

Virginia's "Massive Folly":
Harry Byrd, Prince Edward County, and the Front Line

Laura Grant

Dept. of History, University of Colorado at Colorado Springs

Abstract

This paper examines the closure of public schools in Prince Edward County, Virginia from 1959-1964 in an effort to avoid desegregation. Specifically, the paper traces the roots of the political actions which led to the closure and then-Governor Harry Byrd's role in Virginia's political machine at the time. The paper argues that it was Byrd's influence which led to the conditions that not only made the closure possible in Virginia, but encouraged the white citizens of Prince Edward County to make their stand.

In September, 1959, the public schools in Prince Edward County, Virginia closed their doors to all students. While most white students were educated in makeshift private schools, the doors of public education remained closed until the Supreme Court ordered the schools to reopen in 1964. This drastic episode in Virginia's history was a response to the public school integration mandated by the *Brown vs. Board of Education* decision in 1954. Prince Edward County was not the only district in Virginia to take this action; it was merely the most extreme case of resistance after state laws banning integration were struck down as unconstitutional. Schools all over the state closed, most only temporarily, and the white community rallied to offer white students assistance to attend segregated private schools rather than face integration in a movement termed "Massive Resistance." While this "Brown backlash" occurred all over the South, it was most prevalent in the Deep South. No other county took the drastic steps of closing their public school system for five long years.

Given the historical patterns of race relations in the Southern states, it is odd that massive resistance was so strong a force in Virginia - a Peripheral South state with a relatively moderate state government. However, Virginia reflected the racial distribution patterns (and therefore racial attitudes) of the larger South. Although integrationist (or, more accurately, anti-segregationist) sentiment was present in Virginia, the state government, controlled by Senator Harry Byrd, was beholden to the constituency of the "Southside" section of Virginia, which was heavily anti-integrationist. Spurred by this constituency, Harry Byrd radicalized state policy, drowning out the dissenting voices in the rest of the state, and forcing the hands of politicians who would have otherwise complied with the orders of the courts. As a result, the

people of Prince Edward County felt completely justified in their attempt to completely avoid school integration.¹

Virginia at the time of the *Brown vs. Board of Education* decision had a long history of "organization" state government - a government in which insiders, directed by a powerful leader, controlled the direction of legislation and dissenters were easily blacklisted and turned out of the organization. Thomas Staples Martin became the founder and leader of the "'regular' Democratic organization" when he was elected to the U. S. Senate in 1893. At the time, Virginia was mired in debt from the Civil War and was bitter over perceived injustices incurred during Reconstruction. Martin led the state in drafting the 1902 Virginia constitution, which "drastically reduced the state's electorate through such devices as a poll tax and literacy test . . ." Article IX, Section 129 of this constitution established a public school system and Section 141 states that "[n]o appropriation of public funds shall be made to any school or institution of learning not owned or exclusively controlled by the State," but that those funds could be used for non-sectarian technical training schools. In a concise statement that would chart the course for the future of Virginia's public school system, Section 140 states simply that "[w]hite and colored children shall not be taught in the same school." In 1919, after leading the organization for thirty-six years, Martin died, leaving the Virginia government was without a true leader. Only seven years later, in 1926, an organization insider named Harry Byrd was elected governor and assumed command of the machine.²

Byrd was a conservative, though his "Program of Progress" as governor did not always reflect this brand, and the nature of Virginia politics changed under his leadership. Under his leadership, the deficit turned into a surplus, and lynching became a state offense. All members of a mob became subject to murder charges. Also, he implemented voting and tax reforms. Virginius Dabney, Pulitzer Prize winning editor of the *Richmond Times-Dispatch*, later recalled that other politicians who did not hold sway with the organization could not move forward a progressive agenda, but "Byrd, with his great personal appeal, and his ability to handle the politicians persuaded them in an almost miraculous way to put in a whole list of things that were absolutely essential and put the Virginia government in the forefront of such governments in the United States from the standpoint of efficiency."³ Byrd had reorganized the state government, eliminating bureaucracies and reducing costs, a feat which garnered praise across the country.⁴

Byrd used the consolidation of power in the government along with his tremendous ability to strengthen the power of his political machine. According to Dabney, E. R. "Ebbie" Combs, Byrd's right-hand man in the organization, was the muscle behind Byrd's charisma:

When a young man came into the Virginia General Assembly, Combs would make it very plain to him, in a gentlemanly way, just what he had to do to "make it." He was mild mannered and nice looking, and he would tell this boy, "Now look, son, we want you to get ahead in this organization. We're right with you now and we are going to cooperate with you and we want you

¹ General information garnered from: Harvie J. Wilkinson, *Harry Byrd and the Changing Face of Virginia Politics* (Charlottesville, VA: University of Virginia Press, 1968); Benjamin Muse, *Virginia's Massive Resistance* (Bloomington, IN: University of Indiana Press, 1961); and Bob Smith, *They Closed Their Schools: Prince Edward County, Virginia, 1951-1964* (Chapel Hill, NC: University of North Carolina Press, 1965).

² Wilkinson, 5; *Ibid.*; Constitution of Virginia 1902, art. 2, sec. 19; *Ibid.*, sections 129 and 141; *Ibid.*, sec. 140.

³ Virginius Dabney, interviewed by Daniel Jordan and William H. Turpin, *Documenting the American South*, University of North Carolina, June 10-15, 1975, 98-99, <http://docsouth.unc.edu>.

⁴ Wilkinson, 7.

to cooperate with us. That's all we ask." And brother, if they didn't cooperate, it was too bad, they didn't get on any committees and they were in the political doghouse. There are lots of examples.⁵

In fact, Harvie J. Wilkinson, Byrd biographer, goes as far as calling Combs the “boss of the Byrd organization.”⁶ Combs not only controlled new members of the General Assembly, but travelled across Virginia to keep localities in line with organization wishes and report back to Byrd on candidates for appointment.⁷ Thus, Byrd firmly held the reins of the government in Virginia and maintained his hold when he was elected to the U. S. Senate in 1933. In 1947, one organization outsider complained to a colleague, “[you] have no conception of the situation existing in the Senate of Virginia today . . . they are bound to the chariot wheels of Senator Byrd and his crowd of buccaneers.”⁸ As strong as Byrd and his organization were, many suggest that they were losing power in the years leading up to the *Brown* decision.⁹ Strong leadership over a divisive issue, such as integration, was one way to regain the old power.

