates' views on crime. The death penalty is one of the least important issues for a U.S. president that I can imagine, as is abortion, yet those were kind of the things that . . .

VASQUEZ: They won for one candidate in the elections this last time, didn't they?

FITZRANDOLPH: That's right. Yes. Did anybody ask him [George Bush] about his real views about foreign policy or what to do about the deficit? The polls show that nobody believes either one of them on half of the issues, but it doesn't seem to matter.

VASQUEZ: I keep being told by people I interview that the reason there is no mileage in talking about the deficit, except negatively, is that nobody cares about the deficit. Do you believe that?

FITZRANDOLPH: They don't. They don't care. They don't see how it affects their daily lives. They somehow think that the death penalty does, which is ludicrous. It doesn't affect their

daily lives, but that is a high-visibility and cutting-edge issue.

In the bigger picture, I suppose, Democrats [have been] having trouble in the last twenty years because they are on the wrong side of the issues that really don't matter but [which] seem to matter politically, like the death penalty and abortion.

VASQUEZ: How about an issue like Proposition 13, which in many ways [should be] a Democratic issue? The Democrats lost control of it or got outplayed on it in 1978.

FITZRANDOLPH: Well, as you know, I managed that campaign and was polling almost daily. It was a fascinating experience. I think people who tell you what [Proposition] 13 was all about don't really know what it was all about. It wasn't about taxes.

VASQUEZ: It was about politicians?

FITZRANDOLPH: It was about politicians. And I do think that the [Jerry] Brown-[Leo] McCarthy images in Sacramento had given the people that feeling. They knew there was a surplus. They knew that those guys were bickering

about it and they weren't getting it. Property taxes were going up and they were very hostile.

A demagogue comes along like [Howard] Jarvis and says, "Those pointy-headed politicians are screwing us over. This is an attempt to get that money back." I think it could have been avoided by some leadership on the part of Brown or McCarthy or both. It could have been avoided and was. There was an alternative proposition, if you remember, Proposition 8 [on the June 1978 ballot] that was finally carved out and put on the ballot. If it had come before Proposition 13, there would have been no Proposition 13. Jarvis would have been resigned to his role for twelve years as a kook. His ideas were kooky. He was a laughingstock for years. People forget that, in perspective. He ran for the U.S. Senate in 1962 and got no votes. He was a curmudgeon from the beginning, and even the polls showed us that Jarvis was not very well received.

The interesting thing was that because

he was a single figure, it was easy to take the camera over and stick it in his face. People were really impressed with Jarvis. That was the fascinating thing about those polls. They didn't really believe him.

VASQUEZ: It was the issue that was projected behind Proposition 13?

FITZRANDOLPH: Yes. The media made Jarvis the focus, but the folks really understood that what they were doing was sending a message to those people who had been screwing around with this surplus. We tested the tax issue all the time, and nobody cared about it. We would say to Republicans, for example, "If we tell you that the result of Proposition 13 is to force local government to lose all their power to the state government in Sacramento, do you care?" They didn't care. And here's the most traditional Republican issue, home rule, and you're telling them, "What if I'm telling you that this is taking it away?" "We don't care. We are so mad, we don't care."

Nothing rational mattered. We almost

turned that election around at one point. In May, the No-on-13 people ran two commercials, one about fire and one about police, because they were the only issues we found that people cared about.

VASQUEZ: [What about] libraries and the rest?

FITZRANDOLPH: They didn't care about that. Even schools. We made some commercials about schools, and nobody cared. But they cared about police and fire. We ran them and ran them and ran them. We had a poll in late May showing a dead heat. We'd come from two-to-one to a dead heat. [There was] some rationality about police and fire.

Then the local property tax assessor [Alexander Pope] in this county released the figures about an increase in property taxes. Normally, those figures didn't come out until July. Alexander Pope decided he had to tell the people what was going on and released these very inflammatory figures. The media picked them up. That was just the end. We never recovered from that. We lost two-to-one.

VASQUEZ: So you were up to a dead heat towards the end?

FITZRANDOLPH: Yes. It was late May. Our own polls had a dead heat, and I think all the momentum was our way. We had made the point that this was going to cut deep. We had firemen saying, "We aren't going to be able to respond to fires." We had policemen saying, "We can't." And it was very effective. I was very proud of that. [Laughter] But the reality was it wasn't in the cards.

Everything we predicted has happened, except the state bailed out the local governments for a few years. I suppose that had to be done that way. If I had been an officeholder, I probably would have done it that way. As a disinterested person, I would let all those consequences happen to say, "I told you so," but over a period of time, people are beginning to see it.

The most dramatic thing, it seems to me now, is that people are buying houses next door to somebody who has been in their house for years and who is paying three or four

times the property tax as their neighbor for the same services. We said that was going to happen. It is happening, and I think it is beginning to build up hostility to the point where even [Paul] Gann says, "We ought to address that issue." Maybe we'll take another proposition and address that issue. But that was inevitable.

The problem we had politically in 1978 was who did we have to carry that message? The officeholder, Leo McCarthy, who was the speaker, wanted to make commercials. We had to say, "Leo, this is all about you. You're an officeholder. You are the heavy. We can't have you on local TV down here."

We tried to use the League of Women Voters' presidents, because they were the good guys. But we had to find somebody else. We were using Howard Miller, who was on the [Los Angeles] Board of Education. So we used Howard Miller because he was a brilliant debater. He was right, and he would take on Jarvis. But we were trying to develop people who were not officeholders.

We made some enemies with officeholders by having to say, "You are the issue." They didn't like to hear that. They thought it was taxes. It was much more complicated than "Property taxes are too high" because "too high" is a relative term. Too high compared to what?

VASQUEZ: What was your biggest frustration as campaign director?

FITZRANDOLPH: The biggest frustration in that campaign? There were so many that I can't identify one. One was the media not challenging Jarvis's clearly outrageous statements.

VASQUEZ: Why? Because he made good television?

FITZRANDOLPH: Yes, I guess so. Channel 7 [KABC-TV]. . . . I will not watch [anchorman] Jerry Dunphy to this day. [Laughter] He interviewed Jarvis, and at one point, Jarvis pulled out of his pocket a letter which he asserted said something from the IRS [Internal Revenue Service] which it didn't say and would never have said. Dunphy asked him to hand it to him. He looked at it and said, "That's very interesting," and they went on as though

nothing had happened.

We couldn't get back into that to say, "What are you doing?" Jerry Dunphy is not a good newsman. Plus he favored the proposition. Channel 7 wanted us to present a different person every day to debate Jarvis. I said, "This is ridiculous." We finally got them to let us have a League of Woman Voters' president and Howard Miller alternately.

