“In Sacramento, Gov. Pat Brown proposed sweeping legislation to end racial discrimination in housing. ‘No man should be deprived of the right of acquiring a home of his own because of the color of his skin,’ Brown asserted.” George Skelton, “Pat Brown Stood Firm on Civil Rights,” Los Angeles Times, July 28, 2013
http://www.latimes.com/news/local/la-me-cap-housing-20130729,0,5447474.column

As we celebrate the 50th anniversary of the 1963 March on Washington, a signal moment in the national struggle for civil rights, we recollect an historic event here in California in that same year when Governor Edmund G. “Pat” Brown signed the Rumford Fair Housing Act. The Rumford Act was designed to eliminate racial discrimination in housing, five years before the federal Fair Housing Act. It was a landmark in the history of racial equality in America.

The Pat Brown Institute at Cal State Los Angeles has commissioned a new historical essay by CSULA Emeritus Professor of History Professor Martin Schiesl on the creation of the Rumford Act. Professor Schiesl is a noted expert on Pat Brown’s governorship and in particular his deep commitment to racial equality. Dr. Schiesl’s essay makes clear that Governor Brown pushed hard for the law even when others, even within his own political camp, feared the political consequences. A year later voters approved Proposition 14 to overturn the Rumford Act, an action that was itself reversed by the courts. The law survived.

The Pat Brown Institute of Public Affairs was established at Cal State Los Angeles in 1987. The PBI is a nonpartisan, applied public policy center dedicated to the quest for social justice and equality of opportunity, enlightened civic engagement, and an enhanced quality of life for all Californians. It sustains the vision and legacy of the former governor through convening public policy forums, engaging multi-sector stakeholders and diverse communities, and conducting timely policy research and community-driven initiatives. To learn more about the Institute, see www.patbrowninstitute.org

With best regards,

Raphael Sonenshein
Executive Director
Residential Opportunity for All Californians: Governor Edmund G. “Pat” Brown and the Struggle for Fair Housing Legislation, 1959-1963

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Discrimination and segregation in housing existed throughout metropolitan California in the 1950s. Most real estate brokers kept African-Americans and other racial minorities away from white neighborhoods and restricted them to districts where minorities already lived. Many landlords also refused to rent to people of color. Los Angeles was the most segregated city in the state. The black population rose from 171,209 in 1950 to 334,916 in 1960; ninety-four per cent of them lived in the south central part of the city. Many of the houses were deteriorated and dilapidated through age and neglect. The residents also suffered much overcrowding, a lack of public services, and an unhealthy mixture of industrial and residential land use.

There was also considerable housing discrimination in the San Fernando Valley. The Valley’s population jumped from 311,106 to 739,570 in the 1950s. Most private builders and developers chose not to sell homes to nonwhite families and isolated them from numerous residential tracts. Black newcomers, of whom some had arrived to work in technical jobs in defense firms, only found housing in the northern part of Pacoima. Urban housing in northern California was equally segregated. Nonwhite residents lived in the central, oldest, and poorest parts of San Francisco and other cities. Even if they could afford housing in outlying communities, most of the new homes were not available to them. Some 335,000 homes were built in six San Francisco Bay Area counties from 1950 to 1958, of which only 3,000 were sold to nonwhite buyers.

Such segregation would face strong opposition from liberal leaders of the Democratic party in California. Running in 1958 on a platform partly devoted to racial reform, Attorney General Edmund G. “Pat” Brown defeated Republican Senator William F. Knowland by a million votes and carried 54 of the state’s 58 counties. The Democrats also won control of both houses of the legislature for the first time since 1878. Governor Brown called for a law that would end employment discrimination.
Assemblymen Augustus F. Hawkins and William Byron Rumford, the only African-American members of the legislature, secured passage of the Fair Employment Practices Act in April, 1959. The Act prohibited discriminatory practices in the workplace and established the Fair Employment Practices Commission (FEPC) to guard against such behavior. Racial injustice was also of much concern to Democratic Assemblyman Jesse Unruh. Mary Holen, a member of Unruh’s staff, met with Lee Nichols, a local television reporter and graduate of a school in Los Angeles that had denied admission to a black child. They drafted an extensive civil rights bill for Unruh. He inserted in the measure an amendment to the California Civil Code that extended sanctions against discrimination to all public accommodations. It also forbade discrimination in business dealings, including all real estate transactions. Anyone who suffered this practice could recover damages in the courts. With substantial support from Governor Brown, Unruh moved his civil rights bill through the legislature in May, 1959.  