Virginia’s troubles with race relations existed long before integration became an issue, particularly in the southern regions of the state, an area known as the Southside. Southampton County was the site of Nat Turner’s slave rebellion in 1831 and during Reconstruction, this was the strongest center of black political power in the state. In fact, in 1888, John M. Langston was elected to the House of Representatives, “the only Negro ever to represent Virginia in Congress.”¹⁰ This was before the 1902 constitution all but eliminated the black vote. White Virginians resented not only the newfound power of the blacks, but the loss of industry due to the freeing of slaves (without compensation) and the punitive debts owed to the federal government.¹¹ By 1950, when the statewide white population was eighty percent of the whole, whites constituted only sixty percent in the Southside and in 1958, black pupils outnumbered white pupils in the twelve major Southside counties.¹² Just as higher black populations in the Deep South resulted in increased racial violence and fear, the same can be said for Southside Virginia. In the 1940’s, interracial organizations and black leadership in Virginia called for integration and improved race relations, which only intensified the tension and solidified the opposition of Southside whites toward integration of any kind. The opposition led to frustration on the part of the progressives, and a stalemate ensued.

The fear amongst Southside citizens of integration (and subsequent miscegenation) resulted in major gains for the Byrd organization. While Byrd strayed from his conservative roots on many occasions, and though he did not support the Dixiecrat revolt in 1948, he was a strong supporter of states’ rights and of blanket segregation.¹³ Byrd also supported legislation which was favorable to his southern, rural constituents.¹⁴ His organization’s rolls were filled with men from rural backgrounds who sympathized with the Southsider’s concerns. Benjamin Muse, an early scholar of Virginia’s politics and race relations, observed that the southern section “throughout Virginia history, and still in 1954, wielded political power vastly out of proportion to its population.”¹⁵ From 1946 to 1951, Byrd and his candidates for

⁵ Dabney, June 10-15, 102-103.

⁶ Muse, 6-7.

⁷ Wilkinson, 52.

⁸ Lloyd M. Robenette, Letter to E. H. McConnell, Feb. 18, 1947, quoted in Wilkinson, 53.

⁹ Wilkinson, 153.

¹⁰ *Ibid.*, 10-11.

¹¹ *Ibid.*, 10.

¹² John Leard, “School Showdown in Virginia,” *New York Times (1857-Current File)*, March 9, 1958, <http://www.proquest.com>; Dabney, June 10-15, 1975, 74-82.

¹³ Dabney, June 10-15, 117.

¹⁴ Muse, 6-7.

¹⁵ *Ibid.*, 2.

governorship (Stanley, Almond, and Harrison) received from 15 to 20 percent of their statewide electing votes from the Southside population, a huge margin for victory.¹⁶ Having the support of these voters meant catering to their needs. While the race issue rumbled in the background of the Virginia political scene through the early 1950's, it would not remain there for long, particularly as a court case from Prince Edward County regarding school desegregation found its way (bundled with similar cases from across the South) to the Supreme Court in a case collectively known as *Brown vs. Board of Education*.¹⁷

On May 17, 1954, the Supreme Court ruled that schools must be desegregated. Despite some dissenting voices, Virginia's response was cautiously optimistic and similar to that of other Southern states. According to author Bob Smith, Alabama, Mississippi, Georgia, South Carolina, and Louisiana felt that "compliance was out of the question."¹⁸ On the other hand, Arkansas, Delaware, Maryland, Kentucky, Missouri, Oklahoma, West Virginia, and the District of Columbia were "sure that compliance was possible." Texas and Florida fell in the middle, and Virginia seemed ready to comply.¹⁹ Governor Thomas Stanley reacted with an address calling for "cool heads, calm study, and sound judgment," and promising to gather local and state representatives to "consider the matter and work toward a plan which will be acceptable toward our citizens, and in keeping with the edict of the court."²⁰ The *Richmond Times-Dispatch* reported that the superintendent of schools for Gloucester and Matthews Counties said that "[i]f we use good judgment, integration will take place smoothly and will be carried to successful conclusion."²¹ Senator Byrd disagreed, claiming that the decision would "bring implications and dangers of the greatest consequence."²²

Virginus Dabney remembers that "it looked as if we were going to have a fairly smooth reception of the decision."²³ Members of the black community were elated, expecting the change to take place that fall. One father's "first reaction was to think that my son will be able to go to a better school."²⁴ Some black ministers and community leaders urged "calmness, prudence, and quiet thanksgiving,"²⁵ and noted that it would take time to adjust to the change.

It would not take long, however, for the tide to turn against the decision full force. Ten days after the decision, Senator Byrd told Stanley "'to proceed slowly and cautiously, and not make any definite decisions' until the court had taken further action to implement its decree and until 'the sentiment of the people in the various areas of the State' was known."²⁶ This sentiment became clear after state senator Garland "Peck" Gray arranged a meeting of Southside leaders in Petersburg on June 19. This section of the state was most affected by the Court's ruling because of Prince Edward County's direct involvement

¹⁶ Wilkinson 12, table 2.

¹⁷ *Brown v. Board of Education of Topeka*, Opinion (May 17, 1954), Records of the Supreme Court of the United States. Record Group 267. National History Day, The National Archives and Records Administration, and USA Freedom Corps. "Our Documents." <http://www.ourdocuments.gov>.

¹⁸ Bob Smith, *They Closed Their Schools: Prince Edward County, Virginia, 1951-1964* (Chapel Hill, NC: University of North Carolina Press, 1965), 83

¹⁹ *Ibid.*, 6.

²⁰ Governor Stanley Radio Address, May 17, 1954, "Radio in Virginia," <http://www.lva.virginia.gov/whoweare/exhibits/radio/index.htm>; Smith, 84

²¹ Smith, 84.

²² Statement by Harry F. Byrd, May 17, 1958, University of Virginia, "Television News of the Civil Rights Era 1950-1970," <http://www2.vcdh.virginia.edu/civilrightstv>.

²³ Dabney, July 31, 2.

²⁴ James Sweeney, ed., *Race, Reason, and Massive Resistance: The Diary of David J. Mays, 1954-1959* (Athens, GA: University of Georgia Press, 2008), 25.

²⁵ *Ibid.*, 25-26.