But there were several items like that that just went uncontested. The [Los Angeles] Times had assigned a reporter who knew nothing about politics. He was an economic reporter.

VASQUEZ: Who was that?

FITZRANDOLPH: I think it was [Ronald] Ron Soble. So he would come in and ask us about economic issues and tax issues, and we thought that the politics was just as significant, [but] that never got reported.

VASQUEZ: Why is that? In all the literature you see about Proposition 13, there are peripheral discussions about anger with politicians.

But [according to you] it all seemed to rotate around an economic argument. Why weren't you able to [bring that out]?

FITZRANDOLPH: The only thing we were able to do was. . . . Jarvis called these smear tactics, and they were in a sense. We were trying to say, "What would happen to essential government services if this passed?" Now, understand that five years earlier with the Reagan initiative, which was very similar, we were very successful making just that argument. It was going to cut too deeply into police, fire, and education.

And looking back, even with a bailout, government has changed. Local government has very little money, very little power. They go hat in hand to the legislature for funding. With a no-new-taxes part of it, it has been a tough time for local governments.

I think they are squeezed worse than any level of government. In fact, there were some figures this week that the percentage of federal aid to local government has decreased from X percent to X percent. I don't know

what the percentage was, but it was quite dramatic. So the federal government is not helping the local governments. The state has limited resources to help local government. Proposition 13 handcuffed local government. So all of that means that local government services are. . . . Roads in California don't look like the roads did ten years ago.

VASQUEZ: They sure don't.

FITZRANDOLPH: Parks don't look like parks used to. Library hours are [restricted]. At the beach, you've got to pay an arm and a leg to park. We're going to start paying for trash pickups. User fees have gone up. Government has had to respond in ways which I think are unfortunate.

VASQUEZ: Do you see the Republicans outdistancing the Democrats by taking the initiative [in raising the issue of] the loss of local autonomy and local control?

FITZRANDOLPH: It doesn't seem to matter too much. I don't think it is seen very clearly yet. I sit on this local government's county commission which I chair.

VASQUEZ: This is the Los Angeles County Commission on

Local Government Services?

FITZRANDOLPH: Yes. I see a lot of government people. They still talk about home rule a lot. But I think there is a sense growing out there among the public that a lot of problems cross these boundaries.

Air pollution, certainly local government can't do much about it. Traffic, highways, the things that are beginning to impact people's lives in ways they understand, are not going to be solved by local city councils. Yet there is this ideology about home rule that is very powerful stuff.

But I don't think citizens who are trenchant can feel it in the same way that they did when I was growing up. There was some sense of community. It doesn't exist anymore. It exists in a few pockets. I think people who live in South Pasadena are a fairly stable population. They build [homes] and grow up there. They go to school. But by and large, the San Fernando Valley is not like that.

VASQUEZ: The central city sure isn't.

FITZRANDOLPH: Central city is not like that. Pasadena, where I grew up, had a very strong sense of itself when I was a kid. The players have changed, the attitudes have changed. I'm sure it is going on all over southern California. The increase in population almost mandates change. I'm not sure that home rule in the long run is . . .

VASQUEZ: Going to be a fighting issue?

FITZRANDOLPH: Yes.

VASQUEZ: Let's change lanes here, just for a while. You were involved in government when the 1974 Political Reform Act came into existence. I think we discussed before that there is a cyclical concern in California politics about political reform. What was the climate, the events, the process, the issues that brought about the 1974 Political Reform Act?

FITZRANDOLPH: Watergate, I suppose, was the most dominant factor in our lives. As a country, we had been through that big trauma.

VASQUEZ: But there must have been something [related] happening at the state level.

FITZRANDOLPH: I'm not sure there was anything in particular.

What I think was happening was a distrust of government generally. The Vietnam War had done it. We kept finding out that people had lied to us. With Watergate, the president and the vice president had been forced from office, [they were] very traumatic times.

The upshot, I think, was sort of a negative, "Government is not to be trusted, and those politicians are not to be trusted." They were parallel. In the late 1800s and early 1900s this state had experienced the same attitude.

VASQUEZ: The reaction against the railroads?

FITZRANDOLPH: The reaction against the railroads. We dumped everything into the constitution that said, "You can't meet. You can't raise money. You can't do this. You've got to do that." And this is a cycle.

I think the cycle was exacerbated by the national scene, which was pretty dramatic stuff. It filtered down pretty far into the electorate, because they were learning that the CIA [Central Intelligence Agency] was doing things around the world that they

didn't know, or that they were lying to Congress. The president was lying to us. [People were] very hostile toward government.

If there's anything the Democrats stand for, it is the sort of proactive government role in life. But it rests on some notion that you can trust them, that you elect them and you can trust them. That began to be a national attitude, the change towards governance and governors. [Edmund G.] Brown [Jr.] caught a little of that. I think Reagan had caught a little of that a little earlier.

VASQUEZ: The first Brown you are talking about.

FITZRANDOLPH: No. No. I think Jerry Brown had caught that anyway, and Reagan had caught it earlier. As I say, California is always about six or eight years ahead of the rest of the country. Reagan caught a little of that antigovernment stuff, although . . .

VASQUEZ: He managed to use it to his advantage.

FITZRANDOLPH: He did. He got elected because of it. I think Jerry saw Reagan as closer to him than his own father, because his own father repre-

sented the good old days when the government was trusted. "Give them your taxes. They'll build us some good schools. They'll build us some good highways."

VASQUEZ: "You spend a lot, they give a lot."

FITZRANDOLPH: That's right. You got a lot for your money. It all seemed reasonable, but Reagan capitalized on some of that antigovernment feeling.

VASQUEZ: How much did the economic setting of the early 1970s, which was less than positive nationally and statewide, play into this?

FITZRANDOLPH: It played into it. If you don't have a lot of money, you're not going to be taxed a lot either. You're not willing to give it to the poor . . .

[End Tape 3, Side A]

[Begin Tape 3 Side B]

FITZRANDOLPH: The California scandals which gave rise to the 1974 election, I think they really overlapped from the national scene. There hadn't been any terrific scandals about California legislators or congresspeople.

VASQUEZ: Some of the characters or players that were

used quite effectively to support a reform act were lobbyists. What effect [has it had] on lobbying over the years?

FITZRANDOLPH: Well, ironically, as soon as it passed in 1974--you had a report and you had to keep records--it helped the sophisticated lobbyists.

VASQUEZ: In what way?

FITZRANDOLPH: They had the resources to do what had to be done. They figured out how to report, how to deal with the new rules. They understood the process so well that they knew how much they could do and get away with and what they couldn't do. They figured out ways to accommodate themselves in their system to the new rules. It really professionalized lobbying more than it had been before. The ones who could figure it out and make money out of it.

