Ordinary People Doing the Extraordinary

The Story of Ed and Joyce Koupal and the Initiative Process

by Dwayne Hunn and Doris Ober

"We were just ordinary people."

Joyce Koupal to Gene Reynolds in 1975

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Introduction

> *There are some for whom citizen activism comes as a moment of truth, a blinding flash of self-realization. For others, like highly controversial Ed Koupal, it's a slowly growing awareness that gradually transforms just an ordinary guy into one of God's angry men: a man with a cause.*
>
> *Elinor Lenz, Los Angeles Times West*

Elinor Lenz caught Ed exactly. He was "a big, roaring avalanche of a man with a face as wide open as a Wyoming range," she wrote. "Once he made a pretty good living selling used cars. Now when he sees you coming and whips out an impressive-looking document with a place for your signature, you can be sure it's not a sales contract."[1]

In addition to car sales, Ed was also a boiler tender, restaurant owner, chicken farmer, world-class jazz musician, and political visionary.

He was big and burly. "A teddy bear," some of his friends said. "A grizzly," thought others. One described him as having a head that "was probably bigger than most people's heads so you noticed him out of a crowd ... and then those white mutton chops [and cleft chin]——he always stood out." He was a dynamo, with enormous energy, quick to anger, a master of derision. He gave more than 100 percent to whatever he believed in. And what he believed in most was Joyce, who lent her facile thinking, her ability to analyse and interpret, her prodigious memory, to his dynamic nature. "When Ed and I met," she wrote, "his energy, enthusiasm, and drive carried me into his plans and goals."[2] Her love was both a fundamental affirmation and an indispensable asset, and their partnership something bigger than the sum of the two of them.

They didn't start out to change the world, just a little corner of it. They put a lot of faith in people, believing it was possible for ordinary citizens to be responsible for their own laws, to have a hand in and oversee their own governance. It was a fairly uncommon idea in the late sixties and early seventies.

For those who never had the experience of knowing them, here in a nutshell is the story of Ed and Joyce Koupal's life and work. For those to whom the Koupals need no introduction, let this short biography stand as our round of applause for two unsung heroes among citizen activists. More than that. Let it be our acknowledgment and our salute to the founders of People's Lobby, and parents of the national initiative movement.

Ed and Joyce incorporated People's Lobby in 1969, during a time in American history when ordinary people were daring to do extraordinary things. People were against America's presence in Vietnam and millions gathered in stunning anti-war demonstrations. They were sick about racial injustice and dared, by the hundreds of thousands, to lay their anger across the Washington Mall. Their extraordinary acts were not always constructive. There were riots. There were assassinations. Some ordinary people planted bombs.

The Koupals got angry about a government whose politicians were less interested in the needs and desires of their constituents than in themselves, their pocketbooks, or their reelections. Based on the strong belief that "final responsibility rests with the people," Ed and Joyce insisted that final authority *never* be delegated. Everything they did, and the way they lived, reflected that motto. Over a period of seven years, the Koupals and their loyal followers——known variously as Ed's mule team, the fanatic fifty, blue-jean populists, and "bastards," depending on who was talking——used that resolve to change the political landscape in California forever by returning the initiative process to the people. The adoption of a *national* initiative may one day allow us to say they changed the political landscape in this country forever.

Today the People's Lobby board of directors consists of the Koupals' youngest daughter, Diane, and four members who worked with Ed and Joyce in those early days: Jim Berg, there from the very beginning; Dwayne Hunn, a teacher in the seventies who invited Ed into his classroom and became a devoted follower; Diana O'Brien, who remembers, "In the early seventies, Dwayne regularly trucked in his high school students to do Lobby work and I was one of those"; and attorney Floyd Morrow, who helped draft the Political Reform Act of 1974.

Today their work is largely educational: they publish columns for the *San Diego Review* on the initiative process and the national initiative movement, as well as on the history and legacy of People's Lobby; they are assembling a library of educational videos and video-taped interviews with individuals associated with the Lobby and its work; and they maintain a Web site that links to other initiative and politically oriented groups.

This biography has been built on conversations with Koupal family members, Lobby members and colleagues, and with friends (and sometimes adversaries) of Ed's and Joyce's. Although they are not individually footnoted, quotes from these sources were derived from Dwayne Hunn's interviews with them by phone or in person since 1994, or from Doris Ober's request for information in the fall of 2001. Unattributed quotes by Ed or Joyce or by People's

Lobby members are from Dwayne Hunn's notes and recollections of steering board meetings, public presentations, and from conversations with Joyce and Ed and cohorts.

Other information and quotations come from news stories, transcripts, and original letters, which are attributed in notes at the end of this book. David Schmidt's *Citizen Lawmakers: The Ballot Initiative Revolution* (1989, Philadelphia: Temple University Press) was an especially valuable resource, and should be required reading for anyone interested in the initiative movement.

Archival material still exists in the People's Lobby library, along with personal recollections. The Lobby Web site (http://peopleslobby.tripod.com) is updated frequently and is a good source for more information about Ed and Joyce, the national initiative, and other related subjects.

A Memorial Resolution

By Senator David A. Roberti
The Senate
California Legislature

WHEREAS, It was with the most profound sorrow that the Members learned of the passing of a determined political activist and the founder of the People's Lobby, Mr. Edwin A. Koupal, on March 29, 1976, at the age of 48; and

WHEREAS, Mr. Koupal, who, together with his wife, Joyce, founded People's Lobby in 1968, transformed the organization into a powerful reform voice through the use of the initiative process, with the capstone of his efforts being the passing of Proposition 9, the Fair Political Practices Act, by the voters of the state in 1974; and

WHEREAS, His first grassroots effort to qualify an initiative for the ballot was the Clean Environment Act of 1972, and he led the initiative drive for the upcoming June Primary ballot for nuclear safeguards, Proposition 15; and, at the time of his death, he was attempting to add the initiative and referendum process to the United States Constitution; and

WHEREAS, A native of Eugene, Oregon, Mr. Koupal was a graduate of Sacramento High School; worked as a bartender, car salesman, and chicken rancher; and got his political start when he and his wife attempted to put together a recall campaign against Governor Ronald Reagan; and

WHEREAS, In anticipation of the June 1976 Primary ballot, wherein Proposition 15 seeks to place a moratorium on nuclear power plant construction in California, he allied himself and People's Lobby with consumer advocate Ralph Nader to form a new organization called the Western Bloc, and he was in charge of gathering signatures for initiative petitions in six western states to put the nuclear initiative on the ballot; and

WHEREAS, He was one of the strongest advocates in a line of California reformers who have kept alive the promise of Hiram Johnson to make the government of the state accessible and open to the people of the state: and the courageous command he took of his last days was as

much a source of strength to his family and friends as his death is a source of sorrow to all of us; now, therefore, be it

RESOLVED BY THE SENATE RULES COMMITTEE, That the members express their deepest sympathies at the passing of Mr. Edwin A. Koupal, and, by this resolution, memorialize his illustrious record of personal and professional achievement, his dedication to democracy and political reform and the love and devotion he displayed on behalf of his family and friends; and be it further

RESOLVED, That suitably prepared copies of this resolution be transmitted to his wife, Joyce and children, Christine, Diane and Cecil.

Chapter One
The Early Years

Don't let your meat loaf. We gotta get boogyin'!

——Ed Koupal

Ed Koupal was born in Eugene, Oregon, on November 5, 1927, the first child for Edwin Augustus Sr. and Laura Ellen, followed by four siblings over the next six years. Both Ed Sr. and Laura were college educated, a responsible, hardworking couple devoted to family and to their church. They must have moved to California during the Depression, because by the 1930s the growing family was in Sacramento and helping out at the Penial Mission Church on Front Street——really a soup kitchen where folks down on their luck could come in out of the cold, get a hot meal and some old time religion.

Ed Sr. had a big personality and a wide range of interests. In his later years he took up Scientology, astrology, and hypnotism——but in these early days he worked as an engineer, architect, and builder. And he played the trumpet. They were the musical Koupals at their Mission church. On week nights and weekends throughout the thirties, Edwin Sr. played the trumpet (which younger sister Miriam eventually took up), Laura and Carol and the little boys sang——Carol remembers performing "What a Friend We Have in Jesus" and "Old Rugged Cross"——and Ed played any brass instrument, or the bass. He had an exceptional musical talent, as did his mother, to whom he was devoted. Laura sang with the Sacramento Choral Symphony for several years. But she suffered from rheumatic fever, and was delicate all her life and frequently bedridden.

Ed had inherited his dad's charismatic personality and had lots of friends——the Koupal house was always full of Koupals and their friends in spite of Laura's precarious health——and the blond, brown-eyed oldest child was a rambunctious playmate and his siblings' hero.

Bedtime stories

Laura read to her children from the time they were old enough to listen. The family favorites were the Laura Ingalls Wilder books, beginning with *Little House in the Big Woods*, first published in 1932, about the life of an American pioneer family. There were nine volumes all together, in which Pa builds the family house in a new location, and Ma

makes cheese and butter and pies and jam, and braids onions into long ropes for the winter. Everyone pitches in to work or farm the land. Pa plays the fiddle. The family sings together. Obstacles are confronted and overcome. Perseverance furthers. The books are idealized portraits of a hardworking, virtuous, happy family. The themes are self-sufficiency, generosity, moral values.

At bedtime in the Koupals' little house in Sacramento, Laura would take a chair into the hall where her voice carried to the children's bedrooms, and she read, sometimes moved to tears by a story. By the early forties, both Ed and Carol knew the books almost by heart, and Laura would allow one or the other to take the chair in the hall and be the reader. It was a great honor.

His Teens

By his early teens, Ed was working as a lifeguard under Reg Renfre, who later became the city's Parks and Recreation Director (and for whom Sacramento named a park). Ed was also a pin-setter at the local bowling alley, hanging upside down at the end of the lane to pick up and reset pins.

Evenings, as families did all across the nation, the Koupals sat around the radio and listened to Franklin Delano Roosevelt speak about the world beyond 44th Street. Ed was profoundly affected. His family didn't know how much so——until he joined the U.S. Marines. They had already processed his papers when Laura found out. And before they'd rescind his 1941 marching orders, she had to show them Ed's birth certificate to prove he was only 14.

He didn't look like a kid any more, he was nearing six feet tall and he was physically powerful, and his parents were worried about their strong-willed teenager. As an alternative to the marines, Canyonville Bible Academy back in Oregon seemed like a good idea. And it was. Ed loved the place, and the hard work, and the discipline he learned there. He couldn't wait to go back the next school year, but by then his parents couldn't afford the tuition. Carol recalled, "I hadn't seen him cry since he was little. And he cried a lot about not being able to go back."

Boys in the Band

With Bible school set aside, high school was made bearable because of music. Ed joined the school band with five buddies and formed his own group. They called themselves the Mickey

Donovan Band, a name chosen to coincide with the letters "MD" embossed on the music stands they bought from a fellow with those initials.

Ed played in the school cafeteria at lunchtime, practiced at home on weekends, and evenings played with his dad at the National Guard Armory. By the time he was 16, he and his band were earning money playing jazz four or five nights a week at local pubs, most often at the old Tower Club on K Street, under the Esquire Theater.

The MD Band was hot

Drummer Dick Johnson remembers an evening when they were playing at the Catacombs, the converted basement of what was once a Catholic Cathedral. Across the street, at the Triannon Ball Room, a famous name band was performing in one of the Coca-Cola-sponsored *Parade of Bands* radio shows, which broadcast from different venues around the country. Tickets for these events were usually hard to get, but on this night no one showed up. They were all dancing with the MD Band. The Triannon manager finally came across the street to beg for patrons.

Sometimes Ed went out solo. Dick Larimer, another music buddy of his, remembers him sitting in with saxophonist/pianist Teddy Jefferson, a West Coast favorite in the forties and fifties. "He was the only white guy who sat in with Teddy. At that time you didn't see blacks and whites mixing that well, but these guys all accepted him.... Ed didn't see color himself."

In a letter she wrote to her children in May 1983, Joyce Koupal remembered: "Your dad had a 'black beat,' so described to me by many black musicians. He played with black groups. Highly unusual during the forties, as most of the country was segregated and of course very prejudiced. But that didn't stop your dad. He always did what he wanted and never cared or thought about what other people thought of what he did."[3]

"He was good, very good," Dick Larimer repeated. "One of the best bass men I've ever known. He learned from Eddie Safranski, who was probably the best." Larimer was astonished when Ed later gave up music entirely. "Nothing was more dear to him," he said. "He loved his music. He never talked politics, although he was always opinionated."

Ed became manager of the McClatchy swimming pool for Parks and Rec, a job he kept through 1944. He was popular with the kids, and with the girls. He wore his hair slicked back from his temples, and cultivated a pompadour. In a photograph of him in a nightclub with friends, he sports a pair of tinted glasses. He was one cool dude. When an adult manager succeeded him at Parks and Rec, the neighborhood kids staged a minor riot, throwing rocks and breaking windows in protest.

It wasn't the only riot Ed found himself at the center of during his 16th year, and the one at home was considerably more serious. Ed's girlfriend Adele was pregnant.

For any family in the forties, this would have been a crisis. For a church-going couple like the Koupals, it was a *major* crisis. Laura took to her bed. Adele's parents were beside themselves. In the end, Adele had her baby without Ed. He went off to join the merchant marine——this time with his parents' blessing.

Military Service

When Ed entered the service, one month prior to his 17th birthday, he took the MD Band's drummer Dick Johnson and trombonist Les Jasper with him. They did their boot camp on Catalina Island, off Long Beach, California, and got lucky: the band on base was looking for musicians. Before military assignments separated the three, they managed to sit in with trombonist Jack Teagarden's group in 1944, and Ed played with the Phil Harris Band, Glen Miller, and Tex Beneke, among others.

Music provided some balance for his daytime duty. Ed had joined the merchant marine as a boiler tender——a trade his father had learned and recommended. Ed must have wondered why, as he labored below deck stoking fireboxes on the big Liberty Ships. Ultimately, music won. After six months, he left the service to play full time on the road——but his freedom didn't last long. Inside the year, he was drafted into the army and stationed in Texas.

At this point, Ed would rather have been anywhere but in the military, although he had some fun in the army band and at night played jazz with one group or another in towns near where he was stationed. And then, at age 20, Ed was mysteriously discharged from the army about a year early. Joyce had an explanation that she gave her children, with the warning, "Don't ask me any more about this. It is just what I remember Ed telling me":

> Ed didn't like the Army. He wanted to play music and play at having a great time in life. Stationed finally in Texas, he was doing his duty daytimes and playing jazz in town at

night with a small black combo. Also in this town was a small church, called the Church of the Seven Sisters, where according to his buddies, miracles were known to happen. Ed was put in touch with someone from the church who could foretell the future and work spells. Ed wondered if it would be possible to get out of the Army. That would be a miracle, since musicians were classified as essential to the war effort.

