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Race and the Mythology of California's Lost Paradise

In the late summer of 1963, as hundreds of thousands of civil-rights supporters descended on the National Mall in Washington, DC to hear Martin Luther King's historic "I Have a Dream" speech, David and Helen Wells headed west. Both in their seventies, the couple bid farewell to their longtime home in the nation's capitol, where David had worked for many years as a supervisor at the Library of Congress, to join their children in Southern California. Like the nearly 200,000 other migrants who arrived each month in the Los Angeles metropolitan area during this time, the Wellses soon began searching for housing. They hoped to land a rental apartment in the San Fernando Valley, the sprawling suburban expanse to the north of downtown Los Angeles.¹

For many newcomers to California it was an optimistic time. In recognition of the state's soaring popularity, *Life* magazine devoted an entire special edition in the fall of 1962 to celebrating "the Call of California, Its Splendor, Its Excitement, Why People Go, Go, and Go There."² One section took inventory of the many resources and attractions for new arrivals. With regard to housing, the magazine explained that there was, "in a word, plenty." The glowing profile, like similar coverage in *Look*, *Time*, *Newsweek*, *U.S. News & World Report*, *Fortune*, *Business Week*, *McCall's*, and other national magazines, promised that California's "only limitations rest within the power contained in the burning sun, the moisture untapped in the 1,200-mile salt-water

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shore, the brain power of its mass-educated millions and the spirit of its ever-blooming harvest of modern pioneers.”³ Some specifically commented on the egalitarian character of this emergent utopia. A *Look* magazine columnist promised, “California’s political message is clear: The needy minorities of the past are becoming the prosperous majorities of the future. The have-nots now vanish into a society of near equal haves.”⁴

A few months after beginning their housing search, the Wellses’ son-in-law, the Reverend Nathaniel Lacy, found a two-bedroom apartment in a six-unit complex at 302 Harding Street in the city of San Fernando, in the heart of the Valley. The \$115 monthly rent was agreeable and the 28-year-old Methodist pastor attempted to secure the apartment for his wife’s parents. The agent who represented the apartment owners balked, however. As Barry Marlin told Rev. Lacy and later explained to a state investigator, he would not rent the unit because “the parties were Negro.”⁵

The rejection was not the first that the couple had encountered after several months of apartment hunting and the East Coast transplants were growing frustrated. It was becoming clear that most of the plentiful housing stock promised by *Life* was off limits to them. As Rev. Lacy reflected, “They are very disappointed in terms of the atmosphere of California . . . [and] in the Valley situation generally.” Their experience was not exceptional. As the population of the Valley more than doubled from 311,016 in 1950 to 739,570 in 1960, nearly every black newcomer to the area, even those who arrived to work in technical jobs for the region’s defense contractors, was directed to the racially segregated northern area of the city of Pacoima, where the black population quadrupled during this time. A 1963 estimate put the black population in the Valley outside of Pacoima at .0015 percent. The chair of the San Fernando Valley Fair Housing Council told a state commission in 1960 that he knew of only one black family able to purchase a home in a new housing tract outside the segregated area during the previous ten years.⁶ The first black resident to buy a house in the Sun Valley district of the San Fernando Valley remarked “I didn’t know California had become Mississippi.”⁷ Most other metropolitan areas in the state, from San Diego to the Bay Area, mirrored these patterns. They became more rather than less segregated during the 1950s and 1960s, a period that

California historian Kevin Starr has described as the “age of abundance.”⁸

After the rental agent refused to lease the apartment to them, the Wellses followed the example of many other Californians during this period—those who sought water for their crops, loans to buy a home, a first-rate education, decent transportation options, or a publicly subsidized job—and turned to the state. Earlier in the year the state legislature had narrowly passed the Rumford Fair Housing Act, banning discrimination in apartment buildings and many other types of housing on the basis of race, color, religion, or ethnicity, and empowering the state’s Fair Employment Practices Commission (FEPC) to adjudicate housing-discrimination complaints. The Wellses filed a discrimination complaint with the FEPC, seeking to compel the apartment owner to rent them the unit. The apartment manager, for his part, freely admitted to FEPC investigators that he had denied the application solely on the basis of race. Indeed, the owners of the apartment, John and Antonette Ciufos, had instructed him to refuse mediation and “carry the case all the way” to court, if necessary, because they insisted that the Rumford Fair Housing Act had abridged their fundamental “right to contract.”⁹

It was left to California’s voters to ultimately answer the question at the heart of the dispute between the Wellses and the Ciufos: Should the state’s powers be brought to bear to protect the rights of home seekers like the Wellses, who were excluded from much of the state’s bountiful housing stock because of widespread racial discrimination? Or should the state safeguard the claims of the Ciufos and the vast network of realtors, housing developers, and apartment owners like them, who asserted their “property rights” to be inalienable?

On election day in November 1964, California voters responded to the question unambiguously. By a two-to-one margin they approved Proposition 13, a six-sentence constitutional amendment authored by the California Real Estate Association (CREA) that exempted the real-estate industry, apartment owners, and individual homeowners from nearly all anti-discrimination legislation. Proposition 13 nullified the Rumford Act, prohibiting the state from addressing patterns of racial discrimination and segregation in housing as entrenched as in any region in the nation.¹⁰

Though the measure enshrined an unprecedented “right to discriminate” in housing sales and rentals within the

WHY 'YES' ON PROPOSITION #14?

That Long, Long Arm of the Law—

YES Vote Will **restore** to California property owners the right to choose the person or persons to whom they wish to sell or rent their residential property.

YES Vote Will **abolish** those provisions of the Rumford Forced Housing Act of 1963 which took from Californians their freedom of choice in selling or renting their residential property.

YES Vote Will **amend** our California Constitution so that the only way future legislation could take away the freedom of choice in selling or renting of residential property would be by vote of the people.

YES Vote Will **halt** the State Fair Employment Practices Commission's harassing and intimidating the public and property owners in the exercising of their freedom of choice.

YES Vote Will **end** State police power over the selling or renting of privately owned residential property.

YES Vote Will **restore** rights basic to our freedom—rights that permit all persons to decide for themselves what to do with their own property.

The Rumford Forced Housing Act's police arm is long and strong.

It can reach almost any Californian—almost anyone who owns or rents a place to live. Owner. Tenant. Yes, and neighbor, too!

First, it reaches the owner. It takes away his right to choose his tenants or buyers.

Then it takes away a tenant's or buyer's right—the right to choose his neighbors.

If the owner insists on his freedom to choose, the long arm can reach out and make him pay a complainant up to \$500; and further insistence by the owner can make him subject to contempt of court penalties.

