

New England Historical Association Spring 2016 – Middlebury College

Title: Massive Resistance Revisited: Race and School Closure in Warren County, Virginia, 1958-1962

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The cliché is that all politics are local. The caveat might be that all school politics are especially local. One era of heightened tension about school politics was the period of so-called massive resistance to the implementation of the *Brown v. Board of Education* Supreme Court decision in the South after 1954. In response to increasing pressure to integrate its public schools in the mid-1950s, Virginia's state apparatus, from the governor on down to the state school board, devised a plan to use the full power of the state to stave off integration as long as possible. The state's strategy involved holding state funding hostage to pressure more moderate localities to keep their schools segregated, while simultaneously refusing to step in to uphold the court's order under the ruse of "freedom of choice" for cities and counties where segregation showed no sign of cracking. The Virginia plan maintained statewide segregation even as it appeared to be honoring local option in the best American democratic tradition.

Resistance to integration was therefore "massive" in at least two senses: the extent of its impact upon the citizenry involved, and the scale of mobilization of state and federal resources and authority over a long period of time—first in support of state segregation laws, and later in opposition to enforcement of the *Brown* decision, and finally in the power of the federal court system to overrule the state on behalf of African American children. The politics and social dimensions of Virginia's large-scale, officially sanctioned collective dissent, conducted as it was within the wider context of a climate of dissent and grassroots action emerging across the South in these years, is an important part of the story of how the

civil rights struggle unfolded unevenly, as a ragged and complicated process, with ironies and setbacks and contradictions built deeply into it.

In some places throughout Virginia, schools were quietly integrated without much fuss, but in others – Prince Edward County and the City of Norfolk being the most notable – all public schools were closed for an extended period, immediately privatizing education for those who could afford it (mainly white students) and providing none whatsoever for those who could not. Those cases provide a useful example of the extreme end of the spectrum.

The Norfolk school system had been sued by the NAACP on behalf of a group of other students in 1956, after the city had implemented a half-hearted equalization campaign in school buildings and teacher salaries but had failed to desegregate its schools in accordance with the *Brown* ruling. The US District Court ordered the city to integrate its schools at the start of the 1958-1959 school year. Seventeen black students sought enrollment at the district's six white high schools.¹ However, in accordance with the new Virginia law giving the state executive power to close any white public school scheduled for integration, Governor Lindsay Almond approved shuttering all six of the Norfolk white high schools at the end of the summer, leaving the Norfolk 17 – and more than 10,000 white students – nowhere to go on the first day of school. The standoff continued until late January 1959, when the Virginia Court of Appeals ruled the school closings unconstitutional, and simultaneously the Norfolk federal district court reached a ruling in a case brought against the governor by white parents, who argued that *their* childrens' Fourteenth Amendment rights were being violated by the school closures. So the nation's largest school closing crisis ended with the Norfolk 17 joining the previously all-white high schools in February of that year, but with the district also imposing stringent testing regimens upon any black students seeking transfers from their assigned schools, making it hard for the legal victory to have

¹ 151 had applied and participated in the district's complicated testing process, but most were rejected for various reasons, which led to further legal challenge.

much meaning there at first.² By 1968 fully 61 of Norfolk's 73 schools were still at least 90% single-race.³ Allowing "free choice" within the system had delivered results not too different from those under legally-mandated segregation, but of course absolved the district of the full measure of blame for those results.⁴ Litigation from the Norfolk cases bogged down in the district courts through 1970 and conditions were still not fully resolved by several years of court-mandated busing in the 1970s.

Progress moved even more slowly in Prince Edward County, southwest of Richmond. Prince Edward was one of the districts sued in the original *Brown* case, although its struggle over schooling had begun far earlier with a walkout and strike by students at the all-black R. R. Moton High School in 1951. Rather than desegregate by admitting even one student, Prince Edward's all-white school board closed the public schools entirely from 1959 to 1964, and used state and local tuition grants (not yet then called "vouchers") to support a private all-white academy. During those years black (and poor white) students were left to shift for themselves by boarding with relatives out-of-state or utilizing unaccredited, cobbled-together programs, some run by local religious groups and others by national organizations like the American Friends Service Committee (AFSC).