He was told it was possible if he was willing to follow exact instructions. At a certain time of day he had to recite a passage out of the Bible. When a superior officer gave him an order, he was to clutch a root in his pocket and quietly, but firmly refuse to obey. He was scared to death the first time he tried it, because he could have been court-martialed or worse. But try it he did, for a week. And nothing happened. He was not brought up on charges. Simply nothing happened.

Weeks went by. And then one Monday morning, the sergeant called Ed in and told him he was being discharged. The sergeant didn't know why, couldn't understand it, but here were the papers, he was out. Ed had to see the doctor on the base, and spent the rest of the day getting release signatures. He received an honorable discharge with all benefits due him ... but if he ever wanted to reenlist, he needed the adjutant general's permission.

After their father's sudden, unexplained dismissal from the army, Joyce went on, Ed went back to the church to thank the minister whose magic had presumably worked, "and while he was there, that person told him that he foresaw that Ed would be a leader of many people during his life.... Ed had such a strong mind that it was difficult for him to accept the fact that he had not only seen but been a part of an occult type of thing ... but he really held in the back of his mind those words 'you will be a leader of many people.'"

Whether it was voodoo or serendipity, Ed was a free man. He hit the road again, and the road led home.

Chapter Two
Enter Joyce

Onward and upward.
——Joyce Koupal

Her family were chicken ranchers in Rio Linda, one of the largest chicken and egg producing areas in California. At the height of their production, Cecil and Elizabeth Nash had 30,000 chickens. It was considered a mid-size operation.

Joyce was born on March 7, 1932, the second of four exceptionally pretty sisters. She was a tall, slim, serious girl, with dark hair and hazel eyes. She was very brainy in school, a voracious reader, very expressive, both in writing and in her speech. She had a wry humor. She could hold her own in any conversation. She seemed to buzz with a kind of inner energy.

She remembered the day she met Ed:

> His sister Carol and I went to school together, and she had invited me over once when he was home visiting from the maritime service. I was only 12 or 13 years old at the time. Then he went away for three years, and when he came back he sent his sister over to tell me he wanted to see me. I put it off, but he kept having his sister hound me, so I went over. His parents were there and we all visited. Then we went out to sit in his car, and he kissed me and said, 'You and I will get married.' He said it just like that. Of course I laughed at him. But he had it all planned out. And he did it right. We dated for a year, we were engaged for a year, and then we were married.

During their engagement, Ed and Joyce bought 10 acres of land and Ed began building a house for them. One of his several jobs was with the Sacramento Brick Company, maintaining the company's boilers and kilns. He worked the graveyard shift, and sometimes his brother David did a shift with him. "Ed drove an old convertible Buick touring car [others remember it as a '24 Dodge], and at the end of the shift we'd fill the back of the car with bricks. He built the little brick house he and Joyce lived in, brick by brick."

Joyce and Ed married in July 1949 and moved into the 1,500-square-foot, red brick house he had built. He was 22 years old, Joyce 17. "When we married, we held down five jobs between us," she wrote years later. "I worked for the state days and evenings. Ed worked on a chicken ranch days, worked as a stationary engineer at the brick yard nights, and late afternoons we

packed eggs on my father's ranch together."[4] Their son Cecil was born the following year, the same year in which Ed's mother Laura passed away. It was not unexpected, but it was a terrible blow to the family, and it hit Ed especially hard.

He took on another job doing boiler maintenance at McClellan Air Force Base. It must have brought back memories. In the early fifties he bought a hole-in-the-wall doughnut shop on North 16th Street. He named it Koup's. "And then we traded our ten acres for a full-line bakery," Joyce remembered. This was nearby Bankers Bakery, whose customers included McClellan Air Force Base. It came with a ramshackle two-bedroom house for the family.

By 1951, Ed and Joyce were wholesaling packaged sandwiches, donuts, and pastries to restaurants and stores. David didn't live far away and worked with them when he could. "We worked 20-hour days," he recalled. "I'd be cutting donuts for them and he'd be frying them. And then they'd get in the truck and start delivery. They didn't get much sleep in those days." Joyce wrote, "We allowed only one hour for sleep in the morning and one hour for sleep at night."

The hours were long and the profits short, but the Koupals persevered. Their family grew, if not their fortunes. A daughter, Christine, was born in 1953.

Two years later a fire destroyed the bakery and their home, and they were forced to declare bankruptcy. Joyce recalled:

> We went out to my father's ranch and lived in the hired man's quarters. Ed worked on the ranch and we gradually regained our perspective. The attorney that handled our bankruptcy became a partner in our new business venture——a beer bar [Big Ed's, in west Sacramento], and we bought a new house. I stayed home and looked after the kids and Ed worked long hours in the bar. Our fine new partner swindled us out of the business. We were again broke and on the street, having lost our home along with the business. We had always worked with enthusiasm, drive, determination, tenacity and very hard work——and we always failed.
>
> This was the lowest point in our lives. We had no money, the heat had been turned off in the house and we were being foreclosed. There was no food and we were too proud to ask for help from our relatives. Ed got a job selling pots and pans door-to-door. I went with him on his first call and he made the sale and got a small deposit. We used that deposit money to buy some food and take it home to feed the kids. Ed had to make that sale because we would not have had enough gas in the car to get home.

We didn't realize it, but this was the turning point in our lives. We were never to fail again.

The job selling pots and pans was one of those life-altering experiences, and not at all because they had fallen so low. Work was work. Ed had no problem with whatever job he took on. It was more difficult for Joyce, but as she explained, they were both forever changed by it.

> Wing Tom was the district manager for Presto Pride, the company that Ed went to work for that fateful day. Door-to-door sales and pots and pans are the hardest training ground that any salesman can go through. It was, and probably still is, the bottom of the barrel. But Wing Tom believed in the power of positive thinking and he took that several steps further. His sales meetings were study groups and we were encouraged to read a number of books having to do with the powers of the mind and discuss these books at our meetings. Ed dragged me into this process kicking and screaming. I didn't want to knock on doors. I didn't want to sell pots and pans. But I did learn Wing Tom's secrets and Ed and I began to put these secrets into practice in our own lives....
>
> We were still in some difficulty——working our way out of our financial problems——but somehow it didn't seem important any more. I went to work for Aerojet and Ed began selling cars. We bought another house, a little house by the Sacramento airport. We started moving up.

Today we'd call Wing Tom a "motivational facilitator." He offered his people the tools for success in all areas of life. Ed already possessed a natural talent for using his own charged enthusiasm to influence people. And Joyce——a seeker of intelligence, of truth, of justice——found a philosophy that confirmed her own instincts. Wing Tom's lessons, based heavily on the books of the inspirational Napoleon Hill (*Think and Grow Rich, The Laws of Success*), gave the Koupals a unique foundation for their subsequent all-encompassing work together. Many years later, after much thought, Joyce tried to pass on to her children her personal formula for success:

Joyce's 15 laws of success

1. Definite chief aim
2. Self-confidence
3. Habit of saving
4. Initiative and leadership
5. Imagination
6. Enthusiasm
7. Self-control
8. Habit of doing more than paid for
9. Pleasing personality
10. Accurate thinking
11. Concentration
12. Cooperation
13. Profiting by failure
14. Tolerance
15. Practicing the Golden Rule

Moving Up

In 1958, Ed was 30 years old. He had held more than a dozen jobs in the past 10 years, and owned and managed several businesses. He had a family of three children by now; Diane was born in 1957.

Like his father, Ed was a very big personality, and a big man, six feet tall, with a broad chest, powerful arms, prematurely white hair, and great white mutton-chop sideburns. And he was a great talker. Sales and Ed were a perfect fit. He became general manager of the Used Car Division for Roseville's Saugstad Ford in Placer County soon after a dramatic mid-day raid by the county sheriff (for tax irregularities) had all but killed business.[5]

Ed brought his emerging wild man personality and typical good-natured energy to his job with Ford and proved himself an early master of spin. He moved into high gear with an inspired "Jail Sale," based on the idea that the boss's trouble translated to good luck for the customer. A frenzy of advertising on radio and billboards announced:

Drive away with a car today
so we can bring the boss home tomorrow!

Take advantage of highway robbery at our jail sale!

Keep us out of jail, steal a car from us today!

The Grand Jail Sale was a major success, making everyone but the competition happy. Success became a problem, however, when the competition was other Ford dealerships. Ultimately, a Ford Motor Company spokesperson advised Saugstad Ford to cease and desist. The Jail Sale wasn't "dignified," they said.

Chapter Three
Political Awakening

Our politicians confuse freedom with license. The proper business of business is business, not government. The proper business of people is government.

——Ed Koupal

By 1964, Ed was making a very respectable income of $30,000. The family had a new home in a new subdivision in Roseville, not far from Sacramento. Joyce was having a swimming pool installed. Ed had a habit of bringing home a different model car every night. Cecil was 15 and a high school sophomore, Christine was 11, and Diane eight years old.

Life couldn't have been more normal. There were pool parties in the backyard and evenings around the TV. (These were the *Ed Sullivan* days. Soon there was *Laugh In*, and later Ed's favorite, *All in the Family*.) Thanksgiving and Christmas were celebrated at Joyce's parents' ranch with her sisters and their growing families. Summers, they vacationed at Lake Tahoe, where the Nashes kept a small cabin. Joyce was taking courses at a local junior college. Before long she became editor of the college paper.

They were apolitical. Ed had never voted. He explained their political awakening to Gene Reynolds, producer of the very popular TV show *M.A.S.H.*:

> I didn't register to vote until I was 35 years old. I came out of the World War II syndrome of "Let George do it...." I considered the government to be something away and apart from me personally.... It had commanded me to do its thing for a couple of years [in the military] ... and I didn't want to get involved any more. I think that's a syndrome that the political machinery, big politics, big government, big unions in our society like us to get into: let them do it. We'll just do our thing and they'll just do theirs. And then I found out that George wasn't doing his thing. That I was being had....
>
> It took a member of the John Birch society to show it to us, strangely enough. He moved in next door and used to come over and rant and scream about the bureaucrats, about how we were being ripped off.... Come to find out, after his wife and my wife got investigating a little bit ... our little 52-lot subdivision, a closed, all white, up-tight thing ... [but without paved streets or gutters or sidewalks] was paying for the streets, gutters, sewers, and sidewalks for seven houses [outside of] our district.... That made me mad. I mean, I don't mind being my brother's keeper, but I don't want to be paying his taxes and everything.[6]

Their subdivision's board of directors had negotiated a "special district" to benefit the failed developer of the seven houses. Ed and Joyce were galvanized by the underhanded tactics of the developer and their board. Soon five or six other homeowners gathered in the Koupals' living room to talk about it. They called themselves the Tommy Knockers, after the elves of Irish folk tales who warned miners of impending disaster. Ed continued:

> So we ran a little local recall. And we got them, these district people, we brought them to the ballot. And then we found out that nearby Sunset City, run by Sun Oil Company was hooking into our little sewer district.... This humongo corporation was going to tie into our little tiny 1500-people district to bond us up for $30 million. So we got mad about that, and we sued them.

They won their suit but no money, were countersued by State Senator Paul Lunardi (who had carried the legislation that would have allowed Sun Oil to legally tie-in to the Koupals' sewer district), and prevailed, preventing the oil company from going through with its plans.

The more they learned about Placer County politics the more angry Ed and Joyce became at big business and small politicians, and the more cynical about those whose vested interests directed their loyalties. It was a consciousness-raising experience for them, one that turned them on and tuned them in to misdirection, non-disclosure, and out-and-out corruption. They were appalled at the lack of concern in corporate decision-making for the people most likely to be affected, and at tricky politicians who put profit above honesty. Cecil remembered, "With my dad there were a few things he wouldn't tolerate. One of them was what he thought of as crooked behavior.... From the standpoint of lying, he had this huge hard on——and he would call it that——for lying or stealing."

The Koupals' disillusionment came at a time when people all across the country were becoming disenchanted. The fairy tale years of Kennedy's Camelot were over. Rachel Carson had kicked off an era of environmental concern with her 1962 publication of *Silent Spring*; the civil rights movement was educating a generation of Americans about American inequality and injustice. Watts would erupt in 1965 in Los Angeles and set off a firestorm in black ghettos all across the nation. Everywhere, movements were being born, people were taking up causes and taking action.

Ed was still working at the car lot, and at the time of the Lunardi countersuit was doing a car commercial up on the hillside lot between Riverside Avenue and Highway I-80. Skydivers were in attendance parachuting down onto the car lot; also clowns, magicians, salesmen, an appreciative crowd, and a reporter hired for the commercial, who took offense at some of Ed's characteristically frank, off-the-cuff remarks about the reporter's friend, Senator Lunardi. A verbal argument commenced, always a bad idea if Ed was your opponent, and the reporter became so frustrated he punched Ed in the mouth.

This was the second time in his life he'd been punched in the mouth. Previously there had been a little altercation at boot camp. Then his cut lip had meant he couldn't play the trombone for a week.

Ed was a tough guy, but fisticuffs were never really his style. Jim Berg, who went by "Canonball" Berg at the car lot, remembers, "Ed never got mad, he got even. He grabbed the reporter, pinned him to the ground, and bled all over his face and shirt. After about two minutes of bleeding onto the guy, he let him up." And that was very much Ed's style. If you crossed him, you'd look bad when he was finished with you.

Taking on Governor Reagan

In many ways, Ronald Reagan, who had upset two-term incumbent Pat Brown in November 1966, typified what the Koupals saw as wrong with government. Reagan and his friends were the rich and powerful, who had little understanding and little interest in the poorer and less powerful. Reagan appointed a "businessman task force," composed of 250 corporate executives, to review basic government policies. They molded the tenets of his administration, in which corporate priorities trumped those of the people. And they were arrogant. They were everything the Koupals disliked and mistrusted.

Reagan cut services and raised taxes. He had campaigned on smaller government and fiscal responsibility, but by the end of his second term he had the biggest state budget in the nation's history and financed it with the biggest tax increase any governor had ever proposed: $946 million. The people who gathered in the Koupals' living room these days spoke bitterly about the tax burden.

And then, in a political miscalculation, Reagan proposed cutting funding to the state's health care services by eliminating 3,700 jobs, closing 14 state outpatient clinics, and having county centers take responsibility for community mental health care. The state would save $17.7 million, and local property tax payers would assume the difference.

It was a public relations disaster. A great many people believed the government was singling out the most vulnerable citizens because they couldn't defend themselves. The level of dismay and disgust grew. In the meantime, the Tommy Knockers had become a kind of clearing house for citizen complaints. But before they would embark on citizen action, they were cautious. They waited until they perceived the climate was right. "Once we saw that about half the people were dissatisfied with Reagan's policies, we knew we had a chance," Joyce said.

