

# Segregation, Desegregation, and Higher Education in Virginia

**Peter Wallenstein**

Department of History

Virginia Polytechnic Institute and State University

Blacksburg, Virginia 24061

[pwallens@vt.edu](mailto:pwallens@vt.edu)

## **Policy History Conference**

Charlottesville, Virginia

June 3, 2006

Treatments of civil rights tend to pay little attention to higher education. Treatments of higher education generally fail to pay careful attention to the ways in which segregation worked, how it came under attack, and how the old restrictions finally fell. The story in the Upper South's Virginia was hardly identical to that in the Deep South's Mississippi or, for that matter, in the Border South's Maryland, but it offers a case study of a regional phenomenon. Whether in its particulars or when contextualized in terms of developments across the South, Virginia's path—through the nineteenth century and the twentieth—reveals much about black opportunity, public policy, and institutions of higher education.

Public higher education in Virginia was born segregated during slavery times, founded on absolute black exclusion. It persisted in its segregation long after universal emancipation in the 1860s, as categorical black exclusion continued at white institutions, even as some opportunities

opened for black Virginians at black schools, eventually including a state college. Then it featured a struggle in the middle third of the twentieth century over the permanence of segregation in its post-Civil War form. By the 1970s—although the second regime, even the first, continued to leave tracks—racial segregation had, as a matter of formal policy and practice, been brought to an end.

So this paper addresses change and continuity in public policy in Virginia toward black access to public institutions of higher education—in particular, how black Virginians worked within the prevailing policy framework to expand access, and how challenges to segregation not only forced modifications in, but finally brought down, the formal policy of “separate but equal.” Although much of the empirical material is little known, my primary objective is not to supply new information but rather to distinguish one phase of policy and practice from another, so that we might think more systematically and effectively about the history of racial policy in southern higher education.

Today I emphasize Virginia Tech, Virginia State, and the University of Virginia. I draw on statutes, court cases, institutional records, interviews, and news accounts—on research I’ve done on Virginia and throughout the South—plus a history of Virginia State University by Edgar Toppin. My presentation lays down a backdrop from the nineteenth century, but it emphasizes the time, between 1935 and 1972, when black Virginians increasingly contested the old regime and demanded an end to traditional ways. It highlights the ways the color line worked in higher education; the process by which enhanced opportunity was achieved even within segregation; and the steps that brought state-mandated or institution-sponsored segregation itself down.

At every step of the way, black access to higher education in Virginia reflected an interplay among (1) the wishes of white policy makers and/or institution leaders in Virginia; (2) the initiatives of black Virginians; and (3) the policies permitted or required by federal authorities, whether congressional or judicial. As for that last, although litigation (especially in federal courts) sometimes shaped the current of change (and is often the locus of scholarly investigation), congressional

legislation often did more.

## Segregation

Segregated black access to higher education in the South was a post–Civil War innovation, a tremendous advance over absolute black exclusion. Yet black access in practice in no way indicated equal access. Categorical exclusion from a wide range of programs, especially graduate and professional curricula, remained the rule at least into the 1930s and often into the 1950s or 1960s. When change came, it came first in those graduate and professional programs.

Plessy v. Ferguson, though it made famous the phrase “separate but equal,” did not introduce segregation to higher education. When the Virginia General Assembly arranged in 1872 for the use of federal funds under the Morrill Land-Grant College Act, it divided the proceeds, two-thirds for a new white school, today’s Virginia Tech, and one-third to a then recently-established black school, Hampton Institute. The Second Morrill Act (1890) required states, if they imposed segregation (which the 1890 act expressly permitted), to ensure that black students had access to schooling at a separate institution, an arrangement Virginia had already implemented. In 1920 Virginia lifted the land-grant designation and money from Hampton and gave it to a public school that had not existed in 1872, today’s Virginia State University. That school reflects an uneven development of segregated black higher education in Virginia, for, as Virginia Normal and Collegiate Institute, the school offered baccalaureate programs for its first two decades, but then, in 1902, had that authority stripped, a reality reflected in a new name, Virginia Normal and Industrial Institute. Separate became less equal.

