

A two-year appraisal of Brown as Governor

By ED SALZMAN

No one could have known on the night of November 5th, 1974 what kind of governor the people of California had just elected. During the campaign, 36-year-old Edmund G. Brown Jr. sat on his big lead in the polls and talked vaguely about bringing a "New Spirit" to Sacramento. This ephemeral approach almost cost Brown the election, but it also brought him to power with few commitments and few indications of what path he would follow.

Now, two years later, we know what kind of governor we have — at the same time unconventional and unpredictable, idealistic and pragmatic, inspiring and maddening. He was an enigma in 1974 and, to a large degree, he remains a puzzle today. As Jerry Brown starts on the downhill side of the four-year gap between elections, the obvious question arises: How good a governor has he been?

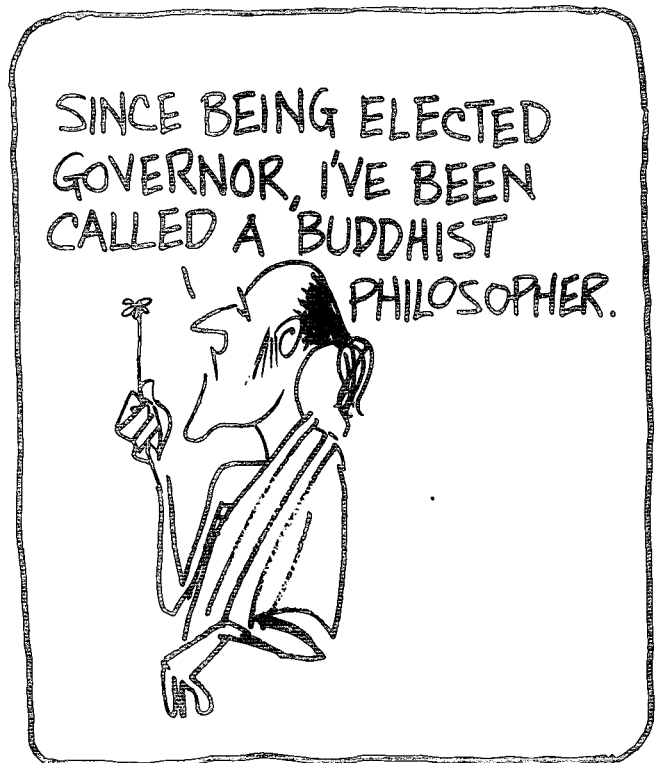
Brown himself is proud of his record of accomplishment with the Democratic Legislature. The polls show that he is phenomenally popular with the electorate. He received a vote of confidence last June by demolishing Jimmy Carter in the state's Democratic presidential primary. Yet, are a string of bills signed into law and citizen popularity the best measures of gubernatorial success? What criteria should we use to judge whether a governor is doing a good job?

Brown himself feels the test of a governor is whether he has brought new ideas to state government. And Brown clearly thinks he has done that with his "era of limits" approach, and his drive to bring about social and economic equality in the state (as evidenced by his successful plan to get \$70-a-month pay raises for all state workers this year, regardless of salary level). But there are other criteria that can be used. Here are some of them and how Brown rates:

Compassion. Brown's father, Pat Brown, said in his 1966 swansong campaign that he wanted Californians to remember him for this quality above all. Jerry Brown has displayed compassion for some elements of society, the low-paid worker, farm laborers and others. But he has also been under attack for not providing enough money in the health, welfare and education fields.

Efficiency. Organization is not one of Brown's strong points. He does not delegate authority well, tends to cope with problems only when they reach the crisis stage and appears to do a great deal in an off-the-cuff manner. (There is evidence that some of Brown's seemingly spontaneous major statements have been the product of careful preparation, however.)

Leadership. To be successful, a governor is supposed to display leadership talent and, at the same time, avoid being so heavy-handed that he can be accused of dictatorship. Brown thus far has managed to walk the narrow line and maintain a public image as a good leader.