That chance came when Reagan proposed a huge cut in the state's education budget, and called for students to pay, for the first time in the state's history, a token couple of hundred dollars for admission. College trustees responded furiously that this would reduce university enrollment by 22,400 students, and to make their point, they closed admission for the next term.

Recalling the governor of California required obtaining signatures from 12 percent of the people who voted for that office, which must include 1 percent from each of five designated counties, or 780,414 valid signatures. Every signature was then subject to the "precincting ballot requirement," a daunting, time-consuming task, as Joyce explained it:

> Once you got a signature the petition was brought to the office and people there had to look up the address of each signer and place the precinct number of that address next to the name. The county clerks would also look up the precinct number after the petition was filed (so it was dumb to make us do it) and if we were wrong the name was stricken and not counted. If we didn't precinct the name at all the person was not counted. We found that it took an equal amount of time to get a signature and then an equal amount of time to precinct the signature, so it was double work.[7]

And you had 160 days in which to do it. The Koupals had already discovered that the best place to gather signatures was in the state's most populous region. This is also where you were likely to find the most financial support. Ed and Joyce and Jim Berg and his wife Peggy became frequent Los Angeles-flyers. They'd take the "Red Eye," and then later the even cheaper "Bleary Eye" Greyhound. "Can't beat it," Ed said of the hound. "You can read and sleep and by the time you get there, you're ready to go."

And for the super economy shuttle, Jim and Ed would drive down to Los Angeles from Sacramento sleeping in Jim's car in the National Parks *en route* to save money on a motel.

"That's colder than a bitch, I can tell you," Berg recalled. "But we didn't have a lot of money. And everybody we knew had to feed us, so we didn't have to spend Recall Reagan money on food."

After several such trips from northern to southern California the Koupals decided it made more sense to move. Ed gave up his job at the Ford dealership to work full time on the recall, and the family moved into a big house on Western Avenue in Los Angeles. Joyce became co-chair of the Recall Reagan committee, and Ed the all-around general manager.

Little house on the auction block

Mom and Dad had stopped paying property taxes long ago on their house in Roseville, which would have gone to support the development [that was still expecting residents to foot the taxes for those seven additional homes]. So when my parents moved to L.A., they simply left the house and it was confiscated and auctioned off for back taxes. It didn't matter to them in the least!

Diane Koupal

On April 4, 1968, Martin Luther King was assassinated in Memphis, Tennessee. Two days later Ed and Jim Berg made their campaign's opening salvo in Watts, that notorious flashpoint for civic outrage and action, where a dentist friend of Ed's had organized a fund-raising and recruiting meeting. A couple of dozen community leaders would be present.

Berg remembered walking into a meeting room filled with black men, and Ed bellowing, "Hello, Niggers! How the hell are ya!"

"I must have turned white as a ghost," Jim Berg said. "After some silence, which seemed like an eternity, they all started to laugh.... Thank God." And then Ed gave them what Berg referred to as "one of those rah-rah, Notre Dame football half-time speeches, and really fired them up, telling them what we were going to do, and how we were going to do it, so they agreed to help us reprint ballots, raise money, and circulate petitions."

They asked former Governor Pat Brown for help, as well as State Treasurer and Democratic Party leader Jessie Unrhu, who opposed the recall. "He said he wasn't ready for the recall," Berg remembered. "And that's when I blew up. Ed didn't get mad, but I said, 'You son of

a bitch! What do you mean *you* ain't ready for the recall? Who the hell are you to decide when ready is?"'

It wasn't long before the Recall Reagan money-raising effort was noticed by the press. San Francisco newspaper columnist Herb Caen made a pitch for it, including the address for contributions, Greenback Lane in Orangevale, California, a site the Tommy Knockers had donated as the recall's northern California headquarters. Contributions financed the movement——hundreds of letters a day arrived at Greenback Lane, containing one, five, or 10 dollar bills. Volunteers fanned out across cities to gather signatures.

They did campaign walk-a-thons. "Ed and our middle daughter, Christine, walked from Delano to Sacramento to organize, raise funds, and generally give Reagan hell," Joyce remembered. "Ed broke a bone in his foot just before they set out, but something like that would never stop him. Their walk ended in a parade and rally on the Capitol steps. Reagan was mortified. We, on the other hand, had reporters walking part of the way with us, and made the national news."

The Table Method

Until now, petitions were usually circulated by walking door-to-door, a slow, inefficient way to collect signatures. Ed initiated his "table method" for filling petitions during the Reagan Recall drive. Sometime later he explained how it works in a paper entitled "Signature Gathering Tactics: Initiative Petitions":[8]

> Establish ahead of time where good places to gather signatures are located in your community. These places are areas that have a high rate of pedestrian traffic.... You are looking for: (1) campuses——they have free speech areas that get lots of traffic ... [and] (2) shopping centers and discount marts are best.

Shopping centers were indeed the best places for signature gathering, if you didn't get run off by the management. A recent Supreme Court ruling had banned petitioning in shopping centers, unless the petitioners had management approval. This would change——because of People's Lobby. The table method continued:

Single entrance and single exit stores are best. Park close by and watch the traffic for a while. If the door on the exit opens *steadily* you probably have a pretty good store. The only way to know for sure is to set up and work the area for a while. If you are not getting from 80 to 100 signatures per hour, you should move on.

The "methodology" itemized the supplies a signature gatherer would need (ball point pens, masking tape, donation cans, thermos bottle for coffee or hot soup, etc.), outlined table rules ("Dress neatly. Wear comfortable shoes. Slacks are all right but low neck blouses and patches are out. Long hairs should pair up with straight looking people. Dark glasses are out! Eye contact is very important and you will turn people off with the glasses," etc.). It also provided a blueprint including the position of the table and of the two petitioners, and instruction on their movements and interaction with their customer traffic stream: "Front person approaches customers one on one. Make good eye contact and ask, 'Are you registered to vote?'"

----------If someone starts an argument ... Don't debate or argue! Answer them politely, hand them a piece of literature, turn to the next person approaching or finally, turn your back on the arguer and walk away. You are trying to get a rhythm and flow of signers at the table. An interruption of this process will stop the signatures. If you are getting a lot of Nos, take a break, it is your negative vibrations that are turning people away. A good appearance, pleasant smile, positive attitude, enthusiasm in voice and movement will get a lot of signatures.

Your reward comes at the end of the day when you are counting up the hundreds of signatures and know that when your chairperson calls you can report a very successful day! It makes the tired feet and aching muscles less painful. You will also be rewarded with a more slim and energetic body for the victory party!

Table Method paper

Lobby member Diana O'Brien recalled gathering signatures with Ed and Joyce outside a local discount store. "I remember [Ed] said as the momentum got rolling to hand the person a pen. That once the pen was in their hand the signature was pretty much in the bag." Thomas Quinn, chairman of the California Air Resources Board and assistant secretary of state under Brown, also learned the method from Ed. "When you handed someone a clipboard to sign a

petition," he said, "you handed it to him at an angle so that the pen rolled into his hand. Once they had the pen, they almost always signed."[9]

David Schmidt, author of *Citizen Lawmakers: The Ballot Initiative Revolution*, writes, "In the 'Table Method,' Koupal found a technique that was to revolutionize petition circulation the way Henry Ford's assembly line revolutionized auto manufacturing. It will never be certain if Koupal invented the 'Table Method,' but he refined it, trained his volunteers to use it, and insisted that they use it. As a direct result of Koupal's efforts over the next several years, the Table Method became standard for initiative petition circulators nationwide. It is doubtful that the incredible upsurge in initiative use nationwide between 1968 and 1982 would have been possible without it."[10]

In the end, the Koupals didn't get enough valid signatures to recall Reagan. Their 160 days expired just a few days before the Republican Nominating Convention opened in Miami Beach that year. Jim Berg remembered, "We got about 500,000 signatures, and we needed 700,000-plus. But here's the interesting thing: At 10:00 A.M. Florida time, which was 7:00 A.M. California time, Reagan announced that the recall had failed. And we didn't even turn in the bundles of recall petitions until 5:00 P.M. the same day, just before the Clerk's office closed. Now, how can a guy, even a governor, announce in an interview how many signatures we had, when we hadn't even filed them yet?"

Nor had they gotten away with their recall drive without repercussions. There had been threats, scuffles, their offices had been vandalized. The Koupals were accused of mishandling money in the recall campaign. "They tried to ruin us," Joyce said simply. "It was pretty nasty and painful for us and our children."

This was the price they paid for breaking new ground.

Chapter Four
People's Lobby

Talk to groups with a mission in your mind, with blood in your eye. Living in this country isn't free. If there is no accountability, there is license. Get that point across....

——Ed Koupal

The Koupals' move to southern California in 1968 was a profound change of life and lifestyle that bore no resemblance to the Norman Rockwell existence they had lived in Placer County. Gone was the house in the suburbs with its wall-to-wall carpet and lovely pool. Their new residence, on Western Avenue in Hollywood, was a bungalow-style building tucked between commercial buildings. It had undergone various makeshift remodels over the years as zoning regulations changed.

The family had changed as well. It wasn't Ed and Joyce and three kids anymore. Eighteen-year-old Cecil had stayed behind in northern California, and Diane had been living with friends of the family until Ed and Joyce found the place that became their home. When they did find a house, a half-dozen other "kids," volunteers who had worked with them on the recall campaign, most just out of college, also moved in——to the small, unfinished attic. And there were always others on hand staffing the office/living room, for there was ongoing research taking place while the Koupals searched for their next issue.

As for their economic circumstances, these had reverted to precarious. "Money became less important to my parents," Diane remembered. "Although I know my mom quietly always wanted the country club lifestyle, my dad showed her the difference. They had no money but they were rich. And I'm sure if my dad decided what he wanted was a million dollars in the bank, it would have been there easily."

When Joyce wrote that she and Ed had no failures past the 1950s, she was not forgetting their losses. Both she and Ed were very clear that a loss was not the same as failure. By the end of the Recall Reagan campaign, they had little money, no savings, threadbare clothes, a helter-skelter life. They subsisted on peanut butter and jelly sandwiches, boiled potatoes, canned peas, and *quesadillas*. But they were getting stronger every day. And they were no less angry. Ed said, "I get up in the morning and read the *Times*. I see some more people getting screwed, and I'm peeved and have to do something."

A few months after the recall defeat, Joyce filed incorporation papers for a non-profit group they called People's Lobby, Inc. Its membership was the two of them, and their politically active and growing group of foot soldiers.

Soon there was a printing press and viable printing business in operation, with its attendant work force led by one of the kids who lived in the attic, Mick Harragin, a chemistry major. Joyce said, "We learned from studying successful revolutionary groups that the basis of the group has always been a printing press. Citizen action groups must learn and are learning that lesson.... You must get your message out, convince people to support you, or you lose." Their print shop supported People's Lobby. In addition to producing their own campaign material, petitions, and literature, they took jobs from associations, politicians, and other small businesses.

They were a new kind of family with shared ideals and boundless energy. They were political pioneers, young crusaders, standing for right, justice, and the American way.

"We were born out of frustration, I suspect," Ed told a college class in the mid-seventies.[11]

> We're made up of people who have leafleted, picketed, worked for candidates, and used different methods available to us to work inside the system. We're made up of all these people who have worked for years and haven't really seen any change, and so some people have turned to other methods. Some turned to bombing and burning. Some turned to working completely outside the process.
>
> But we felt that really and truly you don't make change when you get so far outside the system that you end up bombing and burning. We were looking for a tool that we could use to really change the system, because our politicians are just human. When you send them into a corrupt environment, they become corrupt. So we felt we had to change the environment. We ran into an interesting process called the initiative process.

The Initiative Process

Today 24 states allow the initiative process. California gained the right in 1911, under the governance of Hiram Johnson, "a reactionary, very conservative Republican," as Ed liked to point out, whose slogans to promote the process were:

Return Home Rule!

If people have the intelligence to vote people in, they have the intelligence to vote people out!

If people have the intelligence to vote for people to
write their law, then people have the intelligence
to write their own law!

Power to the People!

The initiative process, which is accomplished by gathering signatures from a certain percentage of registered voters, allows citizens to submit their own laws to the voters. In most cases, citizens with the right to take the "initiative" on the law may also "recall" an elected official by gathering enough signatures to bring the recall to a vote, and they may call for a "referendum," by which, through collecting enough signatures, they may vote on a measure that's already been passed by the Legislature.

The spirit of the initiative process was "home rule" (self-government in local matters), but as California grew, the number of signatures required to move an issue onto the state's ballot became nearly impossible for the ordinary citizen to accomplish. That is, until Ed and Joyce came along.

By the time People's Lobby was up and running, the initiative process had been fairly well usurped by big businesses, who could rally millions of dollars in support of or against any initiative, recall, or referendum, and through advertising, often false advertising, effectively have their own way. Few citizens knew what the process was, or how to use it. Part of the Koupals' crusade was to spread the word. Here Ed explains the initiative process:

> If you and I come together with one single idea that we feel hasn't been viewed properly by our elected officialdumb [this was Ed's preferred spelling and pronunciation], regardless of the issue, we can do something about it.
>
> Let's pick smog, for example. Let's say we meet this morning to wipe out smog. We look around at different engineering devices, and scientific data, and all the studies dealing with smog.

We decide we want to clean up our fuel, put proper catalysts in industrial smoke stacks and washing devices, and things such as that. We get all this data together about how we can begin to cleanse our air, to begin to get rid of some of the pornography in our atmosphere. Once we got all of our data together, we write it into the form of a law, saying that these things should be complied with by industry and by the consumers of California.

Then we take our law and submit it to the attorney general of the state. He then has 10 days in which to write our "title," which is that black heavy print on the top of the signature page [on a petition]. It's not a pro or con statement, it only says what our law, which we drafted in this room this morning, is about.

When we receive our law back, we may then begin gathering signatures. We have to collect 5 percent of the registered voters' signatures who voted in the last gubernatorial election. And we have to collect about 30 percent more than we need because of people not registered to vote or bad signatures.

We have five months to accomplish this, and when we do, the law we have written here this morning would go on the ballot for all the people in the state of California to vote on. And when 50 percent plus one person votes in favor of the law we drafted here this morning, our law would go directly into the statute books.

Doesn't go to any Senate committee hearing. Doesn't go to some Assembly transportation hearing. Doesn't go to the Governor's desk to see whether or not he wants it, to see whether or not there's going to be a deal or acceptance. It goes directly to the statute books, and is implemented as we would have written it here this morning.