If a tenant advises the owner to use freedom of choice, the long arm can reach the tenant with the same penalties.

In the matter of giving advice, even the neighbor must beware. That same long arm can put the neighbor in the same penalty box as the tenant!

14	SALES AND RENTALS OF RESIDENTIAL REAL PROPERTY. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, subdivision, or agency thereof from denying, limiting, or abridging right of any person to decline to sell, lease, or rent residential real property to any person as he chooses. Prohibition not applicable to property owned by State or its subdivisions; property acquired by eminent domain; or transient lodging accommodations by hotels, motels, and similar public places.	YES	X

OWNERS! TENANTS! NEIGHBORS!

GET BACK YOUR RIGHTS!

VOTE "YES" ON PROPOSITION #14

Flier promoting the Proposition 14 anti-fair-housing amendment, produced by the Committee for Home Protection, 1964.

Courtesy of the Max Mont Collection, Urban Archives Center, Oviatt Library, California State University Northridge.

state's highest law, realtors and most other Proposition 14 backers insisted that it had nothing to do with racial discrimination or segregation—they were simply protecting the right of all Californians to rent or sell their property without government interference. Indeed, more than a million California Democrats who supported the pro-civil rights Lyndon Johnson over the conservative Barry Goldwater in the presidential election also voted for Proposition 14, vehemently disavowing any racist intent. Unmentioned in their steadfast claims of racial innocence was the state's long history of racially restrictive housing covenants, the formal segregation of public and private housing developments, and discriminatory lending, zoning, and land-use practices.¹¹

Only after the US Supreme Court held in 1967 that Proposition 14 violated the Fourteenth Amendment's equal-protection guarantees, over the strong objections of Governor Ronald Reagan and his future attorney general, William Bradford Reynolds (who filed a court brief on behalf of apartment owners in support of Proposition 14), were the Rumford's anti-discrimination provisions restored.¹² But the measure's landslide passage proved to be one of the deepest setbacks to civil rights in California during the 1960s, described by one commentator as “a smashing blow to the teeth for racial minorities in California.”¹³ Some linked the results directly to the Watts uprising the following summer.¹⁴ Fearing a further public backlash, grassroots fair-housing activists became much less confrontational after Proposition 14, relying primarily on individual legal advocacy and service to nominally desegregate particular neighborhoods. By contrast, the suburban homeowners associations that mobilized to pass the measure grew in authority and power. Twenty-six years after Proposition 14, Mike Davis argued that the “most powerful ‘social movement’ in contemporary Southern California is that of affluent homeowners, organized by notional community designations or tract names, engaged in the defense of home values and neighborhood exclusivity.”¹⁵

Crises in Contemporary California

Many stories of the myriad crises that beset California today are attached either implicitly or explicitly to a narrative of a lost paradise. In these accounts, the current outsized budget deficits, crumbling public-education system, broad economic

malaise, and shaken public confidence are contrasted to a golden period when California stood at the forefront of human progress and development—its abundant resources, tidy homes, limitless economic growth, and stellar public education envied across the country and around the world.¹⁶ As Paul Harris remarked in an October 2009 profile in *The Observer*, “the state that was once held up as the epitome of the boundless opportunities of America has collapsed.”¹⁷ The jeremiad of paradise lost asks how a government once renowned for its efficiency, competence, and capacity to safeguard the public good has become, in the provocative words of several commentators, a “failed state.”¹⁸

Yet the passage of Proposition 14 suggests that the failures of the state were apparent to some residents long before the current crisis. Indeed, the worst fears and prognostications associated with the collapse of the housing market in 2008—speculators taking enormous profits while destabilizing housing values, individual homeowners with zero or negative equity, buyers unable to access credit—precisely described the conditions within the segregated housing markets to which many nonwhite Californians had long been confined. They were the conditions that had led civil-rights groups to press for the Rumford Fair Housing Act in the first place. In many ways, Proposition 14 represented an effort to contain these conditions within particular racial borders.

But the same commitments expressed within the measure—that housing markets functioned best with minimal state interference or oversight and that racial segregation was both tolerable and inevitable—eventually reverberated across the state as a whole. By 1991 a lending study in Los Angeles found that, controlling for income, banks made home-mortgage loans to predominantly white census tracts five times more frequently than to census tracts where the majority of residents were people of color.¹⁹ As the economist Gary Dymski argues, it was these enduring conditions of residential segregation and market-based discrimination that permitted California-based companies like Ameriquest, Wells Fargo, Countrywide Financial, and IndyMac to develop and market subprime loan products to credit-starved communities during the early years of the housing boom from the late 1990s on. Facing little state regulation or oversight, these loans soon proliferated across the state, helping trigger the rapid expansion and collapse of the California housing market over the last decade.²⁰ While these conditions and patterns were not unique to California, they

The failures of the state were apparent to some residents long before the current crisis.

played a central role in placing the state at the epicenter of the national housing crisis.

In *Where I Was From*, a memoir about growing up in California, Joan Didion explored an enduring characteristic of the collective self-image and memory constructed by most Californians: “One difference between the West and the South I came to realize . . . was this: in the South they remained convinced that they had bloodied their land with history. In California we did not believe history could bloody the land, or even touch it.”²¹ These narratives of a bloodless past have operated as a kind of collective myth-making. As the theorist Roland Barthes explained, a myth of this type does “not deny things, on the contrary, its function is to talk about them; simply, it purifies them, it makes them innocent, it gives them a natural and eternal justification, it gives them a clarity which is not that of an explanation but that of a statement of fact.”²² Myths are the stories we tell ourselves to resolve the contradictions of the world—past and present—we inhabit.

Narratives of a lost paradise function as a type of collective mythology, obscuring the origins of many of the crises the state now confronts. An examination of other racialized ballot measures in post-World War II California—over fair employment in the 1940s; school desegregation in the 1970s; and affirmative action, immigration, and prisons in the 1990s—casts a different light on the debate over the present crises. They demonstrate that the conditions associated with the current downturn—stagnant incomes and high unemployment, failing schools, an unresponsive bureaucracy—have a long history in the Golden State. What is new and distinct about the current moment is not the sudden emergence of a failed state, or the ruin of an Edenic past. Instead it is the revelation that California’s longstanding crises are capable of transcending race and class borders, ensnaring a growing number of the state’s white, middle-class population. These ballot measures not only legitimated glaring racial disparities, they obscured the

presence of looming structural failures and contradictions within the state as a whole, and reinforced the fatal myth that California was a place without limits.