Political talent. A governor is the leader of his party as well as the head of the executive branch of state government. He is supposed to unify the party and take steps to minimize the effectiveness of the opposition's attacks. Brown has not shown a great deal of interest in molding strong Democratic Party machinery, but his impressive presidential primary showing indicates that he has what it takes to arouse the voters. The Republicans have been so weak in the state that he has not had to take the opposition too seriously.

Fiscal integrity. One reason why the Republicans have been so ineffective in attacking Brown is that he has co-opted their traditional issue — reduction of government spending. Brown has been a tightwad, especially by liberal Democratic standards. He was fortunate to inherit a large surplus from Ronald Reagan, but he also has resisted attempts to increase state spending. His biggest asset as he starts the run for reelection in 1978 will be the fiscal soundness of the state.

Legislative relations. There is no question that Brown and

the Democratic Legislature have fashioned a great many major bills during the past two years. One of the main reasons for this was that Brown came into office after Democrats had experienced eight years of frustration with Republican Reagan in the corner office. With Democrats in control of nearly every aspect of state government, the floodgates opened. Brown maintained close relations with Assembly Speaker Leo McCarthy, the most powerful man in the Legislature, and that was vital to his successes. Brown was not especially popular with legislators on a personal basis for several reasons but that did not hurt him a great deal. He recognized the need to make friends by traveling throughout the state this fall to speak for Democratic legislative candidates.

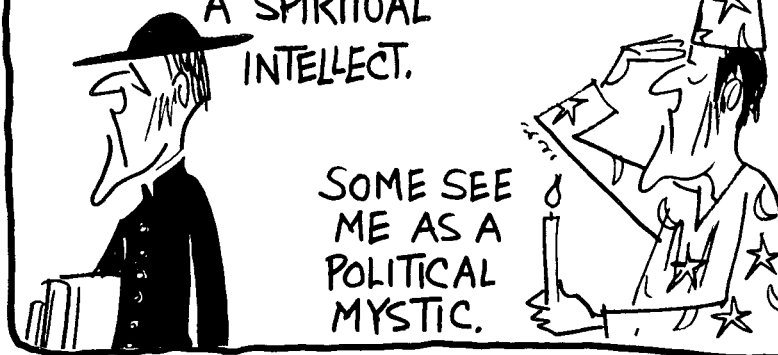
Appointments. Brown broke new ground in this field, naming to key posts an unprecedented number of women, Blacks, Chicanos and others who had previously been denied positions of power in government. With this pattern, there are bound to be some glorious successes and dismal failures. Despite this progress, Brown has been under attack from those who feel that even more women should be named to key jobs, especially judgeships.

Negotiating skill. Until Brown took office, this probably would not have been considered a major element to consider in rating a governor. But Brown's ability to bring opposing sides together produced compromises that led to the enactment of two major pieces of legislation, the 1975 farm-labor measure and the 1976 coastal conservation act.

Undoubtedly, there are several other factors that could be considered, such as the absence of scandal and the ethics and integrity of the governor and his associates. In an Eastern state, these might be the most important considerations. Columnist Joseph Kraft came to Sacramento this year and asked those he interviewed: "Is it possible to be a bad governor of California?" He concluded that California is in such exemplary shape that it would be difficult indeed for anyone to blow the job. California, compared to other states, has a tradition of honest government, has relatively few major problems, is in decent financial shape and has a system of higher education that meets the needs of the people. The role of the state is primarily to provide funds for local government, which also has a national reputation for efficiency and honesty.

In the political world, Brown lived a charmed life during the past two years. There were only a few real attacks on him in the first 18 months, and these were mostly by those who, while seeking funds for their pet projects, ran into his fiscal conservatism. Democratic politicians recognized Brown's popularity with the voters and wanted to associate themselves with him. Even some legislators who excoriated him privately didn't dare say anything negative in public. (This was also the case with Republican lawmakers during the Reagan years.)