That's very important. As a matter of fact, the law is so strict that if any Senator or Assemblyperson feels they want to alter or amend our law——to even introduce a parallel law to change the rhythm or meaning of our law, it's a felony under the election code. The law is very explicit. The initiative belongs to the people, and it's not to be fooled around with by elected officialdumb [*sic*].

All Americans have the right to demonstrate, picket, organize, and boycott. Only in about half the states can citizens also initiate their own laws, recall elected officials they don't like, and trump their state's laws by referendum. The process in all these cases requires raising public awareness. On a macro level the initiative process is a consciousness raising tool. Ed and Joyce became both champions and teachers of the process.

Beginning the Fight for Clean Air

Smog was one issue the People's Lobby chose to bring to the voters in 1970. It seemed like a slam dunk. "I like to talk about smog because it's a non sequitur," said Ed. "Smog's in the middle of the road. Smog's a four-letter word. It's non-partisan." In Los Angeles it wasn't even necessary to do any consciousness raising. "The automobile smog control requirements we have now are a farce and a joke," Joyce said in an interview with the *Los Angeles Times*.[12] Everybody was already well aware of the shroud that hung over the city. And what they didn't know, People's Lobby was happy to tell them: Variances were easily obtained for industrial polluters. Fines were minimal. Monitoring was done by squinting up at the sky.

There was already at least one environmental group on the issue, though Stamp Out Smog was not up for taking on an initiative drive. One of their members, 26-year-old attorney, Roger Jon Diamond, crossed over to the People's Lobby in order to do just that. He would become an invaluable asset to the organization. Joyce wrote to David Schmidt, "I would like to explain that Ed and I worked as a team, almost alter egos to each other. What he was good in, I wasn't and vice versa. So we interchanged with each other. Roger Diamond was the third part of this little group. We were constantly in touch with each other and worked as one person almost."[13]

Roger Diamond, Jim Berg, Mick Harragin, Peter diDonato, and Ed and Joyce, all of them took to the streets, the movie lines, the shopping centers, and supermarkets to collect signatures. There was nothing the working force of the Lobby did that the Koupals didn't do, too. Later Joyce wrote, "There are no pontificators on the mountain at People's Lobby. You will find everyone in the center room stuffing envelopes or directing their own statewide department as the case may be. The head as well as the tail of the Lobby works at what must be done."[14]

But once again they came in short. They were asking citizens to sign one petition for an anti-pollution amendment to the state constitution, and one in support of an anti-pollution law. It was confusing. The issue didn't make the ballot that November.

They were more successful in some of their other pursuits. They sued and embarrassed Standard Oil, alleging the company was defrauding consumers in advertising that its gasoline additive, F-310, would cut air pollution significantly. They forced the ouster of the director of the Los Angeles Pollution Control District for the organization's deliberately deceptive daily air pollution reports. And they won big that same year when the California Supreme Court ruled that

citizens *do* have the right to circulate petitions and collect signatures in shopping malls, which Roger Diamond had proposed were the functional equivalent of town centers (*Diamond v. Bland*, 1970). That victory handed the people, and People's Lobby, the instrument for real change. They weren't about to give up on air pollution, they had learned some valuable lessons in their last effort, and now they had the hope of being able to get the numbers of signatures they would need to make the ballot.

Before the year was out, they had regrouped. The Koupal family found a bigger house not far away and they, and their Lobby family, moved to 3456 West Olympic Blvd., another old two-story wooden bungalow of about 2,500 square feet, with a closed-in porch, well-kept yard, and a magnificent lemon tree. Upstairs was a kitchen, bathroom, and four bedrooms for the Koupals and their extended family; and downstairs a livingroom/conference room, Ed's wood-paneled office, a dark room, typesetting room, mail room, and reception area equipped with a manual switchboard telephone system. They moved their printing press into the garage, a separate out-building in the backyard.

Within months they had new petitions in hand and were descending on shopping malls, folding tables tucked under their arms. Their newest initiative was to be called the Clean Environment Act and they meant to see it on the ballot in November 1972.

"All we need is 50 people," someone said, "to bring in 10,000 signatures each." It seemed doable.

"We started having weekly 'teach-in' meetings in our building," Joyce remembered, "and we'd recite the history of smog in Los Angeles, and then the history of the initiative process, and recruit people from our small audience to join what we called the fanatic fifty. We placed those names on a huge wall calendar and as they gathered their quota it was marked against their name. That was how we qualified the Clean Environment Act. Most of those who committed to it made it."

There was a lot to the Clean Environment Act. It proposed phasing out leaded gasoline, requiring installation of in-stack monitoring devices, redefining the too-easily obtained industrial "variance" to pollute, increasing polluting fines, making Air Pollution Control District records public, banning the sale of DDT-based chemicals, lowering the sulfur content of diesel fuel, and adding stringent conflict-of-interest rules for environmental regulators. Ed drove home the need for their act by taking his hardworking Lobby on a midnight drive to a Mexican neighborhood a couple of freeway exits away, where an oil refinery was actively spewing exhaust, and the air

absolutely stank. "Eh, Senior," Ed clowned. "Mucho bueno place to raise a family, si? Aren't you glad Standard Oil is adding F-310 to your gasoline to clean the air?"

Clean air was one facet of a clean environment. The act would also place a five-year moratorium on the construction of new nuclear power plants, during which time Ed proposed studying their environmental impact, and safety issues associated with these plants. "As I understand it," Diane explained, "my dad wasn't opposed to nuclear growth, only the expansion of an industry capable of such huge, long-lasting consequences, where even a small mishap could have apocalyptic results, and where methods for waste disposal were still very controversial."

They turned in over 400,000 signatures, a slim 14,000 more than they needed to qualify the Clean Environment Act for the ballot in 1972. "The entire drive cost only $8,000," writes David Schmidt in *Citizen Lawmakers*, "at a time when professional petition managers were charging up to $1 million for initiative campaigns. Of the $8,000, Joyce Koupal had contributed $1,000 from her salary——she had taken a full time job at a nursing home to support the family while Ed devoted all his energy to People's Lobby."[15]

They were ecstatic with their win. When the attorney general's office estimated that the initiative, if approved, would cost the state $200 million in loss of potential revenue from off-shore oil leases and $135,000 annually to administer, Joyce said, "That's the cheapest bargain the people have ever had for clean air and water."[16]

But the war was hardly over. They now had to convince 50 percent plus one of all voters to say Yes to the Clean Environment Act, and that would require considerably more than $8,000.

One brilliant money-raiser was the "Bike for Life" campaign. Joyce described it in her 1983 letter to David Schmidt:

> The Bike for Life program was the brainchild of Peter diDonato, a teenage volunteer ... who went to the people who put on the walks for hunger and obtained their planning booklet. He brought the idea in (he was a fanatic fifty and before that had worked in the recall with us) and we gave it a half-hearted ok. The first bike cards were printed on our brand new (used) printing press and looked terrible. The volunteer printer didn't know how to get ink on the paper and the folder mutilated the cards, but Peter went out and

with his recruited teen volunteers they gave talks in grammar and high schools and turned out over 1,000 kids for the first ride.

Riders solicited cash pledges from friends and family for every mile they covered of a prescribed course. Today there are runs and walks and bike rides for scores of good causes. Bike for Life was the progenitor. Pledges ranged from pennies to dollars per mile. DiDonato organized 15 such rides throughout the state for the Clean Environment Act. "Peter is an example of what I am most proud of People's Lobby doing to make people rise above their expectations and perform extra-human deeds," Joyce said. "We always made it a policy to allow every individual who came to join us the opportunity to stretch their skills to the limit. I believe that everyone left us with better self-esteem and abilities that carry them forward in their chosen fields even today."

Bike for Life brought approximately $175,000 into their coffers. They raised another $50,000 by soliciting donations. Their biggest donation was $600 from the Los Angeles Valley Junior College Associated Students. Paul Newman made a $500 contribution. Most of these funds went into advertising. And they had some prestigious endorsements from well-known supporters such as Ralph Nader, State Senator Roberti, and Ron Dellums.

They didn't stand a chance.

Chapter Five
Failure and Success

Success is failure analyzed. Success is staying power.

——Ed Koupal

Neither Ed nor Joyce, nor any of the stalwart fanatic fifty (who were more like 40) thought their initiative would sail through unopposed, but they didn't anticipate the strength of their opposition, or the amounts of money that opposition was prepared to spend to defeat them.

"Californians Against the Pollution Initiative" sounded like a grassroots citizens organization, but in fact, CAPI was a public relations scam, a front organization for the prestigious San Francisco Public Relations firm, Whitaker and Baxter, working for Standard Oil. Ever since Ed's taunting attacks on Standard Oil's F-310 additive the year before, the big company counted the Koupals their enemies. Ed and Joyce wouldn't know for several years just how dangerous Standard Oil considered them.

A mole among the fifty

Just after the first of the year in 1975, a disgruntled former employee of a Los Angeles detective agency disclosed that Standard Oil had compiled dossiers on the Koupal family, including teenagers Cecil, Christine, and Diane. The big company's investigation dated back to 1970 when Ed had sued them for advertising fraud, ridiculing their claim that their gasoline additive F-310 would help the environment. Apparently, the detective agency had infiltrated the People's Lobby for a period to gather information. Ed and Joyce filed a $63 million invasion of privacy suit against Standard Oil.

For now it set out to squash them through a campaign based on scare tactics. Through Whitaker and Baxter, they compiled a "Californians Against the Pollution Initiative fact sheet" that claimed:

• Lowering the lead content of gasoline would cause automobile engines to fail, resulting in massive congestion and transit breakdowns. CAPI predicted cars "wouldn't start on cold

mornings; they would stall in traffic; they would ping and knock; and older cars probably would not operate at all."

• Reducing sulfur oxide emissions from diesel fuel "would cause the state's transportation industry to grind to a halt; nearly 200,000 workers would be made jobless overnight; economic chaos would spread to every city and town."

• A moratorium on nuclear power plant construction would cause "widespread unemployment and darkened city streets."

• Banning DDT in California would "confront the farmer with economic ruin; produce critical shortages of fruits and vegetables; send supermarket prices sky-rocketing; reduce the yield of California farms; reduce exports and endanger world markets for California farm products. And a housewife caught using an outlawed spray could face prosecution."

They also ran scary ads that warned if the Clean Environment Act were to pass: "You'd lose your job within a few days after election,... farm crops would rot in the fields and on the trees,..." and "unemployment would reach staggering proportions."

Other opponents expanded on CAPI's alarms. Lieutenant Governor Ed Reinecke issued his own memo on the Clean Environment Act, predicting that if it passed, the ban on pesticides would mean, "Your very life may be endangered. Epidemic diseases such as typhoid, malaria, yellow fever and encephalitis ... will no longer be subject to effective control." And if nuclear power plants were stopped, "You may have to return to the scrub board and laundry tub for washing clothes."[17]

With every distorted "fact" that came to its attention, the Lobby would crank up the old printing press and issue a rebuttal, but they were jousting with Goliath. Backed by Standard Oil's deep pockets, Whitaker and Baxter were able to saturate print media and the airwaves with CAPI's dire predictions.

When someone finally leaked documents to People's Lobby demonstrating Standard Oil's involvement in the campaign to stop their initiative, the Koupals struck back with a printed exposé: "Standard Oil's Secret Plan to Defeat the Clean Environment Act." They hoped that discrediting the opposition would make a difference, but the damage had been done. Days before the election in June 1972, the *Los Angeles Times* reported:

> Initial favorable public reaction to Proposition 9 [the Clean Environment Act] has completely turned during the month of May, and the controversial environment initiative appears to be headed for defeat in next Tuesday's election....
>
> Among those who had made up their minds, a segment representing about one half the total population (40 percent), sentiment was running better than 2 to 1 against the measure."[18]

And that is about how the vote went: People's Lobby had convinced just over two million citizens to vote for the Initiative. Nearly four million said No.

Regrouping

People's Lobby's Clean Environment Act didn't win in 1972, but it started something. Today lead is out of gas, the sulfur content of diesel fuel has been lowered, DDT is banned, in-stack monitoring is the norm, and the tide of nuclear plant construction has been stemmed. But that's today. On June 7, 1972, it was hard to muster much enthusiasm. Nor, later in the year, did the passage of the Coastal Conservation Initiative the Lobby had fought for quite make up for the loss of the Clean Environment Act.

But as Ed had observed, "Grass keeps growing out of freeway cracks. If you don't drive on it for three hours, it keeps trying to get through." And so they began again, and now the legs of the Lobby, those fanatic fifty, were elevated to steering board status and given a stronger voice in policy making than before.

"The steering board ... was a natural outgrowth of our first successful effort," wrote Joyce (referring to qualifying the Clean Environment Act for the ballot). "Those who had been to war together had to be given a strong and vocal voice in the future plans of the People's Lobby. It worked very well."[19]

Ed may have ceded some policy making, but not power. Lobby member John Forster remembered him telling the board, "Between campaigns this is a democracy, but once we've decided on a course of action, I'm in charge."[20]

Profiting by Failure

Number 13 among Joyce's 15 laws for success is "profiting by failure." Their failure with the Clean Environment Act was surely a result of being outspent. The Lobby had spent about

$225,000 from ballot to election day. Their opposition reported expenditures of more than $1.5 million——how much more was undisclosed can only be imagined. "Money buys elections," Ed concluded. "[M]oney buys advertising agencies, and money buys prolonged slick sloganeering.... A preponderance of money [on one side] buys the other people out of the area of freedom of speech."[21]

The playing field was so uneven as to make the whole initiative process moot——unless limits were imposed on campaign spending for or against initiatives. Then it might be possible to pass a clean air act. Then the people might have a chance of regulating nuclear growth in their communities.

Joyce described how she and Ed approached their next effort:

> After we lost the Clean Environment Act, we called all of the groups that we could find that might be interested and those who had opposed us or taken a neutral stand in the election. We asked them to a series of meetings in which we would all draft a new initiative together. We said in effect, "You didn't like what we did, so let's find out what we can all like." They came. We worked with the Clean Environment Act and all of the things we could reach consensus on we put aside. Then we went away and wrote about the controversial issues. People's Lobby typed and printed and mailed these comments to the parties and then we met again and went through the same process until we came out with three initiatives....
>
> [W]e found out that you had to let people into the drafting process after the very first two initiatives that didn't make it to the ballot. The ... fanatic fifty [had been] in on the drafting process for the Clean Environment Act. We brought in many more people each time we did an initiative, based on the belief that the more people participated in the drafting process, the better partisans they made in the war.

Christmas eve of 1972, the *San Francisco Chronicle* reported:

> The People's Lobby, sponsor of the highly controversial environmental initiative that was defeated in the June primary, plans a return to electoral warfare in 1974.

However, instead of another omnibus Clean Environment Act covering a vast range of pollution targets, the Los Angeles-based organization intends to sponsor narrower initiatives on both the June and November ballots.

