TOM BATES AND THE SECRET GOVERNMENT OF BERKELEY

By John Curl

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If you meet with mayor Tom Bates in his office at Berkeley city hall, you'll see an old photo on the wall behind him of Emiliano Zapata, hero of the Mexican revolution, champion of the downtrodden. I have been in his office only two times in Bates' decade in power, and on both occasions I was stopped short by the jaw-dropping contrast. What can Bates be thinking? Can he really be comparing himself with Zapata, can he really think of himself as a visionary champion of social justice? If Zapata were alive and saw this career politician using his image, I wonder what would he do.

If all you knew about Mr. Bates was his official resume, you might be bewildered by my saying that. Before his decade as mayor, he was a liberal standard bearer for twenty years in the California State Assembly for his East Bay district, and during that time was considered one of the legislature's most progressive members. Yet despite being in the public eye for over forty years and currently running for yet another mayoral term, Tom Bates is a public figure hiding in plain sight, with a long shadowy history not widely known.

A lot of things are said about Bates. "Tom is not a listener." "He's in bed with the right kinds of developers." "Never saw a developer he didn't like." "Motivated by ego." "Got an Edifice complex." "He wants to leave a giant downtown and a West Berkeley wall as his legacy." "The Bates machine." "A shill for the University." "Godfather of the Democratic Party." "Loves to be the power broker." "Back-room dealer." "Dangles Democratic Party endorsements to control locally."

As Councilmember Jesse Arreguin put it, "We are being run by a political machine based on personal and political loyalty, not by certain core values. Decisions are being made behind closed doors, and there isn't real public engagement. Corporations and special interests have great influence over decisions that the city makes… There is a growing disconnect between the public and city government. Our meetings are sometimes really just to rubber stamp things. They have the perception that the public are an obstacle, and public input just pro-forma."

Has the People's Republic of Berkeley really became a developers' playground? If so, how did it happen, and why?

I set out to do some investigative reporting, to try to dig out the truth about Bates. In the process I did a series of oral history interviews with people who had been players in

many of the incidents I will be describing. Some of these people agreed to speak under an agreement of confidentiality, so I will be providing information from some of these interviews, but unfortunately I cannot reveal all of the sources.

I hope what I have written here will not be taken as unduly critical of Loni Hancock, currently state senator, former mayor of Berkeley, and Tom's wife. But it's hard to say anything critical of Tom without people thinking you're also criticizing Loni. In fact, I had to consider long and hard before I decided to write this, from worry of hurting her, a person I worked with politically and for whom I have high regard. But in the process of writing this, I will have to look back at the years that she was mayor of Berkeley, compare her administration with Tom's, and touch on his influence over her.

In the process of this exploration, I discovered that in 2000 and 2001 Mr. Bates did an extensive oral history of his career for the California State Archives. Although in it he attempts to relate his accomplishments in a favorable light, as one might expect, interspersed in the 577 pages of transcript are numerous revealing statements and accounts. When he recorded the interviews, after he left the state assembly and before he became Berkeley's mayor, he apparently thought his political career was over. Perhaps that is why he let down his guard and revealed much about himself that he previously kept under careful wraps. Unless otherwise stated, all the quotes from Bates in this article are from those transcripts. Much of what I will be revealing here is generally unknown about Bates. Here it is, in his own words, from an official state document that has been tucked away unnoticed in a musty archive in Sacramento for over a decade.

I wish to make clear at the outset that this evidence does not expose the level of corruption that, for example, could send him to prison for breach of public trust. However, I believe it will expose enough about his character so that others may think twice before boasting of his endorsement. Berkeley deserves a lot better.

Bates once said, "Usually, people who are appointed to the Regents were people who were heavy contributors to political campaigns. The grand payoff is to be appointed to the Regents." As far as I can tell, Bates does not appear to be a wealthy man today, to have greatly enriched himself through his political career. He receives a generous pension from his years in the assembly, but that's really not a big payoff by American standards. After many politicos leave office, they become lobbyists. That is one of the usual

deferred payoffs for services rendered. However, Mr. Bates did not go into lobbying, as far as I can tell. He did dabble in real estate development somewhat while he was out of office, but that apparently did not result in any extraordinary payoffs, at least not at that time. Then why has Bates done all that he's done? Is it all just ego and power? Or has he simply been a dedicated public servant pursuing the people's interest and his vision? The buzz coming down the grapevine today is that Bates wants to be on the UC Board of Regents, and his wife, State Senator Loni Hancock, is currently lobbying Jerry Brown to appoint him. A UC Regent gets appointed for a twelve-year term to a post of enormous power, secret dealings with all the power players, and no outside control. Could that be Bates' plan for dancing off into the sunset, the grand payoff for his years of service to the powers-that-be?

WHO IS TOM BATES?

Thomas H. Bates was born in San Diego in 1938. Both of his parents, Harley and Gladys, were from small town Iowa. They relocated to California when Harley, a salesman for Sunshine Biscuits in the Des Moines area, was transferred there, awarded the post of regional sales manager of San Diego, then promoted to sales manager of the L.A. region. They bought a place in rural La Habra Heights, just south of L.A., ten acres, with orange and avocado trees, horses, chickens, and rabbits. That was where Tom spent his formative years. His father was distant, gone a lot and bonded more with Tom's older brother, Chuck. Tom was closer to his mother. Both Tom and his mother felt isolated, far from their nearest friends, and spent a lot of time together. Harley Bates worked for the company for 42 years, and under his leadership his region led the nation in sales of both Sunshine crackers and Hydrox cookies. Fierce loyalty to the company was at the core of his value system. However, loyalty didn't save his job when the American Tobacco Company bought Sunshine and outsourced almost the entire sales operation. He was 62 at the time he was fired. Since loyalty was perhaps Harley Bates' most deeply held core belief, it was a devastating blow from which he never quite recovered. They sold the land and moved into an apartment in Anaheim. Tom's father picked himself up, got a real estate license, and went to work for a friend selling homes. Tom absorbed the value of personal loyalty from his father, but later, when he went on to operate in politics, he apparently reversed it to mean personal loyalty of others to himself.

Tom attended a small elementary public school, Lowell Grammar School. He didn't stand out academically, wasn't particularly interested in any subject, but was good at sports. Lowell's most illustrious alumnus was Richard Nixon, and Bates actually worked for the Nixon family on weekends and summers, starting at 14 or 15, at their drive-in restaurant in Whittier. At the time, Nixon was U.S. vice president under Eisenhower. The restaurant was mostly run at a distance by Don Nixon, his brother, who incited a scandal when he used Tricky Dick's connections to get loans from Howard Hughes. One of the earliest fast-food joints, a driver would place an order through a microphone, then continue cruising up to a window to receive it. They also had walk-up windows, and customers could eat at picnic tables under an orange tree. Tom was hired at first to clean up the picnic tables and pick up the trash. His mother would drive him to work and fetch him, until he got his driver's license at 16. He advanced to working in the ice cream shop, scooping cones and making malteds, worked his way up to fry cook, and finally became assistant to the manager. Don Nixon would come in occasionally, and in the years that Tom worked there, until he was 18, Richard Nixon made one appearance, and then only waved to the staff.

Bates went to Fullerton High, a much larger school. For most of his high school career he was a C student. His interest was still in sports. He played football in his senior year, at the position of guard, a blocker, a lineman who never touched the ball. In his last year, suddenly looking toward college and inspired by one of his coaches who had gone to UC Berkeley, Tom buckled down and improved his grades. The coach brought him up to Berkeley to meet the Cal football coaches, and facilitated them offering him a scholarship.

So in the fall of 1956, Bates arrived in Berkeley and joined the Beta Theta Pi fraternity. He started out majoring in business, barely studied, going to movies almost every night, almost flunked out, and was put on probation. He was primarily interested in sports and just getting through school. In football, he quickly realized that he would never make it as a guard, since most of the others weighed 230 or 240 pounds, while he was just around 180. So he switched from guard to the position of end, a pass receiver. But there were too many good ends on the squad so Bates was relegated to be a "red shirt," who was just there for practice and never got into games. However, that status gave him

an extra year of eligibility. He switched his major from business to phys ed; eventually he switched again, to speech, later renamed rhetoric, a sort of general curriculum major, just a potpourri of classes.

In his sophomore year he moved out of the frat house and met his future first wife, Carol Martin, a transfer student from Dominican College, on a blind date. She became a key influence on him. Carol was interested in politics, as well as art, drama, and music, and she opened those worlds to Bates. The next year, in January 1960, they married and found a nice place on Panoramic Hill.

Meanwhile, he started to do better in football. Although the team as a whole wasn't extraordinarily talented, they played together well. UC won just three games in '56 and only one in '57. Led by Joe Knapp, an outstanding quarterback, the team rose for one year, 1958, to play better than they actually were on paper. On that same squad was Kenneth A. Meade, a future California assemblyman. Bates and Meade became best friends, and their friendship shaped the early careers of both.

According to Cal's official records, posted on their web site, Bates is not listed on the team rosters for 1956 or '57, when he was a red shirt. Even in 1958 Bates was not a regular starter, but he did get to play. In Bates' entire football career, he caught only four passes, all in '58, and never scored any points. His greatest moment of recognition on the gridiron, according to his own account, came late in the 4th quarter of a televised game with Notre Dame at their field at South Bend, Indiana. UC was losing badly. Cal punted and Bates ran down field. The receiver called for a fair catch. A Fighting Irish blocker threw himself at Bates, but missed. Since it was a fair catch, it was unnecessary to throw the block. Bates blew up and brought his foot back as if to kick the player lying on the ground. Bates claims that he never actually kicked him, but it looked to the 65,000 people in the stadium as if he kicked him. They started booing and hooting at Bates, didn't stop until the game was over, and threw things at him from the stands all the way into the locker room.

Cal's glory year was 1958. They won only seven games and lost three in the regular season, but were lucky enough to be chosen to play against Iowa in the Rose Bowl on January 1, 1959. Although he was not a member of the regular starting team, Tom's four catches that year were enough to get him assigned to start in the bowl game. Cal got

blasted 38-12, and Tom never got to touch the ball. The following season, 1959, Cal won only two games, Bates was not a starter again, and he did not make any catches the whole year.

Two conflicting versions of a legend are still circulating about a Cal record that Bates once held or still holds: either the record for the most fumbles, or for the most fumble recoveries. It was fumble record version that I first heard over twenty years ago. The UC football web site has an extensive section of records, but does not include fumbles or fumble recoveries, and repeated inquiries to their press officers did not produce the information. However, since Bates caught only four passes in his entire career, either record appears to be unlikely.

Bates joined two secret fellowship organizations at UC, Skull and Keys, and Order of the Golden Bear. Skull and Keys is an honor society primarily of undergraduates involved with friendship and partying. The Order of the Golden Bear is a secret society dedicated to serving the University of California and continuing its traditions. The Order's membership, kept in strict confidence, is comprised of students, faculty, administrators, and alumni, including members of the California Board of Regents and elected officials in local and state government. All members have the duty to serve the University in whatever way they can. The opinions expressed and remarks made at Order forums are never to be revealed outside that room. They meet every other week during the academic year and discuss pertinent topics, including university-community issues. The latter were of particular interest to Bates. While he was an undergraduate, the UC chancellor—the highest office in the school—would attend and participate. It was here that Bates got his first tastes of an inner circle of power, and was taken into it, a position he would cling to and that would serve as a key axis of his mode of operation. His connection to the university would remain a central part of his career. Undoubtedly he remains a member of the Order of the Golden Bear to this day.

Bates joined army ROTC, two years of which was a requirement for all male students at the time, then signed up for another two years. He became a commissioned officer at graduation in the spring of 1961, when US involvement in Vietnam was still in an early phase. With almost a year to kill before he was scheduled to report, he worked as a typewriter salesman. In the summer of 1962 the army deployed him to Germany,

assigning him to their football team. But he could not play because he was now a lieutenant while the team coach was a sergeant, and a lieutenant cannot take orders from a sergeant. So he was assigned to Special Services, a cushy desk job responsible for athletic teams and USO shows. He wasn't really a good fit, but muddled through.

Discharged in 1964, Bates, his wife and young son found a place in Marin county, where her parents lived. He drew unemployment for a while, then through an old football friend from Cal, landed a job with the Oakland office of Coldwell Banker Company, a commercial real estate brokerage with other offices in San Francisco and L.A. The commute between Marin and Oakland was too much, so he and his family moved to Oakland. His first job for Coldwell was as a property manager; after a year he began selling commercial and industrial real estate. His biggest score was working as an agent for a representative of Lincoln-Mercury, cutting transactions for four dealerships in Oakland, Hayward, and the San Ramon Valley. He made around $60,000 on those deals alone, a substantial amount at the time.