But now the honeymoon appears to be ending. James Lorenz, the former employment director fired by Brown, isn't the only one criticizing the Governor. In recent weeks, Lieutenant Governor Mervyn Dymally criticized the Governor for not doing enough to promote business in California. Secretary of State March Fong Eu found it "frustrating and maddening" trying to get Brown to encourage international trade. (He told her the Division of International Travel was "a bunch of hogwash," she reported.) John PinCUS, a Brown education adviser, resigned from the state Board of Education after writing an indictment of Brown's education policy. Superintendent of Public Instruction Wilson Riles took off his previously permanently-bonded kid



gloves in an attack on Brown after the Governor vetoed Riles' high-school reform bill. Senator Alfred Alquist charged Brown with making a "glaring misstatement of fact" in the controversy over freeway funding.

In terms of public acceptance, Brown's biggest problem should be the policies of the Department of Transportation — the institution of Diamond Lanes on freeways and the general cutback in highway spending. Clearly, Brown is attempting to force Californians out of their automobiles and into buses, trains and carpools. The reaction to the Diamond Lanes experiment in Los Angeles was almost violent, and the *Los Angeles Times* went all-out to end the incursion into the lifestyle of Southern California.

Somehow, this controversy has not hurt Brown personally. He has managed to remain somewhat aloof and let his subordinates, Business and Transportation Secretary Donald Burns and CalTrans Director Adriana Gianturco, take the heat. Yet, Brown considers this transportation policy one of the cornerstones of his "era of limits" philosophy, and one of the "new ideas" on which he feels his custodianship of the corner office should be rated.

Despite the Diamond Lanes controversy, the *Times* has not been especially rough on Brown. It has praised many of his actions and criticized others. And the polls, which to some degree reflect media coverage of a political figure, still give Brown extraordinarily high marks. Reporters in California have been generally gentle with Brown, especially compared to some Eastern writers, who consider him an old-fashioned political hack clad in robes of Sufi sophistry.

At the end of August, even after Brown's lack of grace at the Democratic convention in New York, Mervin Field's California Poll found that Brown still has a 73 percent approval rating. Perhaps more significant were the findings on specific points like Brown's "lower-your-expectations" creed, which won an 81 percent agreement rating. Also 63 percent thought he was a hard worker (the wonder is why that didn't bring a 100 percent rating), and only 38 percent thought Brown was on an "ego trip" when he ran for the Presidency at a time when Jimmy Carter appeared to have the Democratic nomination locked up.

California realities

Brown recognizes that his run for the Presidency was the biggest gamble of the past two years and the turning point in his term. It was the first time he left the state and, if he had not been so successful in the primaries, everything might have come unraveled. But he managed to survive even an unholy alliance with the discredited Democratic political machine in Maryland. As it happened, he remained popular in California and established himself as a good possibility for the Democratic nomination in some future year.

After the convention, Brown had to return to the reality of the legislative session and the California political scene. He bounced back with some key successes, notably an end to automatic cost-of-living pay increases for judges and the coastal compromise. Here is a checklist of other measures passed by the Legislature during the first half of Brown's term:

- *Establishment of the Agricultural Labor Relations Board.*
- *Closing of so-called tax loopholes for businesses.*
- *Massive revision of the sentencing system for criminal offenders.*
- *Initiation of a \$1 billion housing program for low- and middle-income families.*
- *Placement of public members on licensing boards and commissions.*
- *Establishment of "lifeline" utility rates.*
- *Creation of a new arts council.*
- *Passage of three nuclear-safety bills.*
- *The flat \$70-a-month pay raise for almost all state workers.*
- *Reduction or elimination of state income taxes for the so-called working poor.*

The 1975-76 legislative record contains one especially curious element. During the Reagan years, Democrats in the Legislature held firm against a variety of bills to increase penalties for crimes, ranging from major offenses by those carrying weapons to shoplifting. Many of these bills cleared the tough Assembly Criminal Justice Committee and were signed into law during the past two years. One of the reasons: Brown takes a harder line on crime than some of the traditional liberals in the Assembly.