Another racial issue in housing practices involved the federal government. Many of the houses built in white suburban districts were financed with mortgage insurance from the Federal Housing Administration and loans from the Veterans Administration. Together, these agencies insured about sixty per cent of new homes in the San Francisco Bay Area in the 1950s. Leaders of the California branch of the National Association for the Advancement of Colored People (NAACP) strongly objected to these practices and asked Assemblyman Augustus Hawkins to take action. Hawkins drafted a fair housing bill that prohibited discrimination in all publicly-assisted housing. Backing the measure were the NAACP, the Mexican American Community Service Organization, some labor unions, and many church councils. It carried in the Assembly by a vote of 67 to 9 and passed unanimously in the Senate in May, 1959. “Frankly speaking, some of us (Democrats) were afraid that an act which included private housing would not pass, and we wanted a half loaf rather than lose everything,” Hawkins declared at a hearing on racial problems in California held by the United States Commission on Civil Rights in early 1960.  

Governor Brown, however, insisted on the whole loaf. Housing discrimination, he believed, would continue unless the state took steps to guarantee residential opportunity for all California residents. He told the Civil Rights Commission that government could no longer “hide behind the reactionary and discredited folk tale that segregation and discrimination are natural and tolerable because minorities prefer to be restricted in the ghetto.” He persuaded Hawkins to draft a new housing bill in early 1961. It extended the ban on discrimination in publicly-assisted homes to private housing. It also provided different enforcement. A complainant, under the Unruh Civil Rights Act, could hire a lawyer and pursue litigation until a remedy was available. This process, however, was a heavy burden on many minority citizens who could not afford the litigation. The new bill provided that the FEPC would enforce the discrimination ban. The Commission was authorized to receive complaints of discrimination and to do its own investigation. In cases where there was clear evidence of discrimination, the commission could ask for a court injunction against those responsible for such behavior.  

The California Committee for Fair Practices held a rally for the fair housing bill in Sacramento in April, 1961. Delegates from civic organizations throughout the state attended the event. Among the speakers were Governor Brown, Assemblymen Hawkins and William Byron Rumford, and Tarea Hall Pittman, regional director of the NAACP. Brown promised that he would “put the full power of government behind the effort to eliminate discrimination in the field of housing.” The bill passed the Assembly by a margin of 44 to 31. It moved on to the Senate and was reviewed by the Committee on Governmental Efficiency. Headed by conservative Democrat Luther Gibson, the committee added amendments that restricted the discrimination ban to publicly-assisted housing and sent the measure to the Governor’s Advisory Commission on Housing Problems for further study.  

The Commission decided to examine the Unruh Civil Rights Act and the Hawkins Fair Housing Act. It concluded that both laws, while major advances in the regulation of housing, did not cover the “bulk of the housing in which discrimination is practiced.” It proposed that they be amended to prohibit discrimination in “all real estate operations” and recommended that enforcement authority be assigned to the FEPC.  

The real estate industry also came under attack by state Attorney General Stanley Mosk. In the spring of 1962, the Chicago Commission on Human Relations did a survey of the racial composition of local boards of the National Association of Real Estate Boards in major cities. Of forty-two boards, five had two black members, four had one member, and twenty-eight had none. In California, only Berkeley and San Francisco admitted blacks. Announcing that “discriminatory practices bear no relation to the legitimate ends and purposes for which realty boards are organized,” Mosk ruled that all boards in the state must admit black realtors.  

Pat Brown pushed action against housing discrimination to a higher level. Running for re-election in November of 1962, he defeated former Vice President Richard Nixon by almost 300,000 votes. Democrats also won a number of contests and retained their majority in the legislature. “When discrimination exists in private housing, the disadvantages to our whole society are obvious,” Brown told the legislature in February, 1963. “Tensions are
Political developments in Berkeley created a difficult situation for Rumford. In January, 1963, the city council, in an effort to dismantle segregated neighborhoods and establish integrated schools, passed an ordinance that prohibited discrimination because of color, race, religion, national origin, or ancestry in the rental, sale, or leasing of housing accommodations. It also provided a fine and jail sentence for violation of the law. Several homeowner groups, backed by the Berkeley real estate board and the California Real Estate Association, gathered enough signatures to hold a citywide referendum, giving voters an opportunity to overturn the ordinance. Assembly Speaker Jesse Unruh saw the referendum as a danger to Democratic legislators and the Rumford housing bill. “I don’t want to hoist a storm warning on this (Berkeley referendum),” he told a group of reporters. “There is still a great deal of discrimination in California and legislation may be needed to fight it but we have also come a fair way in this field. I would not like to jeopardize what we have done already by precipitous action in the future.”

Leading NAACP attorney Loren Miller strongly disagreed. He had long fought against housing segregation in Los Angeles. “California cannot and should not rest in the halfway house on the road to equality,” he wrote in a letter to Unruh in February, 1963. “It must be either move forward or it will regress. Refusal of the legislators to consider and enact housing legislation will not constitute a ‘breathing spell’ but rather a turning back from a task undertaken four years ago.” One month later, several prominent persons attended a hearing of the Assembly Committee on Efficiency and Economy and forcefully endorsed the Rumford measure. Among them were Attorney General Stanley Mosk, NAACP director Tarea Hall Pittman, and Thomas Pitt, executive secretary of the California Federation of Labor. The committee added a few amendments and returned the bill to the Assembly with the recommendation that it be passed.