But he tired of being a salesman, and decided he might be more suited as a real estate developer, which would give him more control over projects. He left Coldwell Banker and went into a partnership with a man named Peter Bedford, who was building 7/11 convenience markets in the Bay Area. They would enter into a deal for a long-term lease with the Southland Corporation, which owned the 7/11 franchise. They bought properties, borrowed money to build, then sold the finished packages. They turned a nifty profit on each one, and built and sold many. Bates then branched off and began building and selling Foster's Freezes and Colonel Sanders franchises. He built a Foster's Freeze in Napa and another in San Ramon, with a Colonel Sanders on the same property.

At that time development in California was a breeze compared to the hoops a developer has to jump through today. In six months you could get an option to buy land from someone, go through all the zoning and building permits, and be ready to build. You could actually sell the property before they even broke ground. There were no Environmental Impact Reports (EIRs). Bates had almost no money of his own invested in any of the deals.

Meanwhile the 1960s were exploding all around, but there is no record of his ever being involved with the Berkeley Free Speech Movement or anti-Vietnam War protests.

Bates' wife Carol was involved with the League of Women Voters, which used to meet at their house. Under her influence, he moved increasingly toward liberal Democratic politics. He became active through Kenneth A. Meade, his old college friend. Ken Meade had been a backup quarterback on the 1958-'59 team, and also a member of the secret fraternal organization Skull and Keys. One day in 1968, Meade came over to Bates' house, announced he was going to run for assembly, and asked if Bates would help. Tom agreed to become treasurer of the campaign.

Meade had grown up poor in Sausalito. His father, an illegal immigrant from Canada, and his mother, a runaway from the Midwest at 16, both worked in the Bechtel shipyards during World War II. Later, they opened a tiny zipper company that they ran from a shack on a Sausalito pier, which also served as their home.

Like Bates, football had been Meade's ticket to upward mobility. He went on to study law at Cal, and was there during the Free Speech Movement protests of the fall of 1964, but did not join in. The next year he passed the state bar, and for the following two years worked as an attorney at Bennett and Van de Poel, handling insurance claims in auto accidents and other cases, representing companies against plaintiffs. Unhappy with the situation, Meade borrowed money and opened his own practice. He had been a Kennedy Democrat, and was moving to the left politically. One of his first cases was defending a student injured in a protest demonstration on Telegraph Avenue, a young man blinded by bird shot fired by officers of the Alameda County Sheriff's Department.

The California Assembly district encompassing Berkeley and Oakland at the time was represented by Donald Mulford, the state minority leader, a conservative Republican safely entrenched in his sixth term. Mulford chastised the protests at Cal as "mob law," and blamed UC President Clark Kerr for failing to discipline the students. He wrote a bill authorizing police to remove non-students from campuses and to jail them if they returned. Among Mulford's biggest backers were the Knowland family, who controlled Oakland politics through their paper, the *Tribune.* Mulford was constantly praised in their press, and anybody who ran against him was trashed.

Meade and Bates planned the upstart campaign in secret meetings in the conference room of Tom's old company, Coldwell Banker. They mapped out a strategy and hired a professional campaign manager. Here Bates got his first education in running a

campaign. Meade easily took the Democratic nomination because nobody else wanted it, assuming that Mulford was unbeatable. His primary victory turned on a tragic note because that was the night Bobby Kennedy was murdered.

According to Meade, Bates was very good at organizing and marshalling resources, particularly raising money. Meade hated asking for money. Meade would talk to a potential contributor and Bates would ask for the contribution. They raised over $100,000. But just days before the general election, the *Tribune* published a photo of Black Panther Eldridge Cleaver holding a semi-automatic rifle, his chest crisscrossed with bullets. Above the photo the headline read, "Meade Supports Cleaver." Cleaver had been invited to speak to a political science class at Cal about his book *Soul on Ice,* and when reporters asked Meade his opinion about whether Cleaver should be permitted to speak, Meade said he supports "academic freedom." Mulford won the election, but Meade garnered almost 40% of the vote.

During the campaign Bates had neglected his real estate development business and, after it was over, severed his partnership with Peter Bedford. He then formed another real estate development partnership with a man named Claude Cody, who had made a lot of money with a cable company, and was also interested in politics.

Meade had gotten the bug, and decided he would run again in the next election, in 1970. Bates agreed to be Meade's campaign manager this time, and Cody wanted to help. The three set about educating themselves about campaigns. To permit Bates to work full time on Meade's campaign, Cody wound up paying him for almost two years. At the same time, Bates made a tidy investment in real estate. Shortly before the second campaign began, he bought a house in affluent Crocker Heights, one of the toniest neighborhoods of Oakland, for $32,500, a significant amount at the time, which he later sold for $400,000.

Meanwhile, politics in Berkeley was swinging to the left. Progressive activists began winning local electoral office and several of them would become key players in the region, including Ron Dellums and Loni Hancock.

BERKELEY IN THE 60s

Berkeley was a solidly Republican town between World War I and the early 1960s, with close ties between the city council and the university. The Republican mayor

between 1955 and ’63 was a former UC vice president. But times were changing. In the ‘50s Berkeley Democrats began to catch up, and in the middle of the decade liberals formed the Berkeley Democratic Caucus, a coalition formed to run slates in local elections, which later became the Berkeley Democratic Club (BDC). Backed by a city-wide precinct organization, BDC began winning seats on the city council. One of their leaders, Jeffrey Cohelan, a labor activist, was elected to the council in 1955, and four years later to the US congress. In the l96l election BDC gained a council majority for the first time, in the process electing Berkeley's first black councilmember, attorney Wilmont Sweeney. BDC maintained their council majority through the decade, while the mayor would remain a Republican.

Meanwhile the Democratic Party split apart in 1965 due to President Lyndon Johnson's escalation of the Vietnam War. The first anti-war teach-ins on campus were organized by the Vietnam Day Committee, which then moved off campus with demonstrations and marches. In l966 the anti-war movement's prime electoral target was Congressman Cohelan, who supported Johnson’s war policies.

In the June l966 primary, Robert Scheer, editor of the left magazine *Ramparts*, challenged Cohelan. Sheer’s anti-war campaign mobilized a thousand volunteers, mostly young, as precinct workers, and registered l0,000 new voters. Scheer linked the money spent on the Vietnam War to the entrenched poverty in Oakland’s black community. Cohelan's strongest backing came from the Alameda County Central Labor Council (AFL-CIO), while the Longshoreman's Union (ILWU) endorsed Scheer. Cohelan won with 55% of the vote.

Undaunted, many of Scheer’s core campaign workers reorganized into a new organization called the Berkeley Community for New Politics (CNP), and nominated a left slate for the April l967 Berkeley municipal election. Editor of the CNP newsletter was Loni Hancock, a young woman of 26 years.

The Republicans and BDC each ran less than full slates in the election, to avoid splitting the pro-war vote and providing a wedge opening for CNP. BDC nominated just two candidates for council, one of whom was Ronald V. Dellums, a psychiatric social worker and activist in the African-American community, whom CNP also endorsed. Dellums came from a family of labor organizers, including the storied C.L. Dellums, a

main organizer of the Brotherhood of Sleeping Car Porters. Republican Mayor Wallace Johnson ran for re-election without BDC or CNP opposition. His only opponent was Jerry Rubin, Yippie-to-be, who ran an independent campaign. Dellums and the other BDC candidate won seats on the city council, while the other CNP candidates and Rubin all lost with under 30% of the votes. Dellums quickly evolved into a leading spokesman for progressive issues.

In l968, a presidential election year, the electoral left in Berkeley was deeply divided between supporters of Senators Eugene McCarthy and Robert Kennedy, while still others worked for the Peace and Freedom Party (PFP) and its presidential candidate, Black Panther Eldridge Cleaver. Challenging Cohelan for his Congressional seat in the Democratic primary was attorney John George, a McCarthy delegate, later to be elected the first African-American Alameda County supervisor, and to become another key player in Berkeley-Oakland politics. Cohelan was easily reelected.

The Berkeley Coalition, formed in 1969, brought together veterans of the McCarthy, Kennedy, CNP, and Scheer campaigns. They forged an alliance with the Berkeley Black Caucus, organized by a group dissatisfied at how few African-Americans were nominated by the BDC. Dellums was one of the Black Caucus leaders. The Berkeley Coalition decided to nominate a single candidate for city council, Loni Hancock, then 28 years old. The Black Caucus endorsed Hancock and four other candidates, all the others African-American, and the Berkeley Coalition in turn endorsed the four black candidates. Dellums became co-chair of Hancock's campaign. With the slogan "Cities Are for People," Hancock ran on the issues of rent control, police reform, neighborhood preservation, and limiting development. She received just 33%. The Republicans gained two seats on the council, but BDC retained a majority. Dellums continued to work with BDC, although he was on the anti-war side of the Democratic split.

In 1970 Dellums challenged six-term Congressman Cohelan in the Democratic Party primary. Unifying the left behind him, Dellums focused on opposition to the war and mobilized a dynamic voter registration drive, bringing in almost 22,000 new Democratic voters, many of them on the UC Campus and in the black community. Nixon's April l970 invasion of Cambodia and the subsequent killing of four Kent State students in Ohio further intensified anti-war activity and brought new volunteers flooding into the

campaign. Cohelan was overconfident and launched an ineffective campaign. Dellums wrested the Democratic nomination away from Cohelan, and five months later, in the November l970 general election, squared off against a Republican.

Meanwhile Ken Meade, with Bates as his campaign manager, took on the entrenched conservative Republican Don Mulford. This was a very important election. Mulford was a senior incumbent, a lieutenant of Ronald Reagan. Longtime Assemblyman Bob Maretti put $20,000 into the Meade campaign. If Meade and one other candidate won, the Democrats would take control, and Maretti would become speaker of the state Assembly.

Bates the campaign manager was very resourceful, in sometimes questionably legal dealings. According to Meade, "He arranged some deal with the local postmaster in Oakland, where we were getting cut rate postage on all of our mailings. I don't know how he did it, but he did it."

Bates tells a more elaborate story. "I met [Congressman] Phil Burton at the Hotel Leamington in Oakland. He was in the bar… and he had been drinking heavily… He was talking to me, and he said basically he wanted to help Ken, the kid, Ken Meade. So he said he wanted me to meet him the next day, Friday, at the post office in San Francisco… I meet Phil Burton and he walks up to me, literally hands me a bag, a brown bag, full of—I open it up and it was stamps. He gave it to me and what he said was, 'This is money.'… So I took the stamps and I put it in our postal account, and so, it increased the postal account by, I don't know, I think it was probably $2,000 in stamps."

The stamps saga did not end there. After the election Bates was personally on the hook $12,000 for printing election materials. "I went to the post office and said we'd like to withdraw our money from our account. So they gave me a check for $2,300, or whatever it was, and then I cashed the check, and we, in fact, had money. So it was basically the stamps. We couldn't use the stamps because the election was already over; I mean, everything we had was already mailed. At that point, it was going out on bulk permit, so it was cheaper than the stamps themselves. So anyway, we were able to convert the stamps to money." Two years later Bates would use another postage scheme when he was running for the Alameda County Board of Supervisors.

Meade and Dellums had overlapping districts and in 1970 the two campaigns worked together to some extent. Meade walked a precinct for Dellums on primary election day.

The main focus of the Meade campaign was to identify, organize, and register Democratic voters. Eighteen-year olds became eligible to vote for the first time in the 1970 election. With volunteers from the Central Labor Council, college students, and Democratic Party activists, the Meade campaign focused on an area where Democrats had voted Republican in the last gubernatorial election. Volunteers would call voters and identify key issues. With a list broken down by household, Meade would make a personal visit to each house and speak about the particular issues that concerned them. The strategy resulted in a large increase in registered Democrats, and the campaign raised $175,000.

In Berkeley the Meade and Dellums campaigns mobilized a joint get-out-the-vote operation, with hundreds of campaign workers, including many students, and a doorhanger headed by a unity picture of Dellums and Meade together. On election eve, although it was raining, almost 2,000 people showed up at Meade headquarters for get-out-the-vote, and walked precincts for three hours with flashlights and raincoats. Both candidates swept to victory. Together, they and their organizations suddenly became a progressive political powerhouse.

Until then in his life Bates had not been very successful at anything except as a football player and as a salesman, and he had not been really outstanding at either. Now he had just run a successful election campaign, and felt that he had finally found a niche.