²⁶ *Ibid.*, 27.

in the case and the large black population in the area. Twenty state legislators and other guests pledged their “unalterable opposition to the principle of integration of the races in the schools.”²⁷ After this meeting of Southsiders and organization men, Stanley’s position hardened in opposition to integration. He promised to “use every legal means at [his] command to continue segregated schools in Virginia.”²⁸ Stanley, as Governor, was widely recognized as a “docile disciple of Senator Byrd,” and the organization took up defiance as an “approved procedure” for moving forward.²⁹

Despite earlier promises and urging from the Virginia Council of Churches to organize a bi-racial committee to determine a plan, Stanley organized members of the General Assembly (which was exclusively white) into the Virginia Commission on Public Education. The purpose of the Commission was to study the Court’s ruling and develop a plan regarding integration and education. Chaired by Peck Gray, the group came to be known as the Gray Commission. Of the 32 members, 15 were from the Black Belt counties and the Southside. The Commission released a preliminary report in January, 1955, “that merely noted the extent of popular opposition to integration and pledged to devise a lawful program ‘designed to prevent enforced integration of the races in the public schools of Virginia.’”³⁰ David Mays, a prominent attorney and counsel for the Commission, wrote in his diary after meeting with Gray for the first time (and experiencing their first disagreement over the issue) that “the art of [the report] is to recognize the binding force of the Supreme Court decision while destroying its effect, at least at present, in the counties having heavy Negro populations.”³¹ Mays knew that Southsiders wanted to bar integration from their schools forever, but was also aware, unlike Gray and others, that it would come eventually and was most likely going to start with token integration in the northern counties.

While the Gray Commission dragged its feet, deciding to wait until the Supreme Court issued a decree about implementation to reveal any plans, the Southside was mobilizing. Two respectable business owners from Prince Edward County, center of the Southside, Robert B. Crawford and J. J. Barrye Wall, Jr., organized a new association called the Defenders of State Sovereignty and Individual Liberties. Not as radical as the Citizen’s Councils of the time, the group’s purpose was to maintain segregation through all legal and peaceful means possible. With strong ties to members of the Gray Commission, they applied pressure to legislators not to compromise and include any local option in the recommendation.

Associated with this group was *Richmond News Leader* editor, Jack Kilpatrick, who was close, not only with the Defenders, but with Senator Byrd, as well.³² Though Byrd was not a member of the group, his associates were, and the Defenders felt that he would sanction their actions. As Crawford recalled later, “We didn’t think much about Senator Byrd when we were organizing. But it was a natural for him. The Byrd Democrats were the ones who took leadership in it. It was just a case of birds of a feather flocking together.”³³ These strong associations undoubtedly influenced the Senator and his organization and weighed heavily on legislators who were involved in developing the plan for integration.

As the Gray Commission deliberated, David Mays was frustrated with the members’ persistence in finding a means for all-out rejection of integration. While Mays was by no means an integrationist, he saw the unconstitutionality of defying the Court’s order, and he sensed that his reputation as an attorney

²⁷ Ibid.

²⁸ Governor Stanley quoted in Muse, 7.

²⁹ Muse, 8.

³⁰ Sweeney, 28-29.

³¹ *Diary of David J. Mays*, January 11, 1955, 34.

³² Dabney, July 31, 10.

³³ Robert Crawford quoted in Smith, 97.

was at stake. As early as January 25, he wrote in his diary that "1) integration is certain to come; 2) Virginia people will not sacrifice their public school system, even today, to prevent integration; and 3) ultimately we must cushion the impact of integration at the local level, although under general statutes."³⁴ He met with Southsiders who proposed constitutional amendments, which he rejected repeatedly. He also met with members of the Commission who were sure that the right wording would defy the Court and prevent integration, which Mays saw as ridiculous.³⁵ After meeting with the full committee on May 23, 1955, where Mays informed the group that no plan on the state level would pass the Supreme Court and that solutions would have to be found on the local level, he wrote that it was "a tense meeting and disappointing to those members who continue to harbor the delusion that by some brilliant stroke complete segregation can be maintained."³⁶ Many ideas were proposed which favored either amending Section 141 of the constitution, so that state funds could be appropriated for a voucher system, or abolishing Section 129 altogether. Throughout the summer, Mays continued to sympathize with the Commission, but maintained his stance that any plan would be unconstitutional that did not include some form of local option and token integration. In the meantime, Prince Edward County schools were in court over the decision to appropriate such limited funds for the operation of public schools that it was impossible to run them.³⁷ In effect, this closed the schools for the 1955-1956 school year.

Prince Edward made this announcement the same day that the Supreme Court released its decree that the desegregation of schools must be implemented with "all deliberate speed."³⁸ The timing of the county's announcement meant that it was spotlighted in the media as defiant, a situation which hardened the county's stance for years to come.³⁹ Key members of the PTA, who were also Defenders, met to create the Prince Edward Educational Corporation (known widely as the Foundation), the purpose of which was to raise money to pay white teachers in the fall in light of the decision to not appropriate funds for the school system. The unspoken, but widely understood, true purpose of the fundraising was to have the cash available to pay the teachers under a private system when the schools were closed. No such fundraising took place for the benefit of black students. The schools did open in the fall, but the Foundation stood ready to open its own schools should integration loom.⁴⁰

The Gray Commission released its report on November 11, 1955. The Commission recommended a plan that would allow local school boards to assign pupils based on a number of factors (none of which were race) and allow parents to object to placement and request a different assignment.⁴¹ This, in essence, was a recommendation for local option in which localities would decide what amount of integration was favorable to them. In addition, the Commission recommended that a tuition grant program be developed, through which children not wishing to attend integrated schools could be granted public funds to pay for tuition at private, segregated schools.⁴²

In order to implement this program, Section 141 of the constitution would have to be amended to allow public funds to go to private schools. The Commission recommended a special session of the General

³⁴ *The Diary of David J. Mays*, January 25, 1955, 36.

³⁵ *Ibid.*, May 20, 1955, 43.

³⁶ *Ibid.*, May 23, 1955, 44.

³⁷ Smith, 101-103.

³⁸ *Brown vs. Board of Education Implementation*

³⁹ Muse, 13.

⁴⁰ Smith, 117-122.

⁴¹ Gray Commission, "Public Education: Report of the Commission to the Governor of Virginia" (Richmond, VA: Commonwealth of Virginia Division of Purchase and Printing, 1955), "Television News of the Civil Rights Era 1950-1970." <http://www2.vcdh.virginia.edu/civilrightstv/>, 7-9

⁴² *Ibid.*, 9-11.

