



Viola Desmond

She didn't set out to make history, but she did

(Sunrise: July 6 1914 – Sunset: February 7 1965)

Viola Desmond was a successful 32-year-old Halifax entrepreneur when her car broke down in New Glasgow, Nova Scotia. She decided to go to a movie at the Roseland Theatre while the car was being serviced.

It was November 8, 1946, and she was about to make history.

Desmond requested a ticket for the main floor of the theatre, paid for it, went in and sat down. Although it was not posted anywhere to see, the theatre's policy was that persons of colour had to sit in the balcony.

When ordered to move, Desmond replied that she couldn't see from the balcony, that she had paid to sit on the main floor, and that she would stay there. The manager ran out of the theatre and got a policeman. Together, the two men carried Viola Desmond into the street, injuring her knee and hip in the process.

She spent that night in the town jail. No one informed her of her rights, she was not allowed parole, and she was incarcerated in the same jail block as male prisoners. Determined to maintain her dignity, she sat bolt upright, wearing her white gloves, for the entire night.

In the morning – without representation, without understanding that she could question the witnesses against her, without even having been told that she could have a lawyer – she was tried and found guilty: tax evasion.

She had not paid the extra one cent tax on a ticket for a seat on the main floor of the theatre. She had paid for a less expensive seat in the balcony. That she had requested the floor seat, that she had no way to know that Blacks were restricted to the balcony, that she believed she had paid for the ticket on the first floor, that she offered to pay the difference, that she had been assaulted, injured, held then tried in irregular and perhaps illegal ways – it made no difference.

The sentence: 30 days in jail or a fine of \$20, plus \$6 to the manager of the theatre – one of the two men who had carried her out so roughly. She paid.

The doctor who treated her injuries recommended that Desmond get a lawyer. After discussing her arrest and trial with friends, she decided to challenge the verdict in the Supreme Court of Nova Scotia. In its decision, although one of the four judges, Justice Hall, referred in passing to the race issue, he agreed with the other three judges that no error in law had occurred in the original trial. The court unanimously upheld the verdict. The conviction stood.

The unspoken, unacknowledged truth: Viola Desmond was found guilty of being a Black person who had stepped out of her assigned place in society.

This resounding defeat in the courts left her discouraged. Her marriage – already strained by her business success – did not survive the trial. Desmond's husband thought she was making a fuss over a matter that didn't warrant it.

She did have significant supporters. And her stand had helped to build something much bigger.

The Nova Scotia Association for the Advancement of Coloured People (NSAACP) – aided by Viola's friends, newspaper publisher Carrie Best and activist Pearleen Oliver campaigned to raise money. After the appeal, her lawyer, Frederick Bissett – a white man from Halifax – donated his fees back to the NSAACP.

With these funds, the fight Viola had started could continue. Vigorous further action by Best, Oliver, community members, and the NSAACP led finally to the repeal of segregation policies in Nova Scotia in 1954 – more than a year before Rosa Park's action in Montgomery, Alabama, helped bring the civil rights movement in the U.S. into sharp media focus.

Viola Desmond grew up in a prosperous family in Halifax. She decided early to be a hairdresser, one of the few professions open to an ambitious, independent-minded black woman. Unable to gain admission to a hairdressing school in Nova Scotia, she trained in Montreal, New York and Atlantic City.

Back in Halifax, Viola married and opened her first salon, where she specialized in hair styles and treatments tailored for her community. Beauty shops had become a major social gathering place in the 1930s, soon after salons first appeared. After a few years in business, she founded a school to train other beauticians. Her dream was to open a chain of salons across Canada – salons staffed by people she trained, specializing in Black women's hair.

After the trial, Viola gave up her salon and her ambition of a chain of salons across the country. She went to Montreal to business school, then moved to New York to set up a new business, this time as an agent for performers. Very shortly after she arrived in New York, Viola Desmond died at the age of fifty.

Viola Desmond Unintentional Revolutionary
by Frances Rooney