The two friends had worked almost seamlessly during two electoral campaigns, so Assemblyman-elect Meade offered Bates the job of running the district office in Berkeley-Oakland as his administrative assistant, while he would work primarily in Sacramento. But almost immediately conflict arose, revealing aspects of Bates' character and ambitions. According to Meade, "The morning after, Tom and I met in the campaign headquarters. I said, 'All I have to offer, Tom, is the administrative assistant's job, and of course it's yours.' Tom said he would take the job under one condition, that I would go to Sacramento, that I vote, introduce laws, and do that, but that he have complete control over everything that we did politically in the district. Who we endorsed, what contributors we solicited. I didn't go for that. I said, 'Why do we have to delineate this like this? Why can't we go on as we worked together before?'... He wanted this delineation and I did not go for it. I said, 'Take the job, we'll work it out.' So he did."

Bates described the same awkward interchange differently. According to Bates, "Then I went to work for Kenny as his assistant, and the idea was, it was romanticized in my mind, that I would run his office in the district, and we would be co-partners. That even though he was elected, it had been that way in the campaign where we really shared everything, we were sort of equals. Even though he was the member of the legislature." Bates was now sorely disappointed and they were on their way to a painful falling out.

THE APRIL COALITION

For their Berkeley supporters, the new successful progressive coalition went on to target the April, l97l city council election. In cooperation with Congressman Dellums, the strategy was to create a broader umbrella organization, which came to be known as the April Coalition, which would expand the base and unite the white and black progressive communities. At that time the Asian and Latino population in Berkeley was small. The April Coalition platform, produced by workshops and ratified at a convention, included rent control, gay and disabled rights, affirmative action, limiting development, preserving neighborhoods, community control of police, changing the city manager form of government, and ending the Vietnam war. The convention nominated two council candidates, one of whom was Loni Hancock, and agreed to support other candidates for council and mayor that the Black Caucus would choose.

Bates convinced Meade to endorse all of the April Coalition candidates. His endorsement angered the BDC group, and Meade took a lot of flack for it. Many assemblymen in Sacramento do not endorse in local races, because it makes them too many enemies in their district. So Meade was upset with Bates about it, because he had put him in that position.

In the election, Hancock and two of the other progressive candidates won seats on the council. Hancock grew up in New York City, her father from an old New England family, and her mother from Romania, both ministers in the Unitarian Universalist church. Her father was the Liberal Party candidate for lieutenant-governor of New York state in 1966. Hancock came to Berkeley in 1964, worked with peace and neighborhood organizations, and was married to Joe Hancock, a UC professor of plant pathology.

The new mayor-elect, Warren Widener, had been a close ally of Dellums on the city council, but quickly moved to the right. Meanwhile the other two newly-elected

councilmembers ignored the April Coalition platform, brought chaos to the progressive community, and wound up being removed from office in a recall election. Launching the electoral career of Loni Hancock would prove to be the most lasting accomplishment of the April Coalition.

THE BATES-MEADE SPLIT

Ken Meade and Tom Bates tell diametrically opposed stories of how they parted ways.

According to Meade, a number of incidents led him to conclude that Bates was double dealing him against some of his constituents and supporters. So Meade fired him. The most salient incident that led to the break, according to Meade, went like this:

"At the state Democratic convention Eleanor Fowl, the sister of Alan Cranston, was running for Northern California chairman. Progressive, great lady. I should be for her, I want to be for her. Her opponent was Jack Brooks, investor with the Oakland Raiders football team. Cigar smoking, businessman money. I'm saying I'm voting for Eleanor Fowl. Tommy tells me, 'You can't. You've got to vote for Brooks. He's in your district, he's got money, you'll alienate somebody we're going to need down the line.'… It took some doing to get me to switch, and I did under that influence. So I went around the convention giving these speeches for Brooks, and I didn't even know this guy. And he wins, I think. There had been an elderly lady in my campaigns named Martha. I encountered her and a few of her friends at the convention. She came up to me and said, 'Kenneth, how could you do that?' I said, 'What?' She said, 'I'm so disappointed in you for having supported this guy Brooks over Fowl.' I said, 'Martha, I'm so sorry. I didn't want to but Tommy thought it was really important, and he is from my district.' I gave all the reasons. She said, 'That's not true at all… I was in the voting line with Tom, and he told me how disappointed he was in you.' So we had a meeting in the district office a few days later. I said, 'Tommy, tell me this is not true.' He didn't deny it; he didn't say he did it. I was so wounded. I told him, I said, 'Tom, you're going to have to find another place to go.'"

Why would Bates manipulate his boss like that? The explanation probably lies in Tom's own political ambitions and methods of operation. But Mr. Bates tells a different story, which includes an angry denunciation of Meade.

Bates claims that Meade did not fire him, but that he quit in December, 1971 because Meade "had betrayed all the things that we were fighting for… my best friend turned out to be bad…" The two friends had shared a vision that they were fighting for principles and ideals, as Bates put it, "to go to Sacramento and hopefully remain pure and fight the good fight on behalf of the people, and not get caught up in the lobbyists, and not get caught up in the whole Sacramento scene, which I saw as being corrupting and corruptible. Kenny turned out to be corruptible, I should say." Bates claimed he became upset with Meade because "he was living kind of, really a very high life in Sacramento" at the expense tabs of lobbyists. It seemed to Bates that "all the things we had fought for and all the principles we were trying to do were unraveling."

Even in the months before Meade took office, according to Bates, he went on two major trips, to Hawaii and Jamaica, with future Assembly speaker Bob Moretti and a group of his lieutenants, tickets and all expenses paid by lobbyists. Bates said it was very shocking to him, and he was really disappointed in Meade. The California Constitution prohibits legislators from accepting transportation tickets from a lobbyist, which is considered graft, but Meade had not yet taken office, so that was a loophole, and he took advantage of it. Meade confirmed he made the Jamaica trip, but asserted that the Hawaii trip never happened. After Meade took office, he became a close lieutenant of Moretti, who made him head of the Transportation Committee, a very powerful position, an almost unheard of assignment for a freshman.

But this was the era before campaign disclosure laws and contribution limits. Relationships between state politicians were close and social, not only within each party, but between Democrats and Republicans. In Sacramento all politicos were friends, part of a club. According to Bates, "they were all back slapping, running around, having a good time, laughing, talking, playing poker at nights, going out to dinner, just basically having a good time." Bates explained that the loose living extended into the people's business: "The votes weren't recorded, either, in committee, so you'd come to a committee, the committee chairman would say, 'This is what happened.' That would be it, and nobody particularly questioned that. So it was very wide open, very loose, but they had a lot of fun…"

After the two parted ways, Bates went to work for the George McGovern presidential campaign.

Meade actually had a very respectable and generally progressive career for three terms in Sacramento. But when his ally Speaker Moretti was replaced Leo McCarthy, Meade got caught in the crunch. McCarthy decided to punish him to keep the Assembly in line, and took away his sub-committee chairmanship, his office, some of his staff, and chastised him for not wearing a tie. He got into a fist fight with one of McCarthy's chief enforcers about a vote on a bill. By 1975 he was badly burned out and disgusted with politics. He decided not to run again in 1976.

At that time Meade heard that Bates—who had become an Alameda County supervisor—might be interested in running for his seat and, despite their falling out a few years previously, Meade put it behind him and told Bates, "If you do run, you can use my name." Meade would not hear Bates' harsh words about him until this year.

BATES FOR SUPERVISOR

Bates relates that several people approached him to run for the Alameda County board of supervisors in the months after he left Meade in 1971. The county unions were very upset with one of the incumbents, and wanted to get rid of him. Bates went to Dick Groulx, executive secretary of the Alameda County Central Labor Council, whom he had gotten to know during the Meade campaign. The unions had gone all-out for Meade, opening a campaign office in a boiler room where every night they organized phone banking, campaign mailings, and precinct walking. Groulx gave Bates his personal support, then called all the local labor leaders together, and arranged for the Labor Council to endorse him officially.

Bates had very little money to run his campaign, but Groulx came to his aid. As Bates relates it, "As a Central Labor Council and a nonprofit, he was entitled to reduced amount to spend on his postage… it was at least half. We worked it out in a way that we gave him what we wanted, and they prepared it, so it said, 'by the Central Labor Council,' and then he mailed it all out. So I was able to do all kinds of mailings that nobody else could afford to do, because he had this label… I think he did about seven mailings for me, because it was so cheap to do this, so we could actually afford to do

these mailings, which I never could have afforded. They put labels on them… They had a printing press, so they could print this. I mean, they were big supporters of mine."

Bates piggybacked on the McGovern presidential campaign. He personally went into the McGovern office and inserted his material into all the McGovern campaign literature, so when precinct walkers distributed McGovern literature, they were also distributing Bates literature. He solidified his ties with the county government unions by hiring Dion Aroner, former president of the Social Workers Union, to work on his campaign. Support of public sector unions would be a mainstay of Bates' political career in Sacramento, along with environmental organizations and trial lawyers.

One of Bates' advisors came up with "the idea that people always wanted to vote for the winner… So he would make up like polls, phony polls, 'Bates Leads By…' And then he would run around… and leave these phony polls that he had done, saying that I was winning and all this, and the idea was that people would be for me." Bates went right along with it, and did not express any ethical qualms about this level of politics.

Fortunately for Bates, at some point the incumbent decided he didn't want to run for reelection, and dropped out.

Almost as soon as Bates was elected county supervisor, another lucky thing happened. The board of supervisors received a large sum of money from the federal government in the form of revenue sharing. The counties could do whatever they wanted with it. During the campaign Bates had worked closely with a number of nonprofit organizations with social missions, and when this money appeared, he worked to channel it to them to start and finance community-based programs. This was a high moment of his early political career. As a county supervisor, Bates became involved in land use issues. The general rule of thumb he learned was to preserve a "green belt" buffer between agricultural land and urban sprawl. That schema facilitated the political support of environmental organizations, and also fed into his eventual alliance with developers to intensify residential development in already built-out urban areas. Upscale single-family residential communities were happy to maintain their privileges unthreatened by increased development, and at the same time appear to be environmentally friendly. So at little political cost, he gained the backing of environmentalists, affluent neighborhoods, and developers.

Like many career politicians, he began to cobble together a consortium of interests to back his career. At that time he had a fairly accurate assessment of his own limitations as "the person in the background, the person who was making things happen... I wasn't a Dellums or somebody who was really an educator in terms of the issues and bringing people along. I always worked on issues and causes that I wanted action to happen about. I could do that successfully. But in terms of abstract ideas and things, that wasn't my strength." As a person whose strength was not in "abstract ideas and things," he began to seek power as a career and for its own sake.

Bates' district as supervisor was entirely in Oakland and did not include Berkeley. He, his wife Carol and two children lived in Crocker Heights, in the hills above Lake Merritt. But he would have preferred his district to include Berkeley and North Oakland. As luck would have it, the board of supervisors needed to reapportion themselves, as they were supposed to do after every decadal census, but had neglected to do. The supervisors were empowered to do their own reapportionment with no control from any other agency. They could gerrymander the lines any way they wanted. Bates cut a deal so that his district would include Berkeley and North Oakland, even though it was a long stretch to his home. "[T]hey drew the lines so I didn't have to move. They drew the lines to cover my house."

Later, toward the end of his term, they had to redraw the lines again. He wanted an ally on the board, and picked John George, the progressive African-American attorney who had run for Congress in 1968 against Jeffrey Cohelan (and lost in the election before Dellums successfully displaced Cohelan). Bates had to do another extreme gerrymandering job to get John George into the district. "But he lived in the next two precincts over from my house, so when the lines got drawn, we argued to get John's house into the district. So it goes out and back. It was referred to as the thumb. It's like, you took a hand and made a fist, with your thumb sticking out, to get to John's house."

However, Bates was out-gerrymandered by another supervisor. He and Joe Bort each tried to gerrymander the other into an untenable position. Bates wanted to create a new district, primarily in Oakland, joining together certain communities to give an advantage to John George so he could be elected. George was set to run. But Bort won the

gerrymandering arm wrestle, and the lines were drawn so that Bates and George were in the same district.

At that point Meade decided to leave the assembly and offered his endorsement to Bates to replace him. So Bates withdrew, and John George, with the support of the Black Panthers, was destined to become Alameda County's first black supervisor.