Fair Employment Protections and the Jobs Crisis

To understand the depths of conflict behind California’s racial propositions, we can go back to 1945, as the war in the Pacific was in its last throes. On July 4 of that year 15,000 people poured into the Hollywood Bowl to commemorate what organizers called “Interdependence Day . . . a celebration to Promote Racial Friendliness in America.” The mayor of Los Angeles, Fletcher Bowron, introduced the keynote speaker, Supreme Court Justice Frank Murphy, who told the crowd to be vigilant against “all manifestations of the Nazi disease we may find among our own people.” His speech, titled “All Men Are Brothers,” urged a “spiritual battle” against “those in our midst who have been nurtured on the myths of the superior and inferior races and who practice discrimination against other Americans because of the color of their skin or some other arbitrary racial sign.”²³

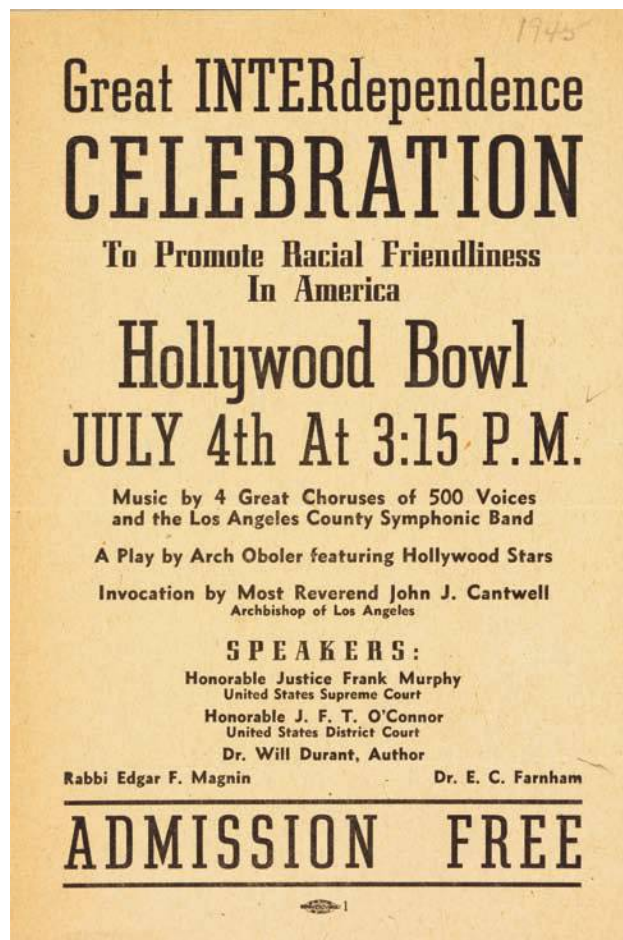
The organizers and participants of the Interdependence Day celebration remained confident that postwar California would be a state that rejected what Murphy described as the “exaltation of any race, or nationality as superior to all others.”²⁴ The racial conflicts and violence that erupted during the war—most notably the internment of tens of thousands of Japanese Americans across the state and the so-called Zoot Suit Riots in 1943 targeting Mexican Americans in Los Angeles—mobilized civic leaders in many cities to try to prevent similar outbreaks of aggression and hostility at the war’s end. By 1945 a statewide coalition, the California Council for Civic Unity, counted more than fifty newly formed “race relations” organizations across the state. The new coalition declared it would bring together “all those forces which favor harmonious living—labor organizations, real estate associations, employers, religious interests, professional groups, service groups, such agencies as the American Legion, Veterans of Foreign Wars, Chambers of Commerce, newspaper publishers, and various social agencies,” to educate the public that “there is no rationality in prejudice.”²⁵

To be sure, the end of the war had not altogether vanquished a long legacy of racial hierarchies. Just a few dozen miles from the Hollywood Bowl, school districts in Or-

ange County still formally segregated Mexican American and Anglo students. Jim Crow practices could be observed in public swimming pools, railroad coaches, restaurants, and hotels. At the war's end the state still had laws in place prohibiting interracial marriage and banning landownership by many Japanese Americans.²⁶ Some local chapters of the American Legion, Elks Club, Cub Scouts, and even public schools continued to sponsor minstrel shows as fundraisers.²⁷

Leaders affiliated with groups like the California Council for Civic Unity, however, remained confident that the same commitments to freedom, tolerance, and democracy that fueled the war against fascism abroad could be brought to bear on discriminatory laws and practices at home. In 1946, civil-rights organizers across the state set out to demonstrate this principle by petitioning for a ballot initiative to create a state Fair Employment Practices Commission (FEPC). Organizers collected more than 300,000 signatures to qualify what became known as Proposition 11, a ballot measure outlawing racial and religious discrimination by employers and unions, similar to the wartime measure President Roosevelt had ordered in the defense industry. One study at the time found that 95 percent of job openings advertised in the State Employment Service were subject to particular “qualifications” of race, creed, gender, or national origin; stipulations that the service always attempted to honor.²⁸ FEPC backers insisted that the same pro-democratic impulses that had fueled the war effort against the Nazis mandated the passage of fair-employment laws to ensure “that the American concept of human equality, to which men look for guidance in the principles and practices of liberty, shall become at last more than a hope and a desired end.”²⁹

An opposing coalition of employers and some labor unions, however, had no difficulty reconciling their defense of racial hierarchies with a professed commitment to tolerance, freedom, and individual rights. The leading group against Proposition 11 called itself the Committee for Tolerance, explaining in a campaign pamphlet: “Racial and religious tolerance are highly desirable objectives. Tolerance, however, by its very definition is something which cannot be forced by law. It is a matter of individual conscience and private judgment.”³⁰ Employer groups and several labor unions attacked the fair-employment initiative as an unlawful restraint on their private prerogatives. The Los Angeles Chamber of Commerce, which led the opposing campaign,



Flier promoting Interdependence Day Celebration, July 4, 1945, in the Hollywood Bowl. Courtesy of the John Anson Ford Papers, Huntington Library, San Marino, California.

warned that the measure would “deny employers the right to obtain full information about a prospective employee—race, religion, color, national origin or ancestry—for the purpose of intelligently appraising an applicant’s qualifications for a particular job.”³¹ Another group expressed outrage that the fair-employment measure would make it “*against the law* to specify a Japanese gardener or a colored porter or a Filipino fruit-picker or an English waiter or a Chinese cook or a French hairdresser or Swedish actress or an Italian singer or a Mexican dancer.”³² In disavowing any racist intent while insisting on the preservation of racial barriers, the campaign anticipated the tone of many public debates over civil-rights measures in California during the postwar era.