Mrs. Joyce Koupal said in a telephone interview that the first will deal solely with air pollution and will be accompanied by an initiative limiting campaign expenditures for initiatives.

Scheduled for the November 1974 ballot is a measure dealing with power and power sources, and, says Mrs. Koupal..., "We know that measure never will win unless corporate expenses are controlled."[22]

Ed and Joyce knew that the big guns would be out to stop them once again. They hunkered down to craft the tightest initiative they could, basing much of their language on a successful spending limit measure passed in Washington state in 1972.

Proposition: Reform

At the same time Secretary of State Jerry Brown, a candidate for governor, and Common Cause, a citizen action group with a very different style than People's Lobby, were also considering proposing reform initiatives. Clearly, reform was an idea whose time had come, and over the next year political reform became an American demand as the people absorbed the lessons in futility learned from Vietnam, and Watergate infused the collective consciousness of citizens with the corruption that existed in the highest levels of government. Americans were asking for their elected officials to show responsibility, to be accountable, and to be honest. And people were beginning to think they could have what they asked for. They had profoundly altered the landscape of civil rights in the country. They were instrumental in stopping the war in Vietnam. They could feel their power and its potential. Political reform seemed possible, and in California, the timing seemed right.

With the blessing of the Sierra Club, Ralph Nader, and the NAACP, among others, Brown, People's Lobby, and Common Cause formed a coalition for that reform. It was an uneasy coalition, to say the least.

Thirty-three-year-old Brown had some progressive ideas, political reform among them, but he had to be careful of appearing either disingenuous, or too far out. The grassroots initiative

process was still a fairly revolutionary tool as the Lobby was using it, and Brown was, after all, trying to get elected.

Common Cause was the upper middle class, "liberal cocktail party crowd," as some Lobby members saw it. Whatever their class, Common Cause was composed of some serious, careful liberals, cautious about stepping on anyone's rights, in particular the right of free speech, upon which limiting spending might be construed to impinge.

And then there was scrappy, street-wise People's Lobby under the antic direction of Ed Koupal, totally incautious, in one of his two rumpled polyester suit jackets, with his white socks and wingtip shoes, who might be counted on to try to embarrass, or crack up, or provoke as many people as possible in any situation——including meetings with Brown and the good folks at Common Cause. Who might shake someone's hand, or as likely goose him. Who'd follow close behind someone, imitating his walk, or make outlandish faces when someone turned his head. Ed was 45, going on 10.

Meetings

I have a fond memory of sitting next to Ed at a meeting, and him passing me a note. I don't remember what it said, but I responded by cribbing something out of *National Lampoon* and wrote back, "Phuc Yieu." He looked very amused and wrote back in the same vein. Then for the rest of that meeting we amused ourselves insulting each other with fake Vietnamese obscenities. I know you had to be there, but Ed was always such a hoot.

Diana O'Brien, Lobby member

Ed's antics broke the ice. His wackiness was his signature. No one would forget him. Everyone would sit up and pay attention when he was around, because anything could happen, and it might happen to *you*. But even as Ed played the clown——and he loved clowns; he had a collection of clown "art," a glass clown sat on his desk——no one took his political action as anything but deadly serious. How he acted was one thing. What he said was quite another, and his opponents scrutinized his every word.

Still, it's interesting to wonder if Ed could have achieved what he did without Joyce. Sonia Danielson, a member of the Lobby steering board in those days, remembered how "Ed

would always bounce ideas off of Joyce. She was like a brain trust. She didn't forget anything. I remember a lot of conversations about the direction we were going in or what would be happening, and Joyce would go tooth and nail with Ed on some issues." She was as pointed and decisive in her thinking, her speech, and her style as Ed was unpredictable and explosive in his. Which is not to say that Joyce didn't have a temper. Dan Lowenstein, then deputy secretary of state, and mediator during their meetings with Common Cause, remembered "You didn't have to worry when Ed got mad, but when Joyce did, you knew things were serious."

The two had an extraordinary working partnership, according to Joyce. "[W]e both conducted teach-ins and gave speeches as it fit. One or the other of us gave a press conference or talked to the press when they called, and I was usually the plaintiff in our lawsuits. Ed was the loud one and I was the one 'you could talk sense to.' We used the technique to perfection."

Even in the earliest stages of the drafting process with Brown and Common Cause, Ed would frequently storm out of the room, or threaten to pull out entirely if his ideas were rejected, building his reputation as "one of God's angry men." But Joyce remained to stand by their interests, and their stubbornness paid off in the Political Reform Initiative of 1974. In the end, Joyce said, "We got everything we wanted, a document that was bigger than Common Cause wanted, stronger than Brown wanted, and just perfect for People's Lobby."

Women at the top

Dick Gregory and Judi Phillips (our Sacramento lobbyists) attended almost every meeting of the drafting process. Of all the groups, People's Lobby had women involved in the topmost important decision-making processes. Brown and Common Cause never produced a woman during these meetings. I give that to Ed (a most secure male) who not only encouraged women to be involved in the top of our organization, but encouraged and supported all of us so much that we didn't even think about it until years later.

Also, we went into those meetings armed with directives from the steering board ... on what we had to insist on and what we had to make deals with. I don't believe that the other groups had to deal with so many others in making their decisions. It was complicated and satisfying.

Joyce Koupal

Proposition 9

The most important provisions of the reform initiative, Proposition 9 (it had the same proposition number as the Lobby's 1972 Clean Environment Act), would "control the size and secrecy of the poison in our political system——money," read a campaign ad.

Prop 9 would require full disclosure of contributions of $50 or more in state and local campaigns; prohibit campaign contributions from lobbyists; stop large campaign contributions that are made anonymously or in cash; put a ceiling on spending for statewide election and ballot measure campaigns; prevent state and local officials from voting on matters in which they have a personal financial interest; and require full disclosure of financial affairs in order to deter and reveal conflicts of interest.

In addition, the initiative proposed abolishing the "precincting" requirement on signatures that had been such a bane on the Koupals' signature-gathering efforts for so many years. Joyce called it "a very important and still lasting change we made in the initiative process laws in California.... Thus, we slashed the volunteer time to qualify an initiative almost 50 percent. That alone, I believe, has made it possible for volunteer groups to qualify constitutional amendments for the ballot, a feat we only tried once." It was a sweeping bill for political ethics, for the initiative process, and it resonated among a populace increasingly embittered by the revelations of corruption in government.

As difficult and contentious as their coalition may have been, People's Lobby and Common Cause together gathered over half a million signatures, easily qualifying for the ballot in June 1974. And then they prepared for the assault by big business.

But this time, the kinds of big companies that might have rallied against Prop 9 were quiet. "Early in the campaign it was shown that key opinion leaders were supporting Political Reform, and that public opposition would be exposed and perceived as supporting corruption in government," Ed explained. "Many who would have opposed refrained from getting involved."[23]

An effort was made by the California Manufacturers Association to launch an opposition campaign, but Ed got wind of it early and held it up to ridicule. "The embarrassment forced them into early retirement," he wrote. "They refused to comment and not another word came from them during the whole campaign."[24] Other attempts to derail Prop 9 met with quick and lethal responses from People's Lobby. The AFL-CIO was solidly against the Political Reform

Initiative, and Ed took out after their head lobbyist, who was discovered to be in violation of lobbyist and disclosure laws. Another opponent, an elected official, was using a state employee to do private work. Even Whitaker and Baxter took a shot at Prop 9, but were exposed for having tried to hide their participation by not filing a campaign disclosure statement as the law required. With every less than ethical or outright illegal act instigated against it, the initiative for political reform seemed to be demonstrating how much it was needed.

In addition to its defensive stance, batting away the opposition, People's Lobby sponsored another walk-a-thon, from San Diego to Sacramento with Ed very much at the head of the parade, regaling reporters with occasionally printable rhetoric.

This time they clobbered the opposition, 3,224,765 to 1,392,783. It was a 70 percent win——a landslide. Ed addressed his elated Lobby:

> Never before in the history of California has an initiative placed on the ballot by the people received such a mandate. No other initiative measure, including the Death Penalty and the Coastal Initiatives of 1972, has received such overwhelming support from the voters.... More people voted on Proposition 9 than voted on any other ballot proposition and on any office except governor. And Yes on 9 received more votes than the top vote-getting candidate in the state. Our survey of the results of Proposition 9 shows that the voting public is fed up with corruption in politics and is determined to see something done about it here in California. And you know that first hand. And you gave Californians the chance to do something about their disgust....
>
> You led this campaign. You brought almost every major citizen's organization in the state, including Secretary of State Edmund G. Brown, Jr. and Common Cause on board.... You are one helluva mule train.

Chapter Six
Dreaming Bigger

Dream bigger. Think bigger, and things will get bigger.

——Ed Koupal

Congratulations on your victory

Not only have you gone a long way in reforming our election process, but you have given all of us who believe in grass-roots politics a shot in the arm. People's Lobby has proved that even in times of seeming despair, our democratic system can respond to the public's needs. In this case you have registered that response through the initiative process.

David A. Roberti, California State Senator

June 21, 1974

Their victory elevated People's Lobby to a status they had not previously enjoyed. Two weeks after the election, Governor Reagan himself asked the Koupals for support of a package of political reform bills that he was having trouble getting through the state legislature. This, though Reagan had opposed the Political Reform Initiative in the spring campaign——not to mention the little matter of the 1970 recall campaign. Joyce wrote:

A little aside on the Reagan story. I received a call from a reporter one day asking for my comment on Reagan asking me for help on further political reforms. I didn't have the vaguest idea what the reporter was talking about and he explained that the governor had held a press conference or issued a press release stating that he had sent me a telegram. I told the reporter that I had not received the telegram and if the governor was serious he ought to send another. Reagan did. We later found the first telegram lying outside the front door of our building——we kept that particular door locked and never used it. At any rate, we had a chuckle over making Reagan do it two times.

Ed saw this as a wonderful opportunity to demonstrate to people that absolute enemies could get together and work for common issues that they both agreed on. A lesson, I might add, that is desperately needed today by many factions of our political process. Ed, Roger Diamond, and I went to Sacramento for the meetings with the

governor's staff to work out what we could agree on and a press conference was subsequently held on that issue. Nothing came of it, but the publicity was great, we gained another respectable inch on our image and Reagan, of course, got some brownie points too. Sorry about that.[25]

Television station KNBC editorialized, "[A] new alliance formed over the weekend is like something out of the *Twilight Zone*. There's nothing wrong with it, but it sure is strange to see Governor Reagan working arm in arm with the People's Lobby. That's like seeing Fay Wray nuzzle up to King Kong. Or seeing Rosemary Casals dating Bobby Riggs. Or Chairman Mao go into banking.... [T]he new reform team of Reagan and Koupal and Koupal is going to take some getting used to."[26]

By August, Ed was actively behind Reagan's cause. "We're going to shove political reform down their throats if we have to," he told a news conference in his inimitable fashion.[27]

The Lobby's newfound respectability earned them new political sources and a wider range of issues to take on, and they took on as much as they were able. The state's lieutenant governor, Ed Reinecke, had been convicted of perjury but was still receiving a salary; they sued to remove him from office. They went after AFL-CIO Executive Secretary John Henning for failing to file monthly spending reports over the previous four years. Ed didn't mince words, referring to Henning as "a 'slick, suede-shoe, arrogant-type lobbyist who buys legislators their goods' in Sacramento's bars and restaurants," according to the *Sacramento Bee*. "Koupal said Henning mounted 'almost a paranoid-type attack' on [Proposition 9], so 'we looked at Mr. Henning.'"[28]

"We're known as bastards," Ed told his steering board when the *California Reporter* wrote that the Lobby would investigate anyone against Prop 9. "We want that reputation. Want to be known as honest, but hard bastards. That's what they respect out there."

The Lobby tried to remove the mayor of San Francisco, Joseph Alioto, for conflict of interest because of his business connections with the Port of San Francisco——which was directed by a commission appointed by himself. It charged former State Assembly Speaker Bob Moretti with misuse of campaign funds, and gubernatorial candidate Houston Flournoy with failure to report contributions. It agitated for San Francisco to municipalize Pacific Gas and Electric, which was selling power at higher rates than the city could get negotiating its own deals with power sources that it already owned, like the Hetch Hechy Dam.

So much seemed possible now, the Koupals dreamed even bigger. Their newest and best dream was, in fact, huge. Ed conceived of amending the constitution to allow citizens the right to enact *national* laws and to recall *federal* elected officials. "Marking a ballot every couple of years is absentee management," he declared.

"Need we have gone through the pain and agony of a Watergate if the people could have voted their confidence or lack of confidence in Richard Nixon?" the Koupals wrote in the introduction to their 1974 booklet, *National Initiative and Vote of Confidence (Recall)*:[29]

> The initiative gives people the power of action. Inflation, unemployment, oil shortages, lack of housing, all the ills of a nation await the actions of a sometimes cumbersome Congress. An executive too often prone to 'study the matter further' instead of taking action.
>
> The initiative allows "we the people" to take legal action by passing the laws that need to be passed. Passing them in spite of special interest groups——high paid lobbyists whose sole function is often to block the will of the people.

The proposed constitutional amendment, the 27th, would read:

> National Initiative: The people of the United States of America reserve to themselves the power of the initiative. The initiative is the power of the electors to propose laws and to adopt or reject them. An initiative measure may not be submitted to alter or amend the constitution of the United States.
>
> Vote of Confidence (Recall): Every elected officer of the United States may be removed from office at any time by the electors meeting the qualification to vote in his state through the procedure and in the manner herein provided for, which procedure shall be known as a vote of confidence, and is in addition to any other method of removal provided by law.

The proposed constitutional amendment also included these footnotes:

In implementing this amendment, limitations on the amount of money spent to qualify each process should be built in and also limitations on money spent in campaigns.

In the vote of confidence procedure a president should be replaced by succession. Other federal officers should be replaced by caretaker appointments. A caretaker appointee should not be a candidate for that office for at least one full term.

The initiative should be on the national election ballot. A vote of confidence should always be a special election ballot.

Western Bloc

By the mid-seventies, many other citizen groups, including many environmentalists, anti-development proponents, and anti-nuclear idealogs, were active in the initiative movement. But Ed and Joyce, now in their forties, were clearly the patriarch and matriarch of the realm. In 1974, Ralph Nader flew them to Washington D.C. to participate in his Critical Mass, a national anti-nuclear power conference. During this conference Ed convinced Nader that a coordinated, semi-national initiative campaign would be the best way to affect national energy policy.

