

## GOVERNMENT

# Reorganization essential to maintaining control

Governmental reorganization is apparently an idea whose time has come. Richard Nixon made the reorganization of the administrative branch one of his more enduring contributions to the art of government. The Bureau of the Budget was transformed into the Office of Management and Budget, as Nixon's friend Roy Ash suggested.

A super-advisor for domestic affairs was appointed, to play the role that the national security advisor plays in foreign affairs. The "new Federalism" changed the relationship between Washington and the states.

Nixon, in short, attempted to fashion an "administrative presidency," one stopped only by his extraordinary blunders during the Watergate affair.

Jimmy Carter sounds very much like Richard Nixon when he talks about governmental reorganization. Carter made it a fundamental point of his campaign to change the administrative branch as he proudly claimed to have done in Georgia. Governmental bureaus were portrayed like Communists used to be—to be eliminated by ruthless action.

In his appointment of Bert Lance as head of OMB, Carter sounded exactly like Nixon, who similarly praised Roy Ash. At the moment, Carter is trying to win approval for a plan to allow the President to change the administrative structure, checked only by a provision that Congress could veto any moves within 60 days. Secretary of Health, Education and Welfare Joseph Califano (who earlier presided over Lyndon Johnson's attempts to control the bureaucracy) has already announced a major reorganization of his department.

## ►A fundamental change.

At one time Cabinet secretaries announced policy; now they propose changes in organization charts. Something fundamental seems to be taking place, yet there has been almost no analysis from the press or from television about the underlying economic and political forces which are making governmental reorganization an urge that transcends party politics.

Throughout most of this century, questions of the organization of government have been highly partisan. The expansion of the presidency was part and parcel of the Democratic Party, while a strong Congress was key to Republican ideology.

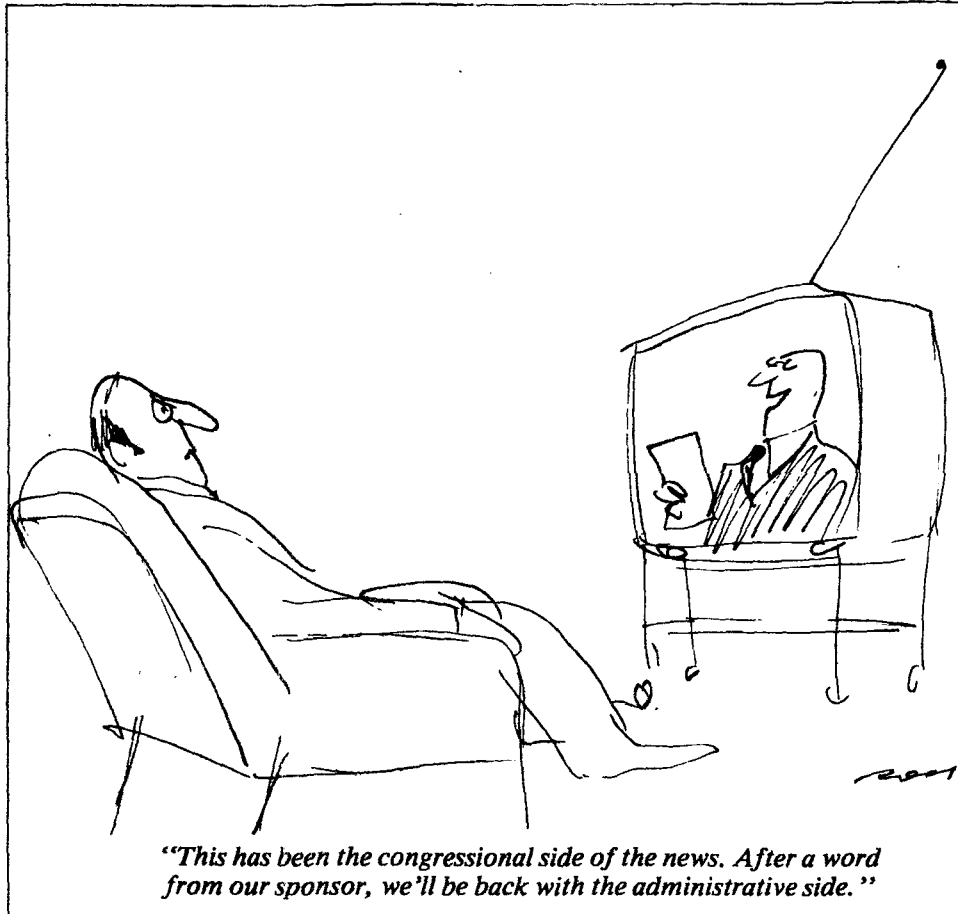
The century began under Republican domination of both House and Senate, while future Democratic presidents like Wilson could only write books from the sanctity of university offices bemoaning the bad effects on the country of Congressional tyranny.