Assembly and a Constitutional Convention to vote on such an amendment.⁴³ Governor Stanley convened the special session on November 30, 1955, and in his address to the Assembly said that he “concurred wholeheartedly” with the recommendations of the Commission.⁴⁴ A referendum was passed for a Convention and the election of delegates by the people was swiftly organized so that the Convention could meet as soon as possible. David Mays was pleased with the report, writing in his diary, “. . . our plan is not defiance but compliance with the decree -- a compliance, however, that must meet the needs of *present* Virginia . . . In helping to bring the Gray Commission . . . to a middle course, I feel that I have contributed substantially to a course on which there is a fair chance for us to work out our problem.”⁴⁵ Senator Byrd endorsed the need for the Convention, but was hesitant to comment on the report. In a statement in December, he made it clear that he would “not comment on the other features of the Gray Report.”⁴⁶ Byrd’s reticence was due in part to a new development that arose in November which seemed to provide a solution to the integration problem, and would take power away from the Commission’s recommendations.

William Old, a Virginia attorney, rediscovered and produced a pamphlet about a forgotten theory called “interposition,” which, with assistance from Jack Kilpatrick and the Defenders, breathed new life into the belief that the States had the right under the law to segregate all over the South. As Virginius Dabney recalls, “[Kilpatrick] wrote a series in the *News Leader* loudly espousing the principles of interposition. He got everybody, not everybody, but many people, greatly excited about it and many believed that it was the solution to all our woes,”⁴⁷ including many in the Byrd organization. The theory originated with James Madison and is based on the supposition that, as James Sweeney explains, “The U. S. Constitution is a compact between the states and the federal government in which the states retain all powers not specifically ceded to the central government.”⁴⁸ This is inarguable. This theory goes on, however, to say that “[if] the federal government should exceed its powers, then the states could “‘interpose’ their sovereignty between the federal government and the people.”⁴⁹ According to Virginius Dabney, letters and papers belonging to Kilpatrick reveal that “he did not think [interposition] was the answer and . . . he was confident the courts would overturn [it] when they got around to it.”⁵⁰ Whether or not this is true, at the time Byrd praised Kilpatrick for his service to the state on the floor of the Senate, and the Defenders called on the General Assembly to pass a resolution on Interposition.⁵¹

This new idea threatened to eliminate local option completely and stall the tuition grant program, as well. Senator Byrd met with Mays and suggested that they “hold up the recommendations of the [Gray] report indefinitely while he headed up a fight along with other [S]outhern states in defiance of the U. S. Supreme Court”⁵² and push through an amendment to take away the Court’s power. He argued that “to put through legislation dealing with assignments and tuition grants would be an acceptance of the Supreme Court’s decision in the segregation cases.”⁵³ Mays argued back that an amendment to the U.S. Constitution was “wholly illusory” and that action on the amendment of Section 141 must not be deterred.⁵⁴ In fact, Mays

⁴³ Ibid., 12.

⁴⁴ Muse, 16.

⁴⁵ *The Diary of David J. Mays*, December 3, 1955, 86-87.

⁴⁶ Statement by Senator Harry F. Byrd, December 18, 1955, Tuck Papers, quoted in Sweeney, 79.

⁴⁷ Dabney, July 31, 98.

⁴⁸ Sweeney, 79.

⁴⁹ Ibid.

⁵⁰ Dabney, July 31, 98.

⁵¹ Muse, 21.

⁵² *Diary of David J. Mays*, January 13, 1956, 100-102.

⁵³ Ibid.

⁵⁴ Ibid.

told Virginius Dabney that "interposition [was] neither legally nor historically sound."⁵⁵ Yet on February 1, 1956, the General Assembly adopted a Resolution "interposing the sovereignty of Virginia against encroachment upon the reserved powers of [that] State, and appealing to sister States to resolve a question of contested power."⁵⁶ Interposition energized segregationists in southern Virginia, lending more credence to the Defenders. The doctrine appealed to other Southern states, as well.

Herman Talmadge, Governor of Georgia from 1947 to 1954 and U. S. Senator from 1956 to 1980, took up interposition as an answer to his prayers. At the end of his Governorship, in 1955, he wrote a book called *You and Segregation*, which outlines every argument against integration, including the biblical arguments, communist plots, states' rights, mongrelization of the races, and more.⁵⁷ Interposition was appealing because it made no reference to race and appeared to be entirely legitimate. In February, his successor as Governor of Georgia, Marvin Griffith, met with Stanley, George Timmerman (from South Carolina), Luther Hodges (of North Carolina), and James Coleman (of Mississippi) to develop a joint statement of the actions each state would take regarding Interposition.⁵⁸ As early as December, 1955, delegates from twelve Southern states, including Virginia, had already met in "secret" (though this was reported in the *New York Times*) to organize a federation to preserve segregation and fight communism.⁵⁹ One of their first actions was to adopt a resolution of the "doctrine of interposition" to "nullify and void" actions of the Supreme Court (though nullification was left out of the Resolution adopted by Virginia on the advice of David Mays).⁶⁰ On March 12, 1956, a statement was read by Senator Byrd in the U. S. Senate and Virginia Representative Howard Smith in the House of Representatives.⁶¹ Signed by nineteen senators and eighty-one representatives from Southern states, this document became known as the Southern Manifesto. The manifesto vowed to block integration by "all lawful means," with Byrd referring to the action as "part of a plan of massive resistance" to the court's decree.⁶² By the end of March, 1956, Alabama, Georgia, Mississippi, South Carolina, and Virginia had "at least forty-two prosegregation measures"⁶³ between them. In the summer of 1956, Governor Stanley called an extra session to examine legislation that would successfully block integration, in effect ignoring the Gray Commission recommendations.

In Prince Edward County, the center of Defender activity, an NAACP court action threatened to desegregate the schools in the fall. Defenders began circulating a "statement of affirmation" of their intention to close rather than integrate schools.⁶⁴ A delegation was sent to inform Stanley of this intention and the county supervisors restated their intent to withhold funds. The NAACP filed suits in Newport News, Charlottesville, Arlington, and Norfolk. Thereafter, Massive Resistance movement began in earnest.⁶⁵ The Defenders called on assistance from Senator Byrd and he responded. At his annual apple

⁵⁵ Dabney, July 31, 1975, 49.