Brown indicated that he does not give up easily on a legislative proposal. The \$70-a-month and judges' pay proposals went through only after a series of defeats. The Governor claims he has adopted a policy of the strategic retreat. "Sometimes I have to step backward so I can move ahead," he explained.

There are other accomplishments which do not appear on the legislative record. Secretary Burns spearheaded a drive to end "redlining" by mortgage lenders in California cities. The attitude of state departments was changed dramatically in some cases as a result of Brown's appointments.

Joseph G. (Gray) Davis, Brown's executive assistant and chief of staff, claims that the Administration's most significant accomplishment probably has been holding the line on the number of state employees. The work force has held at about 200,000. Mass layoffs in the Department of Transportation have offset increases in higher education.

But there have been major problems that have not been solved during the past two years. Unemployment, high when Brown took office, is still close to 10 percent in the state, and higher than in the rest of the nation. Brown has taken the stand that this is a problem that must be solved nationally. He conferred with economists about the feasibility of raising taxes to provide funds to create jobs. Their unanimous opinion, according to Davis, is that the higher taxes will eliminate slightly more jobs in the private sector than it will create in the public sector, making the program self-defeating.

Still hanging over the state is the *Serrano* decision banning the present system of financing local schools through the property tax. The housing program has been slow getting off the ground. During the 1974 campaign, Brown called for collective bargaining for all public employees and

for a major bill to preserve agricultural land. He has backed off collective bargaining to watch a bill covering education take hold, and the major ag-land bill was killed in the state Senate this year. Brown worked long hours on the medical malpractice problem and came up virtually empty-handed.

Now, he is faced with the property-tax problem which continues as the major political issue that could prove a stumbling block to reelection. The situation is this: There is increasing pressure for the state to raise taxes and use the proceeds to provide additional local property-tax relief — a solution Brown thus far has been unwilling to consider, but which is being pushed by Mayor Pete Wilson of San Diego, a potential 1978 Republican opponent. Brown claims such a shift would be a "cruel hoax" on the taxpayers because funds would merely be taken out of one pocket and put into another.

The property tax solution will probably be in another direction if Brown holds firm — a shift in burden from residential to commercial and industrial property. The current crisis has been caused by the rapid growth in the value of residential property, which has not been matched by growth in the commercial-industrial area. The result has been a shift in the burden to the homeowner. Last year, the Legislature came close to putting a constitutional amendment on the ballot allowing the Legislature to institute a two-tier tax system so that homeowners and renters could receive relief at the expense of the business sector. Another strong effort will be made to adopt this proposal next year.

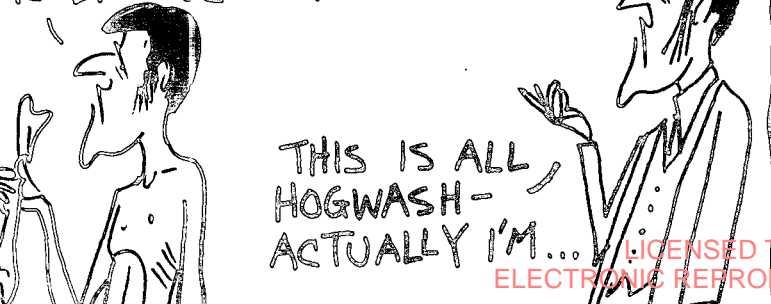
There are also other problems that have thwarted the Brown Administration — the rapidly rising cost of the homemaker-services program, the cry for more money for expansion of child-care programs, the water-transportation controversy in the San Joaquin Delta and, above all, the Health Department mess Brown inherited from the previous Administration.