If we move forward to World War II, we find nine public institutions of higher education in Virginia. Each of them offered programs that could lead to a bachelor’s degree, though several had acquired that authority only after World War I. One of these was a black school; eight were white.

Of the white schools, four—today’s Longwood, Radford, Mary Washington, and James Madison—had begun as teachers’ colleges for white women. The others were The College of William and Mary, by then fully coeducational; Virginia Military Institute, not at all coeducational; and the University of Virginia and Virginia Polytechnic Institute, both of which had admitted women on a restricted basis since the early 1920s. One issue in the preceding years had been the degree to which the segregated black institution, Virginia State, would have sufficient funding, facilities, and authority to offer anything approaching a range of curricular opportunities that matched those available to white Virginians. An emerging issue revolved around black access to the segregated white institutions.

I use the conventional shorthand here in characterizing these schools as “black” or “white.” Many colleges and universities across the South were not “all-white” but rather “nonblack”—segregated access governed black residents in ways that it did not necessarily trammel nonwhites who were not African American. The first Chinese cadet drilled at Virginia Military Institute as early as 1904. In the 1920s, a Chinese graduate student earned his master’s degree in chemistry at UVA, and an undergraduate whose father was Japanese played varsity football at The College of William and Mary. Asians and Asian-Americans took graduate and undergraduate degrees at VPI—among them, in the 1940s, a man from China who earned his master’s there in physics, went elsewhere to get a doctorate, and then returned to VPI to join the faculty; and, at mid-century, two sisters from China who earned bachelor’s degrees, one in horticulture and one in home economics—all before 1953, when VPI reluctantly admitted its first African American student, to the study of engineering.

Let’s not go too far in assimilating Asians or Asian-Americans to a black-white binary. It is not that people of Asian ancestry were somehow given honorary privileges as all-purpose whites. During the time that Hong Kong native Cato Lee played tennis and ran track for VPI, and Art Matsu played quarterback and kicked punts for William and Mary, the Virginia General Assembly passed the Racial Integrity Act of 1924, which extended the traditional ban on black-white marriage to cover

people of Asian ancestry as well, making it a felony for either of them to marry a white classmate. Whatever the law of race and marriage, African Americans were categorically excluded from these schools, which were not “all-white” but rather were “nonblack.”

### Challenges to Jim Crow

On the other side of the color line, at the black land-grant school, intriguing developments took place during the interwar years. President John M. Gandy took advantage in the 1920s of his school’s new status as a land-grant institution to argue that, under federal legislation enacted during the 1910s, funding for Virginia schools appeared to depend on a restored ability of Virginia Normal and Industrial Institute to offer bachelor’s degrees, and the state agreed. Next, that accomplished, he pointed out that the name no longer reflected the school’s mission, and Virginia Normal and Industrial Institute became Virginia State College for Negroes. Then, in a new gesture of resistance, it became clear that the school was paying little mind to the prepositional phrase in its name, and the state superintendent of public schools had to insist that diplomas and letterhead alike use the full legal name—including, that is, “for Negroes.”

And then there was Alice Jackson—who epitomized the era of “pre-desegregation,” when black citizens launched efforts, albeit unsuccessful ones, to whittle away at black exclusion. In 1935 she applied for admission into a graduate program at the University of Virginia. Before 1920, she would have been turned down on the basis of her gender. In 1935, she was rejected on the basis of her racial identity. The university would not admit her; nor would the state have permitted it to; and in the end the NAACP decided not to go forward and press her case in the courts. Her application to UVA did not lead to her admission there, and it did not lead to litigation against her exclusion, but it nonetheless had a considerable impact on how Jim Crow operated in Virginia.