The spotlight at that year's Critical Mass shone on an anti-nuclear power initiative out of California that had been hammered out by former Nader's Raider Richard B. Spohn, representing the California Citizen Action Group. People's Lobby, Sierra Club, Zero Population Growth, and Friends of the Earth had collaborated on it and all supported it. It required that the nuclear industry assume full financial responsibility for any accidents, that its safety systems be adequate, and that it devise safe methods of waste disposal.[30]

At the Lobby's insistence, the California initiative was not being billed as "anti-nuclear" (though its opponents saw it that way). "Safety" was the issue. The initiative would pursue a safe, insurable energy future, and so proponents referred to Proposition 15 as the Nuclear Safeguards Initiative. The people could vote Yes or No on nuclear safety. Political activists were learning the power of coalition building and positive public relations. Now they would test the power of unity.

The goal, as Ed conceived it, would be to educate citizen activists in how to run a successful initiative campaign, to qualify similar nuclear safeguards initiatives in many states and thus demonstrate the effect direct passage of legislation could have on Congress and other elected officials. "The issue of safe nuclear power is transitory, and tomorrow another issue will replace it," wrote Lobby boardmember Laura Tallian about the idea, "but the simultaneous

voting power of a group of states or of the entire electorate of the United States upon an issue, not a candidate, is a new political development."[31]

In 1976, 23 states had some form of initiative process. Eighteen signed on for the safe power campaign. Since all but five were located in the western United States, the coalition became known as the Western Bloc.

Nader introduced Ed and Joyce at that year's Critical Mass as "The Koupals, who face adversity as children face chocolate ice cream."

As always, Ed made his big impression, leading workshops on the "hoopla process" of signature gathering. He explained it a short time later to the *California Journal*:

> Generally, people who are getting out signatures are too goddamned interested in their ideology to get the required number in the required time. We use the hoopla process.
>
> First, you set up a table with six petitions taped to it, and a sign in front that says, "Sign Here." One person sits at the table. Another person stands in front. That's all you need——two people.
>
> While one person sits at the table, the other walks up to people and asks two questions. We operate on the old selling maxim that two yeses make a sale. First, we ask them if they are a registered voter. If they say yes, we ask them if they are registered in that county. If they say yes to that, we immediately push them up to the table where the person sitting points to a petition and says, 'Sign this.' By this time, the person feels, 'Oh goodie, I get to play,' and signs it. If a table doesn't get 80 signatures an hour using this method, it's moved the next day.[32]

About 75 percent of the people sign when they are told to, the *Journal* quoted Koupal as saying. When asked if many voters ask to read the petition, he answered, "Hell no, people don't ask to read the petition and we certainly don't offer. Why try to educate the world when you're trying to get signatures?"

His off-hand, wise-guy description of the process was just another theatrical jibe to draw attention to the method that was becoming a more and more powerful tool for political action. His audience at Critical Mass ate it up.

Ralph Nader became a regular visitor to 3456 West Olympic Boulevard. He was attracted by the national initiative and fascinated by the Koupals, interested in their political ideas and in their personal relationship——in how they sustained their marriage while living so intensely committed to political reform. Joyce admitted theirs was an extraordinary relationship. "Ed and I eventually realized that we were in perfect harmony," she wrote to her children. "What we tried to describe as 'peace of mind.'"[33]

She was his ultimate confidante

They were like this inseparable pair. And they would strategize. I'd hear them in there talking all night. They were deliberate about everything they did. Sometimes you'd think something was an accident, but most of the time it was not. It was usually thought out or discussed between the two of them and they never really completely confided in anyone else in a serious way. I never saw that happen.

Cecil Koupal

With some financial backing from Nader, Ed took his show on the road in the spring of 1975. Several states had asked him to hold workshops on his table technique, and while he traveled, he helped organize the Western Bloc's plan of action for getting their anti-nuclear initiative drives on ballots across the country over the next few years.

Chapter Seven
National Initiative

If they'd given me a 21-piece band to conduct,I would have been out of their hair the next day.

——Ed Koupal

Obsession

I ... found Ed, Joyce and a few others engaged in a discussion of nuclear power with consumer activist Ralph Nader, who was one of Ed's close friends. It was getting late, and Nader had a plane to catch. Since I had a car with seat belts, I was drafted as chauffeur. Ed and Joyce came along for the ride, and after Nader caught his plane we stopped at a restaurant in the Marina for a late night snack.

After an hour or two, I suggested it might be time to head for home. Reluctantly, Ed agreed, though it was clear he would rather have talked all night. Koupal, you see, didn't have time for sleep. He was obsessed with one goal: improving government.[34]

Tom Quinn

Over several months, Ed criss-crossed the West, doing the political circuit the way he used to do jazz clubs. You have to wonder if it didn't take him back to those old days when his gig was music and his instrument the bass. Lobby member, Sonia Danielson remembered, "We drove through 14 states with Laura Tallian's sixties-something Mercedes." Laura was the grand dame of the People's Lobby at 70 plus years old, and author of the book *Direct Democracy*, published by People's Lobby in 1976.

"I don't think the car had air conditioning," Danielson went on. "It didn't have a radio. It was probably the best time I had in my whole life. We stopped in all these different places. We picked up [John] Forster in Missoula, Montana, traveled down into Boulder, stayed with a bunch of Red Zinger freaks at a health food show and then drove all the way through Kansas."

When they descended on a new state, Laura Tallian wrote, "Western Bloc organizers, as advisors, researched state constitutions and statues governing initiatives, modified the model initiative on nuclear safety to fit local opinions, and related it to state law. Then they trained

petition circulators and worked with them as long as seemed necessary. Meanwhile, word of these activities spread to other states, so that invitations came to move into new areas."[35]

Helping him as state campaign organizers, Ed had recruited Lobby regulars John Forster and Roger Telschow, both students at Cal Polytechnic, and Ed Masche, all in their early twenties. Telschow remembered driving with Ed through Colorado: "We drove all night, like Ed liked to do.... I just picked his brain for 20 hours on the national initiative. He gave me the down and dirty of his philosophy. After that trip I was convinced that the national initiative was what I wanted to do with my political activism."

The October-November 1974 *People's Lobby Newsletter* promoted the idea, acknowledging, "We realize a Constitutional Amendment is an enormous task, but we are optimistic because the political climate is right and we have tremendous enthusiasm for this project." To help spread the word, Ed envisioned a bus that could push the idea across the nation. That same newsletter announced, "Help Us Buy a Greyhound Bus!":

> To accomplish our goal [of enabling citizens to enact national laws and recall elected officials] we intend to go from state to state with our platform and follow the presidential primaries, beginning with New Hampshire's in early 1976. Setting up offices in state after state would be an impossible financial burden, so we hope to buy a *bus*——that's right! A big rebuilt Greyhound bus with lots of storage facilities. We plan to tear the seats out and replace them with about 10 bunks, kitchen facilities, a printing press, typewriters, a telex for instant communications and paint it red, white and blue! We've looked around and think we can find a bus for about $3,500 to be our traveling campaign headquarters for our national initiative campaign.
>
> If you can donate a bus or would be willing to help us buy one, please contact us and help make this fantastic dream possible for America's 200-year anniversary.

Once home, Ed was briefed on current events——in particular, events concerning the Fair Political Practices Commission, the enforcement vehicle for the Political Reform Act, which was put in place to make sure there would be no abuses in carrying out the letter of the law. Members of the commission were not only failing to comply with the Act's initiative measure limitations, raising the $10,000 limit to an astonishing $450,000,[36] thereby perverting the

intention of the law; they were also misusing taxpayer money. The Lobby issued their accusations in a press release on September 2:

> The People's Lobby today released a documented report charging all five members of the Fair Political Practices Commission with misconduct in office and misuse of public funds and requested the Governor to institute removal procedures against them. The report, entitled "The Birth of a Bureaucracy——A People's Lobby Report," is a detailed investigation into the compensation and reimbursement practices of the Commission.[37]

The five accused commissioners weren't going to take the Lobby's assault lying down. Three days after its report became public, People's Lobby was charged with a failure to file its corporate taxes. This failure caused them to lose the right to their corporate name, which was snapped up within minutes by a bar located across the street from the State Capitol building in Sacramento——a favorite watering hole of lobbyists who were no friends of Ed's, and who must have had a good laugh over putting one over on the old showman.

It didn't stick. The Lobby made the point by buying up the names of a dozen other lapsed business licenses, among them that of the highly respected cosmetics company, "Helena Rubenstein." Joyce told David Schmidt that Helena Rubenstein had responded that "they didn't believe I would do anything to discredit their name and that they were not worried or upset that we had adopted their name. [The whole business of the lapsed license] was painful, but we managed to offset most of the bad publicity by the quick action we took."[38]

Critical Mass 1975

Ed was jazzed. This year's Critical Mass conference was even bigger than the year before. Political activists as well as members of Congress from across the country came to Washington, D.C. to attend. Most participated in a candlelight march to the Capitol steps to remember Karen Silkwood, the nuclear power plant worker who had died the previous November. (Her death, in a hit-and-run accident on her way to blow the whistle on safety violations, was never resolved.) It set a tone of solemnity and purpose.

When he addressed the crowd, Ed turned to a map of the United States, pointed at the Western Bloc states, and said:

> [These are] states that have the Initiative Process and are involved right now in signature gathering or writing initiatives. This amounts to over two-thirds of the land mass of America. That's political power!... Ours are signatures of over one and a half million people all across America.... We will soon have somewhere between one-and-three-quarters to two million signatures of qualified voters. That's political power.... And our signatures are committing various states across America to the ballot box on this all important issue of nuclear power.[39]

"Like a party chairman counting votes at a national nominating convention," writes David Schmidt, in *Citizen Lawmakers*, "Koupal called on a representative from each of the various states to report their progress." He riveted the crowd. His energy, his certainty, excited everyone in the audience. People's Lobby member Roger Telschow remembered, "You could feel the place vibrating with the political power that everyone was realizing they had: this ability to mount a nationwide initiative drive."[40]

On a closing note, Ed imparted another bit of valuable information: "I want to point out that the Western Bloc ... is spending less than $17,000 to [organize petition gathering and actually collect signatures]," he said. "That shows that the people want it. You see, when people are on the move, money is insignificant. When you have to buy a candidate or sell a Ford——or sell a Johnson or sell a Nixon——it takes millions of dollars. But when you have an issue, it takes people. People will win!"

It was amazing, almost incomprehensible, what the Koupals accomplished on a shoestring. But Ed had always said, "I'd rather put social justice in the bank than money." By the end of Critical Mass 1975, hopes were soaring.

Hope Dashed

He had probably been suffering for a decade, but Ed didn't have time for a lot of things, and that included illness. He wasn't the kind of guy who complained, and he didn't expect anyone else to either. And he wasn't the kind of guy who went running to the doctor. Ed had to collapse while out signature gathering before he would see anyone, and by then the prognosis was not good. He had surgery for colon cancer on January 9, 1976.

But he was indefatigable. On January 21, he issued a press release in which he wrote:

> The nature of my illness has brought a new level of awareness to me and my staff. People's Lobby now plans to expand its activities and join forces with Ralph Nader and his medical staff, which gave assistance to me during my illness. Together we will be devoting a great deal of energy toward removal of the cancer-causing elements which abound in the air, food and water consumed by the American public.[41]

True to his word, he kept working. California's environmentalists had succeeded in getting the requisite signatures to put their Nuclear Safeguard Initiative on the June ballot in 1976. Now Ed had weekly conference calls with Telschow, Forster, and Mesche, his men in the field, keeping them energized with his own unflagging enthusiasm for what winning would mean for their dreams of a national initiative. Some of his calls were made from a hospital bed. By March, hospitalized again, he knew his time was short.

Consolation

The most consoling comment came to David and me as we were coming home from one of the last visits we had with Ed in the hospital, just before he passed away. As we boarded the plane, Dave was crying, a heavy sobbing cry. A man asked him if he could help and I explained it was about our brother Ed, who was dying. The man remarked, "If it's any consolation to you, I knew your brother, and in his 47 years he did more living than most men do in an entire lifetime."

Carol Koupal Johnson

Pro-nuclear interests weren't waiting for Ed's possible recovery: opposition to Proposition 15 was mounting. General Electric and the giant Bechtel Corporation were against the initiative, which would impact unfavorably on their industries, and the California utilities collaborated on a "Vote No" drive spearheaded by former Governor Pat Brown.[42] The Koupals must have remembered how their Clean Environment Act went down under the weight of similar big businesses. When the Los Angeles County Energy Commission called a belated hearing to "conscientiously consider the atomic energy issue" before making a recommendation, Joyce, herself a commissioner, resigned and issued a scathing statement:

"Why, when the citizens of California have qualified an initiative to open up energy decision-making by putting it in the hands of the legislature, would this Commission defraud the public through a hearing of this nature?"

> I have a conflict of interest on this issue. I say this because both my husband and myself have worked for safe nuclear power.... We know, in a very personal way, the issue which we are addressing. My husband, who has worked to qualify safe energy initiatives in 16 states and has spent his life in pursuit of true self-government and a humane society, is dying of cancer....
>
> I now realize that life and death move inexorably forward. That my husband will die of the very disease that we consider when we discuss atomic energy and its consequences. And that I have confronted many of society's taboos by coming here today when my husband is seriously ill. But I know that in spite of the conflicts of interest, and the billions of taxpayers' dollars that have been poured into the nuclear industry, we must seriously consider the question of whether atomic power is safe, reliable, and economical. And I know that this Commission, by its hastily conceived hearings, is only paying lip service to the issue.... Our kangaroo court system of government is once again in motion, and I will not be a party to it.[43]

Three days later, on March 29, Ed passed away. Al Martinez reported for the *Los Angeles Times* that Joyce and Lobby member, Faith Keating, were at his bedside. "'He told us not to cry,' Ms. Keating said. 'He said he was satisfied with what he had done and what he had stood for. We played Benny Goodman tapes and drank wine.

"'He didn't even die like anyone else.'"[44]

Chapter Eight
Afterward

We were blazing new political paths, and political scientists only record history.[45]

——Joyce Koupal

"I resigned from the board of directors of People's Lobby in 1974 or 1975," Joyce wrote to David Schmidt in 1983, "and began to work on developing the research regarding what we had done and what it might mean. We had received a 501(c)(3) [non-profit status] ... and we were trying to figure out how to turn that into a funding mechanism for some of the research we were doing. I became a director of that group."

The group was Stamp Out Smog (SOS), an educational and research, not-for-profit organization, and as such, able to receive tax deductible dollars that political organizations are not eligible for. SOS became the non-profit arm of the Lobby that would bring in much needed funds not otherwise available to them. "I continued to fill in at People's Lobby for anything that needed doing," Joyce explained, "and Ed and I continued to keep each other updated and in touch with what we were doing and interchanging our activities as it was needed. Of course that was shortly before Ed got sick and he only lived three months from the beginning of his collapse to his death."