⁵⁶ Virginia Senate, "The Doctrine of Interposition: Its History and Application" (Richmond, VA: Commonwealth of Virginia Division of Purchase and Printing, 1957), "Television News of the Civil Rights Era 1950-1970." <http://www2.vcdh.virginia.edu/civilrightstv/>, 4.

⁵⁷ Herman Talmadge, *You and Segregation* (Birmingham, AL: Vulcan Press, 1955).

⁵⁸ *The Diary of David J. Mays*, January 18, 102.

⁵⁹ Anthony Lewis, "Segregation Group Confers in Secret," *New York Times (1857-Current File)*, December 30, 1955, <http://www.proquest.com>.

⁶⁰ *The Diary of David J. Mays*, January 19, 102-103.

⁶¹ "Washington Proceedings," *New York Times (1857-Current File)*, March 13, 1956.

⁶² Allen Drury, "Democrats Move to Prevent Split," *Ibid.*, March 14, 1956.

⁶³ Smith, 143.

⁶⁴ Muse, 27

⁶⁵ *Ibid.*

orchard party, Senator Byrd set the tone and agenda for Virginia, stating: "If Virginia surrenders, if Virginia's line is broken, the South will go down, too . . ."⁶⁶

Harry Byrd and his governor, Stanley, believed Virginia to be the front line in protecting the South from the federal government and followed the wishes of the Defenders exactly. The state government began enacting Massive Resistance laws during the extra summer session of the General Assembly. In June, Gray, who was the voice of the Defenders in the Assembly, as well as the Commission, concluded from a telephone conversation with Stanley that they were in agreement and were "willing 'to go to any extreme that may be necessary to prevent integration anywhere in Virginia.'"⁶⁷ A meeting was arranged by Senator Byrd in which key legislators agreed that: "1) Virginia's public school system would remain racially segregated; 2) communities that complied with court orders to admit black students would lose state funds; 3) the legislature would enact a statute that repealed the right to sue school boards; and 4) the governor, not local school boards, would have the authority to assign students."⁶⁸ This agreement echoed the previous "Plan for Virginia" that the Defenders had written up after its inception. In fact, the only piece missing from the original Plan was the abolition of Section 129 (the provision for state-wide public education).⁶⁹ Essentially, the Defenders were now in control of the legislature.

David Mays, among others, was upset over the loss of the Commission's recommendations, as he thought they were the only way to reasonably solve the integration problem, and he was leery of the constitutionality of the new bills that were proposed.⁷⁰ Attorney General Lindsay Almond (soon to be Governor Almond) had doubts, as well, but was bound to Byrd's wishes, particularly given his political ambitions. Senator Mills Godwin of the Southside city of Suffolk argued that "integration is the key which opens the door to the inevitable destruction of our free public schools . . ."⁷¹ Because of the horrendous threat, a state-wide policy against integration was "needed as a deterrent to those localities in Virginia which [indicated] a willingness to integrate . . ."⁷² Included in the bundle of laws passed during the special session were seven bills intended to harass the NAACP, such as requiring that the organization surrender its membership rolls.⁷³ In all, the Assembly passed twenty-three acts dealing with segregation and the NAACP. Included were the proposal to cut off funds to schools that integrated by order of the courts, and the provision of tuition grants so that students could attend private schools.⁷⁴ Senator Byrd praised the laws in the *New York Times* and Defenders prepared to guard their stand.⁷⁵ On the night of the Assembly's final vote, Mays wrote, "The General Assembly finished in the wee hours this morning after adopting a hodgepodge of bills which many members don't understand."⁷⁶ These staunch advocates of States' rights wrested control from the localities with no apparent sense of irony.

On February 23, 1957, Judge Walter Hoffman of the U. S. District Court ruled that the Massive Resistance laws were unconstitutional and ordered Virginia to desegregate the public schools by August

⁶⁶ Harry Byrd quoted in Smith, 145.

⁶⁷ Sweeney, 140.

⁶⁸ *Ibid.*, 142.

⁶⁹ Sweeney, 104.

⁷⁰ *The Diary of David J. Mays*, August 6, 8, 10, 17, and 23, 1956, 153-159.

⁷¹ Wilkinson, 131-132.

⁷² *The Diary of David J. Mays.*, September 10, 1956, 170.

⁷³ Wilkinson, 132.

⁷⁴ Sweeney, 161-162.

⁷⁵ *Ibid.*

⁷⁶ *The Diary of David J. Mays*, September 22, 1956, 174.

15.⁷⁷ This order was, of course, appealed, but in September, Almond's plea was rejected and Arlington County was ordered to integrate.⁷⁸ The Supreme Court upheld the ruling in May, 1958, and schools in Arlington, Charlottesville, Newport News, and Norfolk were ordered to integrate in the fall.⁷⁹ Warren High School of Front Royal was the first to close due to integration after it ran out of appeals in September, 1958.⁸⁰ Closures in Charlottesville and Norfolk followed, and the second wave of Resistance laws were about to be tested.

In the meantime, Almond ran for Governor in 1957, backed by Byrd (though he was not the organization leader's first choice) on the segregation platform.⁸¹ His opponent, Ted Dalton, was unfortunate enough to suggest that Massive Resistance was "bound to crumble under court assault."⁸² He called it "massive folly," and suggested a local option alternative.⁸³ Despite his previous moderation and his doubts about the new laws, Almond campaigned full-force as the Massive Resistance candidate. In order to win Byrd's support and the support of the entire Byrd organization, which was necessary to win, Almond had little choice. His platform read: "We will oppose, with every faculty at our command, and with every ounce of our energy, the attempt being made to mix the white and Negro races in our classrooms."⁸⁴ Lest the public doubt his vigor, the platform continued: "Let there be no misunderstanding, no weasel words on this point: We dedicate our every capacity to preserve segregation in the schools."⁸⁵ Shortly after his election, Almond's dedication *was* tested with the school closings. When the schools were ordered to integrate, Almond dutifully closed them.

If Almond's conviction ever wavered, he was urged on by Byrd and the Defenders. As Governor, it was up to him to "interpose" Virginia's sovereignty. Byrd and his supporters had many ideas about how it should be done. "They had all kinds of schemes, all revolving around the theory of Interposition," Almond recall[ed]."⁸⁶ Byrd, close to the end of his career, made it clear that it was up to Virginia to hold the line for the South; he reminded Almond of that continuously.⁸⁷ Taking such a firm stance against integration to get elected and being indebted to Byrd for his candidacy compelled Almond to meet his obligations. Displeasing Byrd could lead to political ruin, even if some in the state disagreed with Massive Resistance.