The next hurdle was the Ways and Means Committee. Some members of the committee objected to the penalty provision of the bill. The housing controversy in Berkeley didn’t help matters. In April, voters overturned the fair housing law and elected a mayor and two council members who opposed integrated housing. Worried about the impact of the Berkeley election on the legislature, Unruh persuaded Rumford to add two key amendments to his bill. One removed the penalty provision and gave the FEPC power to issue restraining orders. The other changed the coverage of housing without public assistance from a single unit occupied by the owner to “not more than four units occupied in whole or in part by the owner as his residence.” The Ways and Means committee returned the bill to the lower house with the recommendation that it be passed with the amendments. The bill met
with criticism and hostility from some conservative legislators. The Assembly approved the measure by a vote of 47 to 25, with all Democrats and three Republicans voting for it.25

The bill moved on to the Senate. Albert McKee, head of the Associated Real Property Brokers, an organization composed mostly of black realtors, attended a hearing of the Committee on Governmental Efficiency in May and spoke strongly in favor of the measure. Arguing against it were member of several financial institutions and suburban real estate agencies. Chairman Luther Gibson announced that the committee would vote on the bill the following week. The meeting was postponed.26 This delay ignited much discontent in the chapter of the Congress of Racial Equality (CORE) in Sacramento. Several members of the group occupied the second floor rotunda between the Senate and Assembly and vowed to stay until the Rumford bill was passed. Governor Brown, who was giving two of his grandchildren a tour of the Capitol, visited some of the CORE demonstrators and thanked them for backing the bill.27

Brown was upset with the delay over the measure. He asked the Democratic organization, both the official party and the numerous volunteer activists, to get more directly involved in the campaign for fair housing. Members of the State Central Committee and leaders of the California Democratic Council, an organization composed of volunteer political clubs throughout the state, met in Sacramento and demanded passage of the Rumford bill. The Governmental Efficiency Committee held another meeting on June 14 and invited Rumford and several other legislators. Luther Gibson spoke against the bill. He claimed that it infringed upon the property rights of individual homeowners and stated that his committee would “never approve a bill prohibiting discrimination in private housing.” Several CORE members were in the room and loudly protested against his opposition. Gibson proposed an amendment that provided that the measure apply to single-unit homes only if they had publicly-assisted financing. Rumford informed him that such loans accounted for just twenty-five per cent of new single unit dwellings in the state. He rejected the amendment and insisted that private housing remain part of his bill.28

Pressured by Governor Brown, the Governmental Efficiency Committee resumed review of the measure. The committee added some minor amendments and returned it to the upper house. The bill moved on to the Senate Finance Committee, which returned it to Gibson’s committee with a recommendation that it be approved. Many other measures, however, were scheduled ahead of the bill. Fearful that his bill might be shelved until the end of the session, Rumford persuaded Luther Gibson to return it to the full Senate on July 21. Assembly Speaker Unruh provided vital support. He announced that there would be no vote on senate bills until the upper house acted on the Rumford measure.29

At 11:00 P.M., an hour before adjournment, Democrat Edwin J. Regan asked for a vote. Senate president Hugh Burns, a conservative Democrat, refused his request. Regan demanded a vote on his motion, got it passed by 20 to 16, and cleared the way for a vote on the Rumford bill. The Senate passed the bill by a margin of 22 to 13 and sent it back to the lower house. The Rumford Fair Housing Act carried in the Assembly by 63 to 9, just minutes before the 1963 legislative session ended. It covered all publicly-assisted housing and seventy per cent of private housing.30

Rumford received a standing ovation from the Assembly and the CORE demonstrators who had slept on the floor for three weeks broke into a victory song. Governor Brown called the measure “an historic step toward giving every Californian the right to live where he pleases” and signed the bill with much pride one month afterwards.31 Years later he stated that the Rumford Act was “one of the great victories” of his career.32

Under Pat Brown’s dynamic leadership, California emerged in 1963 as the model of racial reform in the western United States. It became the fifth state to have a fair housing law.33 The Rumford Act moved California far down the road of social equality. It provided African Americans and other racial minorities with an enormous legal wall against housing discrimination and segregation.


11. Ibid., 633.


13. “Rally for Fair Housing. The Hawkins Bill (A.B. 801),” folder 2-5, box 2, Max Mont Collection, Urban Archives Center, California State University, Northridge; “Address by Governor Edmund G. Brown,” April 15, 1961, ibid.


30. Ibid., 37.


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