Joyce worked her usual 110 percent. She was a speed typist, clocking in at over 100 words a minute; she had the dedication of a copy editor when it came to her writing, and proofread with a cigarette between her lips. Joyce lived on cigarettes and coffee and nerve. Although she was no longer a Lobby "member" per se, she remained Ed's constant partner in Lobby business until his death, and then tried valiantly to keep the Lobby viable afterward. It was hard.

Faith Keating, who had been with Joyce at Ed's bedside when he died, had joined the Lobby only that year to lend her organizational skills to the Western Bloc Nuclear Moratorium campaign. She had worked with Nader previously. Her politics and her credentials were good, and for a while after Ed's death, she and Lobby stalwarts Carol Hamcke and Jan Norick formed a kind of support group for Joyce while she endured the almost cellular adjustment to life without Ed and tried to keep their business alive. She wrote to David Schmidt, "When Ed died, I felt like half a person for several years because of the closeness of our relationship and the interchangeability of our work."

Meanwhile, Keating was taking stock of People's Lobby. She saw its potential as a political powerhouse that only needed her organizational talents to come into its own. By October, she had drafted a 10-page report analyzing the structure and future of the Lobby and Western Bloc and making recommendations. Joyce was furious, but she established an uneasy truce with Keating. Other members began to drift away. The printing press was still providing survival rations, the Lobby was still active in Western Bloc campaigning, but the Western Bloc's anti-nuclear coalition was not doing well at the polls. Big business and states' political and labor leadership were against it, with some notable exceptions, and they drowned out other voices. None of the anti-nuclear initiatives won in November 1976.[46] The vote in California against Proposition 15 went two to one.

But at the same time, three separate bills restricting nuclear power were voted into law by California's State Legislature and Joyce wrote:

> Proposition 15 was won a week ago when the three nuclear safety bills passed the California legislature. No longer will the atomic industry be able to brush safety problems under the rug.
>
> The beauty of the initiative process is that it holds elected officials accountable. When the process works correctly citizens do not have to spend $1 million dollars to provide 60-second slogans to the public.
>
> People's Lobby commends the legislature for its response to the citizen-initiated nuclear safety laws, and the thousands of citizens who worked so hard to make California government responsive through the initiative process.[47]

Joyce continued to pursue the fundraising potential of SOS to support the Lobby after Prop 15, but the electromagnetic personality that had pulled them all together and driven them hard was gone.

Initiative America

There was still some hard driving going on, though. Ed's wish for a bus that would go from state to state revving up support for a national initiative had come true. It was an old school bus instead of a Greyhound——luxury compared to the old blue van they had used for most of their Western Bloc organizing. After the defeat of Proposition 15, Roger Telschow and John

Forster took the bus on the road, later another activist, Bill Harrington, joined them. They called their campaign "Initiative America."

During his Western Bloc crusades, Telschow had made the acquaintance of a South Dakota U.S. Senate staffer, who had taken the national initiative idea to his boss, Senator James Abourezk. "Ed talked at length to Abourezk on the telephone about the national initiative," Joyce recalled for author David Schmidt. "He also talked to the Senator from Alaska, Mike Gravel. One of our people had gone to work for him." Mike Gravel was the Senator whose filibuster against the draft and the Vietnam war became the vehicle for the release of Daniel Ellsberg's Pentagon Papers. The idea found special resonance in him. Senator Mark Hatfield of Oregon also liked it.

In December of 1977, almost entirely the result of Telschow's and Forster's energetic efforts, Ed's dream of providing all Americans with the self-governing tools of national initiative, referendum, and recall took a giant step toward fulfillment. In an unprecedented short period of time it reached the hallowed halls of the United States Senate, where it was proposed and discussed for two days of Senate Judiciary Hearings. Joyce, Roger Diamond, Ralph Nader, Roger Telschow, and John Forster were among those who testified on behalf of *Senate Joint Resolution 67*.

That July, TV news anchor David Brinkley had offered his opinion of the idea in a radio commentary for NBC:

> [A] few comments about an idea now afloat in Washington.... A Constitutional amendment to allow for public initiatives. That is, if enough of the public signs a petition to do this or that, Congress would have to do it. A way for the American people, if enough of them agree, to pass a law. Or repeal a Law. Or whatever.... The idea behind it, as I understand it, is that Congress is so heavily dominated by pressure groups and lobbyists ... has come to be so self-centered and so intent on reelection ... that it's time to return some power to the public to decide for themselves such questions as how much of their money is going to be extracted from them by law ... and how it is going to be spent.
>
> Well, as one who is and always has been distrustful of large, self-serving organizations such as government bureaucracies ... and as one who is sick and tired of pious, self-righteous, patronizing rules and instructions from Washington of heavy-handed bullying of the public about how much of their own money they're allowed to

keep ... I must say [the] idea does have a certain appeal.... I do believe we need some way to get a rein on government and bureaucracy.

This idea may not be it. But even if it were, Congress would never pass it. It would have to give up some of its power. Nobody should hold their breath waiting for that.[48]

Syndicated political columnist Nicholas von Hoffman argued that the proposal was practical and judicious and had built-in constraints, noting that it would require gathering 2.45 million good signatures in 10 states to qualify for the ballot, and quoting Senator Abourezk, "Even when issues do reach the ballot by Initiative, voters traditionally act with restraint. Measures which are very controversial or are unreasonably drafted tend to fail at the polls." But conservative journalist George F. Will warned, "Elected leaders would use the initiative as another excuse to flinch from leadership." And furthermore, citizens "are not supposed to govern: they are not supposed to decide issues. They are supposed to decide who will decide."[49]

Brinkley was correct in 1977. After 637 pages of recorded testimony, exhibits, correspondence, and statements by commentators and columnists, the United States Senate did not adopt Resolution 67.

But a national initiative was not an idea that would go away, and it had gained enormous credibility just by being heard. And it gained support. In 1979, Senators Gravel, Hatfield, Pressler of South Dakota (Abourezk had retired), DeConcini of Arizona, and Simpson of Wyoming reintroduced it as *Senate Joint Resolution 33*, and Roger Telschow believed he had 55 co-sponsors.[50] As it turned out, the time was still not right.

Joyce Moves On

In May of 1980, Joyce became an absentee partner in Lobby affairs by moving to Marin County in California to work on a referendum on behalf of a "solarized" life estate retirement complex in San Rafael. While she was gone, Faith Keating made some decisions that became Joyce's "last straws." Over the next year there was an acrimonious parting of the ways. When Keating was finally relieved of Lobby business, Joyce shut down operations out of Los Angeles and leased the building on West Olympic Boulevard.

Joyce began making friends in San Rafael. She became involved with the Canal Community Alliance, a group dedicated to improving the social and economic conditions of the

low income, immigrant households in Joyce's own neighborhood. "Joyce developed a plan to establish a communication network," Alliance director Kathy Campbell (Berger) recalled. "She took ideas from Welcome Wagon, such as giving out food in bags printed in different languages, with information on where to shop and receive services. She had great concepts and provided a comprehensive written plan."

Joyce stayed in touch with Laura Tallian, and kept Lobby interests alive from northern California, issuing alerts under the People's Lobby name when the right of the initiative was threatened, speaking out whenever the occasion allowed, rebutting arguments in opposition to it. And she kept the fire burning for a national initiative, writing in her always logical style:

> There is nothing sinister about a national initiative process; it is a civilized way to address grievances. A national initiative is a natural extension of voting rights. Starting from only propertied men voting, to most men, to black men, to women, to eighteen-year-olds, voting rights have been extended. Abolition of poll taxes, voting directly for United States Senators, post card registration, and many other reforms have further extended voting.[51]

Credo

Those of us who espouse the initiative, referendum and recall processes are basically saying that we trust the people. Inherent in that is the belief that if the people have the intellect to elect, they have the intellect to reject. And further, that if we have the opportunity, we can write laws as constitutional as any legislator. It has always been my belief that a halo doesn't suddenly drop onto the head of a newly elected legislator instantly endowing him with almighty wisdom to write the greatest laws ever read.

Joyce Koupal, from "Initiative, Referendum and Recall: Tools for Self Government."

Joyce visited Switzerland, considered the true home of the initiative process, in the spring of 1987. In that country, where the constitution is modeled after the United States constitution,

bodies of citizens act as ombudsmen in overseeing government, and file ballot measures if they deem it necessary. Joyce had always wanted to see firsthand how the process worked there.

She never stopped learning and integrating new information. She had always been queen of research at People's Lobby; she continued the role in life outside the Lobby. She arranged to attend a *Landsgemeinden* in Switzerland, a town meeting in which decisions are made by direct democracy through the free exchange of ideas and opinions, and voting is by a show of hands. She met the mayor, took copious notes: "13,000 population (2,000 vote). The old men sit in the front and the 'people' look down on the 'government.' Women and visitors stand outside of the ring. To vote you must live in the town, you do not have to have citizenship to vote, only live there. Started in the Middle Ages."[52] But it wasn't all work. She kept a journal and recorded a trip to a museum in the small village of Appenzill, how a shopkeeper tried to double charge her for postcards, her impressions.

Appenzill

The streets remind you of someone throwing cooked spaghetti out a window. If a piece breaks, the street stops or goes in a circle or anyway at all! No pattern. A house is built and a street begins to exist around it. If another house is built alongside or in back, so be it, the street takes off at a new angle. One-way streets are the norm but sometimes two way streets happen along, again without pattern.

Zurich

Went to the main station in Zurich. 400,000 people here, bustling. I checked my bag like the book said, and a good thing too, because it was at least 80 degrees. I had on a jacket and carried the tote over five blocks. Hotel smelled. Girl was rude. Shower was a mile away, toilet next door.

Joyce moved several times more, to Berkeley, to Sacramento, before settling in Novato, California. During this time she began thinking about an old idea, which she described to friends

as "a school to teach people how to be 'public citizens.'" She found affirmation for her idea in the work of psychologist and author Alfred Adler (*Understanding Human Nature*, 1927), whose "mission" was "to encourage development of psychologically healthy and cooperative individuals, couples, and families in order to effectively pursue the ideals of social equality and democratic living."[53] Joyce's idea was to encourage the development of a psychologically healthy and cooperative citizenry, which would *live* the ideals of social equality and democracy.

In 1986, she and her daughter Christine attended a workshop in the Adlerian process at the Dreikur Relationship Center in Boulder, Colorado. Joyce was very excited by what she saw could work as a blueprint for a model citizenry: "[They] are teaching people how to internalize and develop certain crucial skills: self-esteem, positive thinking, creativity, unconditional love (giving and receiving), taking responsibility for one's happiness, and learning how to hold others accountable," she wrote to friends.[54]

> What I saw when I went through the course was that it might be possible to use the techniques in [a] class to create the special qualities I knew were in Ed. Judi Phillips ... said that when she finished [the course] she felt just like "Ed had descended into my body! I felt powerful and capable of making decisions for myself when in the past I always had to have you or Ed tell me what to do." This comes from a young woman who lived on welfare when working with us and then went on to a six-figure income in the business world....
>
> What I want to talk to both of you about is the idea that we can use the class as a cornerstone in a school [for political citizens].... I want to learn to build the most fantastic, creative, wildest political animal who gives at 100% and has a burning desire to create a world we all want to live in. As a matter of fact, I want more than one.
>
> Wouldn't that be different?

Joyce's interest in psychology, in how people relate with themselves first, and then with one another, and then in groups to become the best and most effective self, or partner, or group member, was not something she came to first in the 1980s. She'd been turned on to the power of positive thinking, of taking responsibility, of accountability by Napoleon Hill all those years ago when she and Ed got down to selling pots and pans. She continued to live by those lessons all her life.

"These simple words were the keys to the success of People's Lobby," Joyce wrote to her children in 1983, quoting Hill's *Laws of Success*:[55]

> A Master Mind may be created through the bringing together or blending, in a spirit of perfect harmony, of two or more minds. Out of this harmonious blending, the chemistry of the mind creates a third mind *which may be appropriated and used by one or all of the individual minds*. The Master Mind remains available as long as the friendly, harmonious alliance between the individual minds exists. It will disintegrate and all evidence of its former existence will disappear the moment the friendly alliance is broken.

"Ed's death broke the Master Mind that we were operating with," Joyce wrote. "Faith [Keating], Carol [Hamcke] and I put one together for the printing business but [the three of us never did] realize the full potential of the Master Mind."

Joyce's school for public citizens remained on the drawing board, along with her notes for a book on the initiative process. Her papers are a reflection of a deeply thoughtful person. She explored ideas on the page with her many correspondents, she was extraordinarily focused, she organized her thoughts with headlines, she enumerated the issues. But she was also an enthusiastic activist. She believed every citizen should both think and do. She wrote, "Not only do you fully realize the wisdom of your decisions in the reality of the doing, not possible to theorists, but you become much more responsible in formulating your final decision because you realize it must be carried out by you."[56]

Joyce realized her own wisdom and wanted to pass it on. Her letters to her children contain instructions on developing a Master Mind, on relaxation, visualization, and establishing goals. About the latter, she wrote:

> [Y]ou must sit down and do some very serious thinking about it. You must find out what you want and it must be real. Then you will be able to work out the steps you must take to get to your goal.
>
> A word of warning. That doesn't mean that you will have a clear path to your goal. There may be sidetracks and unusual paths you will have to take to get where you want to go. But go you will! [57]

And then, referring to goals and the long ago prediction that Ed would be a leader, she wrote: "And didn't he realize his secret goal? I now know that it is true. And I think that is why he could die so peacefully. He had attained his goal in life. He 'had it made.'"

Those had been Ed's last words to her: "We've got it made, babe." She took it as an affirmation for all they had done and been together.

Joyce was diagnosed with small cell carcinoma, a form of lung cancer, in September 1991. Her daughters cared for her during her illness and were with her at the end of her life. She never complained of her pain, which had to have been considerable. She died on March 27, 1992.

Chapter Nine
Legacy

Let's quit the bullshit and get to it.

——Ed Koupal

In February 1984, Joyce had written an annoyed letter to *Megatrend* author John Naisbitt in reference to his Washington, D.C. *Trend Letter* about the power of the initiative process, which omitted any reference to the Koupals' work. "The only reason there is not a serious national initiative movement underway," she wrote, "is because my husband Ed Koupal died in 1976.... I kept hoping someone would take up the battle."[58]

Joyce would be heartened to know that someone has stepped forward to take up the cause. Working through two non-profit corporations, The Democracy Foundation and Philadelphia II, Alaska Senator Mike Gravel, a proponent from the earliest days, has created what may be both the way and the means to accomplish what Ed envisioned. Gravel calls it the National Initiative for Democracy, consisting of the Democracy Amendment and the Democracy Act.