There were, of course, those who were in favor of, or at least resigned to, integration. Under the direction of Bishop Peter Ireton of the Catholic Diocese of Richmond, Virginia's Catholic schools integrated in May, 1954, before the Supreme Court decision was even handed down.⁸⁸ In 1956, when Prince Edward County was at its zenith of panic, Arlington released a plan to begin integrating its schools the following year, a move which angered segregationists. Once the interposition resolution was passed, "Arlington was stripped of its right to elect a school board in punishment for [the] segregation announcement" and was required to have its board appointed by the county.⁸⁹ Governors Stanley and Almond both received

⁷⁷ Cabell Phillips, "Start on Desegregation is Ordered in Virginia," *New York Time (1857-Current File)*, February 24, 1957, <http://www.proquest.com>.

⁷⁸ Anthony Lewis, "Arlington is Told to Integrate Now," *Ibid.*, September 15, 1957.

⁷⁹ Anthony Lewis, "Integration Stay Denied Virginia by Supreme Court," *Ibid.*, May 20, 1958.

⁸⁰ John D. Morris, "Virginia Governor Assumes Control of Closed School," *Ibid.*, September 13, 1958.

⁸¹ John D. Morris, "Court Gives a Lift to Virginia G. O. P.," *Ibid.*, October 26, 1957.

⁸² John N. Popham, "Virginia Voters Will Choose a Governor on Tuesday," *Ibid.*, November 3, 1957.

⁸³ Quoted in Wilkinson, 138.

⁸⁴ Norfolk *Virginian Pilot*, June 9, 1964, quoted in Wilkinson, 140.

⁸⁵ *Ibid.*

⁸⁶ Wilkinson, 140-141.

⁸⁷ *Ibid.*

⁸⁸ Muse, 3.

⁸⁹ Smith, 143.

letters and telegrams from concerned citizens hoping that the schools would integrate and the state could move forward. One man wrote that, although he was “not an integrationist . . . we must have public schools so there will be some integrating.”⁹⁰ A mother from Alexandria wrote to Governor Almond that denial of local option to communities who wanted integration was not only “unfair,” but was “inconsistent” from a government which championed states’ rights.⁹¹ One father of two white daughters wrote to Stanley that, not only do “[b]oth the principles of Christianity and the law of our land point toward elimination of racial segregation,” but that he believed “it would be to [his daughter’s] advantage to become acquainted with school children of both races in her community.”⁹²

Many whites felt that the disruption in their children’s education caused by the closing of schools was not a sacrifice that they were willing to make for the cause of segregation. Ainslee and Alvin Dohme wrote to their County Supervisor in 1959 that “the mental equilibrium and education of the young hereabouts have been sacrificed unduly already for the personal expression of rebellion against the U. S. Supreme Court and perhaps racial prejudice as well.”⁹³ They continued on to say that “it is high time we thought of normalcy and routine for our young”⁹⁴ and that “to hamstringing our children for pride and prejudice and to fall for the easy flattery of neighboring communities is traitorous folly and failure in our civic responsibilities.”⁹⁵ The Dohmes were not alone. Petitions were sent from Norfolk, Charlottesville, and other Northern localities, including one from the students of Lane High School, which had been closed, asking that local option be put in place.⁹⁶ In fact, a poll conducted by the PTA at the Venable School in Charlottesville showed that fifty-eight percent of parents at the school preferred some amount of integration to school closing.⁹⁷ The *Roanoke Times* and other papers spoke out against the state’s new laws and the *Staunton News-Leader* chastised the government and demanded the local option that the Gray Commission promised.⁹⁸

The opposition to integration was equally vocal. In addition to the Defenders’ voices already involved in the legislature, petitions were sent from Halifax and Lunenburg counties, as well as Kenbridge, Blackstone, Alberta, Dundas, Lacrosse, and others demanding segregation forever.⁹⁹ One telegram from M. R. Lee to Governor Stanley immediately following the Brown decision said simply: “Forget the calm approach. Let us join up with Talmadge.”¹⁰⁰ One fourteen year old boy wrote to Almond wondering why he did not invoke the Southern Manifesto to their cause and called the Supreme Court “nine dictators.”¹⁰¹ Pamphlets were made, many doctored, with pictures of black and white children mingling on the playground, or of white women being seduced by black men. These were spread across the state, warning

⁹⁰ Frank Nesbitt letter to Governor Almond, September 8, 1958, Library of Virginia, “Brown vs. Board of Education: Virginia Responds,” <http://www.lva.virginia.gov/whowere/exhibits/brown/index.htm>.

⁹¹ Joyce Walther letter to Governor Almond, June 2, 1958, Ibid.

⁹² Carl E. Auvil letter to Governor Stanley, November 15, 1954, Ibid.

⁹³ Mr. and Mrs. Alvin Dohme letter to Maurice Bowen, February 26, 1959, Ibid.

⁹⁴ Ibid.

⁹⁵ Ibid.

⁹⁶ Muse, 24.

⁹⁷ *Charlottesville Daily Progress*, June 12, 1958, George H. Gilliam, “The Ground Beneath Our Feet: Massive Resistance,” <http://www.vahistory.org/massive.resistance/index.html>.

⁹⁸ Muse, 24.

⁹⁹ “Virginia Responds.”

¹⁰⁰ M. R. Lee telegram to Governor Stanley, May 25, 1954, Ibid.

¹⁰¹ Norman LaSalle letter to Governor Almond, “Television News of the Civil Rights Era”;

whites of the dire consequences of integration.¹⁰² A number of women wrote to Governor Stanley, expressing their fear of the threat of miscegenation resulting from integration and their Christian convictions that segregation was God's will.¹⁰³ The panic was widespread, fueled by propaganda, and loudly voiced by the people of southern Virginia. The law, however, did not view segregation as either a threat or God's will.