The major steps in the expansion of the administrative branch were taken by Democrats. During World War I, Wilson created offices like the Committee on Public Information or the War Industries Board—dismantled by the Republicans after 1920. Facing the lack of a strong executive when he came to power, Roosevelt appointed the Brownlow Committee which spoke, in the strongest terms, about the need to fortify the executive branch. Truman expanded the national security powers of the executive, and Kennedy came to power based on a reading of Richard Neustadt's *Presidential Power*, the most fawning adoration of the executive branch yet written.

During the 1960s, prominent Democratic intellectuals adopted a neo-Hamiltonian perspective on this question: the executive must be strong to guide the country, while Congress was inherently parochial, irresponsible, stagnant and partisan. The notion of a strong presidency was basic to the liberal perspective.

## ►Nixon adopted the liberal program.

This partisan pattern was changed under Nixon. Unlike his Republican predecessors in this century, Nixon made no attempt to put power back into the Congress. Indeed, he strengthened the liberal



program of a strong president like no Democrat was willing to do. What was the reason for this change? The answer transcends Nixon's idiosyncracies and goes to the heart of fiscal, political and ideological forces operating in the state in the postwar years.

Public policy during the New Deal was fashioned in what is often called a "clientelist" manner. This means that major private institutions of power were brought into the public realm by being vested with exclusive jurisdiction over affairs which concerned them directly. The American Farm Bureau Federation, for example, came to dominate the policy process toward agriculture by turning the entire Agriculture Department into a constituency for its interests. The Interior Department adopted as its clients mining, forestry and other western industries. Later the Defense Department became the chief lobbyist for the military-industrial complex.

In other words, a major trend in recent public administration is the device of having private power centers control various sectors of the state to advance their interests. The clash of forces that was supposed to happen in the marketplace occurred in the public arena instead, with each key unit attempting to maximize its access to public funds.

## ►Economics changed the picture.

One predictable consequence of clientelism was that the state tended to expand under pressures from all these different directions. There was no single institution that could say no to any powerful vested interests.

For much of the postwar period, a veto power was unnecessary. As long as the economy was growing at a rapid rate, increased state expenditure did not constitute a drain on the economy. The only way that clientelism could work, in short, was under conditions of increasing expansion of the GNP with only moderate inflation. These conditions came to an end in the late 1960s.

By 1967, the Phillips Curve had come to an end, which meant that inflation and unemployment, instead of working against each other, began to go up together. Stagflation had set in, and once it did, the clientelism model was in serious trouble.

With the economy no longer expanding, and with inflation reaching serious proportions, the growth of state agencies and unchecked grants to irresponsible private agencies became a problem. Governmental reorganization was seen as the way to handle the problem.

The Nixon administration came to power at a time when the existence of a veto power on the growth of state spending was becoming essential.

## ►Presiding over the Cabinet.

Nixon fought hard for such a veto power. According to Richard Nathan, who worked within the Nixon administration as an advisor to Daniel Patrick Moynihan, his strategy was "to take over the bureaucracy and to take on the Congress..."