If you look now, lobbying is much more sophisticated. The professionals are more controlled than they ever were. It probably has hurt the casual lobbyist, the person who wants to go up and just watch a few bills.

VASQUEZ: Which interest groups do you think have benefited from lobbyists, and which haven't?

FITZRANDOLPH: Well, I don't know any. . . . The ones who suffered more may have been the amateurs.

VASQUEZ: Like?

FITZRANDOLPH: ACLU [American Civil Liberties Union], friends, animal rights groups, some of those. The entrenched economic interests seemed not to have been hurt at all. They didn't miss a beat.

VASQUEZ: Like oil, insurance, banking?

FITZRANDOLPH: Savings and loans, banking, wine, movies. That may be a reflection of power which was true before the proposition. It was certainly true after the proposition.

VASQUEZ: Might it be true that the act was too narrow or too limited?

FITZRANDOLPH: It was a little bit of a hypocritical act. I mean, this stuff about, "Two Cokes and a hamburger is enough." It demanded much more record keeping. That demand is the kind of thing which only people with resources can afford.

VASQUEZ: Was there too much attention on reporting and

not enough on sanctions? Could that be it?

FITZRANDOLPH: There were almost no sanctions that were ever imposed. It did create a watchdog, a bureaucracy, and rules and regulations. If you want to play in that arena, you've got to hire somebody who knows the rules and regulations. You can't do this casually anymore. I mean, you can, but you've got to be careful. It really did create an industry of professional lobbyists.

VASQUEZ: What is your impression or your assessment of the initial commission and how it evolved over the years?

FITZRANDOLPH: The initial one had a zeal about lobbyists which was almost predictable. They were very antilobbyist. They drafted a lot of legislation, but through the years as the appointees became more of a I guess Deukmejian appointed some people. They were almost preempted by the lobbying industry. Part of it is that reality just sets in.

VASQUEZ: Reality of what the limits of your power are?

FITZRANDOLPH: Yes, limits of your power, plus there is a protection about free speech and a right to

petition your government. So I've never been a supporter, incidentally, of most of these reforms. In a sense, I'm more concerned with the values of petitioning government.

I think we've probably kept a lot of people from petitioning their government. On the other hand, I understand the need for disclosure. I think disclosure is perfectly valid. Although, as I said, if you have so many regulations that only a professional can figure what it is they are supposed to disclose, you may have defeated some perfectly good virtues.

But I can say this about almost any reform. You can be sympathetic to the reform, and ten years later you look back and say, "Gee, what have we created here?" It is the same thing with the initiative [process]. If I had been around in 1910 or 1912, I would have been a major supporter of the initiative process.

VASQUEZ: What happened to the initiative process?

FITZRANDOLPH: The initiative process is now in the hands of only the wealthiest segments of society.

They can afford to get those 800,000 signatures and get them on the ballot. It's got to be some interest group. A process which was intended to get around interest groups has now become the tool of the interest groups.

VASQUEZ: Do you think it has also given a big loophole to the legislature to not do anything [about controversial issues]?

FITZRANDOLPH: Absolutely. It has allowed them to duck a lot of issues. They say, "Well, if you really feel strongly about the issue, go to the initiative." Proposition 103 [on the November 1988 ballot] was the result of the inability of the legislature to resolve the conflict between trial attorneys and the insurance companies.

The legislature just let them fight for years. They didn't resolve it, so some group [Voter Revolt] got the, "We're with all the consumers to go to the people and get 103."

VASQUEZ: But wouldn't that put more of the burden on the electorate and thereby make direct democracy more possible?

FITZRANDOLPH: Yes, except direct democracy is not well-suited to handle some of these complicated issues. Proposition 13, for example, was a mishmash of ideas. They'll be in the courts for years and have been. Proposition 8, which is supposed to be the criminal's bill of rights, had issues so complicated that they're still being litigated.

The [California] Supreme Court has found no reason to impose a single-subject rule. If they would, I think it would be healthy. But the supreme court has ducked that issue so that all kinds of things under the same heading come into being. [Regarding] 103, the rhetoric now is that it has all been very successful. But I think you'll see litigation about 103 forever, because the supreme court left open a couple of doors that are pretty big doors. They still say that the insurance companies have a right to make a "fair profit." Well, once you've said that, then you start to make judgments. Somebody's going to have to decide whether it is a fair profit or an unfair profit.

VASQUEZ: The burden of proof seems [to have been put] on the taxpayer or the insurance buyer and not on the insurer.

FITZRANDOLPH: Yes. So it will be a long time before that victory is more than [an ephemeral] victory, and I'm not waiting for my refund. I just don't think I'll see it for a while. I'm not sure that the initiative process should take on these huge chunks of social policy.

It's an employment-for-lawyers act in many ways. All of these are. It seems to me to cause more controversy. If we could focus on a single issue, and if the court would insist that we do that and put the issue that hasn't been resolved in the legislature to the people in a way that they can understand it. . . . I guarantee you nobody understood Proposition 8. I guarantee you very few people understood Proposition 13. This 103 it seems to me was a much more complicated issue than, "Yes, I want lower insurance rates."

VASQUEZ: Then there was [Proposition] 105.

FITZRANDOLPH: Then [Proposition] 104.

VASQUEZ: And 105, 100, 101 . . . ¹

FITZRANDOLPH: That's right. So we had to pick and choose our way through all of that.

VASQUEZ: Yet the electorate managed to come down quite solidly for 103.

FITZRANDOLPH: I'm sure they thought it was a rollback of insurance rates, a simple proposition. If it had been just that, okay, but it was a lot more than that. There were a lot of things in there besides rollback of rates. And those things will all be litigated.

I've become quite disillusioned. I am impressed with the electorate's ability to sort [out all this] complicated stuff. Through the years, on balance, I would say that the electorate has understood the general thrust of what the propositions were about. But the general thrusts wind up in lawsuits, they wind up in litigation for years afterwards about issues never thought about.

1. All propositions on the November 1988 ballot dealing with regulation of the insurance industry.

- VASQUEZ: Is this a change, or does this deterioration seem to indicate the initiative process gives too much power to the courts upsetting the supposed balance of power?
- FITZRANDOLPH: It's power they don't want.
- VASQUEZ: They try to duck it [just] as much, but it [often] does fall on their doorstep.
- FITZRANDOLPH: That's exactly where everything gets [dumped]. Every major social policy issue winds up in the courts, more so with the initiative. And it's very complicated.
- VASQUEZ: Do you suppose this is why the courts, at least in California if not everywhere else in the country, have become more politicized?
- FITZRANDOLPH: Yes, that is one of the results. The first thing I can remember is the Rumford [Fair Housing] Act in 1964.
- VASQUEZ: Nineteen sixty-three. Nineteen sixty-four was the initiative [Proposition 14] against it.
- FITZRANDOLPH: Yes. Well, it was that initiative which the courts struck down in 1964 as unconstitutional. For the first time, there were a substantial [number] of people voting against

the court. That may be the place for doing a history of this. That's the first one I can remember where the courts were seen as a political institution, really political.