BERKELEY CITIZENS ACTION

The April Coalition lost the 1973 Berkeley election, so only two progressives remained on the council, Loni Hancock and Ying Lee Kelley. Many people felt that a major problem with the coalition was that it just came together for an election and disappeared as soon as it was over. Instead, a year-round organization was needed, so people from different constituencies could work together on an ongoing basis and hopefully avoid the polarization and factions of pragmatists and ideologues that constantly tore the April Coalition apart.

Hancock and Kelley agreed that the best way to launch a new organization was with Ron Dellums as sponsor, since he was the prime unifying figure of the Berkeley left. The Dellums campaign agreed to issue the call for the founding of the new Berkeley political organization. In August, 1974, at a meeting at the South Berkeley YMCA, chaired by Lee Halterman, Berkeley Citizens Action (BCA) was founded. Its mission was to nominate candidates for every election, by a 2/3rds vote of the membership, and to lobby elected officials for its program. Soon an elected steering committee was established, with affirmative-action recruitment, and a dues structure for members.

In its first election, in 1974, BCA supported Dellums, an initiative to change the city manager system into a strong council system, and an initiative for public ownership of the local power company. Dellums was easily reelected to Congress, but the two initiatives narrowly lost. In the following election BCA made no dent on the Berkeley city council, which remained controlled by BDC.

BATES FOR ASSEMBLY

With Meade's endorsement as his successor in the Assembly in his pocket, despite their falling out, in 1976 Bates went separately to both Hancock and Dellums to ask them to support his candidacy. Berkeley Councilmember Ying Lee Kelley was Bates' first endorsement after Meade; she brought Hancock on board, and that got him BCA and

Dellums. “It’s sort of like a domino theory,” Bates explained. “Once you get one, then it’s easier to get the next, and so on.” He and Hancock did not know each other at the time, although Bates had been a county supervisor for three years. Bates said later about the meeting with Hancock, “It was a very, very important endorsement because… it identified me immediately with a group of politics, and that translated for some people to mean someone they should automatically support. And we didn’t have to do anything else. That was it. That was good enough for them.” He went on, “At that time the Berkeley Democratic Club were the opposition to us… They probably agreed with me 95 percent of the time other than this one issue of rent control. But when I would go places and walk precincts and say, ‘I’m Tom Bates. I’m running for this,’ and then, I’d go on and on, and then they’d say,… ‘Hancock and Dellums support you. I’m for you. Don’t say anything more.’” Bates’ polling showed that Dellums’ endorsement alone “was good for something like seven points.”

Bates won the 1976 election (along with Dellums and George), and became a state assemblyman.

BATES AND RENT CONTROL

The biggest political divide in Berkeley politics at the time—other than the Vietnam War—was rent control. The first “rent stabilization” ordinance in Berkeley was written in 1972 as a charter amendment by a small ad-hoc group called The Fair Rent Committee, and proposed at Council by Loni Hancock. Her motion failing to get a second, it died. But signatures were raised and the measure went on the June ballot. Dellums and Meade endorsed it.

The majority of Berkeleyans were (and still are) renters, many of them young people, students or former students. The number of rental units was inadequate, rents were high and quickly rising; many tenants were angry at what they considered exploitation. The initiative won a resounding victory, and a first version of rent control came to Berkeley.

But a landlord group sued, and brought it before the California Supreme Court, which in 1976 declared local rent control legal, but this version unconstitutional due to its mechanism of individual rent adjustments. The state legislature quickly passed an act outlawing all rent control in California, but Jerry Brown—in his first stint as governor—vetoed it.

In 1977 a new revised rent control amendment was on the Berkeley ballot, but lost. The next year a milder temporary initiative passed. Then in 1980, Berkeley voters again approved a full Rent Stabilization ordinance.

Tom Bates' relationship to the issue was always reluctant, guarded, and iffy. Although publicly he supported Berkeley rent control, behind the scenes it was a different story. "But rent control is an issue that—it was like a no-win position for me… In retrospect, I came out of the base which supported rent control. The people voted for it, but it was never, particularly, any good issue for me because it was—I mean, I had to defend it in the state legislature. Albeit, my wife was mayor, and, I mean, I had ties with people who supported it, supported rent control. So I wasn't about to break that. And so, I ended up having to fight fights that I didn't really choose to fight. And from a political-aspiration point of view, when I looked at one time to running for other offices, it was like a death knell… so it was not a good issue for me politically. In fact, that was—well, we used to say that was our baggage; our luggage was that rent control that we had to carry around with us… It wasn't like I would fall on my sword for this issue. It was something that sort of like came with the territory. And particularly with my affiliations and association; I mean, it was like, if I would have changed my view on rent control and done something like [State Senator Nicholas C.] Petris did—he switched; it was like, people were shocked that he would do this, that he would make this change, and he had sold out and all this other stuff. So it was very hard; people were just like a litmus test. Death penalty, abortions, rent control. You know what I mean? Dogs off leash. There are some issues you can't win on, right? This was one of those."

BATES AS ASSEMBLYMAN

One leader in the Assembly whom Bates highly respected, and from whom he learned a lot, was Willie Brown. "Willie Brown was somebody who was a remarkable leader. At one point, when he became the speaker, he became like a Mafia don in some ways. I mean, he had so much power and control over people. It was like the last Mafia. I felt like I got a PhD in leadership from Willie Brown." Bates also claims that Brown "would show up two days a week, but because of the rules, he would get per diem for seven days a week… He was never there. He was like AWOL… So he was basically practicing law and building his law practice, and these were later years when he had

income of, like $200,000 a year coming from outside income that he was making primarily representing developers in San Francisco and in the Bay Area."

To fund his career, Bates cobbled together sources that coincided as much as possible with his areas of involvement and concern: "in the end it was primarily union money and some interest groups." He favored areas where there were few political downsides. Environmental groups, consumer protection, civil liberties, and women's rights were easy, particularly in Berkeley. Public employees unions brought large numbers of feet to his campaign mobilizations. His supporters included the trial lawyers and the highway patrol. "Some people give money just because they want to have access." He worked out a somewhat mechanistic paper-rock-scissors hierarchy of issues. "If I run into a conflict between environment and, say, labor, I would choose the environment." He generally supported whatever organized labor supported, particularly government unions, but apparently more because he needed them as backers than because he believed in the cause. "There was occasion when I thought that maybe I should vote with the employer. But it would have to be a pretty strong case for me to switch because it's like, Why am I alienating my friends unnecessarily? I mean, if it's real important, I would switch."

Bates thrived in that world. He assigned his staff to thread the intricacies of the agencies of the state bureaucracy "to establish relationships to figure out who the power players were." He liked to be on the winning side, and figured out what positions to take to be on that side.

He learned to play political games by the Sacramento rules. "The legislature isn't, the assembly is not a great deliberative body… in my twenty years, I changed my mind on the floor maybe ten times." He would confer privately with lobbyists and people in the industry involved, make real decisions behind closed doors, and relegate the public processes as just for show, window dressing: "the hearings become, and the various legislative debates become, secondary." He would later bring this back room process home to Berkeley when he became mayor.

Since there was no serious opposition in his assembly district, Bates didn't have to do perpetual fund raising. "I didn't have the pressures to raise money that other people had, to constantly, continually raise money… But people have to raise money. They're

constantly sweating all the time because if I vote no on this particular issue, that means I've alienated this group of people…"

Despite his having a safe seat, Bates was soon drawn into the Sacramento lobbying world. "You're just being pulled and running—literally running—between one place and the next. It's like crazy…. So conversations take place in the hall. You're walking from your office to the committee and there'll be a lobbyist waiting for you to walk with you to the committee so they can talk to you."

He continued to raise funds from small donors, but that did little more than pay for itself. "I tried to have some kind of a barbeque, some kind of small person's fundraiser and maintained a list of small donors. You would raise some money, but it wasn't a significant amount of money. And then they would have receptions of various kinds in Sacramento where they'd invite the special interests and lobbyists to come, you know, to breakfast or a cocktail party. So that you serve some, maybe five or ten dollars worth of drinks or something, and you would charge maybe $500 to get people to come. In order to get lobbyists to come, it's a game that's played, which is you send them an invitation. And this is a lobbyist who now comes before the committee, talks to you about various issues. They receive the invitation to the event, and then they send it to their client, whoever that might be. It might be anywhere from a car company to a chemical company. There are probably 500 lobbyists in Sacramento, and most of them have a number of clients… So they get the invitation, then they decide who they want to invite, if their client would participate. So what would then happen is that in order to leverage their clients' interests, generally speaking, they'd wait for the legislator to call them. And when the legislator calls the lobbyist, in that phone call, the ethics are very clear. You cannot talk about any business that that lobbyist has before the legislature… In order to be effective, to get people to come, you have to do calls. And then, you know, you could hang up that call, and then call back on another phone that would be a state phone—the campaign phone had to be a private phone—and talk about business that they might have. I mean, it's sort of like a game that's played."

Although getting reelected was apparently his foremost priority— typical of American politics—Bates did become effective in his own way, and interest groups that supported him were usually rewarded. "[I] knew how to work the system because I'd

been there for a long time… They always used to joke that I was the first hog in the trough."

Bates' views of some social issues were simplistic and not very compassionate. "[T]he homeless issue. That was really, a terrible, knotty problem because, you know, the question is if you provide services for people in Berkeley, if you provide homeless shelters and you provide food programs, I mean, people will come here from all over, because it's an accepting community. And a lot of homeless people on the streets, and people are saying, 'We don't want them here… we don't want them on our streets… They belong in mental hospitals. They need help. We don't want to see them.'"

Whenever possible, he took the easy way out. "Over the years I got lazy… I could still get overwhelmingly elected… I hired a staff person…who was a genius at getting press… I did less and I was in the press more… [A] lot of these stations didn't have news broadcasters. They would actually pick up feeds from services. The state assembly… actually hired a person who did radio feeds… and then send them to like a hundred and sixty stations, or something. Because they didn't have any staff of their own, they got this feed from this service that they basically ran, this unfettered news. So, it was very good… They didn't have the news members on their staffs anymore at the various stations, radio stations and television. And they got it free."

Although he knew how to be subservient to power when he was low man in the pecking order, when he was on top he expected to get his way. As chair of the Human Services Committee, where they had a Democratic majority, "I'd say 99 percent of the time they would go along with what I want."

He loved being thought of as an important person. Someone who used to go precinct walking with him relates that Bates would never just walk up to a house. He always sent his partner first, while Bates waited on the sidewalk. The partner was told to point at him and say, "That is the assemblyman. Do you want to talk with him?"

The word in political circles back in Berkeley was that his aide, Dion Aroner, really ran his office. If you wanted anything, you went to Dion, not to Tom. As Bates himself explained, "She just totally looked after my interests… it was like unquestioned. I mean, she would see things through the eyes of, well, you know, what is good for Bates… she actually would be empowered to talk for me… So she would be able to broker things.

Then after a while, I mean, it was hard to say where I ended and she began… she could basically do things and say, 'Tom would never go for this,' and never discuss it with me, or after the fact…"

BATES AND UC

One can surmise with near certainty that Bates maintained his alumni membership in the secret Order of the Golden Bear, dedicated to serving the University of California.

"[UC Chancellor Michael Heyman] and I would meet and have breakfast every month, just the two of us, and his two assistants would come, sometimes Dion would come... [We] worked really very closely, and we had a very common set of goals and objectives we wanted to see happen." He explained, "The reason that I think they paid attention to me, particularly at the Berkeley campus, was because of my connections with the city government and the local politics. So they saw me as somebody who could… help them navigate…"

UC set up "a university-sponsored public policy [institute] that would work closely with the legislature around various issues that legislators were interested in." They would have weekend retreats, paid by Cal: "This would be a weekend, actually, would be set aside where legislators would come from Sacramento to Berkeley, and would be put up at a local hotel, the Durant Hotel. Then they would have a series of seminars that they would organize around specific issues… like, What can we do to stimulate the high-tech industry in California…? But in addition to that, one of the highlights was that they always went to really elegant places for dinner in San Francisco or in the East Bay, and the chancellor would have them over to his house on the campus, where they would also have a chance to talk to him informally. So there was a lot of lobbying and a lot of good will that was built up for the university… So it almost became like a boondoggle… [State Senator] Petris always attended… he would take a very strong pro-university position and, quite frankly, he had much more power than I had because he sat right there on their Budget Committee. So when he did something, wanted something, they did it… immediately, or whatever, as quick as possible… everyone was bending over backwards to do whatever they could for their little demigods, you know, little fiefs running around. Fief is not the right word."