On January 19, 1959, on Robert E. Lee's birthday, the Massive Resistance laws were struck down by the courts in two separate decisions. Almond's immediate response was a ranting speech the next day, which began with the words: "To those whose purpose and design is to blend and amalgamate the white and Negro race and destroy the integrity of both races . . ." He continued for three minutes with similar fulminations, ending with: "as Governor of this state, I will not yield to that which I know to be wrong and will destroy every rational semblance of public education for thousands of the children of Virginia. I call upon the people of Virginia to stand firmly with me in this struggle . . ."¹⁰⁴ Later, Almond would look back and refer to this moment as "that damn speech."¹⁰⁵ At that time, Byrd lauded the words, saying "The notable speech of Governor Almond last night will further stiffen the resistance."¹⁰⁶ Almond's resistance was not stiffened, however, perhaps because it was he who would go to jail if the orders of the court were defied. Almond addressed the General Assembly, with Byrd in attendance, and explained that he would end Massive Resistance. Almond organized a Commission headed by Senator Mosby Perrow to recommend plans to integrate the schools. On February 2, 1959, twenty-one black students were formally integrated in Norfolk and Arlington schools.¹⁰⁷

On March 31, 1959, the Perrow Commission issued its report, which began with an outline of the history of the Massive Resistance laws. It then stated: "The truth is that neither the General Assembly nor the Governor has the power to overrule or nullify the final decrees of the federal courts in the school cases."¹⁰⁸ The report went on to propose "measures to bring about the greatest possible *freedom of choice* for each locality and each individual."¹⁰⁹ This new report was, for all intents and purposes, a return to the original Gray report. While many in the state were relieved, the Defenders of Prince Edward County would not be swayed.

On June 2, 1959, the board of advisors of Prince Edward County announced that it would appropriate no funds for the public schools for the coming year.¹¹⁰ The white community rallied over the summer, finding space for classrooms (and building more churches to accommodate), soliciting donations from all over the state and country, arranging for transportation, and filling libraries to the criteria for accreditation.¹¹¹ Jack Kilpatrick himself donated over eighty books, saying, ". . . little Prince Edward County will have in its library one of the most complete pro-integration shelves in the state. I am so proud

¹⁰² Muse, 29, Jane Dailey, "Sex, Segregation, and the Sacred After *Brown*," *The Journal of American History* (June, 2004): 133-134 (see also Virginia White Citizen's Council, "Virginians On Guard!," *Virginian* [April, 1956], reprinted in Dailey: 136).

¹⁰³ Dailey: 133-134.

¹⁰⁴ Governor J. Lindsay Almond Radio Address, January 20, 1959, "Radio in Virginia."

¹⁰⁵ Norfolk *Virginian-Pilot*, June 9, 1964, quoted in Wilkinson, 147.

¹⁰⁶ Muse, 129.

¹⁰⁷ Wilkinson, 149.

¹⁰⁸ Perrow Commission, "Education in Virginia: Report of the Commission to the Governor of Virginia" (Richmond, VA: Commonwealth of Virginia Division of Purchase and Supply, 1959), "Television News of the Civil Rights Era 1950-1970," <http://www2.vcdh.virginia.edu/civilrightstv/>, 6.

¹⁰⁹ *Ibid.*

¹¹⁰ "Board in Virginia Ends School Fund," *New York Times (1857-Current File)*, June 4, 1959.

¹¹¹ Smith, 164-168.

of them I could bust.”¹¹² Since the collection included his own book, which argued for states’ rights and presented the “the Southern side” of the argument, one wonders whether “pro-integration” was the word he meant to use. In any case, the Foundation praised the accomplishments of the community, teachers, and students at the rally held on the first day of school, exclaiming, “The spotlight will be on you . . . If we have a successful year, the hopes of hundreds of thousands will be kindled.”¹¹³ The Foundation members saw themselves as the answer to the hopes of the entire South. If they could block segregation on the local level, others would be free to follow. Blacks in the community held their own meetings, where leaders assured them that the schools would open.¹¹⁴ They could not bring themselves to believe that their neighbors would cut off their children’s education completely. That is exactly what the Defenders and the Foundation did.

In December, the Foundation had either a change of heart or a realization about the negative effects of bad press. It announced the charter of a new organization, titled Southside Schools, Inc. which was intended to provide the same private education to black children as was being offered to whites.¹¹⁵ The black community had no involvement in the creation of the organization, which limited desire to participate. As one preacher asked, “How can segregated private schools meet the need when segregated public schools were not satisfactory?”¹¹⁶ Senator Byrd remarked that “the NAACP alone, is responsible for the fact that 1,700 colored children in Prince Edward County are not now attending good schools with qualified teachers.”¹¹⁷ He went on to praise the white leaders of the county for not only providing for their own children, but creating Southside Schools for the benefit of black children, as well.¹¹⁸ Letters and applications were sent to every black parent in the county, but only one student applied.¹¹⁹ Rather, black parents who could afford the expense sent their children to other counties, and as far away as North Carolina, to attend school.¹²⁰

Not willing to acknowledge that the Southside Schools gesture was condescending (or an outright bluff, as many parents thought), Byrd accused the NAACP of being “more interested in the integration of school children than in the education of colored children.”¹²¹ Blacks were encouraged by their leaders and each other not to settle for the promise of more segregation or be lulled into compliance by promises of education, but to make sacrifices for justice. After an NAACP Christmas party for the local children who were without schools, the local newspaper, the *Farmville Herald*, owned and edited by J. Barrye Wall, reported, “The NAACP offers speeches to the adults, candy and nuts for the children they have rendered school-less, and the Southside Schools, Inc., directed by sincere white citizens, offers leadership in established education for the children.”¹²² The Foundation members imagined or presented themselves as blameless and could not understand why the black community did not see things their way. While the Prince Edward County blacks were denied their right to public education, their only alternative being private education by the very people who had denied them that right, the Defenders and Byrd sneeringly accused them of not caring.¹²³

¹¹² Smith, 168.

¹¹³ “White School Aided,” *Ibid.*, September 6, 1959.

¹¹⁴ Smith, 167.

¹¹⁵ “Virginians Plan Negro Schooling,” *New York Times (1857-Current File)*, December 16, 1959.

¹¹⁶ Smith, 172.

¹¹⁷ Harry Byrd, “In Defense of Prince Edward County of Virginia,” “Television News of the Civil Rights Era.”

¹¹⁸ *Ibid.*

¹¹⁹ Smith, 173-174.

¹²⁰ *Ibid.* 174; “50 Virginia Negroes in Carolina Schools,” *New York Times (1857-Current File)*, September 23, 1959.

¹²¹ Smith 171-172.

¹²² *Ibid.*, 172.