Once committed to their lawsuit over the closures, Prince Edward County blacks had to wait for it to proceed. Unwilling to drop the case or weaken it by opening a parallel system of black private schools, the result was a drawn-out, disheartening stalemate marked by occasional protests, picketing, and even one Sunday kneel-in at the local white churches, during 1963's summer of discontent. As one of the case's strongest advocates, Reverend L. Francis Griffin, put it then: "Let our children grow up in ignorance so that the laws might speak."⁵ However no one anticipated that it would go on so long; or that blacks would be

² Jeffrey L. Littlejohn, "The Brown Decision and Massive Resistance in Norfolk," <http://www.littlejohnexplorers.com/jeff/brown/resistance.htm> ; Littlejohn and Ford, *Elusive Equality* Chapter 3.

³ *Ibid.*, 149.

⁴ *Ibid.*, 152.

⁵ Christopher Bonastia, *Southern Stalemate: Five Years without Public Education in Prince Edward County, Virginia* (Chicago: The University of Chicago Press, 2012), 214.

able to apply so little leverage on the school board while the case was pending. Eventually the Kennedy administration provided a modest federalized Free Schools alternative during the 1963-1964 year only because the community's unwillingness to educate its own students was so egregious. Attorney General Robert F. Kennedy said at the time, "*We may observe with much sadness and irony that, outside of Africa, south of the Sahara, where education is still a difficult challenge, the only places on earth known not to provide free public education are Communist China, North Vietnam, Sarawak, Singapore, British Honduras—and Prince Edward County, Virginia.*" Yet Christopher Bonastia writes of the bind black residents found themselves in: "the only tangible possibility of an earlier reopening was to drop the desegregation lawsuit. It is a testament to the courage and perseverance of black Prince Edwardians that they did not do so, despite enormous personal costs to themselves and their children."⁶ In May 1964 the Supreme Court ordered Prince Edward County to levy taxes for public education and reopen its schools, which it did with paltry appropriations – while at the same time distributing generous tuition grants almost exclusively to white families for their children's private schooling in a "midnight raid" on the treasury.⁷

Rural northwestern Warren County, Virginia, represents an interesting middle ground in the Virginia battle over schools. Its all-white high school was the first one closed under the state plan that shuttered Norfolk and Prince Edward, but it was also one of the first to resolve its closure without prolonged legal challenge. My recounting of Warren County's story emerges from a consideration of school board minutes and other extant archival sources, and from these my paper will discuss the local school situation in the late 1950s and early 1960s as a case study in racial conflict, political decision-making, and high-stakes educational experimentation. As part of a larger work in progress on how Americans determined the "right side" and "wrong side" of history during the civil rights movement, Warren County shows the fascinating intersection of local, state, and federal politics in a key crisis moment for the nation.

⁶ *Ibid.*, 217.

⁷ *Ibid.*, 229.

Background and Context

Immediately after the 1954 *Brown* decision, the strength of the segregationist Byrd political machine in Virginia was buttressed by founding of a whites-rights citizens' group calling themselves the Defenders of State Sovereignty and Individual Liberties (DSSIL), modeled after Citizens' Councils in the deep South. The Defenders were strongest in the southside black belt of the state. "Genteel" in tactics, with a veneer of middle-class respectability; "they were in fact so respectable that state officials and politicians-on-the-make rarely passed up a chance to speak at their numerous rallies."⁸

During a 1956 special session, the Virginia legislature passed multiple anti-integration measures supported by Governor Thomas B. Stanley. These provided several lines of defense against desegregation, including a governor-appointed statewide pupil placement board; mandated closure of any school intending to integrate (whether voluntarily or involuntarily); a private school tuition grant program; and shutting off state education funds to any integrated district.⁹ These did not go unchallenged; between 1954 and early 1958, more than 150 court actions involving school segregation and related issues were filed in federal and state courts.¹⁰ But of course resolution of such cases, as was mentioned above, dragged on over months and years. 1958-1959 was the turning point year, in which Virginia closed nine schools in four counties rather than have them integrated. Two out of three white Virginians initially favored school closure over integration, but once carried out, public opinion shifted rapidly.¹¹ By the middle of that academic year, only Prince Edward County remained fully closed. In the others, a combination of token integration and private

⁸ Francis M. Wilhoit, *The Politics of Massive Resistance* (New York: G. Braziller, 1973), 50.