California voters dealt Proposition 11 a crushing defeat in the November 1946 election, with more than 70 percent of voters opposing the measure. It took another thirteen years of

organizing by civil-rights groups before the California legislature adopted a fair-employment law, well after many states in the Northeast and Midwest.³³ But even the eventual adoption of fair-employment legislation in 1959 did little to disrupt the racialized boundaries that had become firmly established within the state's labor markets. In 1961 the historian Alexander Saxton observed that California's state-sponsored skilled-trades apprenticeship program maintained a "curious and almost unapproachable island of segregation." The tens of thousands of carpenters, ironworkers, plumbers, steamfitters, and other skilled workers constructing California's celebrated infrastructure were 99 percent white, a pattern Saxton described as one of "genteel apartheid."³⁴

The circumstances were not much better in many unions. Though the leadership of all the state's largest unions came out in support of fair-employment laws by the late 1950s, many local unions remained rigidly segregated. In 1964 the Los Angeles civil-rights attorney Loren Miller told a United Autoworkers conference in Lake Arrowhead that it was "easier for a camel to pass through the eye of a needle than for a Negro to gain admittance to the portals of some unions." When such bars were lifted leadership roles were denied. "The Negro is a second class citizen in too many unions; he is the governed, never the participant in government."³⁵

The outcome of Proposition 11 and the patterns of segregation that unfolded in its aftermath reveal the ways that in the postwar era many Californians were denied access to two of the most important protections that workers rely upon to secure favorable wages and working standards: labor unions and the enforcement powers of the state. But the same unions that excluded nonwhite workers eventually found that they had undermined their own power, threatening the well-being of all workers, white and nonwhite. In the 1970s the state's economy steadily shifted from the high-wage manufacturing jobs that had been the province of a largely white male workforce to the low-wage service and light-industrial sectors that were populated almost exclusively by immigrants, women, and people of color. Unions that had long ignored such workers had little capacity to organize them or challenge their exploitation; it was another twenty years before sustained efforts to organize such workers emerged. Similarly, the position affirmed by the Proposition 11 vote, that the state government had minimal authority to regulate private-sector employment decisions, also legitimated the premise that the state lacked

the authority to broadly enforce wage and hour standards in the private sector as a whole.³⁶ In the 1980s and 1990s thousands of sweatshops, restaurants, and other low-wage workplaces proliferated across the state largely free from such oversight. These conditions generated horrific abuses—witnessed in the 1995 exposure of an El Monte sweatshop holding dozens of immigrant workers from Thailand in virtual slavery—and increasingly came to set standards for workers throughout the region.³⁷ By the mid-1990s the growth of non-union, low-wage worksites operating outside the purview of the state ensured that California, once a symbol of middle-class prosperity, had emerged as a national leader in income inequality.³⁸ Yet for many workers of color in California the lack of a vibrant labor movement capable of organizing a low-wage workforce or a robust state capable of protecting workplace rights had been in plain sight for more than a generation.

School Desegregation and the Education Crisis

As much as any area of public life, the crisis besetting California public schools has come to embody and signify the broader decline of the state. California invested heavily in public education in the early postwar era. By 1964 the state ranked fifth nationally in per-pupil spending and its teachers were among the best paid and most educated in the nation. Voters consistently approved the necessary tax and bond measures required to construct the 7,000 new classrooms a year that were required to accommodate surging enrollments. The signing of the celebrated Master Plan for Higher Education in 1960, which guaranteed a generously subsidized slot in the state's prized college and university system for every eligible student, cemented California's status as the nation's education leader.³⁹

By contrast, a 2005 study by the Rand Corporation concluded that "the state's K-12 school system has fallen from a national leader 30 years ago to its current ranking near the bottom in nearly every objective category."⁴⁰ While some highly regarded public schools can still be found across the state (primarily in affluent communities) there are now many more schools struggling to meet basic adequacy standards in teaching, instructional materials, and facilities.⁴¹ A 2007 report by education-policy analysts at UCLA documented not only the growing resource and achievement disparities by race and class within the state but also the

widening gulf between all students in California and those in other states, concluding: “white students in California also perform well below white students in almost all other states.”⁴²

Similarly, in 2009 the University of California system faced a budget reduction from the state of \$637 million, resulting in 2,000 staff layoffs, mandatory furlough days for remaining staff and faculty, and a double-digit tuition hike (not the first) for students. The state ranks 48th nationally in the rate of students who attend college.⁴³ Public education in California today has become characterized by inadequate funding, stark hierarchies in opportunities and access, and declining levels of student achievement.

Again, the contours and gravity of this crisis had long been evident to some Californians. In March 1968 thousands of Mexican American students from five East Los Angeles high schools walked out of their classes over several days, unleashing a wave of police violence and arrests and throwing the Los Angeles school district into crisis.⁴⁴ More than 20,000 students from fifteen schools eventually joined the walkouts, including some African American students from central and south Los Angeles.⁴⁵ Their demands paralleled the reforms many educational-policy experts call for today: build more schools to end overcrowding. Address high dropout rates and low reading and math scores. Hire more teachers and guidance counselors. Reduce class sizes. Increase student and parent participation in school governance. Make college matriculation a reality for the many rather than the few. Hold administrators accountable. Update the curriculum to meet the changing needs of students. Give schools the funding they need.

Similar demands had been made since at least the early 1960s, when grassroots movements of students, parents, and community leaders, supported by organizations such as the American Civil Liberties Union and National Association for the Advancement of Colored People challenged patterns of racial segregation and inequality found in every district in the state serving a racially mixed student body. In 1963 civil-rights advocates secured a landmark ruling in a case challenging the Pasadena school board’s gerrymandering of attendance boundaries to allow white students to attend schools outside of their neighborhoods in order to avoid integration. In *Jackson v. Pasadena* the court ruled: “The right to an equal opportunity for education and the harmful consequences of segregation require that school boards take steps,

insofar as reasonably feasible, to alleviate racial imbalance in schools regardless of its cause.”⁴⁶ These principles were also endorsed by the State Board of Education, which established guidelines to promote desegregation across the state. A 1966 census by the state board found that only 12 percent of black students, 28 percent of Mexican American students, and 39 percent of white students in the state attended racially integrated schools.⁴⁷ As desegregation lawsuits made their way through California courts in the 1960s and early 1970s, case after case revealed that decisions to set attendance zones, locate new school sites, and arrange feeder patterns between elementary, middle, and high schools were often based on maintaining and enforcing patterns of racial segregation, resulting in severe resource disparities.⁴⁸

Underlying the critiques of desegregation and civil-rights advocates was a broad call to develop a universally accessible system of public education that would align policy and resources with the diverse needs of students across the state. Some school districts, including those in Berkeley, Riverside, San Francisco, and eventually Pasadena, attempted to respond affirmatively and implemented voluntary or court-ordered desegregation plans. Other boards fought such efforts loudly. The Los Angeles school board spent nearly twenty years challenging the *Crawford v. Los Angeles* case, first filed in 1963 on behalf of all African American and Mexican American students within the state’s largest school district, contesting their assignment to segregated and inferior schools. While the courts consistently ruled that the district’s policies and practices violated the equal-protection clause of the state constitution, opponents labored tirelessly to block any systematic desegregation efforts. In opposing the claims of students of color on the state’s public-education system and resources, they implicitly rejected the vision of a robust, universally accessible system of public education.