"At the Berkeley campus… research money that has come from the federal government has by and large been reduced,… basic research has been reduced. As a consequence, they've had to look for a lot of corporate support,… various businesses have come in and made contributions to the university. But then the question was, the research that they were doing, there were a lot of concerns that it would be directed toward things that [the corporation] was interested in. And then questions of patents. Who owns the patent? So there is a lot of sticky stuff that's come up around corporate coming in and basically giving money, and having strings attached to that money. I mean, it's just naturally the case… People get concerned that the research won't be basic applied research, it won't be allowed to be freely shared with other individuals and other researchers, but it becomes more proprietary and more patented, and so it becomes less in the public interest and more in the private interest and more in the university interest."

BATES AND DELLUMS

Bates milked his association with Dellums for all it was worth. "He had this incredible reputation, and I was very fortunate to have a similar reputation by association. You know, everything was Dellums-Bates does this. I guess I was the token white." In contrast to public appearances, the two always had a distant relationship. "[Dellums] was a person that was, I found, really hard to know… he was sort of 'on' all the time. He was always, like telling things and explaining things, and if you were there, it was difficult to have a two-way conversation. It was mostly you listening to him pontificate about various things." Bates went on about Dellums, "[A] lot of people, when they're in office… they become kinds of shells of people, in the sense of you don't really get to know them, they don't show who they are. It's more of a persona."

"Dellums was really the leader," and Bates was unquestionably the follower. "Dellums had an advisory committee, which advised him on local candidates, just who he should support… What I found myself was that I was also interested in, whenever possible, supporting the same candidates that he was supporting… Dellums was pretty much the lead… [I] also was, to a certain extent, deferential, deferential to Dellums' choices. I didn't really endorse people until I saw what he was doing in terms of his endorsements… Then, once Dellums endorsed, and then I would, representing sort of the

liberal, white community, Caucasian community, would support, it added a lot of legitimacy to the efforts."

MAYOR GUS NEWPORT

Many in BCA urged Loni Hancock to run for mayor in 1979. But early in 1978 President Jimmy Carter appointed Hancock as Regional Director for ACTION Corps, the Federal domestic volunteer agency that combined VISTA and the Peace Corps. Deeply involved with her new position, she cut back on her involvement on the Council, declined to run for mayor, and decided to leave the City Council when her term expired.

Berkeley Citizens Action searched for a mayoral candidate to challenge Widener in the April 1979 election, and finally hit on Eugene "Gus" Newport. He was an unlikely candidate, little known in Berkeley, although he was a member of the BCA steering committee. His mentor was John George. He had moved to town just five years previously, worked for the city as a senior analyst for Parks and Rec, and had developed a Youth Employment Services program for the city. He had previously worked in Puerto Rico for the US Department of Labor doing job development and social programs. He served on the Berkeley Police Review Commission, where he advocated reforming the department, which were using dogs, and then on the Planning Commission. He actually had a long history of involvement in social justice struggles, but that was largely unknown locally. He had been a friend of Malcolm X, and when Malcolm left the Nation of Islam, Newport worked with him in founding the Organization of African-American Unity. Gus was traveling with Malcolm just four days before he was assassinated in 1965. Newport grew up in Rochester, New York, and a lot of his politics came out of fighting police brutality there.

Defying all predictions, Newport was elected mayor, along with three other councilmembers, Florence McDonald, Veronica Fukson, and John Denton. An independent BDC councilperson, Carole Davis, jumped sides, began working with BCA, and suddenly there was a shaky progressive majority on the City Council.

Newport's agenda as mayor included rent control, job creation, especially for working class people, increasing social services and health care, commercial and residential energy conservation, community energy, engaging racism, supervising police activities, fighting homophobia, promoting the peace movement. He promoted new

technology and tried to bring an early electric car manufacturer to Berkeley. His supporters spoke about, "Revolution in One City." But since Newport's BCA did not have a clear council majority in his first term, his power to implement his program was limited by compromises with BDC.

Newport also had financial problems. He was forced to leave his city job when he became mayor, and he and his family could not live on the small mayor's salary. Assurances of other job offers never materialized. That, combined with his affinity for working in the international social justice movement, led him to become "Galloping Gus," traveling around the country, and to many hot spots in the world, speaking on social justice issues. Some of his speaking engagements were paid, others not. One of his most memorable moments came when he became involved with the struggle in El Salvador. Newport went behind the guerrilla lines as a guest of the insurgent Farabundo Marti National Liberation Front (FMLN) and broadcast back to Berkeley over KPFA community radio; you could hear the bombs bursting in the background. This was the moment when the legend of the Peoples Republic of Berkeley gained national visibility, the small city with a foreign policy. But in the process of his trying to be a force nationally and internationally, his aide Sean Gordon ran city hall, and he lost some focus on Berkeley. The sudden death of Gordon was a serious blow.

BDC and the Republicans joined into an organization called the All-Berkeley Coalition (ABC) in an attempt to mobilize all conservative forces to defeat Newport and BCA. In the spring of 1982 Berkeley moved the municipal election from April to November, to be coordinated with the state general election. That change, greatly increasing the turnout of tenants, students, and low-income voters, gave BCA candidates an edge. In November of that year, Newport was re-elected Mayor over Shirley Dean and BCA maintained the three Council seats they held. Then two years later, BCA swept, so in 1984 BCA candidates held eight out of nine seats. Among the new Council majority was Nancy Skinner, the first student ever elected to the Council (and current state assembly representative). BCA was poised to implement its progressive program for the city.

Newport toyed with the idea of trying to change the city manager system to a strong council system or a parliamentary system similar to some European cities, which had

been on the BCA agenda for a decade. Under the city manager system, elected officials have much less power than most people think they have. The mayor has no administrative power. The mayor is a member of the council, and it is largely a ceremonial position, with few powers beyond chairing meetings. The council establishes policies, passes local ordinances, and votes appropriations. The council hires a professional city manager to run the city, implement its policies, and advise it. All city staff work for the manager. Neither the mayor nor councilmembers can bypass the city manager and contact staff directly about any issues. However, in practice the mayor sets the agenda for the city partly through skilful politicking and force of personality, and partly because there is no one else to do it. Besides, the citizens think that the mayor has that power, and look to him or her for leadership and to develops an overall vision, so the mayor has to somehow fulfill that role. Berkeley's city manager system was put in place in 1923. The form arose primarily from the Progressive Movement, when municipal reformers wanted to rid cities of the spoils system of governance. The downside of the city manager system is that almost all cities wind up run by trained professionals, with similar mind sets, resulting in cookie-cutter administrations, and it becomes difficult to implement creative out-of-the-box programs. That is why Newport and BCA wanted to try to change it.

The Newport council got a federal grant to build low income housing. But for every proposed site, conservatives stirred up the neighborhood with fears of low income families. Schools were suffering from declining revenues due to lower enrollment (reflecting changing demographics), and the BCA school board was forced to consider closing schools, to make the hard choices over which to close, and to decide what to do with closed school sites.

With a dominant majority on the Council, many of the most active people in the progressive community were appointed to boards and commissions, and so became part of the administration. The community began to rely on the elected officials making the right decisions, and it became difficult to fill city hall with aroused progressive citizens. On the contrary, the seats were now largely filled with angry conservatives.

Bates was harshly critical of Newport's attempt to increase low income housing. "They made some really stupid, in my judgment, decisions that haunted them, one of

which was… the federal government said that they had all this low-income housing that was available, and if Berkeley wanted them, they could get like 172 units of low-income housing. And they said, 'Sure. We want it.' So then they'd try to figure out where to put the low-income housing… And guess what? Nobody wanted it anywhere… So they took the schools—and they also controlled the school board—and they basically took school ground and converted it to low-income housing... and people were angry. Then on the other side, the Democratic Club and people affiliated… came up with this idea that they wanted to go for district elections."

I CONNECT WITH BERKELEY POLITICS

In the interest of full disclosure, I have to relate that in the 1980s I became a player in this narrative, albeit a very minor one.

I first arrived in Berkeley in 1971, and over the years I began to participate in elections as a volunteer walking precincts on election eve in April Coalition and BCA mobilizations. I never asked anything from city politicos however, until the mid-1980s, when an economic crisis hit West Berkeley, where my shop, a custom woodworking cooperative, was located. My shop was in the Sawtooth building, on 8th Street, built in 1911 and subdivided into artisan, artist and light industrial studios in 1974. A new property management took over the building in 1985, and told all the tenants that it was going to be converted into offices. The tenants, who until then only knew each other casually, quickly formed a tenants association to fight the pending eviction. I went to Mayor Newport's office and arranged for three BCA councilmembers to come down. I showed them around the Sawtooth building and explained the problems.

I also knew a couple of people on the BCA steering committee through an organization called the InterCollective, a loose association of cooperatives and collectives, to which my group belonged. These two men were active in the Newport administration, and both later became cochairs of BCA (not at the same time). They were working for the city to—among other things—promote cooperatives. They had started a support co-op called The Wealth Exchange, a "secondary co-op" in the Mondragon scheme, which spun off a number of worker co-ops doing short haul trucking, food at events, self publishing, and a restaurant. This dovetailed with the strategic economic program of the Newport administration, which was to pass policies, then help to develop

institutions to respond to the market created by those policies. They asked me to join the BCA steering committee. It was not an easy sell, since I had little faith in electoral politics, even in Berkeley. But I knew that we needed strong allies in city hall in order to maintain the West Berkeley community in the face of uncontrolled gentrification. I went to a BCA steering committee meeting and wound up joining.

BCA BLINDSIDED: DISTRICT ELECTIONS

Anger of Berkeley conservatives at two consecutive electoral defeats which had left them with only one seat on the Council, led to an initiative charter amendment on the June, 1986 ballot. If the new system passed, the eight councilmembers would be elected by districts and only the mayor would be elected at large. The measure was criticized by BCA in that Berkeley is not very large—its population hovers around 100,000—and while district elections make sense in a large metropolitan area, in a city this size they could result in a focus on the competition of different neighborhoods over who gets their potholes filled first. It would also disarm BCA at its point of strength, the ability to mobilize the power of the flatlands majority behind unified, citywide slate campaigns.

Spring elections are almost always low-turnout, and this was no exception. In this election, only the more conservative hills voted for district elections, while the more progressive flatlands voted against it. But the hills voted en masse and much of the flatlands stayed home, so the measure passed. With district elections, city-wide political organizations like BCA became immediately weaker, and the domination of slate politics was over.

BATES AND NEWPORT

Newport was always outspoken about social justice issues, and never minced words toward people he considered phony or reactionary. There was no love lost between Bates and Newport, but for the most part they kept it out of the public eye. Newport saw Bates as “a hard nosed politico who’s just there for the political reality, … knows how to take advantage of it, to exploit it.”

Bates in turn was highly critical of Newport, and put off by his politics and manner. “I was in the assembly. The nine newly-elected people had not been sworn in yet. They were waiting to be sworn in. So, I called them all into my office, all nine of them. And the mayor, who we had elected. His name was Gus Newport. And we came into the

office, and I said, 'We really, obviously, are delighted that you won and everything, but you've got to guard against, you've got to realize that you need to guard against being arrogant… And the worst thing you could do is just to run things like you totally are in control.' And, you know, they all said, 'Yeah, yeah,' and they did just the opposite."

Bates publicly took a stand against the change to district elections. But privately he later took some of the credit. "[A] guy by the name of Gus Newport, who had been involved with BCA… had the reputation for being extremely rude to the public. He was involved with a group that they threw out. I mean, we had to change the election to district elections a lot because of his style, the way he treated the public." Bates did not further explain the statement "we had to change the election to district elections," but "we" apparently played a role along with the conservatives.

NEWPORT QUITS

When Mayor Gus Newport announced that he would not run for another term, many people thought that it was partly because he was in a personal financial bind, and partly because the passage of district elections meant a repudiation of his leadership. While at least the former appears to be true, there was another narrative in play.

While most liberal politicos were mesmerized by Ron Dellums' great achievements in Congress over apartheid in South Africa and scuttling the ill-fated MX missile, Newport and many in the south Berkeley black community were apparently concerned that Dellums actually did very little for his own district.