VASQUEZ: You mean partisan?

FITZRANDOLPH: Partisan, yes. I think they did the right thing, but they almost paid a price for that. Ever since they have ducked some issues. I think they have incorrectly ducked some issues because they didn't want to take the flak.

One was the single-subject rule. It was perfectly clear what that was supposed to mean, but the court didn't find it perfectly clear. Proposition 8 was really a classic to me because it involved so many things. It had rules of evidence. It had procedures. It had things not related to crime. [It had] power to go to the school districts, power to enforce criminal law. A lot of things were in that Proposition 8, and the court cavalierly said, "It is a single subject. It has to do with crime." Well, if you're going to define things that broadly, then the door

is open for all sorts of abuse and the court winds up in this political posture which they don't want, but they have to do it. I come from the view that the legislature ought to make these decisions.

VASQUEZ: Why?

FITZRANDOLPH: Because I think that is the elected body. Right or wrong, they do reflect us. I've looked at all institutions, and it's the one that seems to me to be the most democratic by design in reality.

VASQUEZ: Is it in California?

FITZRANDOLPH: I think, given the choices, yes. It is the most democratic.

VASQUEZ: Still?

FITZRANDOLPH: Absolutely. It dawned on me one day after I first got there [the legislature]. Clever intellectuals would sit around and laugh about Assemblyman so-and-so. Then I began to look at them and say, "Hey, that person represents the district. That is what they are supposed to be. So-and-so is supposed to be there because he does, in fact, express the general consensus out of the town of X,"

whatever the district is.

VASQUEZ: What does that mean? I ask you that because I've interviewed numerous legislators. Some feel that a good legislator represents what his district is feeling and thinking and what it wants. Others say, "That's not why I'm here. I'm here to lead, and as a leader, there are times when I can't represent what they want if they're wrong."

FITZRANDOLPH: Well, that is an internal problem for a lot of legislators. But basically if you look at. . . . Let's just pick [Assemblyman] Alan Sieroty. When he was a legislator, he seemed to me to represent Beverly Hills, by and large. Whatever he represented, he could never have represented Bakersfield. He would never have been elected from there. They would not have taken him seriously. He couldn't have said a word that they would like. Bakersfield was represented by somebody quite different, and correctly quite different.

Now, there are times when either one of those is going to have to make decisions out

of touch with their own constituency. But by and large, they have the confidence of people in those districts. I guess that is what I mean by represent. They have the [district's] confidence: "Well, even if he's against us on this issue, he is basically representing our interests. He understands oil, cotton, and our view of social policy in a much more substantial way than Alan Sieroty does."

VASQUEZ: So then the legislator that takes care of the home issues has the luxury to get involved in other issues. Is that what you are saying?

FITZRANDOLPH: Yes. Willie Brown, I'm sure, represents his district. There is no other district in the state he could get elected in and say the things he says. And if he decides he is going to have to take off on some issue that the district wouldn't put to a vote, he's got their confidence. "Well, I understand he is our guy. If he thinks so, then maybe he is right." You've got to build that sense of rapport. And the courts don't have it.

VASQUEZ: Which means you still need that connection with the base.

FITZRANDOLPH: That's right. Exactly.

VASQUEZ: So no matter how slick your campaign media is, if you don't keep a connection with the base, you're a one-termer?

FITZRANDOLPH: That's right. You're out. You don't find too many legislators losing after a term or two. But the ones that do have lost it. They have left it.

I was thinking of [Assemblyman] Mike Cullen the other day. He represented Long Beach for a long time and finally lost. I think it is because he moved to Sacramento and thought of himself as a legislator from Sacramento. It doesn't happen too often. You have to reach for examples.

Vasconcellos represents his district. I'm sure he is much more liberal than much of his district, and I'm sure if they put his record to a vote, they probably wouldn't support him. But he is such a well-known and trusted figure with his constituency, because he goes home and meets with them and they know him, that they forgive him. They forgive him if he strays from what they think

he should be doing. It is a fine balance, and the good ones figure out how far they can go and not lose their district. There is some general acceptance of, "So-and-so is our assemblyman or our state senator."

[Assemblyman Barry] Keene is a good friend of mine, and I know his real views because I knew him before he got elected.

VASQUEZ: You came up together, didn't you?

FITZRANDOLPH: Yes. If you had put his views to a poll in his district years ago, they would have been very disparate. But he knew he had to get elected. He knew what he could speak about. He is in a very tough area. It is the environmentalists versus the lumber industry. That was his first constituency.

He managed to waltz through that very nicely through the years and get respect from both sides. Enough so that they didn't [feel] like going to find another candidate to beat him. They accepted him through the years [because of his] understanding [of how] to balance these great issues. What he did on other issues was up to him, but on the

ones that mattered, he did represent them.

George Zenovich was quite a liberal guy for Fresno. He seemed to know the farmers, and the farmers trusted him. César [Chávez] and Dolores [Huerta] were always around, you know. He managed to keep them and the farmers pacified. How he did that I don't know, incidentally, but he did.

VASQUEZ: Why didn't [Assemblyman] Charles [B.] Garrigus have that kind of success? He was another one that seemed, as a liberal, out of his element with farmers. They never really accepted him, but they didn't . . .

FITZRANDOLPH: Did he lose or did he retire?

VASQUEZ: No, he [eventually] lost.

FITZRANDOLPH: I don't know. It was a little before my time. Zenovich managed to figure out how to waltz those [issues]. And almost every district has some competing interests in it. You've got to figure out how you're going to resolve those problems, side with one against the other, or try to work it out. It's a balancing act that, I must say, I came to respect as probably what they ought

to do.

VASQUEZ: It's where [leadership and] representative government meet?

FITZRANDOLPH: That's right. That [the legislature]'s where representative government meets. I began to trust that, and what saddens me really is the impact of election costs distorting this somewhat.

But in theory and in reality, I thought that it was the one forum where people have to meet these issues head on, whatever the issue is, and resolve it satisfactorily to get elected every two years. I don't believe in any terms longer than two years. I used to. I thought you ought to have the dispassion of six years. No. I want them to have to face [the electorate] every. . . . I want Congress to have to face it every two years.

VASQUEZ: Even if it means having to start to raise money from day one of being [elected to] office?

FITZRANDOLPH: That is the part that is distorted. It didn't use to mean that.