The General Assembly responded to Jackson's challenge to Jim Crow by enacting a new law that would assist her, and other black Virginians, to go out of state to take courses for which there was no in-state equivalent of the sort to which white Virginians had access. The new funds helped Alice Jackson make her way to Columbia University, where she completed the master's degree that she was barred from earning in her native state. In addition, federal assistance under New Deal legislation funded a new library at Virginia State. And in 1937, for the first time, the school had faculty members with the Ph.D., among them historian Luther Porter Jackson, and began to offer master's programs for teachers at black high schools. Academic life under "separate but equal" was still rigidly separate, but it had become a little less unequal. Jim Crow was safeguarded, but it was not the same as before. Hundreds of black Virginians took advantage of one or the other of the two new sets of opportunities, those at Virginia State and those out-of-state.

This was the situation in Virginia at the end of the 1940s. Then the legal rules shifted again. Black plaintiffs, seeking to seize more of the "equal" in "separate but equal," brought suits in Oklahoma and Texas that resulted in decisions by the U.S. Supreme Court upgrading the substance required to meet the test of "equal." In several cases in 1948 or 1950, that is, the Supreme Court ruled in ways that, though not rejecting "separate" and overturning Plessy, expanded the meaning of "equal." Plessy did not inaugurate segregation in the 1890s—in transportation or education—but in the longer view its interpretation of the Fourteenth Amendment had a very real bearing on higher education. The formula "separate but equal" provided a standard that the proponents of enhanced black opportunity could call on federal courts to apply in greater measure, even if within segregation.

## Desegregation

In most states, further litigation was required, but black plaintiffs often won, in light of the

new legal rules. Such happened in Virginia in 1950 when Gregory Swanson went into federal court to gain admission to the law school at the University of Virginia and—on the basis of the recent Supreme Court decisions—won and gained admittance. Where Alice Jackson had failed, Gregory Swanson succeeded. In the aftermath of Swanson’s court victory, black applicants were permitted to enroll in graduate programs and in medical school, whether at William and Mary or at UVA—as long as these programs were unavailable at Virginia State. They also began applying, sometimes successfully, to professional programs even at the undergraduate level. Irving Peddrew, graduating from his all-black high school in 1953, says he applied to every college, black or white, in Virginia. At two schools in particular he expressed an interest in studying engineering as well as pursuing ROTC. VMI deflected him, pointing him to out-of-state Howard University, but VPI admitted him.

Schools are often classified as “desegregated” when the first black student enrolled. Such a view—such language—misstates the situation. An end to categorical black exclusion in a law school, or a graduate school, did nothing to end black exclusion from general undergraduate programs. The first black undergraduates to enroll—whether at Virginia Polytechnic Institute in 1953 or at the University of Virginia in 1955—were admitted into engineering programs, curricula that, like law, had no counterpart at a black school in Virginia. Such concessions in no way brought an end to black exclusion from a wide range of other programs. Both institutions, and The College of William and Mary as well, remained segregated institutions into the 1960s—even though all three, no later than 1953, had enrolled the first of what were small numbers of black students under the restrictions of a new version of “separate but equal.” That practice, we might say, constituted a new era of “pre-desegregation.”

To lessen confusion, the transitional time might better be called “proto-desegregation,” an early form of desegregation, a stage that permitted some black students on segregated white campuses. It remained a time of “pre-desegregation,” as some black applicants continued to be

turned away on account of their racial identity. Others, however, were admitted, albeit under “separate but equal”—“separate but equal” could lead to either enrollment or rejection of black applicants. Thus “proto-desegregation.” Full desegregation, as regarded enrollment, took place at a later date.

An end to segregation on campus was yet another story. The privilege of taking classes was not necessarily construed as a right to gain access to other dimensions of campus life, including living in residence halls. The black engineering students at VPI in the 1950s—always at least one beginning in 1953, never more than four—were required to live off campus. Though required as male underclassmen to be members of the Corps of Cadets, they could not live in the barracks. Moreover, as at most historically nonblack institutions in other southern states, the first black students were not permitted to represent VPI or UVA in varsity athletics—football in particular—until the late 1960s.