This meant appointing weak men to Cabinet positions so that they could not advance the interests of their clients. As one commentator has put it, the modern President must rule, not with his Cabinet, but over his Cabinet.

In addition, it meant impoundment, the veto, and the use of all other steps to render Congressional initiative meaningless.

Finally, it meant that OMB would, as its title suggests, *manage*. OMB would not simply provide technical expertise to policy makers but would be a policy-making place itself. Indeed, it would be the policy-making place, the center of the stage for domestic legislation. Who controlled OMB controlled the state.

With power centralized in the executive branch, choices could be made and the fiscal irresponsibilities of the clientelism approach could be brought under control.

Just as he did by going to China and adopting wage and price controls, Nixon stole the Democratic Party's thunder with his reorganization plans. He also created a

serious problem for the Democrats under Carter, for he damaged the legitimacy of their key platform: strong executive leadership. Thus Califano wrote in his book *A Presidential Nation* that Nixon suffered, not from too much power, but from too little.

The Brookings Institution has taken it upon itself to reinvigorate the notion of a strong presidency in the post-Nixon atmosphere. Califano writes that the one man who he worked with under Johnson that understood the need for strong executive action was Charles Schultze, a Brookings man and now Chairman of the Council of Economic Advisors. Richard Nathan went from Nixon to Brookings, where he has recently written a plan for executive leadership, noting that "the Hamiltonian model of a strong executive was greatly damaged by Mr. Nixon and the men around him."

The problem for the Democratic Party is to reclaim presidential power given the disrepute which Nixon had contributed to the idea.

## ►No choice for Carter.

It is already clear that the Carter administration has no choice but to expand the administrative presidency along Nixonian lines. OMB will continue to expand its policy-making role. In addition, Nixon's dream of a super-Cabinet will probably be resurrected. Graham Allison, who works for Brookings, has written that the best device to control the Cabinet would be an *ExCab*, which he defines as a super-Cabinet composed of the four most powerful departments: State, Treasury, HEW, Defense—maybe, shortly, Energy.

*ExCab* would become a domestic National Security Council, in Allison's opinion, providing the centralization for domestic policy that he sees as fundamental.

Unless checked by Congress and by popular opinion, the Carter administration will increasingly be drawn toward Kissingerism—but not restricted to foreign policy. The point is that the state of the economy does not allow for haphazard policy making.

Rationalization, administration, and implementation are the new buzz words. Behind governmental reorganization lies the contradictions of capitalist expansion and contraction. Carter can only manage those contradictions, not resolve them, and his attempts to streamline government are the best instruments he has to realize that purpose.

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## ELECTIONS

### John Lewis second in Atlanta primary. He will be in run-off on April 5

John Lewis, former head of the Student Nonviolent Coordinating Committee and the Voter Education Project, has assured himself a place in an April 5 runoff election to decide who will represent the Fifth District of Georgia in the U.S. Congress (ITT, March 16). Lewis, who polled 28.4 percent in a March 15 nonpartisan election, will face Atlanta City Council President Wyche Fowler, who polled almost 40 percent in the runoff.

Lewis' supporters, many of whom had despaired of their candidate making the runoff, were jubilant when the final results were in. "I'd given up hope," one Lewis worker told this reporter the day after the election. "But we did better than we had expected in a lot of places."

Lewis, who was running with the support of Atlanta's black Leadership Consortium, had begun the races as the favorite, but had seen his lead slip away as the Consortium proved unable to hold the black community in line.

The defection of the approximately 18 percent of black voters who voted for

white candidates was blamed on this lack of political community. According to raw vote totals available as we go to press, Lewis made the runoff by attracting more votes than expected in North Atlanta, thus relegating liberal Republican Paul Coverdell to a poor fourth showing in the non-partisan race.

Despite exhilaration over making the runoff, the Lewis campaign knows that it has an uphill fight to win the Congressional seat. One campaign worker who is developing white support for Lewis told *IN THESE TIMES*, "We've got to really consolidate our black support and build up the white. We know we've got to get some of those Coverdell votes."

