

WE ARE STEWARDS OF OUR STATES

# Inheritance

by J. Lindsay Almond Jr.  
Governor of Virginia

*This Nation's power to resist external aggression and  
preserve domestic tranquility depends on the  
integrity and strength of the States*

WE ARE, all of us, stewards of our inheritance, charged with conserving the best of a magnificent past, and charged also with bringing a new vision to the problems of our own time. These contemporary problems are difficult problems. None of them is easy.

As citizens of the United States, we must acknowledge soberly the global dangers that confront us and bring to the defense of the Nation, without reservation, all the loyalty, devotion, and courage that are within us. To those undertakings that are properly Federal in their character, we owe our obedience and support; this allegiance must be given with our whole hearts.

Yet we are citizens not only of the United States. Ours is a Union of Federated States, bound together by a compact to which the States

alone are parties; and the strength of this Union lies in the nature of the Union. I think the phrase "States' Rights" is much abused; what we are speaking of, more often than not, is of State powers, and what we should be equally concerned with, in the years that lie immediately ahead, is with State responsibilities.

This Republic is a Union of Federated States. That is what it was in the beginning; that is what it is now, and the passage of 170 years, the adoption of various amendments to our basic compact, the waging of a tragic civil war, have not altered the original structure of this Nation. If the constitutional position asserted by the Southern States is to be understood abroad in the land, these plain and unequivocal facts of history must be understood. They do not seem to me so complex.

In the beginning were the sovereign States—the “free and independent States” described by Jefferson in the document cherished by Americans everywhere—the States that voluntarily formed themselves into a *limited* union, the better to resist the mightiest power of the Eighteenth century. As separate states, united for certain purposes only, they waged that war and won it; and still as separate states, they sent to Philadelphia delegates who there embarked upon the task of creating a more perfect union.

OUT OF their deliberation came the Constitution, which remains the supreme law of the land to this day. It was, and is, a magnificent work of statecraft, a towering example of political design. I think of the Constitution sometimes as I think of a great bridge, soaring above the passing river of everyday life, a thing of strength, a thing of beauty. Resting upon solid foundations of political principle, the Constitution lifts its exposed beams and girders to the sky. It is a bridge that will bear *any* weight, *any* strain, now and forever—so long as its basic structure is left unimpaired.

The states—sovereign entities—created from the reservoir of their own sovereignty a central government and conveyed upon it a unique sovereignty not paralleled elsewhere in the world. To their

common government, the states delegated (not surrendered, but merely delegated) certain of their own powers; and by mutual consent, they reserved unto themselves, through plain words and phrases, the exercise of certain other powers; and finally, with meticulous care and providential foresight, they wrote into the basic law two express reservations. One of these went to the rights of men: the enduring liberties of the people were never to be construed away. The other went to the powers of States: these residuary powers, neither delegated by the Constitution to the central government, nor denied by the Constitution to the States, were to be ever *reserved* to the States respectively.

These careful provisions, demanded by Virginia in her very act of ratification, were intended to foreclose pressures for strained and capricious construction of the Constitution. It was thought that in this fashion the organic law would be rendered immune to the gravitations of political expediency, and to the engraftment of personal and sociological predilections by judicial legislation.

It was confidently believed that chains had in fact been placed securely upon the newly-created central government, and that the instrument would remain responsive only to the expressed will of the people acting in their respective States.

TODAY, we face an ever-deepening constitutional crisis. Its scope and devastating effect are not limited to particular states or to any single region. New Hampshire and Pennsylvania are told they may not inquire, as states, into possible subversion. Nebraska is told she may not protect a citizen from the tyranny of compulsory unionism. New Mexico and California are told they cannot fix qualifications for practice at the Bar. Illinois is rebuked in her State rules of appellate procedure. Michigan is prevented from ousting two local officials charged with crime. New York is told she cannot fire a professor who refused to answer certain questions under oath, lest truthful answers tend to incriminate him. Oregon is inhibited in the regulation of non-navigable waters within her own borders. In the teeth of history and in contempt of long-established Constitutionally-sanctioned law, the Southern States are advised that an amendment of 1868 really was intended to prohibit to them the power to operate racially separate schools. This was discovered 86 years after the amendment was ratified.