¹²³ Harry Byrd, “In Defense of Prince Edward County of Virginia,” “Television News of the Civil Rights Era.”

The situation entered a standoff, with little progress being made in the courts for various reasons and the Defenders maintaining the stand that no one could make them appropriate tax dollars for education. Given that article 129 of the Virginia Constitution was still intact, the *Virginian-Pilot* asked, "If Prince Edward doesn't have to maintain a public school system, doesn't the state have to do so in Prince Edward?"¹²⁴ The state was unwilling to do so. White citizens who organized to try to reopen public schools, nicknamed the Bush Leaguers, were ostracized and disbanded immediately;¹²⁵ black Muslims who tried to open segregated black schools and convert students were unsuccessful;¹²⁶ people from other states drove to Prince Edward to bring supplies and try to help found the people unmovable.¹²⁷ The American Friends Service Committee (AFSC) paid for fourteen black students to attend high schools in Pennsylvania and New Jersey, helping sixty-seven children by the end of the crisis, and eight students were accepted into schools in Massachusetts, which billed Prince Edward for the cost.¹²⁸ The Kennedy administration tried to intervene in a move which Byrd called an "intemperate and ruthless action"¹²⁹ which only hardened the county's stance. On the state level, the Byrd organization was once again operating "with a solid front" with Albertis Harrison as Almond's replacement and a legislature which blocked moves to force Prince Edward County to reopen schools.¹³⁰

Finally, in the summer of 1963, protests began which would lead to the final order to open schools. Led by Reverend L. Francis Griffin, state president of the NAACP, and with help from the Student Nonviolent Coordinating Committee and Reverend Richard Hale, the blacks of the county organized sit-ins, marches, and picket lines to protest segregation.¹³¹ The Prince Edward Free School Association, an alternative to the Prince Edward Educational Corporation, opened in August and attempted to make up for the four lost years of education in one.¹³² Though designed to be integrated, the schools only served eight white students.¹³³ They did, however, enroll over 1,500 black students, most of which had not attended school since the closure, and received a visit from Robert Kennedy.¹³⁴ On May 25, 1964, the Supreme Court ordered Prince Edward's schools open, saying that the state could not provide public education to all counties but one. The vote was unanimous and the opinion was written by Judge Hugo Black, who said, "The time for mere 'deliberate speed' has run out . . . There has been entirely too much deliberation and not enough speed in enforcing the constitution rights which we held [in 1954] had been denied Prince Edward County Negro children."¹³⁵ Though Prince Edward tried to resist the Court's order, the Board of Supervisors voted four to two in June to reopen the schools.¹³⁶ The schools reopened on an integrated basis with only seven white students (the same that attended the Free Schools), the rest remaining in the private Foundation schools.¹³⁷ More court battles occurred in Virginia over private "white academies" receiving tuition grants illegally and it took years to undo the damage wrought by years without education

¹²⁴ Smith, 178.

¹²⁵ Smith 175-184.

¹²⁶ *Ibid.*, 203-204.

¹²⁷ *Ibid.*, 229-230.

¹²⁸ "Negro Pupils Placed," *New York Times (1857-Current File)*, January 23, 1961; "8 Virginia Negroes Will Attend Massachusetts Public Schools," *Ibid.*, September 12, 1961; Anthony Lewis, "Action on Civil Rights," *Ibid.*, April 30, 1961.

¹²⁹ Smith, 191-192.

¹³⁰ "Byrd Keeps Reigns Tight in Virginia," *New York Times (1857-Current File)*, March 18, 1962.

¹³¹ "Virginia Negroes March in Protest," *Ibid.*, July 27, 1963; "10 Negroes Seized in Farmville, VA," *Ibid.*, July 28, 1963.

¹³² "1,600 Negroes to Go to Virginia Schools," *Ibid.*, August 25, 1963.

¹³³ Smith, 257-258.

¹³⁴ "Kennedy Draws Virginian Cheers," *New York Times (1857-Current File)*, May 12, 1964.

¹³⁵ Anthony Lewis, "Speed Demanded," *Ibid.*, March 26, 1964.

¹³⁶ "A Virginia County Defies High Court," *Ibid.*, June 16, 1964.

¹³⁷ *Ibid.*

for the blacks of Prince Edward County.¹³⁸ Senator Byrd resigned his seat because of illness in 1965 and died in October of 1966, before Prince Edward County's public schools were ever fully integrated.¹³⁹

While integration impacted all areas of the South and other states certainly looked at school closures as an option, most state governors adopted theatrical gestures to illustrate their defiance, such as Orval Faubus of Arkansas or George Wallace of Alabama, and then integrated without incident; or railed against integration with little widespread public support, such as Griffin in Georgia, and then integrated. The major racial incidents of this era took place in Deep South states where entrenched and outright racism fueled by the Ku Klux Klan and the White Citizen's Council denied voting rights and even life to blacks until late into the 1960's. It is difficult to think of Massive Resistance occurring in a place like Virginia; after all, many people today forget that Virginia is even a Southern state. That the citizens of Prince Edward County were content to allow children to go uneducated for five long years (and more, had they succeeded in their cause) is shocking, yet their actions can be explained by their history and the threat that they felt was very real. While it is certainly true that many factors played a role in this crisis, just as in any historical movement, the responsibility lies not with the people of northern Virginia or Governor Stanley, who was merely acting on behalf of his superiors, but with Harry Byrd.

Though the fervor of the Defenders of States' Rights and Individual Liberties agitated racial tensions and motivated Byrd, had he not bent to their wishes, Massive Resistance could have been avoided and Prince Edward County would have integrated sooner. Though many Southsiders participated in the Gray Commission, more level heads, such as David Mays, ultimately prevailed. If the recommendations of the report had been followed, Virginia would have experienced integration more like North Carolina (with plans that followed closely the Gray recommendations), which resisted, but ultimately succeeded without major incident. It may well be that unlike populists of the time who wore the mantle of segregationism to garner votes, like Wallace, Byrd was a true believer. Although the Southsiders were assisted in their crusade by the theory of Interposition, it was Harry Byrd who provided the strength and sway over state politics to turn natural backlash into all-out rebellion.

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¹³⁸ "White Academies Grow in Virginia," *Ibid.*, September 5, 1965.

¹³⁹ "Harry F. Byrd of Virginia Dies; Senate's Guardian of the Purse," *Ibid.*, October 21, 1966

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