Since Fowler needs only to increase his vote totals by about 10 percent to win and Lewis would need to pick up almost 23 points, even Lewis' most ardent supporters are viewing soberly their April 5 prospects.

—John Jacobs  
Southern Bureau



# LABOR NEWS, VIEWS & BLUES



*In the Coachella Valley several hundred farmworkers greeted the latest developments with enthusiasm, viewing the agreement as an instrument that will help them make the Coachella Valley a UFW domain in the coming months. Some long-time UFW activists remains skeptical. They remember previous "peace" treaties between the two unions that were broken by the Teamsters.*

Photo by UPI

## Teamsters, UFW end 7-year seige

By Sam Kushner

On March 10, the United Farm Workers, AFL-CIO and the Teamsters union unveiled a jurisdictional agreement in Burlingame, Calif., that may end a decade of battle between the two unions over the state's farmworkers.

The sight of UFW president Cesar Chavez standing side by side with Teamster president Frank Fitzsimmons was strange indeed. Just a few years ago, Fitzsimmons had declared that "as far as I'm concerned—as a trade unionist for 47 years—Cesar Chavez is not a trade unionist. I wouldn't even let him be janitor in a trade union office."

But all was sweetness and light at the Burlingame meeting.

In a sense, the announcement was anticlimactic.

The Teamsters had already closed their offices in the agricultural communities and dozens of organizers had been laid off. (ITT, Feb. 9). To all intents and purposes the nation's largest union had already abandoned its campaign in the California fields.

The cost to the Teamsters of its seven-year campaign to wipe out Chavez's union has been high, more than a million dollars annually. The lack of worker support has also been obvious. In spite of widespread management assistance the Teamsters have been able to win only 115 representation elections since the inception of the California Agricultural Labor Relations Act, while the United Farm Workers, which had to buck both the growers and the Teamsters, have come out with 197 victories. At the Burlingame press conference, M.E. Anderson, director of the Western Conference of Teamsters claimed his union represents 20,000 farm workers at peak season. Chavez put his peak season membership at 40,000.

Another issue bothering the Teamsters before the agreement was reached was UFW challenges. Several months ago, as an act of "good faith," the UFW had declared a moratorium on two large lawsuits against the Teamsters and the growers, pending the outcome of negotiations. In one lawsuit, based on the Teamster-growers agreement in 1970 that effectively shut out the UFW from organizing the traditionally militant and decidedly pro-UFW lettuce workers, the UFW demand-

ed some \$120 million in damages. The UFW charged that the Teamster-growers collaboration was in restraint of trade in violation of the Sherman Anti-Trust Act and that a conspiracy existed to fix wages and to set terms of employment.

The other major lawsuit was filed by the UFW as a result of the Teamsters activity in conjunction with the growers in the grape fields following the 1973 UFW contract expirations. The UFW charged violations of the civil rights of Chicano, Arab and other workers in the fields and alleged a Teamster-grower conspiracy to deprive UFW members of their First Amendment rights, the right to picket, and other rights. The UFW asked for \$86 million.

According to UFW general counsel Jerry Cohen, future action on these cases "will be discussed on their merits" and that "no deal was made on these suits in the jurisdictional agreement." He said that the latest UFW-Teamsters agreement "provides that the UFW will not file further lawsuits based on past actions."

The five-year agreement provides for the Teamsters to maintain jurisdiction over all workers who are covered by the National Labor Relations Act. This excludes agricultural workers. The UFW, on the other hand, will have jurisdiction over all workers covered by the California Agricultural Labor Relations Act. Almost all of those ranches presently under contract with the Teamsters will remain so until the expiration of the current contracts. The Teamsters may also continue to bargain for a few ranches it now has under contract, according to Anderson.

There is some indication that the UFW may seek to administer some of the present Teamster contracts in the fields in view of the fact that there are no Teamster Union field offices and no organizers to enforce contract provisions.