Supervisor John George worked hard to put together a tight coalition of progressive elected office holders from the municipal level through the county, state and federal. The idea was that all the elected officials would work together in an integrated manner to adopt certain public policies. They would form a working committee which would meet from time to time. Their first couple of meetings were productive and exciting, but Dellums—the highest ranking official—was out in D.C. and sent a representative. Then one weekend Dellums was in town, and they all got together late at night. According to this account, the office holders at the meeting were John George, Ron Dellums, Wilson Riles, Jr., Sandre Swanson, Tom Bates, and Gus Newport. John George laid out the scenario for policy coordination. But Dellums said, according to someone who was present, "I'm the leader of the peace movement of the world. I don't have time for this

local shit. I don't have time to participate." Almost all of the others were shocked. But Bates stood and said, "Ron is my role model. I'm not going to do anything with you." John George was devastated. According to this account, Wilson Riles actually got into Dellums' face. That's when Newport decided that he was through with East Bay electoral politics. Newport said something like, "Fuck you all. I'm not running again. Because I don't want to endorse or be a part of this kind of shit. And I don't want to be seen as somebody who's negative and bad. And I don't want to expose who you are."

BATES EYES HIGHER OFFICE

Bates had ambitions for higher office beyond the Assembly, but that was cut off from him. The next step up would have been the state senate. However, his ally Nicolas Petris, state senator from the district, wasn't planning on leaving any time soon. But then Jimmy Carter got elected president, and rumors circulated that Congressman Dellums was going to be appointed ambassador to South Africa. Bates jumped at the idea that he might have a shot at the congressional seat. But his move was premature and backfired. Dellums did not want the ambassador job. He heard that Bates was eyeing his seat, and was galled. According to Bates, "It well, actually took us a long time to sort of build back relationships… 'What am I doing running for his seat and he's not vacating?'… It was like, all of a sudden you think, Whoa, you know this guy's really ambitious. He's already planning to run for my seat." So instead, Bates floated the idea of running for statewide office, and went around the state politicking and campaigning. But after meeting with politicos from Southern California, he came to the sad conclusion that "I would have support from a number of groups, but it was not going to be anywhere near the kind of money and resources I'd have to raise… So I woke up to the fact that that's not going to happen. I mean, I'm not going to be able to run for a higher office, per se."

LONI HANCOCK RETURNS

In January 1986, Loni Hancock and Tom Bates, now married (each having divorced their first spouses), moved from Oakland into Hancock's old house in Berkeley. Hancock had been out of politics since she left the council in 1979.

When Newport stepped down, many people approached Loni and asked her to run for the seat. While both Newport and Hancock shared generally progressive goals, the contrast of their approaches was pronounced. Gus' assertive manner, although always in

the service of progressive goals, had made many Berkeleyans uneasy. Newport did not back away from conflict, while Hancock usually tried to find "win-win" solutions to problems. When she had been on the Council, her office was staffed primarily by many young, dedicated volunteers committed to social justice, and was set apart by their high energy level and constant flurry of activity. Her approach of actually listening to all sides of issues, and bringing disparate people together to find mutually-acceptable solutions, left a legacy of many friends and few enemies. She liked to say that her guiding concept was, "Think globally, act locally." She easily won the BCA nomination.

The November, 1986 electoral campaign was the first I'd ever been deeply involved with, and it was an eye-opener. The ABC-BDC group of conservatives-moderates tried to steal the election with a "copycat" door hanger. They hired crews and sent them out to follow after the BCA volunteers, take down the BCA doorhanger, and replace it with a copycat version. Both had Dellums' picture at the top, but the ABC-BDC one was without the congressman's permission. The conservatives understood that, although Berkeley is very politically savvy, many people relied on endorsements to determine their votes. Many people carried the BCA Dellums doorhanger with them to the polls, and voted in line with its endorsements. However, BCA's security team became aware of the problem, confronted the perps, and rehung the affected precincts. Loni Hancock was elected Mayor in 1986, along with a thin 5-4 progressive majority.

The new pattern of district politics was set. The hills districts elected more conservative councilmembers, and the flatlands more progressive. The main student vote was split between two districts, making it very difficult for a student to get elected to the council. Much to ABC-BDC's dismay, the change to district elections did not immediately result in a conservative-moderate majority.

THE HANCOCK CITY HALL

Loni's office was always open. You could walk right in and talk to her about anything. The progressive councilmembers held weekly "packet meetings" to discuss the issues coming before them. As a member of the BCA steering committee, I had an open invitation to come at any time and participate. Only four out of the five could get together at any one time, in compliance with the Brown Act, which makes it illegal for an elected

majority to meet outside of scheduled public meetings. Loni was always concerned about issues of social equity in the local and the global economy.

Hancock strengthened the mayor's office by tripling the number of full-time mayoral aides. Until then mayors had only one full-time aide, like the other councilmembers. Having three aides gave her more influence and clout, despite the city charter providing the mayor with few powers beyond the other councilmembers.

I wound up in somewhat of an inner circle of BCA for a while. I was editor of *Berkeley Action*, the BCA newsletter, from its inception in 1987. I was also in the basement room of city hall as a selected observer in 1990 when they were hand-counting all the contested and absentee ballots in Loni's razor-thin victory for her second term, maintaining a very narrow, unstable progressive majority into the 90s. I was habitually assigned to security, patrolling the streets during get-out-the-vote mobilizations.

I saw a lot of what was really going on. Under Hancock it was not the kind of back room sausage factory dealings that make many people despair of American politics. With the possible exception of one highly questionable situation involving the university.

LONI AND UC

On the down side, a disturbing incident took place, in which Bates apparently played a role, related to UC's 1990 Campus Plan. I don't really know the whole story, but here are some fragments.

The UC system has a unique status as a public trust under California's Constitution. At the time of its founding, the college in Berkeley had less than 2,000 students. Today the 10-campus system includes more than 220,000 students and over 170,000 faculty and staff. The University of California is somewhat a country unto itself, not subject to state laws or municipal ordinances, such as local building and zoning regulations. UC executives function with little public accountability. Its governing Board of Regents is comprised mostly of wealthy businessmen and lawyers, most of them large donors to governors' election coffers, chosen more for their political connections than for their expertise in higher education. California provides millions of dollars in funding each year in a lump sum payment, and the Regents and the President distribute this money with few restrictions.

The UC master plan of 1990 proposed a great expansion of the university into the community, over which the city would have no control. Eleven neighborhood groups mobilized, and challenged UC with a lawsuit for greater input on growth and to arrange for fair cost sharing for services. Local residents were infuriated by UC's refusal to take seriously their concerns about tall buildings, traffic, and uncontrolled growth. They asked the city to participate in the suit, and Loni worked closely with the groups. The Council was scheduled to vote on the city joining the suit. Then suddenly, on the night of the vote, Hancock announced that the city and UC had come to an agreement to settle their differences. The public never even knew that negotiations were going on.

The word leaked out that Bates and UC Chancellor Heyman had gotten Hancock to go with them on a secret boat trip, where they convinced her to go along with the agenda. Surely Bates' membership in the secret Order of the Golden Bear played a role.

The neighborhood groups vowed to continue on with the lawsuit, but without the city it fell apart.

THE BATTLE FOR WEST BERKELEY

One of the most important struggles during the Hancock administration was over the future of West Berkeley. This was also the issue that drew me into Berkeley politics. To offer a clearer picture of the context, we'll have to take a few steps backward.

Berkeley was not founded in 1873 when the University of California began to build the greatest public university in the Western U.S., but two decades earlier. In 1853, a small cargo ship began docking in the mouth of Strawberry Creek, near the ancient Ohlone Indian shellmound, the remains of which still lie today under the parking lot of Truitt and White Lumber Company and adjoining parcels. The flatlands along the east shore of San Francisco Bay at that time was spotted with small farms (cut up from the large rancho that embraced the region while California was part of Mexico, before the U.S. conquest of 1848). The ship loaded produce, mail, and shipments from the east and north brought by wagon on San Pablo Road, and carried them across the bay to San Francisco, then returned west with products bound for the gold fields. It was a much shorter route than continuing by land south to San Jose, then up the peninsula.

In 1854 a wharf called Jacob's Landing was built there, soon followed by Bowen's Inn and General Store, which became the nucleus of a small town, Ocean View. The East

Bay's first manufacturing plant, the Pioneer Starch and Grist Mill, opened in 1855 to mill grain from the local farmers. Bowen's Inn housed local workers and their families, as well as travelers, and was a focal point for the small farmers. Industry thrived and quickly expanded. The first school opened in 1856. In the 1860 census, the town's population was 69. Ocean View's ethnic diversity mirrored the Gold Rush population, which included significant numbers of immigrants and minorities.

In 1873 the University of California founded a second civic center a mile upstream from Ocean View on Strawberry Creek. The two communities immediately interacted. Ocean View workers found blue collar jobs at the campus, while university people became customers at the mills, farms, and shops. A stagecoach began making four trips a day between the two communities on the road alongside the creek, which came to be called University Avenue. Conflicts also developed. Ocean View complained that the campus polluted the creek, and the university complained that the town corrupted the students.

But the city of Oakland to the south was quickly expanding, and threatened to engulf both communities, since neither was incorporated. Representatives from Ocean View and the university community met and jointly petitioned the state for a charter, which in 1878 established the City of Berkeley, named for George Berkeley, Bishop of Cloyne, an 18th century Anglo-Irish philosopher. The good bishop is best known for his philosophy of immaterialism, encapsulated in the epigram "To be is to be perceived": all physical objects are only ideas in the mind of the perceiver, and do not exist otherwise. It was the perfect choice of a name for the town.

In its first municipal election, with a little over 300 voters, blue collar Ocean View—now West Berkeley—and the university community each put up opposing slates: the Workingmen's Party vs. the Citizen's Ticket. The Workingmen's Party won, and so the West Berkeley party formed the city's first administration. In subsequent elections the university began to dominate. Political conflicts continued, reflecting the diverging interests of the two communities.

The 1906 earthquake brought large numbers of refugees to Berkeley, who built bungalows filling in the area between the University and West Berkeley. The earthquake also brought on West Berkeley's first industrial boom, with 37 new factories opening in

the first four months. Manufacturers flooded in, displacing farms. Many products manufactured there in the following years went to rebuilding San Francisco. By 1909 West Berkeley had 84 factories. Between 1911-13 the city had its first Socialist mayor, J. Stitt Wilson, who fought for public ownership of utilities, tax reform, and worker cooperatives but, frustrated by a conservative council majority, he declined to run for re-election. In 1916 Berkeley was zoned for the first time, and much of West Berkeley was designated "Manufacturing," including parts that were actually mixed with housing.

World War II sparked a manufacturing boom that created an industrial belt along the shoreline from East Oakland to Richmond. Finally in the late 1970s and early 1980s most heavy industries and large manufacturers left the area. The primary land use issue became how to re-use vacant industrial sites. Several of the industrial buildings were subdivided for light industries, artisans, and arts and crafts studios. The area began to attract reuse and recycling companies. This new environment made the area increasingly attractive to developers, who saw in the creative atmosphere a marketing advantage for office and retail conversions, which generate higher rents. As building conversions drove rents up, some industries, artisans, and artists started to be pushed out of town.

In 1984 the owners of the Durkee building, on Heinz Street, built in 1916, gave eviction notices to their resident artists and industrial tenants, and moved to convert the building into offices and labs, but the tenants staged a very public fight against eviction. In the thick of it was a neighborhood activist organization called Southwest Berkeley Merchants, Artists, Artisans and Residents (MAARS), with the leadership of Rick Auerbach. The entire Durkee site was designated as Berkeley's first industrial landmark and, after a long struggle, the Newport administration brokered a settlement for the artist tenants to stay.

But the crisis continued to spread throughout West Berkeley. The 70-year-old zoning was inadequate to guide development, and many businesses and residents were deeply disturbed by the rapid chaotic change.

THE WEST BERKELEY PLAN

When the Hancock administration took over, the City Council set up an open-membership community process to write an area plan, with guidance from the Planning Commission. The West Berkeley Plan was a populist process, visionary planning at its

best. The Plan Committee brought the entire community together, all the stakeholders into partnership with the city. It was a great experiment: Can a community plan itself? Can ordinary people shape their own destiny? Can democracy—direct democracy—really work?

Planning director Gil Kelley gathered all the stakeholders into the same room: manufacturers, artisans, artists, residents, merchants, developers, environmentalists, property owners, employers, unions, black clergy, business and property owners small and large, neighborhood organizations including MAARS. We spoke and argued face to face, got to know each other, bridged our differences, and came up with a plan that we all bought into, that was not perfect for any of us, but that we knew was inclusive and that we could all use to move together into the future, because it was our plan, our community and we were all an important part of it, a plan to preserve the habitat, the neighborhood in which our work and lives thrived. And we achieved that in an era of truly progressive government in Berkeley.

The overarching goal was a diverse, balanced economy, building on the community's strengths. Key was keeping industries and jobs for people without advanced degrees, and to continuing an environment in which a multitude of uses could thrive. Light industry was seen as a stabilizing force to prevent overdevelopment of offices and retail. The Plan divided the area into several districts, each promoting the uses that already predominated there. In 1993, with Hancock's leadership, the City Council passed the Plan unanimously.