State voters backed two ballot measures in the 1970s seeking to preserve the systemic patterns of segregation and inequality within public schools. In 1972 Assemblyman Floyd Wakefield from the Los Angeles suburb of South Gate sponsored Proposition 21, prohibiting any school board from desegregating its schools, even on a voluntary basis, rescinding the State Board of Education’s official position favoring school integration. Wakefield, a stalwart conservative, was an unapologetic opponent of desegregation; he employed the term “forced integration” in the Proposition 21 ballot arguments nine times, explaining to the *Los Angeles Times* that



High-school and college students protest Proposition 209, 1996

the “courts have said we are not going to tolerate segregated [by law] schools. Now we’re turning around and saying we’re not going to tolerate integrating them by law either.”⁴⁹ Sixty-three percent of California voters approved of his measure in the November election, prompting several school districts to suspend ongoing desegregation programs. State courts, however, eventually determined that Proposition 21 violated the equal-protection clause of the state constitution and insisted that school districts had a constitutional mandate to provide a desegregated and equitable education to all students.⁵⁰

Desegregation opponents soon regrouped and altered their legal strategy and political language. In 1977 State Senator Alan Robbins, a Democrat from Van Nuys, drafted a ballot measure that rewrote the equal-protection clause in the state constitution so that the California Supreme Court could no longer issue robust desegregation orders. Robbins and his supporters insisted that they had no objection to school-integration plans crafted in response to deliberate patterns of school segregation. But most California schools,

they argued, were not characterized by such intentional acts, and therefore could only be integrated on a voluntary basis; they again insisted that the state did not have the authority to compel desegregation. Robbins declared that he opposed the long bus rides associated with desegregation rather than seeking to preserve the all-white schools in the San Fernando Valley communities he represented. The measure paralleled the efforts to defeat fair-employment legislation in the 1940s and fair-housing laws in the 1960s by embracing the mythology of an open-minded and enlightened state in order to disavow histories of systematic discrimination, exclusion, and resource disparities. Robbins eventually secured the endorsement of most of the state’s Democratic leadership, and in November 1979 his Proposition 1 appeared on the statewide ballot. In response, the *Los Angeles Sentinel* editorialized to its predominantly black readership: “Whether we like it or not, it is about time we recognize the climate of the times. No longer will some of our so-called liberal ‘friends’ help us wage the kinds of fights we need

if we are to break down the doors of racism.”⁵¹ Sixty-nine percent of voters cast ballots in favor of the measure, which passed by large margins in every area of the state that did not include a significant concentration of black voters. After the US Supreme Court upheld Proposition 1 as a race-neutral effort to preserve neighborhood schools, critics noted that it was the first time in US history that a court ruling resulted in the reassignment of minority students from desegregated schools to segregated ones. The Superior Court judge who had presided over the case for four years charged that the Los Angeles school board had “failed to even meet the standard of *Plessy v. Ferguson*,” making reference to the ignominious 1896 Supreme Court case endorsing the principle of “separate but equal.”⁵² Moreover, Los Angeles schools actually increased their use of busing after the passage of Proposition 1, finding it necessary to relieve overcrowding in segregated black and Mexican American schools.⁵³

The movement opposing mandatory desegregation was also directly connected to the property-tax revolt unfolding at the same time. Paul Gann and Howard Jarvis, leaders of Proposition 13, the 1978 measure rolling back property-tax rates, were vocal opponents of school desegregation and busing, dismissing these equal-opportunity efforts as wasteful and unnecessary.⁵⁴ Both the anti-desegregation movement and the tax-limitation measures were rooted in an ethos of restricted public responsibility and political community fundamentally at odds with a commitment to provide a high-quality public education for all the state’s residents.

The significant loss in local tax revenues brought about by Proposition 13 and a series of tax-reduction measures that followed in its wake first hit segregated black and Latino schools the hardest, worsening the same problems

of overcrowding, high dropout rates, and inadequate resources that had triggered the East Los Angeles walkouts in 1968. By the early 1990s, however, in the wake of the most severe economic downturn since the Great Depression, the state faced soaring budget deficits, prompting cuts to schools across the state, even those in white, middle-class areas that had long presumed that a high-quality California public education was a birthright.

At this point, for Californians to halt the deterioration of their public schools would have required voters to confront the byzantine system of revenue generation and funding that produced chronic deficits in local school budgets and to reform the patchwork system of state and local governance and accountability measures. In addition, the electorate would certainly have had to come to terms with the fastest-growing component in the state budget: corrections spending. California had been in the midst of a historic prison boom since the early 1980s, with the Department of Corrections’ budget swelling from \$728 million in 1984 to \$3.1 billion in 1994, driven in part by the seventeen criminal-sentencing enhancements and prison-construction ballot measures approved since 1972.⁵⁵

But California voters chose a different path to respond to the looming calamity in public education and public services. In 1994 the electorate approved Proposition 187, attempting to solve the fiscal crisis by denying public education and most public services to unauthorized immigrants. The same year, a “Three Strikes, You’re Out” criminal-sentencing measure also passed, inaugurating what one analysis described as “the largest penal experiment in American history.”⁵⁶ Proposition 187 was ultimately overturned by the courts, even as its promised impact was illusory.

The attempt to blame working-class immigrants for the large-scale cutbacks in public services obscured the roles that unstable revenue streams, unwieldy budgeting laws, and a rapid rise in corrections expenses played in bringing the state to the brink of fiscal collapse.

According to the scholar David Hayes-Bautista, roughly 95 percent of Latino students in Los Angeles public schools were US citizens or legal permanent residents; there was no “flood” of undocumented students to be expelled and hence no savings.⁵⁷ The attempt to blame working-class immigrants for the large-scale cutbacks in public services in the early 1990s obscured the roles that unstable revenue streams, unwieldy budgeting laws, and a rapid rise in corrections expenses played in bringing the state to the brink of fiscal collapse.