VMI enrolled its first black students much later than did VPI or UVA, so there the process was condensed. Five black cadets enrolled at VMI in 1968, and they, the school’s first African American students, had their choice of majors, lived in the barracks, played sports, and attained leadership positions in various activities—in short, participated fully in the life of their college before graduating in 1972. Richard Valentine Jr. majored in electrical engineering—and played varsity football. Harry Gore Jr., a dean’s list student of math, was managing editor of the campus newspaper. History major Philip Wilkerson Jr. was commander of F Company.

As for VPI and UVA, they changed their policies and practices on both race and gender during a decade that began in the early 1960s. Marguerite Harper embodies the changes. She enrolled at VPI in 1966 as a freshman, a black female who lived on campus and in 1970 earned a history degree. As a student, she pushed for further change in the campus environment—for example, contesting the Cadet band’s playing “Dixie” after every Hokie touchdown in Lane Stadium. Everything about her reflected the new possibilities—and the commitment to make them real and to

stretch them, make them grow. Conditions had changed in ways that permitted her to do things Alice Jackson could not, but Marguerite Harper reflected Alice Jackson's spirit in pushing to achieve something other than—something ever farther beyond—the old formula “separate but equal,” with its insistence on keeping opportunities for black Virginians not only separate but also unequal.

After “Separate but Equal”

In summary, we could say that “**segregation**” had multiple phases, one of them characterized by absolute black exclusion, another of them that revealed the huge jump across the divide that historian Howard Rabinowitz termed “from exclusion to segregation.” The long era of segregated access also revealed multiple phases, but each shared the fundamental reality that—to the substantial extent that “separate” came alone, unaccompanied by “equal”—the era of exclusion persisted. Black “**exclusion**” persisted not only in the sense of exclusion from white institutions, but also in the sense of exclusion, even at the black institution, from a range of opportunities routinely available in their home state to their white cousins.

In turn, what I have termed “**pre-desegregation**” also went through multiple phases, one of them (think Alice Jackson) exhibiting failed efforts to end black exclusion, another of them (think Gregory Swanson) permitting black enrollment on campuses that continued—for the most part or to any extent—to bar applicants because of their black racial identity. That final stage of segregation, or first stage of desegregation, can be understood as “**proto-desegregation**.” And if we choose to say of formerly nonblack institutions that they reached a stage of “**desegregation**” when they formally opened their doors to all applicants, regardless of racial identity and regardless of curricular program, then we might still find we need to distinguish degrees of integration in the new dispensation—degrees of integration that have to do with full access, genuine equity, including equally shared

proprietary claims on the campus.

Most historically black schools, like Virginia State University, have remained predominantly black, and most traditionally white institutions—like UVA and Virginia Tech— have remained largely white, but all have diverged from their segregated past. The Civil Rights Act of 1964 spurred change, as did the U.S. Department of Health, Education, and Welfare. Even private institutions accommodated to the new rules, so as to become eligible for new funds under such federal legislation as the Higher Education Act of 1965. By about 1972, black students enrolled in any curriculum, lived and ate in campus facilities, played varsity sports, promoted black studies programs, and formed black student unions. Previously nonblack institutions hired black faculty and administrators.

Among the actions taken to change the campus iconography and culture to reflect developments since the reign of King Color, in 2003 Virginia Tech named a new residence hall Peddrew–Yates. The building that carries the names of the first black student to enroll, Irving Peddrew in 1953, and the first to graduate, Charlie Yates in 1958, commemorates extraordinary change. It can serve to remind us (1) of the long period when African Americans were categorically excluded; (2) of the pioneers who, when conditions permitted, broke through those barriers; and (3) of how, even then, they did so under unyielding restrictions that prevented them from changing majors—and barred them from living in residence halls, such as the one that carries their names.