VASQUEZ: We will get into that in just a minute. Let

us lead into that by a question that is more general and that [concerns the] professional legislator versus the amateur. On which side do you come down?

FITZRANDOLPH: Well, I have to come down on the professional.

VASQUEZ: Why?

FITZRANDOLPH: First of all, I think the issues require full-time attention. I think in a state this complicated, trying to manage a budget of several billions of dollars, the guy who runs the hardware store and drops in and makes these decisions won't work anymore. If it ever did work, it won't work now.

VASQUEZ: Now, the idea was that if you paid him enough, got him secretaries and staff, got him a car, got him postage, got him all kinds of things that an executive has, he wouldn't be beholden to large money interests. Is that what happened?

FITZRANDOLPH: That is what happened.

VASQUEZ: Why?

FITZRANDOLPH: I think that rests on the notion that there is a political party out there who would take care of party things. It would raise the

money and help you in your race. But there is no party out there, so we are back to the fiefdoms. To get into your fiefdom, it costs a lot of money.

But reapportionment sort of negated the negative side of that because, theoretically, you wouldn't need to raise all this money. But that hasn't worked either, because now the people in unsafe seats turn to you for help because you've got a safe seat. If you really want to be a player in the bigger picture, you have to continually raise money.

VASQUEZ: Is that why uncontested candidates go out and raise or even spend \$200,000.

FITZRANDOLPH: They really shouldn't need to. They don't have to do that. They shouldn't do that. My view is that they've got it all ways. They get the reapportionment that gives them a safe seat. Then they go out and raise huge amounts of money. They don't need to do that. I'm sure there are examples of people who don't.

I've lost touch with the players, so I can't give you any insights. But even when

money wasn't that big, a Moretti who wanted to be speaker could do that or had to do that. A Willie Brown felt he could do it because he wanted to help people who agreed with him on issues that were really minority issues. But a Vasconcellos never had to do it. He wouldn't have to raise a dime, really, to get elected in his district after the first couple of times. I don't know if he does it now, but he doesn't need to.

VASQUEZ: All of this would seem to cry out for a strong party system. Why hasn't that come about?

FITZRANDOLPH: Why hasn't it come about? It may be coming about. Jerry Brown may have put his finger on it. Partly, if you remember, the party couldn't endorse. They were prohibited from endorsing.

VASQUEZ: Right. But some of those rules have changed.

FITZRANDOLPH: I know. As the rules change, it may reinstitute a strong party. The jury is out for me. I don't know when that is going to come about. I'm sure that is what attracted Jerry Brown to it.

VASQUEZ: Partisanship is not as dirty a word as it [once] used to be?

FITZRANDOLPH: Well, it's funny about partisanship. Because in our history, we had this cross-filing mentality, and partisanship was a dirty word. Jesse Unruh made it not quite as dirty, in a sense. It was almost irrelevant in the legislature before he was there. So for the players in the game, it wasn't such a dirty word after 1962, but in the public's perception it was sort of a dirty word.

Back to our earlier discussion, the politicians who seemed to be less partisan seemed to get elected. When I said [some were] threatening, I meant partisan in a way. Pete Wilson is seen as not too Republican. Alan Cranston is seen as not too Democratic. Jerry Brown has done this to himself: He has made himself partisan, and the jury is out on what effect that will have on his career.

VASQUEZ: Perhaps he saw something coming?

FITZRANDOLPH: He may have. I will give him credit for that. He has got good antennae, so he may

see the return of partisanship. Reagan always made you feel he wasn't too partisan, yet he really was. He would go to Republicans and give them all sorts of raw meat.

VASQUEZ: Like the Republican's "eleventh commandment"?

FITZRANDOLPH: Do you know where that phrase came from, the "eleventh commandment"? I can't come up with a name, but there was an individual who ran for Republican party chairman [Gaylord E. Parkinson]. They had been out of power quite a while. He was from San Diego, I believe. He asked Reagan and [Mayor] George Christopher to observe the eleventh commandment. That was the first time I had ever seen it: "Thou shalt not speak ill of another Republican." "Because we've been out of power for so long," he said, "the only way we'll get back in is if we don't carve each other up." It has gone into the lexicon of political phrases, and this poor fellow from San Diego who started it is probably lost in history.

VASQUEZ: I don't remember, but I think I know where I can find that.

FITZRANDOLPH: Maybe. "Money is the mother's milk of politics." Jesse is credited with it. Now he doesn't get credit for it.

There was this Republican state chairman out of San Diego who came up with the phrase, but it does say something. It may be that partisanship is coming back. Although if you ask the electorate, "Are you a Democrat or Republican?" they say, "Neither" in huge numbers. There is very little identity with parties.

VASQUEZ: You haven't had a great rush to change party registration. People often don't vote Democratic while they are registered Democrats in a lot of cases, but you haven't had a great rush for it [to change parties].

FITZRANDOLPH: There are two issues going on here. One is the public who doesn't seem to think much about parties at all. And the [other is the] players who may think we need to get back to some partisanship to take this burden off the officeholder to continually raise money and redistribute it. They're getting burned in the public's perception. They are

getting the heat. Maybe they would like to transfer the heat to a party. Maybe there is a time for parties.

VASQUEZ: Common Cause tells us that this business with conflict of interest, the stashing of large amounts of money, and the ensuing government stings on legislators, is not going to be resolved by changing personnel. It has got to be changed by changing the system. Is that too esoteric for you?

FITZRANDOLPH: No. It is probably right.

VASQUEZ: Public financing of campaigns, is that part of the answer?

FITZRANDOLPH: I used to resist that a lot.

VASQUEZ: Why?

FITZRANDOLPH: Because I thought it gave the incumbents too big of an edge, and I have some notion that a candidate ought to be able to put up whatever money he needed or thought he needed to take his views to the public. That is one of his constitutional rights of free speech.

I know the Buckley decision in 1974 was a terrible decision.¹ It prohibited anybody

1. Buckley v. Valeo (424 U.S.1) January 31, 1976.

from giving more than one thousand dollars to a candidate unless you are married to him or happened to be family. You could be [United States Senator John H.] Heinz [III] in Pennsylvania and put all your money into it. And I saw several cases where money didn't matter. Remember Norton Simon who ran for a Republican nomination? He put up about \$6 million.

VASQUEZ: Of his own money?

FITZRANDOLPH: Of his own money. But he lost because he wasn't believable. So I have some faith that people can sort that out, and that is where I want to put my trust, in the people. I don't think they will be overwhelmed with money. I really have some naive belief, maybe, that money alone won't do it. You cannot buy your way into office. On the other hand, I realize that nobody without money can ever get into office.

VASQUEZ: Or stay in office?

FITZRANDOLPH: I'm conflicted by that. I guess I've come around to public financing. I was sort of dragged into it reluctantly.