Similarly, in 1996, as the budget crisis was beginning to encroach on the state’s higher-education system, California voters approved Proposition 209, ending public-affirmative action programs in colleges and universities as well as public employment and contracting. Thirty-six years after the Master Plan for Higher Education was adopted, the system could no longer promise a highly subsidized space in college to every eligible high-school student. Implicit in the Proposition 209 campaign was the contention that “fairness” would be restored to higher education by preventing allegedly unqualified students of color from gaining admission.⁵⁸ (In practice, the use of affirmative action in admissions had not affected criteria for acceptance to the University of California, but primarily shaped the distribution of students within the system to ensure that individual campuses did not become highly segregated.)⁵⁹

The passage of Proposition 209 did nothing to address the conditions threatening the long-term viability of higher education within the state. Like the effort to fight desegregation in the 1970s and the Proposition 187 campaign two years earlier, the anti-affirmative-action measure was premised on the assumption that scarce public goods could be effectively safeguarded by maintaining racial barriers. This strategy has devastated the lives of many Californians. Today, for every black student enrolled in the University of California system (including graduate, undergraduate, and professional schools), there are more than six black inmates in the state prison system. Latinos represent approximately 10 percent of the University of California, Berkeley student body and 40 percent of the state prison population.⁶⁰

The strategy has also proven utterly futile in protecting the white middle class from vulnerability. Tuition at both the University of California and California State University systems has skyrocketed even as the schools have

failed to meet the demands of increasing enrollment. The Department of Corrections today, with 66,000 employees, 170,000 inmates (the majority convicted of nonviolent drug and property crimes), and a \$10 billion annual budget now commands a greater share of the state’s general fund than the entire higher-education system.⁶¹ Forty years after high-school students left their classes in East Los Angeles to protest conditions, students at Berkeley and several other University of California campuses staged their own walkouts to challenge the latest string of draconian cutbacks facing their schools. The austerity measures imposed on these campuses bear a striking similarity to the conditions faced by schools in East Los Angeles a generation ago. As a Berkeley faculty member told a campus forum: “We have all become students of color now.”⁶² Even Governor Arnold Schwarzenegger, in his final State of the State address, asked, “What does it say about any state that focuses more on prison uniforms than on caps and gowns?”⁶³

Beyond Paradise Lost

The Golden State has long taken pride in its identity as a forward-thinking and pragmatic experiment in social possibility. The *Los Angeles Times* columnist Patt Morrison captured this sentiment well in declaring that California’s gift to the world has been “the gift of reinvention, the push to the next frontier, the break through the next boundary . . . even the boundary of self. Here, we are all Eves and Adams, with no past, no class, no patterns to follow, the only limits the ones of our own making.”⁶⁴ The belief in a bloodless past and a boundless future has long defined the state’s political culture, legitimating the paradise lost mythology that has come to define the current crisis.

The run of racialized ballot measures across postwar California history reveals a different story, demonstrating the ineluctable relationship between racial subordination and the broader failures of the state. Generations of Californians have sought to call attention to this relationship. Their experiences confronting patterns of segregation and exclusion in housing, employment, and education have exposed fundamental flaws in the state’s civic culture and public sphere: gaps between needs and resources, deficiencies in accountability, and shortcomings in state capacity to provide public goods. These Californians envisioned an inclusive political community premised on a broadly

guaranteed right to contribute to and make claims upon the opportunities and resources of the state.

Mythologizing a lost paradise obscures the complex and deep-rooted inequities that have long haunted California's political culture. To redirect the capacities of the state away from human warehousing and imprisonment and toward the provision of socially productive goods like education, infrastructure, recreation, the environment, jobs, and health care—those dimensions of California life celebrated by *Life* nearly a half-century ago—will require a candid reckoning with the legacies of this history. Those committed today to a robust public sector predicated on the state's obligation to support the full potential of all its residents can no longer seek succor in uncritically venerating California's golden past. **B**

Notes

- ¹ "Lease Refusal Case Will Test Rumford Act," *Los Angeles Times*, November 15, 1963, 2, 25.
- ² *Life* 53, no. 16, October 19, 1962, cover.
- ³ Quoted in Kevin Starr, *Golden Dreams: California in an Age of Abundance, 1950–1963* (Oxford: Oxford University Press, 2009), 413.
- ⁴ Quoted in Peter Schrag, *Paradise Lost: California's Experience, America's Future* (Berkeley: University of California Press, 2004), 33.
- ⁵ California Fair Employment Practices Commission, California *Fair Practice News*, no. 22 (November–December 1965); "Lease Refusal Case Will Test Rumford Act," 2, 25.
- ⁶ *Human Relations* 1, no. 1, 1964, box 169, folder 2, Alexander Pope Papers, Huntington Library, San Marino, California; *Population and Housing in Los Angeles County: A Study in the Growth of Residential Segregation*, (Los Angeles: Los Angeles Commission on Human Relations, March 1963), box 2, folder 1, Deborah Louis Collection, Young Research Library, University of California, Los Angeles.
- ⁷ Jack Lagguth, "Figures Tell of Segregation," *Valley Times* (San Fernando), February 1963.
- ⁸ Starr, *Golden Dreams*.
- ⁹ "Lease Refusal Case Will Test Rumford Act." 2, 25.
- ¹⁰ On historical patterns of housing segregation in California see John H. Denton, *Apartheid American Style* (Berkeley: Diablo Press, 1967); Robert O. Self, *American Babylon: Race and the Struggle for Postwar Oakland* (Princeton: Princeton University Press, 2003); Charlotte Brooks, "Sing Sheng vs. Southwood: Residential Integration in Cold War California," *Pacific Historical Review* 73, no. 3 (2004); Philip J. Ethington, William H. Frey, and Dowell Myers, *The Racial Resegregation of Los Angeles County, 1940–2000*, Race Contours 2000 Study (University of Southern California and the University of Michigan, 2001), online at http://www-bcf.usc.edu/~philipje/Segregation/Haynes_Reports/Contours_PRR_2001-04e.pdf, accessed November 1, 2010; Josh Sides, *L.A. City Limits: African American Los Angeles from the Great Depression to the Present* (Berkeley: University of California Press, 2004).
- ¹¹ California state courts, for example, were the first in the country to approve the use of racially restrictive housing covenants in the 1920s and covenants were in widespread use across the state until their enforcement was ruled unconstitutional by the US Supreme Court in 1953; see Douglas Flammig, *Bound for Freedom: Black Los Angeles in Jim Crow America* (Berkeley: University of California Press, 2005), 66. After the ruling, the 2,000-member Los Angeles Realty Board advocated for nearly a decade for an amendment to the US Constitution to make such covenants lawful; see *California Real Estate Magazine* (September 1948). On this broader history see Daniel Martinez HoSang, *Racial Propositions: Ballot Initiatives and the Making of Postwar California*, American Crossroads (Berkeley: University of California Press, 2010).
- ¹² The court case was *Reitman v. Mulkey*, 387 U.S. 369 (1967). See also Kenneth Karst and Harold Horowitz, "Reitman v. Mulkey: A Telophase of Substantive Equal Protection," *Supreme Court Review* 39 (1967).
- ¹³ Edward Howden, executive director of the state Fair Employment Practices Commission, to the McCone Commission, California *Fair Practice News*, no. 22 (1965).
- ¹⁴ Gerald Horne, *Fire This Time: The Watts Uprising and the 1960s* (Cambridge, MA: Da Capo Press, 1997).
- ¹⁵ Mike Davis, *City of Quartz: Excavating the Future in Los Angeles* (New York: Vintage, 1990), 153.
- ¹⁶ Schrag, *Paradise Lost*; Tad Friend, "Letter from California, 'Protest Studies,'" *The New Yorker*, January 4, 2010, 22.
- ¹⁷ Paul Harris, "Will California Become America's First Failed State?" *The Observer Magazine*, October 4, 2009, 32, online at www.guardian.co.uk/world/2009/oct/04/california-failing-state-debt, accessed November 1, 2010.
- ¹⁸ For example, a January 19, 2010, public debate at New York University, featuring six leading California public officials and opinion leaders, including Santa Monica council member Bobby Shriver and former governor Gray Davis, considered the motion "California is the first failed state"; see <http://intelligencesquaredus.org/index.php/past-debates/california-is-the-first-failed-state>, accessed April 23, 2010. An April 2010 "Failed State?" conference at the University of California, Davis, co-sponsored by *Boom*, explored similar issues.
- ¹⁹ Gary Dymksi, "Racial Exclusion and the Political Economy of the Subprime Crisis," *Historical Materialism* 17, no. 2 (2009), 153.