⁹ Clive Webb, *Massive Resistance: Southern Opposition to the Second Reconstruction* (Oxford University Press, 2005), 6. The tuition grant program provided public money (up to \$250 for elementary and \$275 for high school, jointly paid by the state and the local school district) towards tuition at any non-sectarian private or non-local public school should parents choose not to send their child to their geographically assigned public school. See Mary Ellen Goodman, "Sanctuaries for Tradition: Virginia's New Private Schools," Southern Regional Council No. 19, February 8, 1961, p. 2. In NAACP Papers 001516_013_0841, pp. 43-70

¹⁰ *Ibid.*, 169.

¹¹ Michael J. Klarman, "Why Massive Resistance?" in *Ibid.*, 31.

segregated schools prevailed, thanks in part to DSSIL having created an organization called the “Virginia Education Fund” to promote segregated private-school projects. In 1959, in special session, Virginia’s legislature repealed the slate of massive resistance statutes, reinstated compulsory attendance laws, and returned control and finances to local school boards.

Warren County, VA

Front Royal was a small community nestled against the Blue Ridge mountains in northwestern Virginia, surrounded by hilly rural country. It housed a viscose textile mill and had about 8000 residents in the mid-1950s, 8% of whom were African American. The county had one high school (Warren County High), for whites only, along with several whites-only elementary schools, and one all-black elementary school. The county had never provided public high school facilities for black students, but recently had begun to bus them to Manassas (approx 60 students) or Berryville (37 students) where they boarded during the week and returned home only on weekends.¹² At the start of the 1954-55 school year, the high school enrolled 901 (white) students, and the “colored school” enrolled 235 in the lower grades,¹³ while outsourcing 59 black high-school students to Manassas.¹⁴ The *Brown* decision had no immediate effect in Warren County; its school board minutes reflected their confidence that the status quo would prevail once the state legislature had a chance to draft the new anti-integration raft of laws, and consequently the county need take no action to either integrate or equalize its schools just yet.

1957-1958

During this school year, Warren County school officials were dismayed to learn that both Manassas and Berryville had decided to no longer board Warren’s black high schoolers

¹² LVA-44579-b10-53to54-023.jpg, p. 23-24; LVA-44579-b5-NVD-19July1958-022.jpg

¹³ LVA-44579-b10-54to55-015.jpg, p. 15.

¹⁴ LVA-44579-b10-57to58-065.jpg, p. 65.

going forward. Rather than seeing this as the ideal moment to integrate its all-white schools, Warren County instead allocated \$500,000 to construct a new all-black combined elementary and high school facility which could accommodate up to 400 students, slated to open in fall 1959.¹⁵ An editorial in the pro-white Northern Virginia Daily scolded black petitioners, “When citizens of Warren County are willing to spend an additional sum of \$500,000 for a new, modern school building for colored people, it would seem they should be willing to wait another year.”¹⁶ But they weren’t.

1958-1959: The Critical Year

In July 1958, with the assistance of NAACP attorney Oliver Hill in Richmond, 29 black students requested “transfer” into their local white schools in Warren County.¹⁷ The School Board submitted their requests to the State Pupil Placement Board, which summarily denied them.¹⁸ The NAACP then filed a motion in US District Court, which ordered the School Board to either enroll the students (it declined) or stand in contempt, thereby automatically triggering the state’s mandated school closing law.¹⁹

Accordingly, Governor J. Lindsay Almond ordered the school to close its doors in mid-September 1958, as was also happening in Prince Edward County, Norfolk and also Charlottesville. Almond’s order stated that WCHS “is removed from the public school system” and placed under the governor’s control.²⁰ This action also suspended the county’s provision of bus transportation for black students up to Manassas and Berryville.²¹ Front Royal’s PTA held an emergency meeting and formed a “fact-finding committee” which

¹⁵ LVA-44579-b5-NVD-19July1958-003.jpg

¹⁶ LVA-44579-b5-NVD-21July1958-004.jpg

¹⁷ LVA-44579-b5-NVD-19July1958-002.jpg; Mathews p. 33 puts the number at 26 and the date as aAugust 14, 1958; the 5th District Court ruling names 22 students (Mathews 34).