With the soothing assurance that this is all for our own good, our judicial surgeons have prescribed a massive political blood-letting; and it is not the South only that is being leeches: it is the whole body of the Republic. Weakened by this

cynical phlebotomy, enervated by sweet anesthetic, the states gradually are declining to the insignificant role of dependent Federal satellites—mere municipal provinces of Washington, suburbs of the Capital. They are being drained of the vitality that has contributed so greatly to the Nation's strength, and the pity is that an apathetic people is indifferent to the enveloping evil.

I do not think the people of Virginia are indifferent! They have not exhibited indifference these past three years. They have exhibited, on the contrary, by their own expression at the polls and through their representatives in the Assembly and in Constitutional Convention, not a willingness to surrender to usurped authority, but a determination to resist.

On November 5, 1957, the people of Virginia, with overwhelming voice, gave expression to their profound conviction that *principle cannot be compromised*, and that rights and powers cannot be abandoned, without forsaking every hope for their revival and re-establishment. I interpret and I accept that expression as a mandate to the General Assembly and the Chief Executive to defend and preserve the inherent powers of Virginia's sovereign statehood. I shall exercise every honorable means at my command in the observance of that mandate and in the execution of that trust.

It will be said that I am here referring only to the maintenance of a resolute defense against the catastrophe that threatens to overwhelm our public schools. I would not have the policy so limited. The importance and gravity of this crisis far transcend considerations of race and public education. Nor is my concern only for the integrity of the States; *it is for the integrity of the Union also*; and for the security and well-being of our whole people. The potential of this Republic to resist external aggression, and the capacity of our central government to preserve domestic tranquillity, evolve from and depend upon the continuing integrity of its structural components.

I am dedicated to the cause of public education in Virginia. I want to see every child possessing the capacity and will to learn, afforded the best educational opportunities this Commonwealth can provide, irrespective of race or color. The processes of sound education that have been important in the past seem to me imperative now. The well-being of the state, the security of the nation, even the survival of western civilization, depend to a large degree upon the education of the coming generation. In guiding our children along this urgent path, our public schools, in the familiar image, are like lamps. I deplore the very thought that even one of these should ever

be dimmed or extinguished, however briefly. I am determined to do everything within my power to promote and sustain an efficient, progressive, and well-functioning system of public free schools throughout Virginia.

Yet, in approaching this critical matter, we must face certain facts squarely: the people of Virginia are overwhelmingly in favor of sound public education; the people of Virginia are overwhelmingly against racial integration of the public schools. These two convictions are mutually exclusive. The society in which we live demands that education reflect a spirit of progress and advancement. On a racially mixed basis, progress and advancement are utterly impossible in the public schools of Virginia today.

**T**HOUSANDS UPON thousands of Virginia parents simply will not send their children to racially integrated schools; they have made this clear in every way it is possible for them to do so. By an act of the special session of the Assembly, no child may be compelled to attend such a school. Even if this were not so, it would be absolute folly for the state to attempt such *compulsion*. The result of forced integration would be half-schools or quarter-schools or no schools, struggling for survival in communities torn by dissension. There could be no education, in any meaningful

sense of the word, under these circumstances. And, to paraphrase a great statesman, I say that I have not been elected Governor to preside over the liquidation of Virginia's schools.

So long as ours is a system of state public schools, financed in large part by state funds, administered by a state agency under a State Superintendent of Public Instruction, there must be one State policy in this regard. Section 140 of our State Constitution prohibits the teaching of white and Negro children in the same classroom anywhere in Virginia; and while I am told this has been voided by action of the Supreme Court of the United States, I know it has *not* been voided by any action of the whole people of Virginia. Legally, section 140 may not exist; but as an expression of statewide policy, satisfactory to the people of this state for a period of more than 80 years, section 140 remains a useful guide. To sanction any plan which would legalize the mixing of races in our schools would violate the clear and unmistakable mandate of the people. This I cannot do.

**O**NE MEASURE, however, I do recommend for immediate adoption. The preservation of public peace and good order is historically and constitutionally a state function and not a Federal function. This function I do not propose to yield. Nothing could be more pro-

vocative of civil strife and unrest, nor more conducive to racial tension and violence, than the patrolling of public school property by armed forces of the United States. No public school can function at the point of a bayonet. Therefore, I recommend to the consideration of the General Assembly the enactment of a law expressly authorizing the Governor to order the suspension of the operation of any public school whenever and wherever military forces may be employed by Federal authority to police an operation.