- ²⁰ Ibid. On the crisis more broadly see also *The Runaway Stagecoach: Racial and Economic Inequality in Subprime Lending* (Washington, DC: Association of Community Organizations for Reform Now, 2005), Gary A. Dymksi and John M. Veitch, "Financial Transformation and the Metropolis: Booms, Busts, and Banking in Los Angeles," *Environment and Planning A* 28, no. 7 (1996); Debbie Gruenstein Bocian, Wei Li, and Keith S. Ernst, *Foreclosures by Race and Ethnicity: The Demographics of a Crisis* (Washington, DC: Center for Responsible Lending, 2010).
- ²¹ Joan Didion, *Where I Was From* (New York: Knopf, 2003), 71.
- ²² Roland Barthes, *Mythologies* (London: Paladin, 1973), 143.
- ²³ "July 4 Observance Tempered by War," *Los Angeles Times*, July 5, 1945, A1; Murphy's speech, box 76/b IV 5 j(2) (1945), John Anson Ford Papers, Huntington Library, San Marino, California.
- ²⁴ Ibid.
- ²⁵ American Council on Race Relations, "Formation of the San Francisco Civic Unity Council," February 23, 1945, Clearinghouse release number 1, box 1, folder 20, California Federation for Civic Unity Papers, Bancroft Library, University of California, Berkeley (hereafter CFCU); "Report on Conference of California's Councils of Civic Unity and similar community organizations," July 6, 1945, box 1, folder XI, CFCU.
- ²⁶ See generally Elaine Elinson and Stan Yogi, *Wherever There's a Fight: How Runaway Slaves, Suffragists, Immigrants, Strikers, and Poets Shaped Civil Liberties in California* (Berkeley: Heyday, 2009).
- ²⁷ An attorney for the NAACP (National Association for the Advancement of Colored People) documented as many as fifteen advertisements for minstrel shows in Northern and Southern California in the early 1950s. See "Another View of Amos and Andy" by Frank Williams and other examples in box 105, folder 25: "Minstrel Shows," National Association for the Advancement of Colored People Records, Region I, 1942–86, Bancroft Library, University of California, Berkeley.
- ²⁸ *Among These Rights*. . . , newsletter of the Council for Civic Unity of San Francisco, vol. 1, no. 6, October 26, 1946, box 18, folder 6, Civil Rights Congress of Los Angeles Papers, Southern California Library for Social Studies and Research, Los Angeles.
- ²⁹ California Secretary of State, "Proposed Amendments to Constitution: Propositions and Proposed Laws, Together with Arguments," general election, November 5, 1946.
- ³⁰ "Recommendations of Los Angeles Chamber of Commerce on State Ballot Measures November 5 General Election 1946," box 8, folder 6, Clarence Gillett Papers, University of California, Los Angeles (hereafter CG).
- ³¹ "Chamber Opposes FEPC Act," *Southern California Business*, October 16, 1946.
- ³² "Don't Be Misled," pamphlet. Box 8, Folder 6: "Election Materials," CG; emphasis in original.
- ³³ Kenneth C. Burt, "The Fight for Fair Employment and the Shifting Alliances among Latinos and Labor in Cold War Los Angeles," in Shelton Stromquist, ed., *Labor's Cold War: Local Politics in a Global Context* (Urbana: University of Illinois Press, 2008); Anthony S. Chen, Robert W. Mickey, and Robert P. Van Houweling, "Explaining the Contemporary Alignment of Race and Party: Evidence from California's 1946 Ballot Initiative on Fair Employment," *Studies in American Political Development* 22, no. 2 (2008).
- ³⁴ Alexander Saxton, "Genteel Apartheid," *Frontier* (August 1961).
- ³⁵ "Civil Rights: Today and Tomorrow," UAW Lake Arrowhead Conference, January 21, 1964, 7–8, box 44, folder 2, Loren Miller Papers, Huntington Library, San Marino, California.
- ³⁶ Ruth Milkman, *Organizing Immigrants: The Challenge for Unions in Contemporary California* (Ithaca, NY: ILR Press, 2000); Philip Taft, *Labor Politics American Style: The California State Federation of Labor* (Cambridge, MA: Harvard University Press, 1968); Davis, *City of Quartz*; Bruce Nelson, *Divided We Stand: American Workers and the Struggle for Black Equality* (Princeton: Princeton University Press, 2001); Michael Kazin, *Barons of Labor: The San Francisco Building Trades and Union Power in the Progressive Era* (Champaign: University of Illinois Press, 1987).
- ³⁷ Kent Wong and Julie Monroe, eds., *Sweatshop Slaves: Asian Americans in the Garment Industry* (Los Angeles: UCLA Center for Labor Research and Education, 2006); Edna Bonacich and Richard Appelbaum, *Behind the Label: Inequality in the Los Angeles Apparel Industry* (Berkeley: University of California Press, 2000).
- ³⁸ A 1996 Public Policy Institute of California report noted: "In 1969, 20 states had higher household income inequality and male earnings inequality. By 1989, only five states had higher household income inequality, and only two had higher male earnings inequality"; Deborah Reed, Melissa Glenn Haber, and Laura Mameesh, *The Distribution of Income in California* (San Francisco: Public Policy Institute of California, 1996), x–xi.
- ³⁹ Schrag, *Paradise Lost*, 36–41.
- ⁴⁰ Press release, "Rand Report Shows California Schools Lag Behind Other States on Almost Every Objective Measurement," January 3, 2005, online at www.rand.org/news/press.05/01.03.html, accessed March 30, 2010. The full report is Stephen J. Carroll et al., *California's K-12 Public Schools: How Are They Doing?* (Santa Monica, CA: Rand Corporation, 2005).
- ⁴¹ For example, *Newsweek* magazine's 2010 national rankings of public high schools, based primarily on resources for high-achieving students, found that California schools comprised nearly 20 percent of the top 1,600 schools. The large majority