¹⁸ Reasons given included the lateness of the request, overcrowding in the current schools, and fears that such a “precipitous” action would “disrupt the entire school system,” be “ill-advised,” and “could be attended by disastrous consequences.” Letter of Superintendent Q. D. Gasque to Mr. Hill, 14 August 1958. LVA-44579-b10-58to59-123 and 124.jpg

¹⁹ LVA-44579-b5-NVD-13Sept1958-024 and 025.jpg

²⁰ LVA-44579-b5-NVC-13Sept1958-004.jpg

²¹ LVA-44579-b10-58to59-0137.jpg

quickly consulted with the governor's office and then recommended the formation of a private educational foundation, the Warren County Educational Foundation (WCEF), "led by determined, articulate, and uncompromising segregationists with prominent local lawyers, editors and businessmen in key roles."²² WCEF made hasty plans to develop a makeshift white private academy, named for local Confederate cavalry hero John S. Mosby, initially in a former restaurant and fraternal lodge building. The Foundation contracted with the School Board to provide buses for its students.²³ By November, 25 teachers had withdrawn from public payroll to teach in the Foundation school without salary, leaving only 5 teachers, the principal and a librarian on staff at the empty WCHS.²⁴ In the meantime, the plaintiffs in the District Court case attended school in Washington D.C. By January, about a hundred pupils, the Superintendent estimated, were not attending any school whatsoever: "Some of this number have married, some have accepted jobs and some simply dropped out of school. This number is not excessive as it may seem," he further noted, "because 50 to 60 dropouts per year is a normal procedure" for WCHS.²⁵

The District Court made its ruling on February 10, 1959, striking down the county's "discriminatory action" (the discrimination here meaning the county's keeping elementary schools open but closing only its high school) as a violation of the Fourteenth Amendment. The public high school reopened by court order in February 1959 officially "on a racially non-discriminatory basis."²⁶ The reopening was, as the School Board had hoped, "calm, orderly and peaceful,"²⁷ but that was because the white community boycotted it entirely. 21 black students enrolled, and initially *all* 1044 of its white pupils stayed out, with about 780 continuing to attend makeshift classes at the Foundation-sponsored Mosby school over the

²² Mary Ellen Goodman, "Sanctuaries for Tradition: Virginia's New Private Schools," Southern Regional Council No. 19, February 8, 1961, p. 1. In NAACP Papers 001516_013_0841, pp. 43-70; see also Mathews, p. 38.

²³ LVA_44579-b10-58to59-138.jpg, see also 140-141

²⁴ LVA-44579-b10-58to59-136.jpg

²⁵ LVA-44579-b10-58to59-148.jpg

²⁶ LVA-44579-b10-58to59-153.jpg

²⁷ LVA-44579-b10-58to59-154.jpg

spring.²⁸ The formation of Mosby Academy split the white student population nearly in two that year (390 returning to WCHS, and 425 enrolled at Mosby by spring of 1960²⁹).

In May 1959, 110 of the county's 116 white teachers signed a statement drafted by the all-white Warren County Education Association expressing their general commitment to the county's maintaining a public school system (even while some of them were still teaching at Mosby). Though it did not close when the "temporary" emergency had passed and the public school reopened, the Foundation school's future then looked uncertain; voluntary pledges and donations did not cover expenses, and it did not have a permanent building and the basketball team was wearing the public school's borrowed uniforms.³⁰ Nonetheless, DSSIL called Warren County their "guiding star."³¹

1959-1960

A side note: At first I thought this critical year's School Board Minutes were missing. The Warren County minutes exist in the Library of Virginia as part of an uncatalogued collection, a huge stack of unbound typewritten pages tied together with a length of string. And that stack has a disappointing gap between 1959 and 1961. On my last day in the archives, I happened to request a box of other files from Warren County, mainly county planning reports that the school superintendent's office had kept in their files, and discovered in that box, all by itself, a comb-bound book containing the original typescript minutes for the 1959-1961 academic years. Apparently the historical significance of those years had prompted someone, at some point, to extract and compile that year's minutes separate from the others.

Warren County's new public Criser High School for black students did indeed open in the fall of 1959. School placements were to be made in accordance with the general

²⁸ "A Background Report on School Desegregation for 1959-1960," Southern Regional Council No. 12, August 10, 1959, p. 26. NAACP Papers 01516_004_0090.