I cannot leave this lamentable subject without one further word. I am keenly conscious that, as Governor of Virginia, I am Governor for all the people of Virginia, white and negro alike. To the negro people I would say this: I cannot agree to any program of integration of the schools, for the overriding Constitutional and social reasons I have attempted to set forth; yet I would express my profound hope that in the months ahead we may explore other areas of mutual concern, involving state services, with greater hope for resolving divisive issues in a spirit of unity and good will. I pledge my unremitting efforts, also, toward the end that educational opportunities, though separate, will be *fully equal*, and I call upon all our citizens who desire an effective and efficient system of education, available to all our children, to lend

their aid and cooperation in this vital undertaking.

It is unoriginal to say that "we live in a perilous time, and a great challenge lies before us." We have heard the admonition so many times that peril has lost its meaning, and challenge has lost its cutting edge. Yet the awesome, chilling truth is that our peril is indeed great: Russia has already demonstrated her power to deliver a major instantaneous attack; it would be folly to treat as mere sham the threat of her masters to "bury us."

WE ARE familiar with Wellington's famed remark that the Battle of Waterloo was won on the playing fields of Eton; we must see to it that the mastery of space is not won in the Communist schools of Moscow. The demands of long range technology, not merely in terms of our happiness and security but in the terms of survival itself, can be met only through properly educated men and women.

The common defense and general welfare are responsibilities of

the Federal government. *Education remains one of the most important functions of state and local government.* The direction and control of the classroom is a prerogative of the state. The state, therefore, controls the source of supply of advanced scientists needed for the present and future defense of the country, as well as for the broader programs of this competitive industrial age.

The rights pertaining to state sovereignty, about which we are so deeply concerned, are invested with corresponding responsibilities. Failure of the state properly to bear these responsibilities creates a vacuum and invites the exercise of invading Federal authority. Failure of the state to exercise its rights, in time of need, is tantamount to their abandonment. The greatest and most sincere demonstration, economically, politically and socially, which can be made at this time for the retention of our rights, would be assumption of state responsibility in the field of education in the present national crisis.

### UNESCO PRIZES

Prizes awarded by UNESCO (one a trip to Europe) to our school children, given to those knowing the most about UNESCO, should be prohibited, unless equal recognition and education be given to those in our public schools who learn and know the most about our Constitution and American way of life.

If teaching communism or socialistic internationalism is construed as a basic American right, then so should teaching of the American way of life, and the facts pointed out as to which is more desirable.

—From *Voters U.S.A.*

# a nation under God

by Kenneth Goff

**T**HE Reverend Edward L. R. Elson, able pastor of the National Presbyterian Church, Washington, D. C., made this noteworthy statement concerning the religious tendencies of our nation: "*The truth of the matter is that no one can understand the United States except in terms of religion. America began in a spiritual quest. We achieved national existence by way of spiritual emancipation. We have survived because we are a religious people. When Americans act any other way than as a religious people they are not truly themselves.*"

Bound up in this statement is the truth that we as well as foreigners must come to realize: America is a nation under God. For thousands of years this great wilderness was hidden to civilization, nurtured by God, with great resources and the

*Religion is the foundation of America's greatness*

bounties of heaven, as a blessing for mankind.

For freedom of religion our founding fathers came to the New England shores. Their planting at Plymouth Rock *was a Church*—not a town; not a colony; not a trading or exploring venture; not a gold rush, *but a Church*. The inscription which appeared upon the bell that rang out the birth of this nation is found in the Word of God: "...proclaim liberty throughout all the land unto all the inhabitants thereof . . ." (Lev. 25:10).

Before the Pilgrims landed they called a solemn convocation in the Mayflower's cabin, and drew up the Mayflower Compact—"solemnly and mutually in the presence of God and of one another." It was a distinct and solemn pact, through which they were establishing the most lasting government in the world's history that would derive its power solely from the people—a government by laws and not by men.

The congress of the United States is opened in prayer to Almighty God and His Son Jesus Christ. We should hang our heads in shame that we were fooled into permitting the anti-Christian U.N. to come into our country and eliminate Christian prayer. Each man who serves as President of the United States or as a member of our Supreme Court is first sworn