When the dot-com explosion triggered a boom in offices around the Bay, many West Berkeley building owners wanted to cash in but were limited by the Plan. Then when the bubble burst, empty office buildings littered other parts of the Bay Area, but the Plan's zoning protections kept West Berkeley's diverse economy stable.

HANCOCK AND BCA

Participation in BCA declined as the core group holding it together grew ever older. In 1993 Loni and several others publicly called for BCA to disband, writing, "we also need new strategies and organizations to play a positive role in facing our local community problems." Maudelle Shirek and others insisted that, on the contrary, the organization needed to inject new energy into the struggle and carry on.

According to Bates, participation in BCA declined because, "The BCA used to be an organization that when they have nominating conventions to various local office, they would have five to seven hundred people would show up and participate in the debate and selection of candidates to represent them. But the zealots and the rent fanatics would talk and bring up all these issues that they drove other people away… So it became more and more of a hard-core of people who were interested in very narrow issues, and rent was one of them. It was like the absolute litmus test. So it really hurt the organization to the extent that at the end of her career, when Loni was mayor, she actually, basically split with the BCA. She wasn't going to participate with them any more."

A special BCA meeting was held, a vote taken and, despite Loni and Tom, the organization refused to disband and began working toward rejuvenation.

BATES OUT OF OFFICE

Meanwhile, Bates was being ousted from the legislature by the imposition of term limits. Since there was no opportunity for him to move to higher office, he filed a lawsuit challenging the constitutionality of the new term limits law, and fought tooth and nail to remain in office. However, his lawsuit lost, so he was out of a job.

Bates professed to believe that "people who were in office for a long period of time became the most effective and the best representatives." However, he conceded, "I think there's an innate belief that people who stay in office, you know, power corrupts. So that if they're there a long time, they're going to become corrupted… And that you can't get rid of them, and they stop listening. They stop being reflective of the views of the district because they become secure, and so they do what they want, and not necessarily reflect the voters."

He hand picked his aide Dion Aroner to be his successor. As Bates himself said, "I think some criticism is probably warranted… You notice that a lot of elected officials, their staff members become elected officials… I was a staff member for Ken Meade… Dion Aroner took my place… Barbara Lee, who's the current congresswoman, worked for Ron Dellums. Keith Carson, who ended up being elected to the seat that I held on the board of supervisors, and John George held, worked for Ron Dellums for a number of years… [W]e don't have patronage other than our staff." The musical chairs would continue later when Hancock took over Aroner's seat, then moved up to the State Senate

when Don Perata was termed out, and former Berkeley City Councilmember Nancy Skinner took over the seat held by Hancock, Aroner and Bates.

Bates handed the torch to Aroner reluctantly. Although BCA people always said that Dion was actually running the show in the Sacramento office, Bates claimed the contrary, that he helped her exaggerate her resumé to get her elected. "I told her to just kind of take credit for everything I've done. So she proceeded to do that… she would talk like she had done it all… Dion would take credit for all these things, all my legislation… And so it was hard for me sometimes to sit there and see this person, like what did I do? So when she got elected, she won the Democratic nomination, I told her it was a great privilege for me to jockey all of her legislation all these years."

Out of office, Bates took on various involvements that kept him busy. He found a job working half time for the Center for Ecoliteracy. He made some moves to go back into real estate development. In 1997 or '98 Bates appeared before the Berkeley Zoning Adjustments Board as a partner of the biggest developer of downtown Berkeley, Patrick Kennedy. As part of the application process, the partners put forth a proposal to develop 2100 Dwight way, the lot at southeast corner of Shattuck, as a multi-use residential and commercial building that many dubbed "the Bates Hotel." The partnership did not own the land, but had an option on it. But the project never came to fruition, and nothing more was heard of it.

Bates had a tough time just adjusting to not being an elected official, "not being thought of as important; you know, going places and not being introduced, people not stepping aside or people not being interested in what you have to say. You know, people start looking past you. And so, that's hard, I think, for some people to be suddenly treated differently, especially if they have a lot of ego and a lot of ego wrapped up in the job and the job becomes who they are… I think it's particularly difficult being a spouse of an elected official, having been the spouse of a mayor of Berkeley… I still found myself being in funny situations with my wife, going places with her and being introduced as Mr. Hancock. This is when she was the mayor, you know: Mayor Hancock and Mr. Hancock… And so, it would be like, 'Oh you're the mayor's husband,' And to be seen as the mayor's husband, it's dehumanizing… And people feel like you're not of any value,

that you're just like an appendage… Nobody, particularly, is interested in my comments… the spouse: they're seen as nobodies."

BATES FOR MAYOR

In early 1994 Loni announced she would not complete her second term as mayor, but was leaving to take a job in the Clinton administration as regional representative for education. The Council had to choose someone to complete her term, but without the mayor's vote, they were split 4-4. As a compromise, they chose Jeffrey Leiter, a somewhat neutral outsider.

Then later that year on election day in November, 1994, no one received a majority. So BCA candidate Don Jelinek and the ABC-BDC's Shirley Dean faced off in a runoff. The low turnout favored the "moderate." Dean edged him out and became mayor. But the progressives still held onto a council majority.

The following eight years were brutal on the council, with the mayor in one camp and the council majority in the other. Dean worked hard to promote policies that were favorable to her developer backers, staff was torn in both directions, and the result was a constantly unpleasant standoff.

As the 2002 election approached, progressives searched for someone who could rescue the city from Dean and her cronies, and put Berkeley back on a progressive track. Bates, term limited out of the assembly, was semi-retired. Most people in Berkeley still didn't really know him very well, despite his long history as a progressive standard bearer in Sacramento, but he was Loni's husband. And he had name recognition, which was all-important in trying to unseat an incumbent.

Many progressives, including myself, approached him and asked him to run. Most of us knew that Tom was a standard liberal career politician much more than Loni, but we had hopes that her influence would lead him into running a similar city administration, if elected. A "draft Tom" campaign began to pick up steam. Tom played it coy at first.

Dion Aroner served her terms honorably in the assembly, and it became her turn to be termed out. In 2002 Loni decided to run for Tom's old seat, and everybody knew she would be a shoo-in. Bates' fear of being left behind by her probably had a lot to do with his deciding to run for mayor in the same election.

I was cochair at the BCA mayoral nomination convention that was poised on nominating Tom. Something happened at that convention that was a real red flag for me and others I was working with. There were three candidates seeking the BCA endorsement for mayor. All were scheduled to speak to the convention and ask for the endorsement. The question came up of order of speakers. Tom's lieutenants said that he wanted to speak last. But after due deliberation, the BCA steering committee determined that in all fairness, the order of speakers had to be determined at random. Names would be written on small sheets of paper, which would be folded, dropped into a hat, and someone would draw the names one by one. As luck had it, I was chosen as the person to draw the names. On the day of the convention, everything progressed uneventfully, until we approached the mayoral nomination. The other two hopefuls were in the audience waiting their turn to speak, but Tom was nowhere in sight. One of his lieutenants came up to me and explained that Bates was outside in a car around the corner. They had worked out a scenario where he would make a dramatic entrance and speak right before the vote. But that necessitated the order being drawn from the hat placing him last. The lieutenant said something like, "However you pull out the papers doesn't matter. Just announce that you drew Tom last. Nobody's going to know." I said I couldn't do that. I decided to back off, and found somebody else to pull the names from the hat. Sure enough, when the order was called, Bates miraculously got to speak last, made his dramatic entrance, and won the nomination.

As is well known, on the day before the election the student paper, the *Daily Cal* endorsed his opponent, Shirley Dean. When the paper came out with the endorsement, Bates was so distraught that he stole and destroyed 1,000 copies, in an attempt to prevent students from reading it. As fortune had it, some College Republican students recognized him and notified the police. The *Daily Cal* editor confronted him on the scene, according to the police report, but Bates denied it and only said, "C'est la vie." The media sat on the story until after the election. Bates won and became mayor.

He continued to publicly deny the deed for two weeks, vaguely implying that it must have been done by his supporters. Finally Bates confessed. Even then, he trivialized it by comparing it to being caught offside playing football. Charged with petty theft, he pleaded guilty, was fined, and paid restitution.

THE NEW MODERATE-CONSERVATIVE ALLIANCE

As mayor, Bates quickly put together a council majority that included all of the more conservative councilmembers. When anyone asked him, "Are you on the progressive side or the moderate side?" He always said, "I'm not on any side." What he apparently meant, was that he was on the Tom Bates side. His criteria appeared to be based not on ideas or ideology, but on personal loyalty to him. He pushed two of the most consistent progressives, Kriss Worthington and Dona Spring (and later Jesse Arreguin), out of the circle, and began working to get them off the council, primarily because they wouldn't automatically go along with whatever he wanted. Bates wanted only "team players" on his squad.

Bates increased the number of his paid full-time aides to four by diverting the mayor's salary to hire an additional aide. He couldn't accept direct pay from the mayor's job without losing his generous state pension, so he converted it into additional personal power. With a chief of staff and three subordinate aides, jointly paid over $300,000 per year plus benefits, Bates positioned himself to dominate the rest of the council, far beyond the city charter's provisions.

MAYOR BATES, SOCIAL ENGINEER

Tom wanted to make his mark, to put his face on the city, and brought to the mayor's office all the methods of power politics he'd learned in Sacramento. His goal was not the populist community of Loni Hancock. His agenda included a city transformed both in its physical appearance and in its essence. His ambition was larger than just the city, and necessitated regional planning, power and methods beyond just that of a mayor. He focused on the new Downtown Plan, the West Berkeley Project, and the Green Corridor.

BATES AND UC LONG-RANGE DEVELOPMENT PLAN

In 2005 Bates staged a rerun of Loni's 1990 secret negotiated deal with the University. Once again, his membership in the Order of the Golden Bear, the secret organization sworn to serve the University's interests, must have played a role.

When he was running for mayor in 2002, Bates spoke of his concern about the impact of UC expansion on the city. With his Sacramento connections, he could bring pressure on UC and create a relationship in which the city's concerns would be addressed. Then when UC put forth their Long-Range Development Plan in 2004 he

publicly stood up to them and demanded that they deal fairly with the city. UC was planning to build up to 2.2 million square feet of new administrative and academic space, mostly in the downtown, requiring over 2,000 new parking spaces, with no city input. Bates talked tough at first, in a newspaper article quoted as vowing to "fight tooth and nail." The city filed a lawsuit against UC, and Bates announced, "The university asked us to sign the equivalent of a blank check that would allow it to build wherever, whenever, and however it would like. The lawsuit firmly states that we are not signing anything until we know what we are buying."

UC has a huge negative fiscal impact on the city. A 2004 independent fiscal analysis estimated the annual fiscal impact on the city for providing services to UC was then $10.9 million a year, and the projected expansion would drive it up to $13.5 million.

The lawsuit was moving ahead in 2005 when suddenly Bates announced that he had negotiated with them in secret and they came to an agreement to settle. The deal was quickly rammed through the City Council behind closed doors, with no public review or input. "This is a deal that will live in infamy," said Councilmember Dona Spring, who represented the downtown area. "The city gave up everything and the university gave up nothing... [The plan] is a violation of public trust… We've ceded sovereignty to the university and given up our ability to set our own zoning code."

The city made almost all the concessions. Under the agreement, UC would increase their payments for police, fire and sewer services, but nowhere nearly enough to cover their impacts. Before the city filed the lawsuit, the university had offered $1.1 million; the lawsuit sought $4.1 million; and the settlement was for $1.2 million. The shortfall would continue to be paid by the city. The agreement made no mention of lessening the impacts of campus growth on surrounding neighborhoods, and also ignored traffic, the single biggest impact of the university on the city. Worst, it surrendered to UC veto power over planning for the future of the city's downtown. The agreement did not commit UC to even following the plan, so they could continue to buy downtown land and build whatever they choose. The Council explicitly signed away any rights the city might have in the future to demand increased payments.

However, Bates spun the deal as a victory for the city.

THE DOWNTOWN PLAN, SAM ZELL AND MEASURE R

In November 2010 Berkeleyans were asked to vote on Measure R, which was placed on the ballot by Bates because he, some big developers, and UC did not like the height limitations in the newly proposed Downtown Plan written by a 21-person Council-appointed citizens' committee after five years of work.