²⁹ WCHS-b321a-014.jpg, see also WCHS-b321a-018.jpg

³⁰ "A Background Report on School Desegregation for 1959-1960," SRC 12, August 10, 1959, p. 26. NAACP Papers 01516_004_0090. Uniforms: LVA-44579-b7-005.jpg

³¹ in Mathews, 43.

principle that “no child shall be assigned against his wishes to attend any school in which the enrollment is predominantly of another race.”³² The School Board negotiated with WCEF about how involved it could be in helping them obtain textbooks, providing bus transport to the private school, and outfitting Mosby’s football team.³³ At the same it also cancelled all interscholastic athletics, P.E. and school-sponsored social activities (i.e. dances) at the public high school.³⁴ By early spring 1960, the county had funded 423 white scholarship grants for students to attend Mosby Academy, over \$46,000 in total.³⁵ Most white moderates in the town withdrew from the Foundation and supported the public school, making the Foundation the most prominent segregationist voice in the community.³⁶

Mosby Academy mounted an aggressive fundraising campaign to construct its own permanent space. During the 1959-1960 school year, the textile workers’ union (ironically, some 150 of whose 1800 members were black) contributed money to support the private school—funds initially collected through an automatic payroll deduction arranged by management of the American Viscose plant. When challenged by the national union, the local suspended its purchasing of Foundation bonds, but only after nearly \$50,000 had been raised in this manner.³⁷ A well-appointed \$350,000 building was constructed with private and local bond funding (and much donated labor and materials) in time for the fall of 1960 and remained open for ten years (flying the Confederate flag on its pole; its yearbook was titled the *Rebel Yell*). In a final irony, the building still stands, acquired later by the county public schools for its administrative offices.

³² LVA-44579-b7-59to60-014.jpg

³³ LVA-44579-b7-59to60-018 and 019

³⁴ LVA-44579-b7-59to60-019.jpg

³⁵ LVA-44579-b7-59to60-047.jpg

³⁶ Mathews, 55.

³⁷ Mary Ellen Goodman, “Sanctuaries for Tradition: Virginia’s New Private Schools,” Southern Regional Council No. 19, February 8, 1961, p. 8. In NAACP Papers 001516_013_0841, pp. 43-70.

Coda and Conclusions

In 1959, when the Warren County chapter filed its annual report to the NAACP, they noted “18 Negro students and approximately 400 white students attending” Warren County high school.³⁸ Those numbers remained about the same through the early 1960s; for example, in 1964 about 8% (approx. 275) of the county’s school children were black, and all but 15 of those attended the K-12 Criser School, which had no white students.³⁹

While some praised Warren for its “ideal solution,” the two-tiered educational system, Matthews argues, had longterm economic, political and cultural down sides, not the least of which was that the very existence of the private academy “attracted arch segregationists intent upon maintaining and fostering white supremacy in Warren County.”⁴⁰

During the 1963-1964 school year, only 422 black children received scholarship grants, and of those only 3 were to attend schools alongside other white children, while 11,758 white children received them, the vast majority to attend all-white private schools. In December 1964, a Fourth Circuit U.S. District Court ruling finally halted Virginia’s system of public tax-financed tuition grants to white students in segregated private schools.⁴¹ This was followed by the 1965 Elementary and Secondary Education Act which empowered the federal government to enforce compliance with desegregation by threatening to withhold funds to school systems. Yet change still came slowly; in Oct 1969 the Supreme Court noted in *Alexander v. Holmes* that “all deliberate speed” had expired. Two years later, in *Swann v. Charlotte-Mecklenberg Board of Ed*, the courts permitted busing as one means of implementing school desegregation, which kicked off a new round of massive resistance and community turmoil throughout the early 1970s. In 1971, the Supreme Court affirmed a lower court

³⁸ “Annual Report of Branch Activities – 1959, Warren County, Va.” NAACP Branch Department Special Reports, 1956-1965, NAACP Papers 001491_018_0569.

³⁹ Kenneth D. Campbell, “Feud at Front Royal: New Classrooms Empty: Private Schools Torn by Internal Dispute,” clipping from *Evening Star* (Wash. D.C.), n.d., NAACP Papers 001516_013_0841, p. 82.

⁴⁰ Matthews, p. 113.

⁴¹ “NAACP Wins on Virginia School Tuition Grants,” Press Release, December 5, 1964. NAACP Papers, 001516_013_0841, p. 88.

decision banning federal tax-exempt states for private schools set up to avoid public school desegregation.⁴²

Current story: resegregation of public schools (often by fully legal means like socioeconomic residential inequality, charter/private/homeschooling... and therefore harder to dislodge using the tactics of the 1950s and 1960s). Not only are we “not done” achieving racial justice in education, but to a great extent, the work of those decades has been in fact widely *undone* with lip service to “bedrock American values such as local self-control, taxpayers’ rights, and individual choice.”⁴³

⁴² *Ibid.*, 154.

⁴³ *Ibid.*, 186.