

Viola Desmond

Viola Desmond was an African Nova Scotian who served not only as an entrepreneurial mentor to young women from her community, but whose 1946 criminal prosecution for daring to violate racial segregation in a New Glasgow theatre marked a watershed moment for civil rights and social justice in the Province, and in Canada.

Born Viola Davis in Halifax on 6th July, 1914, Viola followed in the footsteps of her parents, James Albert Davis and Gwendolin Irene (Johnson) Davis, who were known for their hard work and involvement in community issues. Desmond's prosperous middle class parents were also racially-mixed. They self-identified as "coloured", a rarity in early twentieth-century Nova Scotia.

Noticing the lack of professional hair and skin care businesses for African Nova Scotians, Desmond built a career for herself as an entrepreneur and businesswoman. Determined to be successful in this field, Desmond spent a short period teaching in two racially-segregated schools, and then studied in the field of beauty culture at institutes in Montréal, New York, and New Jersey.



Desmond opened both her own salon, "Vi's Studio of Beauty Culture", which provided salon services to a racially-mixed clientele in north end Halifax, and the successful Desmond School of Beauty Culture. The latter catered to students from Nova Scotia, New Brunswick and Québec. Desmond provided training which would

allow them to open their own beauty salons and provide employment for other African Nova Scotian women. As many as fifteen women graduated from the school every year - all of whom had been denied entry to similar whites-only training schools.

On the night of November 8th, 1946, the thirty-two-year old Desmond was travelling to Sydney, Nova Scotia from Halifax when her car broke down in the town of New Glasgow. Told that repairs would take some hours, she decided to see a movie at the Roseland Theatre to help pass the time, and asked for a ticket for the

main floor seats. Instead, she was given a ticket for the balcony, the area unofficially reserved for non-white movie goers. While racism was not officially entrenched in Nova Scotian law or society, African Nova Scotians like Desmond were well aware that such unwritten and unofficial discriminatory segregation practices often governed their lives.

When Desmond walked into the main floor area she was challenged by a theatre employee, who informed her that her ticket was for the balcony, and that she would have to move. Believing at first that a mistake had been made, Desmond returned to the cashier and asked to change her ticket and seat to the main floor. The cashier immediately refused, stating “I’m sorry, but I’m not permitted to sell downstairs tickets to you people”. Realizing that she was being discriminated against based on the colour of her skin, Desmond bravely decided to again take a seat on the main floor.

The manager of the Roseland Theatre, Henry MacNeil, then confronted Desmond, arguing that the theatre had the right to “refuse admission to any objectionable person.”

Desmond stuck to her principles, and rebutted MacNeil’s argument.

She noted that she had not been refused admission, and had in fact been sold a ticket. Desmond also stated that she had offered to pay the difference in price to keep a seat on the main floor, but had been refused by the cashier. MacNeil then called the police, who physically dragged the slight, 4’ 11” Desmond (who weighed less than 100 pounds) from the building and took her to the town jail, injuring her in the process. At the jail she was met by Elmo Langille, the chief of police, and MacNeil, who after an hour eventually produced a warrant for Desmond’s arrest. Scared and in shock, Desmond was held in a cell overnight.

The next day Desmond was taken to the local courthouse where she was charged by the white New

Glasgow magistrate with tax evasion, for failure to pay a one-cent amusement tax (the difference in tax between balcony and main seating tickets) under the *Theatres, Cinematographs and Amusements Act*. This outlandish charge was required as there were no laws on the books in Nova Scotia to enforce racial segregation in theatres.

Racial discrimination against Desmond continued in the court. There she was the only non-white person present throughout her trial, no Crown attorney was present, and she was not advised of her right to counsel or that she could seek an adjournment to prepare her defense. Her efforts to explain her case were dismissed, and she was convicted and fined twenty dollars plus six dollars costs – a substantial sum for the 1940s (about 310 dollars in 2013 currency). The costs

were awarded to the manager of the Roseland Theatre, who was listed as prosecutor in the court documentation.