VASQUEZ: There's another discussion in California politics that is of some concern to some-- again perhaps more to professionals--and that is the notion of inbreeding, interns becoming staff, staff becoming the incumbent. What is your notion of that?

FITZRANDOLPH: It certainly has happened. It certainly has been a development from 1962 to now. I'm not sure that I'm so opposed to that. I think staff people get an insight into the system and how it works, what the issues are. In a way, there are very few others who do.

VASQUEZ: On the other hand, it flies in the face of your argument about keeping touch with the base. Some of these people have no base.

FITZRANDOLPH: Well, they need to. Some of them do.

[Congressman] Tony Coelho is an example. He was an aide to a congressman in that area for years. I think when the congressman left. . . . Was it [Congressman Bernard F.] Bernie Sisk?

VASQUEZ: Right, Bernard Sisk.

FITZRANDOLPH: When Sisk left, Coelho was everyone's choice to replace him because they knew him. They trusted him. He did have a base. He didn't

walk out of a Washington office and come into the district. He knew the district. He knew the factors. He knew the players. So that may be an example of somebody who was able to build his own base on somebody else's.

[Assemblyman] Vic Fazio really paid his dues. He was a staff person in Sacramento, but he was a player in Sacramento politics and was certainly a legitimate person when he ran for the assembly to replace [Assemblyman] Edwin [L.] Z'berg. Somebody locally could have beaten him, but they didn't. He took his case to the electorate. He wasn't illegitimate. I guess the worry is somebody who walks in like. . . . I hate to pick a name.

VASQUEZ: How about [Assemblyman] Richard Polanco?

FITZRANDOLPH: Okay. There is a guy who may have--I don't know--walked in from the outside and taken over. I don't know. I can't speak of that one specifically.

VASQUEZ: Is there a blatant case where you think somebody is in office as a result, and only as a result, of being an aide?

FITZRANDOLPH: We're talking about legislative offices now?

VASQUEZ: California legislative offices.

FITZRANDOLPH: Howard Berman, maybe, went to the assembly because the district was carved for him. He worked it and kept it, but he wasn't a community leader out of that community at that time.

VASQUEZ: He has a pretty healthy machine that takes care of him, doesn't he?

FITZRANDOLPH: I don't know that.

VASQUEZ: Do you have problems with that? Well-organized, well-financed, well-strategized machines?

FITZRANDOLPH: If the machine would take a local person and help him, I wouldn't have that much trouble. I think when they superimpose somebody. . . . They don't get away with it all the time. They've tried to impose people on districts that were not their districts, and they got rejected. So anytime a person is superimposed on a district and they send them a new assemblyman, "We'll create you," I have some trouble with that.

VASQUEZ: It happens?

FITZRANDOLPH: But it happens.

VASQUEZ: Examples are?

FITZRANDOLPH: Howard was one. I don't know about [Assemblyman Herschel] Rosenthal. He may be a creature of the machine, so-called. I don't know.

VASQUEZ: Does the money factor make machine politics more possible?

FITZRANDOLPH: Absolutely. If you can get your name on thousands of slates, on different slates because you bought your way into it, it [money] is certainly [a factor] in an urban area like this where politicians are known. I think it would be impossible to do that in Fresno, say.

VASQUEZ: Why?

FITZRANDOLPH: Because . . .

VASQUEZ: Do you think they have pretty well-established and powerful interests in Fresno?

FITZRANDOLPH: And they know who you are. You know who they are. You can't walk in one day and say, "I'm going to buy an election in Fresno." You need money to win, but you've got to be somewhat of a legitimate candidate.

I keep going back to this "legitimate" idea, which means you have ties to the community. They know who you are. You are not somebody who was created in Washington and sent out to win this district. Even the machines would prefer a local supervisor or a local, legitimate candidate who has got a constituency.

It is when they superimpose [someone] on the constituency that doesn't fit there that I get distressed. It happens once in a while. Reapportionment made it happen here, because all of a sudden you had fourteen new state senators. Now you've got some weird-shaped districts. I'm sure some people came out of that system that were not legitimately well-known figures in the area.

VASQUEZ: But they got shook out pretty quickly?

FITZRANDOLPH: Through the years, I think so. I don't know that [Senator Joseph B.] Joe Montoya was a legitimate assembly candidate when he first won. As I recall, he had a primary fight and won fair and square. I'm not being critical of that. He was one who I don't think was

known as a political figure. It seems to me that he was working in the county welfare department or something and just decided he was going to be an assemblyman.

VASQUEZ: Richard Alatorre surprised people when he came through successfully.

FITZRANDOLPH: Yes. He had worked for Wally Karabian.

VASQUEZ: That's right.

FITZRANDOLPH: But Ralph Ochoa was no more or less legitimate, and I was behind Ochoa. Neither one of them had ever held an office locally to pay their dues in local government.

VASQUEZ: What happened in that campaign? Why didn't your candidate, Ochoa, have better success?

FITZRANDOLPH: I think Alatorre worked harder.

VASQUEZ: Do you think he knew the district better?

FITZRANDOLPH: He probably knew the district better, although Ochoa had the support of the leaders of the district. I just think Richard worked the district better. He worked harder at it. He went to more doors. Ochoa would get tired.

VASQUEZ: Was one a politician and one not?

FITZRANDOLPH: Yes.

VASQUEZ: Richard has been at it for a long time now.

FITZRANDOLPH: Ochoa was an attractive guy, but he had never known what the demands of a candidate were, and he resisted them somewhat. He was a politician in the sense that he understood and liked politics, but he had never done the kind of [necessary] grunt work. He kind of resisted the grunt work.

VASQUEZ: Did he?

FITZRANDOLPH: Yes. You know who ran the campaign on a day-to-day basis was Art Agnos. The [Democratic] caucus sent Art to come down, and I think Art was frustrated because Ralph decided about three o'clock that he had walked enough. He just didn't work as hard at it as Richard did. We knew that Richard was working hard. Most of us who were pushing said, "You know you've got to work harder. People want to meet you."

I think that is a perfectly legitimate way to win an election, to walk. Even if you're not known, you go right on and you meet people. If they like you, fine. They'll say, "Hey, I met this guy. He's a candidate and I'm going to support him." In

a special election where turnout is so crucial, which is what that was, that personal contact was gold. That is why Peter Chacón is in office today.

VASQUEZ: Who is also having his [conflict of interest] problems, isn't he?

FITZRANDOLPH: Well, now. But ten years ago, he was an unknown. But he and his wife and his four sons [Christopher, Paul, Ralph, Jeff Chacón] walked every day and every night.

VASQUEZ: Yes. We talked about that.