The synopsis of the ballot measure read, "Shall the City of Berkeley adopt policies to revitalize the downtown and help make Berkeley one of the greenest cities in the United States by meeting our climate action goals; concentrating housing, jobs and cultural destinations near transit, shops and amenities; preserving historic resources; enhancing open space; promoting green buildings; and calling for 2 residential buildings and 1 hotel no taller than our existing 180 foot buildings and 2 smaller office buildings up to 120 feet?"

Who could disagree with all the mom and apple pie of those first 56 words? It only becomes controversial when you get down to the last phrase, the building height, and that is presented in a deceptive manner. Actually, the measure tripled the permissible height limits (and developers could build residential towers even higher than 180 feet under California's bonus density provisions). Far from "preserving historic resources," it actually expedited the demolition of historic buildings.

The Measure R campaign was funded by developer money, and the biggest contributor, for $25,000, was Sam Zell's Equity Residential, Inc. The purpose of the measure was to clear the way for Bates, the developers, and the university to transform downtown by permitting high-rise development. Many of the largest downtown buildings had belonged to developer Patrick Kennedy, a personal friend of Bates, but Kennedy had recently sold all of his Berkeley holdings to out-of-town billionaire Sam Zell. Other recent deals of Zell involved his buying both the *Chicago Tribune* and the *L.A. Times,* quickly dismissing much of their staff, and running both formerly-great papers into the ground. Zell is also the largest trailer park landlord in the US, including California, and has lobbied hard to abolish all local rent stabilization ordinances in order to raise rents without any limit on some of the most vulnerable people.

The opponents of Measure R could not match the barrage of campaign literature Zell's large campaign treasury paid for. Bates and Zell were able to define the issue by sheer volume of mailers, and overwhelmed the opposition.

ABAG AND THE GREEN CORRIDOR

Bates is chair of the Joint Policy Committee (JPC) of the Association of Bay Area Governments (ABAG) along with three other regional planning groups. JPC is developing a Regional Planning Program. At the same time Bates is also chair of the East Bay Green Corridor, a regional partnership established in 2007 that has "put the structure in place for broad regional collaboration." It bills itself as working toward promoting the East Bay as a global center of the emerging green economy. The members include eight East Bay cities, UC Berkeley, Lawrence Berkeley National Laboratory, and two other colleges.

Larger regional bodies such as these are positioned to indulge in social engineering, imposing quotas and regulations on municipalities that citizens would otherwise fight. Regional planning permits local politicians to claim that communities have no choice, and helps them avoid the consequences of an aroused electorate. The methods and effects are similar to those of international trade treaties like NAFTA. Through these regional bodies, Bates has worked to move land use decisions into regional planning, removing power as much as possible away from local governance and any direct public oversight.

Regional planning of this type means big paydays for developers, who financially support politicians' election campaigns. The developers get the green light for large apartment buildings on transit corridors, often far higher than previous zoning would allow. Upscale communities in the hills, far away, usually support this entirely, since it gives them the veneer of being environmentally friendly, and they lose nothing at all.

In Bates' scheme, Berkeley and UC would be the brain, the headquarters for the biotech revolution; West Berkeley would be opened to spin-off start-ups; Richmond and Oakland would be the hands, where the new manufacturing would ultimately move.

The Green Corridor also meant to Bates that he could use it to consolidate his entente between the city, environmental organizations, developers, and the university's new corporate orientation. As part of it, he could open up West Berkeley to bio-tech start-ups. Well-meaning environmental organizations were innocents drawn into the specious web.

With Bates' participation, the ABAG plan for population growth is to locate as many people as possible onto transit corridors and nodes, ignoring the definitive 2009 study from the National Research Council entitled "Driving and The Built Environment"

which debunks the conclusion that Smart Growth is actually as environmentally-friendly as proponents profess.

Bates has a lot in common with New York City's Robert Moses, who in the mid 20th century situated himself in a powerful fortress of quasi-public "authorities," from which he dictated city planning projects almost unchecked by any democratic processes. To fulfill his vision of a wonderful world dominated by cars, Moses leveled numerous neighborhoods to build freeways, and for many years the abused people seemed to have no recourse. Until he overstepped. The people rose up and brought him down.

THE WEST BERKELEY PROJECT

In 2007 the Council, led by Bates, initiated the West Berkeley Project. According to the description on the city web site, the project was begun "to ease the obstacles that people face when trying to build, operate, or grow industrial businesses in West Berkeley. The work program seeks incremental changes to the zoning ordinance, not wholesale changes to the West Berkeley Plan."

But the Project stood in stark contrast to the revered West Berkley Plan. In many ways the Project aimed at dismantling the Plan. While the Plan was created by democratic inclusive processes, the Project was marked by reports of closed meetings of the large players in the mayor's office, and exclusion of the smaller stakeholders and the community, except as window dressing. From its very initiation, the Project was aimed not at improving and better implementing the Plan, but at fundamentally altering its essence. The Project focused on giving developers maximum "flexibility," removing many of the zoning restrictions and letting them do whatever was most profitable. The contrast between the open populism of the West Berkeley Plan, and the special interest dealings of the West Berkeley Project could not be more stark: an open and successful experiment of a community planning itself, and the shadowy dealings of the city with a tiny group of power players. Standing to gain were venture capitalists who wanted cheap rents for bio-tech startups, developers who would build the offices and labs, people with advanced degrees who would work in the startups, and the university which would have spaces for its spin-offs. Standing to lose would be the existing West Berkeley community, and people without advanced degrees, significantly minorities and immigrants, who would have neither green nor blue collar jobs. The Project, if fully

implemented the way Bates originally wanted it, would have resulted in the end of West Berkeley as a distinct community. But the community fought back, at first just a small group, but gradually as the scope of the threat became clearer, an increasingly large number of West Berkeley people were drawn in.

Not once in five years did the city bring all the stakeholders together into the same room and facilitate them talking with each other and working out their differences. On the contrary, the community had to fight every inch of the way to just get into the door. Even then the city was very careful to keep them separated, to be the power broker between the various sectors and stakeholders, to keep control out of the hands of the community. Powerful forces were poised for enormous expansion in West Berkeley and the existing community was told to move over.

The original Plan had been geared to protect the long-successful community from boom and bust development cycles, while the Project was geared to thrust it right back there and ignite a new gentrification spiral. That would push much of the existing lower-income community out and bring in a more upscale one, diminishing the city's economic and ethnic diversity.

And this in the face of a national movement, led by President Obama, for a rebirth of industrial America. Once manufacturing buildings are converted to offices or residences, no habitat remains for industry, so there can be no rebirth. Far from being in the forefront of the reindustrialization of America, the Bates agenda pushes Berkeley far back behind the curve.

The origins of modern urban planning lie in the 19th century movement for urban reform. In the late-20th century the term "sustainable development" came to represent an ideal outcome of planning goals. In opposition, "the dark side of planning" is a concept that refers to the harsher realities of city planning, as opposed to the benevolent ideals presented in planning textbooks. The dark side of planning points to the real practices that often violate planning ethics and the norms of democracy and equity. The distinction is similar to Adam Smith's benevolent "invisible hand" of the market in contrast to the brutal realities of capitalism. Hancock's West Berkeley Plan is a textbook example of sustainable development. In contrast, Bates' West Berkeley Project is a textbook example of the dark side of planning.

BERKELEY PLANNING DEPARTMENT

The Berkeley Planning Department is largely funded today by development fees. The department was mostly taken out of the general fund in the 1980s, and changed to this method of funding. At that time the change was promoted as a progressive act. However, under Bates the Planning Department has become problematic. Mr. Bates seems to believe that all development is good, that any is better than none, that all development trickles down and contributes good things to the community. One result has been that the Planning Department tends to see itself as working for the developers and is buffeted against much influence by citizens. Some planners appear to understand their role as being there to grease the way for projects. Another result is that there is now little long term planning, because long term planning does not pay fees.

In a parallel development, the primary mission that Bates assigns the Economic Development Department now appears largely to be a direct access point for developers to the Council, Planning Commission, and Zoning Adjustment Board.

While we have a city manager form of government, under which the mayor has no administrative powers, in practice Mr. Bates has managed to amass a very strong influence over city staff decisions on key issues. Bates and city staff—and not Council—often appear to be the ones setting policy for the city. Some councilmembers are happy with this situation, expect staff to come up with proposals, are rarely critical of those proposals, and are reluctant to go against them. In return, some staff seem to think that most of the councilmembers don't know what's happening, and that staff are really running the city.

One thing that the mayor, some councilmembers, and some planning staff seem to agree about, is that the public are simply an annoyance, an obstacle to their work. In contrast, other councilmembers and staff still recognize that the public are and should be the core actors in this process.

POWER PLAYERS IN BERKELEY

It has been said many times that in California the dominant force has always been real estate development. The California Democratic machine is largely funded by the deep pockets of real estate developers. While Republicans tend to be more the corporate party demanding "no regulations," mainstream Democrats are pro-development but with

regulations. Berkeley is not really any different. Cities need revenue and—due to Prop 13—one of the only ways they can get it is through development. Local politicians need revenue for their campaigns, and many of them get it the same way

The big commercial property owners and developers are of course the major players. Locally they are organized primarily through the Downtown Berkeley Association (DBA), and the Chamber of Commerce. The university is actually one of the biggest funders of the Chamber. Apart from UC, the downtown property owners may be the most powerful force in town. Although some downtown stores and buildings are shuttered, to a certain extent that is due to the owners' joint decision to not lower rents to market rates. The invisible hand appears to be handcuffed by the very forces which laud it as the foundation of our society.

Back in the heyday of BCA and Mayor Gus Newport, the developers funded the opposition ABC-BDC. Then when Hancock was mayor, some of them began to come over to progressives. But in the 1980s and '90s progressives weren't worried about satisfying them; with Bates there has been a quantitative change. Political campaigns are expensive, particularly contested campaigns, and it is not easy to fund them through $10 and $20 contributions. A mayoral campaign back in the 1990s cost around $120,000, and surely more today. But Bates does not have to worry, because his core constituency is developers and big property owners, and they fund his election campaigns.

Some say that Berkeley is a company town, and UC is the company. UC leans on its financial support from the city of free land and services, and obtains perks for private business under its umbrella, because it's tax exempt. The university's influence over the city has accelerated under Bates. At the same time, UC's mission has changed. Education and basic research are no longer its primary goals. A determination was made that the only way to keep the University alive is by pandering to corporations. Now the federal government, through the Department of Energy and big corporate funders, have given it the mission of developing new bio-fuel, bio-tech, and green-tech industries. The contract between UC and BP (British Petroleum) is part of that. The East Bay may become the center of the future's synthetic biology breakthroughs, but many people think that in the process it's raping the town financially and environmentally. Is it really green? Is it really worth it?

BATES IN SUMMARY

Yes, a sort of political machine does exist in Berkeley, coming out of the deterioration of progressive politics of the past 30 to 40 years. Once it was a movement based on certain goals, ideas, and core values. Now it is a machine based primarily on loyalty to Tom Bates. If you're not going to do what he wants, then you're an enemy. In terms of progressive issues, Bates has always taken the easy way out, promoted a lite version of social justice that was primarily in the window for show. Underneath it all, he was always a career politician ego-identified with the university, whose greatest skill set was always the backroom deal. A gray eminence, the guy that nobody really took very seriously, Bates positioned himself little by little to become the local power broker, undermining progressive politics in Berkeley in the process. One particularly sad aspect to it is that many do not speak truth to him because of Loni.

In doing investigative research for this article, I asked many people who know him, What makes Bates tick? What's his motivation? What gets him up in the morning? The portrait that emerges is a man driven by ego. His agenda seems to be to transform Berkeley so that he will leave his physical mark on it, an edifice to himself. Several people I spoke with thought it pathetic how he pushed to get the Gilman sports field renamed after himself. But that's just an obscure footnote to his agenda, which appears to be on a very much grander scale. He apparently wants a new shining Berkeley to emerge, ever more dominated by the university, a town-gown grand alliance with himself at its center, symbolized by massive University-oriented high-rises dominating downtown and the West Berkeley skyline. From anywhere you look at the town, from the hills or from across the bay, you'll see the mark of Bates.

In my mind I see that old photo of Emiliano Zapata on the wall behind Bates in his office, and in Zapata's deep sorrowful eyes I see the pain of the suffering of the world and his unquenchable thirst for social justice. Then I look at Bates, then back at the picture. In place of Zapata I now see the withered face of Robert Moses, the New York Power Broker, in a 1940s Fedora hat, the corners of his mouth twisted down as if he has something very sour in his mouth, and in his glazed eyes I see nothing. Berkeley can do better.