As for Alice Jackson, in 1990 the University of Virginia’s Office of Afro-American Affairs invited her to come up to Charlottesville from Richmond and be the after-dinner speaker at an awards ceremony for black students at the university. In one fragment of notes she made in preparing her remarks, she spoke of how “I am left without words to convey to you what this moment means to me.” In another she wrote: “more than a half century” ago, “I dreamed of perhaps someday, too, sitting where you now sit.” She mused: “This is my university, too, for I feel that in a very real sense—a little bit of me resides in every one of you who pass through these halls—

I share your honors, I am proud of your achievements.” She died in 2001, and in 2003 her son donated her papers to the university. Rebuffed in 1935, Alice Jackson never enrolled there—but her papers have a permanent home in Special Collections.

#### A Note on Sources

This paper represents my current thinking, applied now to Virginia, regarding a region-wide process I have explored from time to time over nearly a decade. An early account of the regional context is Peter Wallenstein, “Black Southerners and Non-Black Universities: Desegregating Higher Education, 1935–1967,” History of Higher Education Annual 19 (1999): 121–48. See also my “Naming Names: Identifying and Commemorating the First African American Students on ‘White’ Campuses in the South, 1935–1972,” College Student Affairs Journal 20 (fall 2000): 131–39; “Higher Education and the Civil Rights Movement: Desegregating the University of North Carolina,” in Warm Ashes: Issues in Southern History at the Dawn of the Twenty-first Century, ed. Winfred B. Moore Jr., Kyle S. Sinisi, and David H. White Jr. (Columbia: University of South Carolina Press, 2003), 280–300; and “Higher Education and Civil Rights: South Carolina, 1860s–1960s,” History of Higher Education Annual 23 (2003–04): 1–22.

As for the story in Virginia, I have published portions of it in Peter Wallenstein, Virginia Tech, Land-Grant University, 1872–1997: History of a School, a State, a Nation (Blacksburg, Va.: Pocahontas Press, 1997) and From VPI to State University: President T. Marshall Hahn Jr. and the Transformation of Virginia Tech, 1962–1974 (Macon: Mercer University Press, 2004). The Virginia State story is briefly told by Edgar Toppin in the profusely illustrated Loyal Sons and Daughters: Virginia State University, 1882 to 1992 (Norfolk: Pictorial Heritage Publishing Company, 1992)—in

which by implication Toppin observes the black–nonblack divide when he notes that, after desegregation, faculty of Asian ancestry could begin to teach at Virginia State.

A useful approach to the history of institutions on the black side of the great racial divide is Jean L. Preer, Lawyers v. Educators: Black Colleges and Desegregation in Public Higher Education (Westport, Conn.: Greenwood Press, 1982). Perhaps the best summary of civil rights litigation regarding higher education through 1950 remains Mark V. Tushnet, The NAACP's Legal Strategy against Segregated Education, 1925–1950 (Chapel Hill: University of North Carolina Press, 1987). Also to be consulted, for the years before (certainly not after) the 1954 decision in Brown v. Board of Education, is Michael J. Klarman, From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality (New York: Oxford University Press, 2004).

As for higher education and the law in the 1950s, especially after 1954, I take a stab at addressing the current literature in “Brown v. Board and Segregated Universities: From Kluger to Klarman—Toward Creating a Literature on King Color, Federal Courts, and Undergraduate Admissions,” a paper presented at an annual meeting of the Organization of American Historians, Boston, Mass., March 2004, and due out before long (I keep thinking), a bit revised and expanded, in a special issue of the International Journal of Africana Studies. The federal courts in general, and the Supreme Court in particular, first applied Brown to undergraduate higher education in 1955 and 1956, as I recount in “Higher Education and the Civil Rights Movement: Desegregating the University of North Carolina.” Further work will explain the adoption of desegregation policies and practices by **private** institutions in Virginia, as they typically responded around 1966 to the carrot-and-stick of the Civil Rights Act of 1964 and the Higher Education Act of 1965.