Bureaucratic wasteland

The Health Department was created late in the Reagan Administration by merging several independent agencies, notably the Department of Public Health, the Medi-Cal operation and the Department of Mental Hygiene. The resulting agency was so large, so beset by technical and fiscal problems, so afflicted with employee strife that the result was a bureaucratic wasteland. Brown's first major move was to assign a tough public-advocacy lawyer, Robert Gnaizda, to straighten out the mess. There were some key personnel changes and a suggestion by Gnaizda that the department be broken up. But Gnaizda departed without solving the problem. Next, Brown appointed a physician, Jerome Lackner, to head the department. Lackner was more concerned with policy issues than internal administration. A turmoil erupted over the management of the prepaid-health-plan operations within the Medi-Cal program, and it became obvious that something more drastic needed to be done.

During this time, Secretary Mario Obledo of the Health and Welfare Agency saw the need to install a tough administrator in the department. Obledo himself feels he would have an excellent record if it weren't for this one disaster area. As it happened, the state's former prison chief, Ray Procunier, was forced out of his job as head of the Adult Authority by the state Senate's failure to confirm his nomination. Procunier was hired as an aide to Obledo, sent to investigate the Health Department and came back with a report that the patient could be brought to recovery stage in a couple of months with the right kind of direction. Procunier himself was then named deputy director of the department. It was clear that Procunier — not Lackner —

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would be the muscle man. Lackner would be the spokesman on issues and policy development; Procunier would try to make the massive department run smoothly or propose methods for reorganizing it into manageable size. Procunier is a tough-talking executive who learned how to run a military-style organization from his many years in the Department of Corrections. The question is whether he can issue commands to ordinary bureaucrats and get them to respond like prison wardens.

Divorce or trial separation

An even bigger question for Brown is whether his relationship with the Legislature will deteriorate. His main man, Leo McCarthy, has shown signs of independence of late, notably by opposing Cesar Chavez's farm-worker initiative (Proposition 14) on the November ballot. Brown and all other major figures in the Democratic establishment, including Senators Alan Cranston and John Tunney, supported the measure.

The Governor does not look at McCarthy's defection on Proposition 14 as a sign that their close alliance will be broken next year. The Speaker, explained Gray Davis, is merely defending the Legislature, which traditionally has preferred to see measures enacted through the legislative process rather than through the initiative. Should McCarthy not become reliable, however, Brown's relationship with the Legislature as a whole could deteriorate rapidly because the power of the Speaker has been the key to many of Brown's successes.

In one sense, this Governor should be popular among legislators. He believes in the traditional separation of powers, which calls on the Senate and Assembly to establish policy and for the governor to enter the lawmaking process either after a bill has reached his desk or when it appears he can offer constructive help. Brown does not go to the Legislature with a long laundry list each year. "To do that," emphasized Davis, "would exacerbate the normal tension between the two branches of government."

Brown also takes a novel view toward his review of bills that hit his desk. He gives no greater weight to a bill passed unanimously than one which was approved by a single vote. This is because controversial measures usually are examined in detail and all the issues are on the table, while a measure that whips through both houses without debate may contain a major defect that was generally overlooked. Brown's veto pattern is similar to that of Ronald Reagan — 148 in 1975 and 184 in 1976.

If Brown gives the Legislature so much headroom, why isn't he extremely popular with rank-and-file lawmakers? There are several answers to that question. Lawmakers do not like enigmatic politicians — they want to know what to expect from the man at the top. Brown's personality, often abrasive, does not sit well with those who are used to good-old-boys who practice the art of ego massage. Some legislators feel that a governor should spell out a long-range program covering the spectrum of state activities, which Brown has not done. Others feel he is a Scrooge with dollars

that should be spent for compassionate causes. By not sending lawmakers a laundry list of proposals, he makes the job of legislators more difficult.

But there is another answer. Brown, it must be recalled, came into the Sacramento political scene by leaping over the aspirations of older and more experienced Democrats. There are those who still see him as Pat Brown's punk kid who leaped over the Unruh generation of Sacramento politicians — not on merit but on the name of his father. This, for example, was the attitude of former Assembly Speaker Bob Moretti during the 1974 gubernatorial primary campaign.