FITZRANDOLPH: George Koulaxes, I finally remembered his name. George Koulaxes had the money and was going to do mailings.

VASQUEZ: If I remember correctly, Peter Chacón attracted you to his candidacy because of his hard work.

FITZRANDOLPH: Right. He was an upset winner, but he wasn't really because I said, "Here's a guy who is doing what he is supposed to do." I would go down there and . . .

VASQUEZ: Do you think that personal contact and volunteerism works?

FITZRANDOLPH: For that level, maybe. I've been out of it

so long that I can't tell you who gets elected anymore. But I knew that Ken Cory worked harder than anybody I've ever met. To be a Democrat in Orange County . . .

VASQUEZ: He had money?

FITZRANDOLPH: Yes he had money, but he also worked hard at it. Peter Chacón worked hard at it, and he did what I hoped candidates would do: Go meet people. Make an impression or don't make an impression. On Saturday and Sunday, he was out there--Peter Chacón with his four sons--handing out bumper strips and literature in parking lots and getting elected.

Tom Bane, he's under a lot of pressure now, too. But when he ran he gave out matchbooks, and he told me he worked from six o'clock in the morning to two o'clock in the morning. He would sleep for four hours and go back the next day. He had a system where he would go. He would go to the shopping centers in the morning. He would go to restaurants at noontime.

And I was sort of impressed with that, that somebody would make that sort of an

effort. It was rewarded. The media age certainly doesn't help these people. Another reason that I like the institution so much is that it is so unaffected by television.

VASQUEZ: Why? Because it is too hard to focus television cameras in small areas? Is that it?

FITZRANDOLPH: Yes.

VASQUEZ: What is the best tool at that level? Direct mailing?

FITZRANDOLPH: Direct mail and personal contact. If you believe that that should matter, it is the only place where it matters. Maybe city councils and things like that, but the only institution at the state level. That is why judges don't have to do it. That is why I really want decisions made there. If I had my way in the world, that is where policy would be made.

VASQUEZ: In the legislature?

FITZRANDOLPH: In the legislature. Now they duck it. I'm mad at them for that. And they intentionally duck it and let the court do it if it's too tough.

VASQUEZ: What kinds of reforms would take care of that?

FITZRANDOLPH: You can't give backbone in reforms, so I'm not sure that any institutional [reforms could].

VASQUEZ: Is this part of the reason why you think the two-year term is good?

FITZRANDOLPH: Yes.

VASQUEZ: They don't get too askanced, but yet you've got around 97 percent of incumbents being returned.

FITZRANDOLPH: That segues to the discussion about reapportionment. I know that the reformers would like to change that system. I don't join with them on that.

VASQUEZ: What about legislators doing it, blue ribbon commissions doing it, or the courts doing it, what do you come down to?

FITZRANDOLPH: Legislators. No others.

VASQUEZ: In smoke-filled back rooms?

FITZRANDOLPH: I don't care where they do it. I think they've got to take the heat for it, and they've got to do it.

VASQUEZ: Gerrymandering by majority parties doesn't

bother you?

FITZRANDOLPH: It doesn't bother me. I think it is inevitable, because all the other alternatives are worse. I don't like it, but I don't see any alternative. I don't want the courts doing it. They don't have a way to make those judgments. Blue ribbon commissions always scare me, because what do they know that is so precious that legislators don't know?

VASQUEZ: Supposedly they are disinterested appointees?

FITZRANDOLPH: Yes, I know. But they're going to have to make a judgment. People do not live in clumps of 250,000 people. So when you say that, you realize that you've got to draw some lines. You draw the lines based on your notion of what a community of interests is. Maybe it is these cities, but maybe it isn't.

I don't know what it is that the blue ribbon commission decides. Eunuchs from Mars maybe could make these decisions. But they wouldn't have to make a policy judgment, and I don't trust theirs any more than I trust anybody else's. A lot of the legislators I don't like, but they are the people who are

on the front lines. We can get at them if we don't like what they are doing.

VASQUEZ: [Is there] more accountability?

FITZRANDOLPH: They are the only people who are accountable. I wish the electorate would pay more attention, but that is their own damn fault. They don't pay attention. This is what they're going to get. If they don't like the latest gerrymandered plan, they can kick all those guys out and get some new ones. They're not going to do that because they don't pay attention. But they have the option to do that. And if it were really grievous enough, they would do it. Those people are going to have to take the heat at the next election.

One of the problems with the bicameral system is that you can't find out who is going to take the heat. I must say, if I had my way, I'd probably have a unicameral legislature.

VASQUEZ: Why?

FITZRANDOLPH: Because I don't think they [bicameral legislatures] conduct themselves as well. I just watch them duck from . . .

- VASQUEZ: They pass the ball from house to house?
- FITZRANDOLPH: And the poor guy on the street doesn't have a clue as to. . . . "Well, my senator did it. I don't know if the assemblyman did it."
- VASQUEZ: Jesse Unruh, in his later years, came to the same conclusion about unicameralism, for different reasons.
- FITZRANDOLPH: Well, Pat Brown always did. In fact, he tried to get us to write something into the constitution, and we couldn't . . .
- VASQUEZ: Is that in writing?
- FITZRANDOLPH: He suggested it a few times. In fact, at one point he took the chairman of the commission aside, Bruce Sumner, and said, "This is really a good system, this unicameral [system]." And he picked up the phone and dialed the governor of Nebraska to [have him] talk to Bruce Sumner, to try to tell him how good this system was. Bruce just said, "It is so politically unrealistic that I can't."
- VASQUEZ: Why won't it fly in the state of California?
- FITZRANDOLPH: I don't know. I don't think anybody has tried it. If a voter revolt group really got serious, Common Cause or somebody really got

serious about that. . . . You're never going to get it out of two houses that already exist the way they [now] exist. There might be a reform if Common Cause was serious about the initiative process. They could do it very simply. It's not too complicated. It wouldn't be in the courts for a long time. It is simple getting one legislative body so we could find out who was doing what. That's important. But I just don't see it.

The problem is that the public sees the two houses in Congress. I think that is the model. They think that is an important model, but it doesn't have any relationship to that. That was, as you know, a compromise accommodating big and little states. There was no such rationale here [in California]. We just do it because we do it.

If you're asking me theory, I think there is no place except the legislature which can make reapportionment decisions with any more insight, any better judgment. I know the courts can't do it. And every time they get a chance, they duck it. And they

should. Blue ribbon commissions, who is going to appoint them? The day you tell me who appoints them, I'll tell you what they are going to come out with.

VASQUEZ: So accountability seems to be greatest, as you see it, in the legislature.

FITZRANDOLPH: If we don't like it, we can toss the rascals out. We probably won't, but we could.