The only known period photograph of the Roseland Theatre on Provost Street in New Glasgow, c. 1957 (right)

The African Nova Scotian community throughout the Province rallied to Desmond’s cause once she returned home. With assistance from community leaders, Desmond organized a meeting of the Nova Scotia Association for the Advancement of Colored People (NSAACP) which had been recently formed. There was much internal debate over whether Desmond should appeal at all, and whether the African Nova Scotian community should financially support such an action.

Those advocating caution were wary of a racist backlash. Some also had concerns about whether the law should be used to fight segregation on the basis of race, or if equal admission to theatres should be the

issue over which the segregation battle should be waged over in the Province. There was even some dispute over whether Desmond might have been trying to “pass” as a white the night she was arrested, due to her mother’s white heritage and the family’s mixed-race background – an argument later shown by the historical evidence to be incorrect.

In fact, Desmond was unaware of the New Glasgow segregated seating policy, and had simply needed a seat on the main floor of the cinema as she was short-sighted, and could see the picture more clearly from seats closer to the screen. When asked to move, she decided to stay seated as an effort to demand equality for African Nova Scotians. Eventually, advocates of civil rights and social justice won out, and the NSAACP, along with the local community press, joined forces to support a legal challenge by Desmond. Unfortunately, in 1947 their efforts ended in defeat on a technicality in the Nova Scotia Supreme Court. More positively, the case had greatly raised the profile of civil rights in the African Nova Scotian community and in Nova Scotia generally.

Frederick Bissett, the white lawyer who represented Desmond for her appeal, donated his fee back to the NSAACP, who used the monies to support several successful legal campaigns for racial integration in the Province’s workplaces. The Desmond case demonstrated that African Nova Scotians were no longer willing to be considered second-class citizens in their own communities, and would be more willing to advocate for change. In 1954, racial segregation was finally legally ended in Nova Scotia, due to the efforts of individuals like Desmond and organizations such as the NSAACP, and a groundswell of community support for change and social justice.

For Viola Desmond, life continued, but after marital difficulties (perhaps because her husband had not been in favour of her pursuing an appeal) she decided to abandon her businesses and moved to Montréal. While in New York City, she died on February 7th, 1965.

It was only in 2003, when Desmond’s 73-year-old sister Wanda Robson enrolled in a course on race relations in North America at what is now Cape Breton University that Desmond’s case again began to receive the attention it deserved in Nova Scotia.

With the assistance of Graham Reynolds, (now the [Viola Desmond Chair in Social Justice](#) at that institution, and the professor who taught Robson’s course), Robson began to speak out publically about the events of 1946 and 1947. She published a book, *Sister to Courage*, and participated in oral history video documentaries such as 2012’s [Long Road to Justice](#). The same year [Canada Post issued a postage stamp in honour of Viola Desmond](#). Viola’s story has even been immortalized in children’s literature, in 2010’s *Viola Desmond Won’t be Budged*.

On April 15th, 2010, Her Honour Mayann Francis, then Lieutenant Governor of Nova Scotia and the first African Nova Scotian to hold that office, granted Viola Desmond a long-overdue free pardon. This act was accompanied by a public apology from Darrell Dexter, the Premier of Nova Scotia at the time. It recognized that a miscarriage of justice had occurred, and that charges should never have been laid against Desmond. The Minister of African Nova Scotian Affairs in 2010, Percy Paris, noted at the ceremony that the pardon reinforced the Province’s stance “that discrimination and hate will not be tolerated”.

Finally, in 2014 the Nova Scotia government declared February 16, 2015 as Heritage Day in Nova Scotia, a new provincial statutory holiday. Viola Desmond was named

as the first Heritage Day honouree, recognizing her bravery and inspiration in the struggle for civil rights and social justice in the Province.

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Viola Desmond: Black Cultural Centre of Nova Scotia

Roseland Theatre: Nova Scotia Museum of Industry, “Roseland Theatre”, I2008.35.21



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