Moretti, incidentally, temporarily kissed and made up with Brown after the election because he wanted a major appointment from Brown. This resulted, from an environmentalist point of view, in one of the most disappointing decisions of the Brown Administration — the composition of the new Energy Commission. Moretti won one of the five appointments, and quickly became known as a pro-business member of the panel even though he was given the post supposedly reserved for an environmentalist. The makeup of the initial commission hurt Brown with conservationists, but the Governor made a comeback by giving one member a judgeship and replacing him with the highly respected Assembly energy specialist, Emilio Varanini.

Brown's record in the environmental field is mixed. Probably the greatest accomplishment has been the turnaround of the Air Resources Board under Tom Quinn, who had previously served as Brown's chief political adviser. Prior to the appointment of Quinn and his associates, the Air Resources Board had exhibited weakness in the fight against smog. Under Quinn, it has forced recall of automobiles, levied large fines, halted major projects and otherwise let the world know that California means to curb air pollution. In fact, Quinn has been so tough that he is being blamed for preventing industrial growth in California, and thus the creation of new jobs.

This kind of criticism — that he is anti-business — does not seem to faze Brown. He keeps saying that we cannot continue to expect year-after-year growth in an era of limits. And he emphasizes: "Nobody ever said people will go quietly into an era of limits." Brown feels that his environmentalist positions and his fiscal conservatism combine to head California in the proper direction for the future.

Will the Jerry Brown of 1977 and 1978, with his eye on another term, act any differently than the complex philosopher-politician of 1975 and 1976? Probably not. The idealist side of him will operate by this credo: "If I were to summarize the essence of what I'm trying to do, it's to make government and the society as understandable to people as I can make it, so that people's expectations will be realistic and government will maintain its proper role — not too much, not too little . . . I would just like to do it with a certain confidence and integrity and imagination, getting people to understand that we can do a lot and there are things we can't do . . . What I try to do is to understand what is possible and communicate that to people, and lay out the agenda as I see it."

That last sentence contains the clue to the success of Jerry Brown as a politician. He has the capacity to perceive public feelings and articulate the fears and frustrations of the citizenry. That, perhaps more than any other factor, is the key to his continuing popularity.

Even now, Brown does not have a program for the next legislative session. He is not a particularly well-organized individual, and he likes to work in a free-wheeling environment where his time and program are not tightly controlled. He works from the specific to the general, which makes it almost impossible to forecast what he might do next.

Except, that is, to remain predictably unpredictable. ♣

THE BEAT OF A DIFFERENT DRUMMER

The exodus march of the Governor's soldiers

By JERRI B'GELOW

Gray Davis spent his first year as executive assistant to Governor Jerry Brown organizing the executive-office staff. Now, at the end of the second year, he's doing the same job all over again. Most of those who held key posts in the Governor's office during the first year have now departed, putting Davis in a position of additional power and giving him an opportunity to shape personnel policy more to his own liking.

Item: Marc Poche came into the Brown Administration as director of programs and policy but emerged as a top adviser to Brown and the Governor's most effective contact man with the Legislature. He has left to resume teaching law at the University of Santa Clara. Poche's departure was the Administration's greatest loss. Quiet and confident, Poche was a prime stabilizing force in the corner office.

Item: Brown's only in-house subject-matter adviser was Preble Stolz, brought to Sacramento by Poche to head the office of planning and research. Stolz later was moved to the inner office where his primary job was to advise Brown on problems dealing with education and the environment. Stolz has returned to Berkeley and his job as a law professor at the University of California's Boalt Hall.

Item: Brown won immediate access to some key Democratic legislators through the appointment of Paul Halvonik, former director of the Northern California American Civil Liberties Union, as head of the legislative unit. Within a year, Halvonik went back to the Bay Area for personal reasons. Brown later appointed him acting state public defender.