VASQUEZ: Now, after a pretty active decade of political participation, you went on to teach in law school and then became a dean. So in a way, you saw the political process from both the theoretical and the practical ends. What has that done in shaping your political philosophy [and how] you view politics?

[End Tape 3, Side B]

[Begin Tape 4, Side A]

FITZRANDOLPH: I teach the legal process. I teach legislation. And I reinforce my view that policy ought to be made in the legislature. I'm firm about that. Now, I have a realistic view of how that is done that a lot of academics don't have.

VASQUEZ: What is that?

FITZRANDOLPH: I know how it gets done. I know some of the liabilities. I know some of the players. I know all of the pitfalls. I realize when you talk about legislative intent and you're an academic, you're talking about something different than if you had been a player. You know how this all comes to be.

So I have a realistic view, I think, of all the liabilities. But I still come back to it because I don't think that the courts are in a position to make policy. I know that the tension between the executive and the legislative [branches] is a healthy thing. I don't see it as a problem; I see it as a strength. I see this is as the public having something to say about what goes on. I have sort of renewed my faith in that, although I realize that there are big interests that manipulate things. But most of us belong to those big interests.

"Special interest" is a pejorative [term], unless it is your group, then it is "representative democracy." So I'm not quite as intimidated when people say, "The

- legislature is owned by the special interests." I drive a car. I pay insurance.
- VASQUEZ: Do you feel the insurance companies, when they are special interests, are representing you?
- FITZRANDOLPH: No, but I think that there are groups which are competing with the special interests as part of the competition among special interests.
- VASQUEZ: And that balances out in a democracy?
- FITZRANDOLPH: It balances out. And when it gets too extreme, action is taken. When the insurance companies got what the public thought was too outrageous, they took action. I think that is fine. I don't say we should get rid of the initiative process. I'd like to control the initiative process only to refine it and to define it more narrowly as to what they are doing.
- VASQUEZ: How would you do that?
- FITZRANDOLPH: Well, there are a couple of ways you could do it. You could force it to go to the attorney general to limit it. You could have an indirect initiative. Once upon a time, we

had that in the state. Do you recall this at all? The indirect initiative was where the initiative had to go to the legislature first, then they would have a crack at it.

VASQUEZ: Yes.

FITZRANDOLPH: Even at that point, if they wanted to adopt it, they could adopt it. There is some way, I think, [but] I hate to use the [supreme] court. There is one thing the court could have done. It seemed logical to me. The court could have said, "We're going to stick to the single-subject group, and we don't have any preferences to policy. But we're going to tell you that this thing is too big. You've got to figure out what it is you want."

VASQUEZ: One issue at a time?

FITZRANDOLPH: One issue at a time. I think they could have done that and should have. They passed up two great opportunities of what I think is no courage at all because they know better.

VASQUEZ: In which case? In Proposition 8?

FITZRANDOLPH: Proposition 8¹ for sure. Proposition 13,²

1. Proposition 8 (November 1976).
2. Proposition 13 (June 1978).

somewhat, although I must say I'm not sure about 13. But certainly Proposition 8. Now they've given a signal to initiative folks that there is almost no limit: "You just grab anything you want in there, you put it together, and we'll call it okay." I just think that is a mistake.

I would like to see some limitation of the initiative to a single subject so people know that the policy [voters] are voting on was this policy and not a whole lot of [things]. You know, even Proposition 13 had something which the courts struck down, some commission by name. They said, "You can't name commissions." So they did do that. And there are things that courts could [do to] force the process to focus more on single subjects or single issues. Maybe an indirect initiative.

The legislature could have adopted pieces of that proposal if they liked it. Maybe there is some screening device. Understand that everytime I say that, it sounds like you're not for the initiative.

- VASQUEZ: It adds up to indirect democracy.
- FITZRANDOLPH: Yes. I don't dislike the initiative. I just dislike a lot of the effects. And a lot of times, I voted against perfectly good ideas because it was the other ideas that I didn't like. I didn't like the idea that we were doing it this way. Multiple petitions I won't sign, because I see all this stuff. I don't know what is in there. This is just overwhelming. You've got too many subjects in it, too many things going on.
- VASQUEZ: Are you still a believer in government as an active force?
- FITZRANDOLPH: Yes, more so than ever. [Laughter]
- VASQUEZ: Why?
- FITZRANDOLPH: I don't know. I guess because the alternatives are worse.
- VASQUEZ: Do you think [that in] the rough and tumble, in the give and take, things get shaken in the best [interests] of the public?
- FITZRANDOLPH: I don't know why. I'd rather have it done there [the legislature] than in a California lunch room, which is, I think, the other alternative. I don't even mind if government

supports art activities, even though I think a lot of people think that that's an area that government should stay out of. Right now, whoever buys the good painting, it's a money thing as well. It doesn't matter to me as long as the public has something to say about it.

I know a lot of cynics think that the public doesn't have much to say about government. I disagree with that. The more I see it, the more I think that for better or worse, people get pretty much what they demand. If they turn out at 10 percent for an election, that is what they're going to get. And the option is there, if they want to get upset.

You look around the world. You see Russians voting. It is incredible. They love it. It seems to be the hottest idea in the world, democracy. Yet here, where we gave birth to it and believe in it, it is taken for granted, and [we] don't do it very well. But it is there, potentially.

I once said in a discussion with Arthur [F.] Cory [lobbyist for the California

Teachers Association] who was the fellow who really built CTA, California Teachers Association, he was on this commission [California Constitution Revision Commission]. People were complaining about the low turnout at school board elections. He said, "Low turnout doesn't mean disinterest. It may be that they think things are going okay. But the day they think they're not going okay, you'll see a huge turnout." I watch that, and he is probably right.

People decry this Bradley [mayoral] election. Well, people were sort of satisfied. They thought he was going to get elected. He didn't affect their lives too much, but if they knew what they know now, they might have turned out in droves. They had a choice.

I've also seen people like Burt Pines take on an entrenched incumbent city attorney. Everyone says, "You haven't got a shot," and he pulled it off. He pulled it off because he worked hard at it, and it is

still potentially out there. I realize all the hurdles and problems and I decry the amount of money involved. I used to take the view that if you had a good idea, you could go out and raise the money. I don't know if that is true or not. I can't prove it, because there aren't enough cases around. But I suspect that my real concern today is the incumbency. That makes them so isolated. Even with two-year elections, most of them couldn't be beaten with any amount of money.

VASQUEZ: But, despite all of this, you seem to have an optimism about government?

FITZRANDOLPH: I do, and it is only because I don't see any choice with this. I look around the world and say, "This is certainly better than what they have in Hungary, Poland, Russia, and China." I do think that when people get worked up, they will do something about it. And that's not true everywhere else.

[End Tape 4, Side A]