- of these schools serve affluent urban and suburban communities; see www.newsweek.com/tag/americas-best-high-schools.html, accessed July 6, 2010.
- ⁴² *The California Educational Opportunity Report: The Racial Opportunity Gap* (Los Angeles: UCLA Institute for Democracy, Education and Access [IDEA] and University of California All-Campus Consortium on Research for Diversity, 2007), 1.
- ⁴³ *Ibid.*, 4. This figure reflects matriculation at four-year colleges and universities.
- ⁴⁴ Ian Haney Lopez, *Racism on Trial: The Chicano Fight for Justice* (Cambridge, MA: Belknap Press, 2003); Laura Pulido, *Black, Brown, Yellow, and Left: Radical Activism in Los Angeles* (Berkeley: University of California Press, 2006).
- ⁴⁵ Judith Kafka, “‘Sitting on a Tinder Box’: Racial Conflict, Teacher Discretion, and the Centralization of Disciplinary Authority,” *American Journal of Education* 114 (2008).
- ⁴⁶ See Charles Wollenberg, *All Deliberate Speed: Segregation and Exclusion in California Schools, 1855–1975* (Berkeley: University of California Press, 1976); *Jackson v. Pasadena City School Dist.*, 59 Cal. 2d 876.
- ⁴⁷ *Ibid.*, 143.
- ⁴⁸ Irving Hendrick, *The Education of Non-Whites in California, 1849–1970* (San Francisco: R&E Research Associates, 1977); David Ettinger, “The Quest to Desegregate Los Angeles Schools,” *Los Angeles Lawyer* (March 2003); Wollenberg, *All Deliberate Speed*.
- ⁴⁹ “2 Groups Promise Court Challenge to Busing Proposition,” *Los Angeles Times*, November 9, 1972.
- ⁵⁰ *Santa Barbara School District v. Superior Court*, 13 Cal. 3d 315, 324, 530 P.2d 605, 613 (1975); “State High Court Rules Ban on School Busing Unconstitutional,” *Los Angeles Times*, January 16, 1975.
- ⁵¹ “The Defeat of SCA-2,” *Los Angeles Sentinel*, March 22, 1979.
- ⁵² “Prop 1 Upheld,” *Los Angeles Times*, December 20, 1980, A1.
- ⁵³ Jeannie Oakes, *Concept 6 and Busing to Relieve Overcrowding: Structural Inequality in California Schools*, Williams Watch Series (Los Angeles: UCLA Institute for Democracy, Education and Access [IDEA], October 1, 2002); “School Busing Furor Erupts in South Gate,” *Los Angeles Times*, June 28, 1981; “School Busing Takes a U-Turn,” *Los Angeles Times*, December 13, 1981.
- ⁵⁴ “Prop 1, 4 Backers May Form Alliance,” *Los Angeles Times*, October 14, 1979, A3. On Proposition 13 and the antitax movement in California in general, see Schrag, *Paradise Lost*; Daniel Smith, *Tax Crusaders and the Politics of Direct Democracy* (New York: Routledge, 1998).
- ⁵⁵ Joe Domanick, *Cruel Justice: Three Strikes and the Politics of Crime in America’s Golden State* (Berkeley: University of California Press, 2005), 65. On the complex roots of California prison expansion see especially Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007).
- ⁵⁶ Franklin E. Zimring, Gordon Hawkins, and Sam Kamin, *Punishment and Democracy: Three Strikes and You’re Out in California* (London: Oxford University Press, 2001), 17.
- ⁵⁷ David E. Hayes-Bautista, *La Nueva California: Latinos in the Golden State* (Berkeley: University of California Press, 2004), 127, 130.
- ⁵⁸ Lydia Chavez, *The Color Bind: California’s Battle to End Affirmative Action* (Berkeley: University of California Press, 1998).
- ⁵⁹ *Ibid.*, 61–62.
- ⁶⁰ *Statistical Summary of Students and Staff, Fall 2009* (Oakland: Department of Information Resources and Communications, Office of the President, University of California, 2009), 17, 27; California Department of Corrections and Rehabilitation, *California Prisoners and Parolees 2008* (Sacramento: California Department of Corrections and Rehabilitation, 2008), 20. On the racial impact of Proposition 209 at UCLA see “Admissions and Omissions: How ‘The Numbers’ Are Used to Exclude Deserving Students,” *Bunche Research Report* 3, no. 2 (Los Angeles: Bunche Center for African American Studies, UCLA, June 2006).
- ⁶¹ In 2008 only one in three new felony admissions among men to California prisons was for a conviction involving “person offenses.” For women the rate was one in six; *Moving Forward* (Sacramento: California Department of Corrections and Rehabilitation, 2009), 16.
- ⁶² City and Regional Planning Professor Ananya Roy, quoted in Friend, “Letter from California,” 26.
- ⁶³ “Schwarzenegger Seeks Shift from Prisons to Schools,” *New York Times*, January 7, 2010, A21.
- ⁶⁴ Patt Morrison, “Land of Reinvention,” *Los Angeles Times*, December 3, 2006, S2.