Beginning in mid-February, 2002 with the Williamsburg, Virginia, Democracy Symposium in honor of Edwin and Joyce Koupal, The Democracy Foundation begins a public discussion, debate, and information campaign to educate citizens of their rights and powers in the formation and modification of their governments.

As Constitutional Convention member James Wilson affirmed in 1787, the reason we operate with a representative form of government is because it has been impractical or impossible for us all to come together in the town square to vote, as in Joyce's *Landsgemeinden*. "The Legislature ought to be the most exact transcript of the whole society," Wilson said. "Representation is made necessary only because it is impossible for the People to act collectively.... All power is originally in the People and should be exercised by them in person, if that could be done with convenience, or even with little difficulty."[59]

Wilson did not foresee an Internet age. Today citizens are technologically able to exercise their legislative powers. It *could* be done with convenience——or maybe with a little difficulty. And so on September 17, 2002, as part of an information campaign to acquaint people with their inalienable legislative powers, Philadelphia II will kick off a national election to enact the National Initiative. If more than 50 million registered American voters (or more than half those

who voted in the previous presidential election) agree, the Democracy Amendment and the Democracy Act should become part of the Federal Code.[60]

According to Article V of the Constitution, amendments may be proposed by two-thirds of both Houses of Congress, or by the Legislatures of two-thirds of the states. Ratification is made when three-quarters of state Legislatures vote for it. But Gravel reminds us that the ultimate right to create or alter government belongs to the citizens. Article V only defines how the *government* can amend the Constitution, not how the people may. The People also have the authority, in fact it is a sovereign right, to create and to alter government, constitutions, charters, and laws. These undisputable human rights, referred to as "First Principles" by the Founding Fathers, are what allowed the colonists to declare their independence in the first place, and to create a government by proposing and ratifying a Constitution.

The unambiguous opening of the Constitution makes it clear, Gravel points out:

> We the People ... do ordain and establish this Constitution for the United States of America.

The words were chosen with care. The Constitution is a limited delegation of authority by "the People" to various branches of the federal government. And the Bill of Rights affirms this in Amendment 9:

> The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

And in Amendment 10:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Gravel sees it as a matter of logic and law: Any entity, "We the People" included, that possesses the power to delegate some of its authority, also possesses the power to amend that delegation. At the Constitutional Convention of 1787, James Madison said the same to Daniel

Carroll of Maryland, who had asserted that there was no way to amend the Maryland Constitution, except as the Constitution dictated:

> The difficulty in Maryland was no greater than in other States, where no mode of change was pointed out by the Constitution, and all officers were under oath to support it. The People were in fact, the fountain of all power, and by resorting to them, all difficulties were got over. They could alter constitutions as they pleased. It was a principle in the Bills of rights, that first principles might be resorted to.[61]

George Washington echoed those sentiments, saying "The basis of our political systems is the right of the people to make and to alter their constitutions of government."[62]

Senator Gravel's campaign will remind Americans of their first principle rights, and encourage them to exercise those rights, extending their authority to "create a Legislature of the People, operable nationally and in every state and local government jurisdiction of the United States."[63]

It's an original and bold political move that brings voting into the 21st century. The National Initiative for Democracy has the potential to change forever the way campaigns are run and the way we vote. Allowing American citizens the same lawmaking powers as their elected representatives, it stands to tip the power back in favor of the people, as the Constitution intended. Ed and Joyce would have loved it.

National Initiative 2002

While the Legislature of the People that will be established by the National Initiative will not entirely eliminate the shortcomings of our elected legislatures, it will substantially mitigate them. Under the terms of the National Initiative, the People will, for the first time in history, have a legislative voice equal to that of our elected legislatures with respect to statute law and superior to that of our representatives with respect to constitutional law. The significance of this fact will not long be lost on our representatives. They will quickly realize that the new legislative authority institutionalized by the National Initiative places the People in a position to curb their authority if they, our representatives, do not consistently act in what we feel is our best

interest. Thus, the very human nature that has hitherto impelled our representatives to ignore the wishes of their constituents will now make them think twice should they ever consider enacting legislation that the majority does not support.

National Initiative for Democracy,
www.NI4d.org/

Senator Gravel pays the following tribute to the Koupals, who conceived the movement for a national initiative, and led it first:

Let me share my view of Ed and Joyce Koupal's significant role in the advancement of direct democracy in the United States It is truly a human story of ordinary people doing the extraordinary. Such stories are the stuff of legends and myths that enrich our culture.

Ed and Joyce awakened in the sixties to the fact that real political power rests with the people, and that people power is the most straightforward way, in or out of government, to address the fundamental issues.

It's most unusual to hold such views in the political climate of citizen dependency enforced by our representative structure of government. Our government is designed to put political power into the hands of a small group of politicians. All that the people can do in such a structure is delegate their power to representatives and then beg them to address their needs.

For the Koupals to intuitively grasp the importance of human sovereignty and to act upon it is very rare. Many scholars and political scientists have yet to come to a similar enlightened conclusion.

Fired by their awareness, the Koupals pursued a broad political agenda addressing social and environmental issues through numerous initiative campaigns. Their leadership acted as a magnet for people of conscience and commitment. Under the Koupals' guidance, their co-workers gained invaluable training and experience. The Koupals' contribution goes far beyond the enactment of laws; they equipped and empowered an entire generation of direct democracy activists whose impact persists undiminished to this day.

I know firsthand what the Koupals achieved in the nuclear power arena. I was the Senator who instigated the criticism of nuclear power generation, which upset the Congress from 1969 through 1974. Anti-nuclear activist Franklin Gage and I succeeded

in getting Ralph Nader to enter the fray. Ralph then pressed the Koupals to undertake initiative campaigns across the West....

By 1975, Ed was beginning to foresee the need for a national initiative law and conveyed his thoughts at length to his associates. The word spread, and in 1977, a year after Ed had passed away, Senators James Abourezk, Mark Hatfield, and I introduced *State Joint Resolution 67* to establish a national initiative.

Our resolution never made it out of committee, but it provided the first occasion for an extensive Judiciary Committee hearing, which was an opportunity to establish a formal record and a base of knowledge from which today's National Initiative for Democracy has grown.

The Koupals' greatest potential contribution, though, is directly linked to the success of the National Initiative for Democracy, which will empower Americans as lawmakers in every government jurisdiction of the United States.

Senator Mike Gravel

May 13, 2001

Notes

Introduction

1. This quotation and the one that opens the Introduction are by Elinor Lenz, in "Right On, Lillian!" *Los Angeles Times West*, July 11, 1971, p. 10.

2. The friend was Sonia Danielson in an interview with Dwayne Hunn in September 2001; Joyce's remembrance is from an April 28 letter to her children. Two long letters that Joyce wrote to her children survive, dated May 7 and April 28, 1983. They are quoted throughout this book.

Chapter One: The Early Days

3. All of Joyce's recollections in this chapter are from her May 1983 letter to her children, which have been edited for brevity.

Chapter Two: Enter Joyce

4. Unless otherwise noted, this and Joyce's subsequent recollections in this chapter are from Joyce's April 1983 letter to her children.

5. Joyce Koupal's letter to David Schmidt, October 23, 1983. This long letter consists of Joyce's editorial notes and asides on the chapter Schmidt was writing about the Koupals and their work for his book, *Citizen Lawmakers: The Ballot Initiative Revolution*, Temple University Press, Philadelphia, 1989. The letter is excerpted throughout this book. Schmidt's *Citizen Lawmakers* is also a major source for this book and is quoted throughout.

Chapter Three: Political Awakening

6. This, and the description of Ed's run in with Sun Oil are from an audio-taped interview of Ed and Joyce with Gene Reynolds, probably 1975. Unfortunately, we don't know the reason for or the outcome of this interview.

7. Unless otherwise noted, this and all of Joyce's remarks that follow in this chapter are from her October 23, 1983 letter to David Schmidt.

8. Unless otherwise noted, all quotes about the "table method" in this chapter are from the Koupals' "Signature Gathering Tactics: Initiative Petitions," People's Lobby, 1974.

9. From Thomas Quinn's eulogy for Ed, "The Death of a Salesman," *Los Angeles Times*, April 2, 1976.

10. From David Schmidt's manuscript for *Citizen Lawmakers*, p. 7.

Chapter Four: People's Lobby

11. This quote and subsequent commentary on the initiative process in this chapter are from Ed's address, tape recorded at Santa Barbara City College, November 25, 1974.

12. "Reagan Recall Leader Will Become Lobbyist," *Los Angeles Times*, December 5, 1968.

13. Unless otherwise noted, this and subsequent quotes of Joyce's in this chapter are from her October 23, 1983 letter to David Schmidt.

14. From Joyce's manuscript on public citizenry, for a school she hoped to develop "to teach people how to be 'public citizens,'" p. 7, undated, but probably 1986.

15. David Schmidt, *Citizen Lawmakers*, p. 46.

16. "Ballot Spot for Pollution Initiative," *San Francisco Chronicle*, May 25, 1971.

Chapter Five: Failure and Success

17. Memo from Lieutenant Governor Ed Reinecke to editors, publishers, and station managers, March 28, 1972.

18. Mervin D. Field, "Poll Indicates Proposition 9 Defeat, Says Public Favor Switched," *Los Angeles Times*, June 3, 1972.

19. Unless otherwise noted, Joyce's recollections in this chapter are from her October 23, 1983 letter to David Schmidt.

20. David Schmidt, *Citizen Lawmakers*, p. 51, quotes Lobby member John Forster.

21. Laura Tallian quotes Ed in *Direct Democracy*, People's Lobby, 1977, p. 132—133.

22. "Narrower Targets for People's Lobby," *San Francisco Sunday Examiner and Chronicle*, December 24, 1972.

23. Al Martinez, "Proposition 9——Its Birth Pangs Nearly Killed It," *Los Angeles Times*, June 21, 1974, p. 27.

24. From "Winning Campaign Strategy, Prop 9: The Political Reform Act, a Fact for California, a Proposal for America," People's Lobby, undated.

Chapter Six: Dreaming Bigger

25. From Joyce's October 23, 1983 letter to David Schmidt.

26. KNBC Channel 4 editorial, "Politics and Bedfellows," aired August 28, 1974.

27. "Challenge on Campaign Reform Bill," *San Francisco Chronicle*, August 22, 1974.

28. "People's Lobby Head Attacks Labor Leader," *Sacramento Bee*, April 28, 1974.

29. This quote and the wording of the proposed Constitutional amendment are from *National Initiative and Vote of Confidence (Recall): Tools for Self-government*, People's Lobby, 1974, p. 6.

30. David Schmidt, *Citizen Lawmakers*, p. 64-65.

31. Laura Tallian, *Direct Democracy*, People's Lobby, 1977, p. 113.

32. This and the next comment by Ed about the "hoopla method" are from an interview by the *California Journal*, reprinted in the *Sacramento Bee* April 13, 1975.

33. Joyce's April 28, 1983 letter to her children.

Chapter Seven: National Initiative

34. Tom Quinn, "The Death of a Salesman," *Los Angeles Times*, April 2, 1976.

35. Laura Tallian, *Direct Democracy*, People's Lobby, 1977, p. 114.

36. *People's Lobby Newsletter*, September-October 1975.

37. People's Lobby press release, September 2, 1975.

38. Joyce's October 23, 1983 letter to David Schmidt.

39. This and Ed's comment about expenditures that follows are from his address at Critical Mass, November 17, 1975.

40. David Schmidt, *Citizen Lawmakers*, p. 59.

41. "Head of People's Lobby Dies," *Sacramento Union*, March 30, 1976.

42. David Schmidt, *Citizen Lawmakers*, p. 66.

43. Joyce Koupal addressing the Los Angeles County Energy Commission, March 26, 1976.

44. Al Martinez, "Edwin Koupal, People's Lobby Founder, 'One of God's Angry Men,' Dies at 48," *Los Angeles Times*, March 30, 1976.

Chapter Eight: Afterward

45. Unless otherwise noted, this and other reminiscences of Joyce's in this chapter are from her October 23, 1983 letter to David Schmidt.

46. But as David Schmidt points out, "Initiative proponents, who had anticipated defeat, had reserved enough cash to carry on the anti-nuclear effort.... In 1978, Southern California utilities' plans to build the largest nuclear power complex in the world ... would be derailed by a countywide referendum, in which 70 percent of the voters rejected the nuclear power plan. Over the next decade not a single new nuclear power plant began construction in California." *Citizen Lawmakers*, p. 67-68.

47. Faith Keating and Joyce Koupal, press release dated June 8, 1976, in *Success Is Failure Analyzed: A Proposal for Winning Initiative Campaigns*, Western Bloc, 1976, p. 48.

48. David Brinkley, radio commentary, NBC News, New York, aired July 28, 1977.

49. Nicholas Von Hoffman quoting the Senator in "Abourezk's Bill: A Chance to Exercise Voter Initiative," *Washington Post*, July 26, 1977; George Will, "Initiative, the Populism's Voguish darling," *Washington Post*, July 28, 1977.

50. David Schmidt, *Citizen Lawmaker*, p. 177.

51. From Joyce's scholarly "analysis and critique," March 4, 1986, of a published attack on the initiative process, "The Initiative Process and Its Declining Agenda Setting Value," by Larry Berg and C.B. Holman, March 1986.

52. This and the descriptions of Appenzill and Zurich are from Joyce's "Notes from Europe," April-May 1987.

53. Joyce Koupal's letter to Bob McFarland and Jenny Phillips, September 20, 1986; Alfred Adler's mission statement, Classic Adlerian Psychology Home Page, http://ourworld.compuserve.com/ homepages/hs.

54. Rudolf Dreikur was a student and colleague of Alfred Adler, who carried on his mentor's work. The course Joyce took was "Understanding Yourself and Others." Former People's Lobby lobbyist Judi Phillips had taken it and recommended it. Joyce's idea for the citizens' school and

the description of the course that follows are from her letter to Bob McFarland and Jenny Phillips, September 20, 1986.

55. This comment, and Joyce's notes about the Master Mind that follow are from her April 28, 1983 letter to her children.

56. From Joyce's manuscript, "A Public Citizen."

57. This quote and the next are from Joyce's letters to her children on April 28, and May 7, 1983.

Chapter Nine: Legacy

58. Joyce Koupal, letter to John Naisbitt, February 27, 1984.

59. James Wilson, at the Constitutional Convention, June 6, 1787.

60. The National Initiative For Democracy Web site is www.ni4d.org/ for the Democracy Amendment and the Democracy Act, and a full explanation of the rationale, constitutionality of the process, and plan of action.

61. James Madison at the Constitutional Convention, August 31, 1787.

62. George Washington at the Constitutional Convention, 1787.

63. From a draft of the *Democracy Amendment to the Constitution of the United States*, October 8, 2001.