Item: Bill Stall, former Sacramento Bureau Chief for the Associated Press,

was Brown's first press secretary. The appointment gave Brown excellent access to the political press in California because Stall was universally known and liked. But Stall soon decided that he wouldn't live long if he stayed on the job and took a position with the *Los Angeles Times*. His successor, David Jensen (formerly with United Press International), left for the *Sacramento Bee*. The new press secretary, Elisabeth Coleman, is relatively unknown in the world of political reporters.

Item: Agnes Barling told close friends the happiest day in her life was the one on which Brown appointed her administrative assistant. She left 18 months later to enter law school.

Item: Alice Daniel was appointed deputy legal affairs secretary by Brown. Six months later, she resigned and moved to Washington, D.C. Reason: frustration from lack of responsibility given her.

Item: Tony Kline, probably equal to Poche in influence with the Governor, has been rumored for months as ready to leave his post as legal affairs secretary to replace Halvonik as state public defender or to fill one of the coming

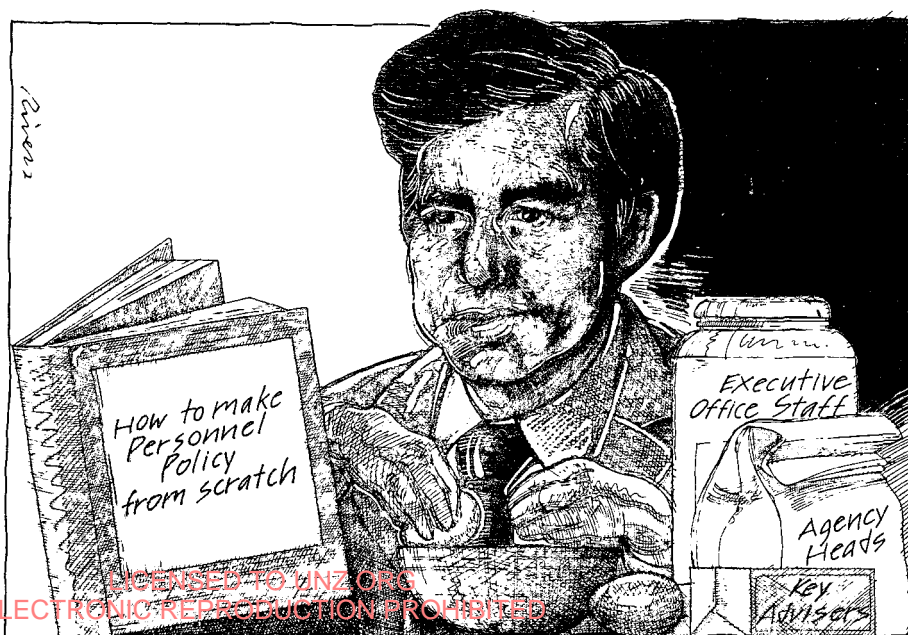
vacancies on the state Supreme Court. Kline was a founder of a public-interest law firm in San Francisco that also includes Robert Gnaizda, another key Brown appointee who resigned after a relatively short time in Sacramento.

Item: Peter Sly, assistant legal affairs secretary, departed in October to join a San Francisco law firm. One reason: "We have made some bad judicial appointments."

Item: An early member of the inner circle was Leroy Chatfield, who held the title of director of administration. There was a power struggle between Davis and Chatfield over the hiring of clerical personnel. Chatfield lost and was appointed to the Agricultural Labor Relations Board. When the board ran out of money, Chatfield joined Brown's presidential campaign. Now he is back on the Governor's staff. But his office isn't even in the Capitol, and his prime responsibility is to advise Brown on farm-labor and political matters.

The exodus

The mass exodus is just about over and for one elementary reason: There are hardly any first-year staffers left.



The author, a free-lance writer in Sacramento, wrote "The fast-food formula for the Brown campaign" in the September Journal.