In a joint statement at the press conference, Chavez and Anderson said that the present antagonism between the two unions is "contrary to the best interests of the worker," adding that "they are an impediment to the advancement of the overall welfare of the worker; they are disruptive of maximum labor solidarity; they divert energies and time which could otherwise be directed toward unionization of the unorganized worker and the ultimate achievement of the united labor movement to which all organized labor aspires."

They also noted that the inter-union conflict "engendered actions on numerous fronts which have pitted the parties against one another" and that "legal actions and conflicting legislative positions have drained resources and diluted the power which could have been expended to secure further advancement for workers, the goal to which each of the parties subscribe."

Despite all the talk about mutual interest, some long-time UFW activists remain skeptical. They remember previous "peace" treaties between the two unions that were broken by the Teamsters. There is a little more optimism that this pact will actually work. In the Coachella Valley, several hundred farmworkers attended a hurriedly-called UFW rally on the day the agreement was announced. They greeted the latest development with enthusiasm, viewing the agreement as an instrument that will help them make the Coachella Valley a UFW domain in the coming months.

But there were also warnings in the Coachella Valley, 100 miles north of the Mexican border, that those who wore Teamster badges and who had harassed the UFW were still to be reckoned with. On the day the pact was signed in Burlingame, Johnny Macias, laid off Teamster organizer who formerly headed that union's staff in the Coachella area, announced the formation of the Independent Union of Agricultural Workers, which he said had "plenty of money" and which claimed the support of 49 organizers in Imperial County, Coachella Valley and throughout the San Joaquin Valley.

Macias, known as "yellow gloves" during the turbulent 1973 days in Coachella when Teamsters union goons had assaulted UFW members and supporters, declared he will seek to bring all but two Coachella ranches into his organization.

The UFW, meantime, is challenging the concept of this new organization, claiming that it is in fact not a legitimate labor organization within the meaning of the state law.

At the same time Les Hubbard, spokesman for the Western Growers Association, making the best of a bad situation for the growers, announced that the showdown between the UFW and the growers is at hand and predicted that it would be easier for the growers to get the farm workers to

vote for "no union" in future elections.

While all this jockeying was going on between the UFW, the Growers Association, and the Independent Union, the UFW was entangled in a battle with the Agricultural Labor Relations Board. This dispute started last summer in an election at Royal Packing. The Teamsters won the election, but that election was later overturned because of company intimidation. On the eve of a second election, a new union, which UFW organizers charge was company inspired intervened. At first, ALRB agents ruled that it was not a labor organization under the meaning of the law. But this ruling was reversed by state ALRB officials.

When the election took place, the company union won 108 votes, the UFW 62, no union 14, and there were two votes for Macias' union, which had also been allowed on the ballot. The UFW filed a variety of unfair labor charges.

On March 1, two days before this election, farmworkers had marched to the ALRB office in El Centro, Calif., to protest the placing of the company union on the ballot. Not satisfied with the ALRB's answer, the demonstrators sat in. Twenty-nine UFW members were arrested by the state police on the orders of Harry Delizonna, counsel for the ALRB.

To stop further such actions, the ALRB sought an injunction against the UFW limiting the number of persons in an ALRB office to 10. The UFW was not notified in advance of the court action (in violation of a California Supreme Court decision). The ALRB dropped the case, however, when the UFW requested that Delizonna be subpoenaed for the court session at which the temporary injunction plea would be heard.

After the Royal Packing election on March 3, the UFW began picketing ALRB offices throughout the state. In San Diego county Chavez sat in the ALRB office for five hours. The ALRB apparently thought better of its earlier action and no further arrests were made. Even while Chavez was making his historic "peace" announcement in Burlingame, dozens of farmworkers were sitting in ALRB offices throughout the state.

While the UFW has gotten rid of the Teamster threat for the time being, it still fears having to face a network of company unions if the Royal Packing decision is not overturned.