

INAUGURAL ADDRESS
of
J. LINDSAY ALMOND, JR.
GOVERNOR

TO THE GENERAL ASSEMBLY
and
THE PEOPLE OF VIRGINIA
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Mr. Speaker, Mr. President, Members of the General Assembly, My Fellow Virginians:

It is with a sense of profound humility that I express to the people of Virginia my gratitude for the high honor they have conferred upon me. To stand here, on the steps of the building Jefferson built, close by a room where Marshall once presided; to take an oath in a long succession that began with Henry in the year of our Republic's birth; to address a General Assembly that numbers among its former members the architects of our country's formation—all this is to sense deeply the history and the greatness of Virginia. We are, all of us, stewards of this 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; they are none of them 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, every ounce of loyalty, devotion, and courage that is 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, but of Virginia also. 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.

With your permission, I would confine myself today to some few observations on these issues of surpassing importance—the sovereignty of States, the security of a Nation—with particular reference to the problems of our public schools, and to the challenge that awaits our entire system of education in the light of the Russians' ominous moon. Without implying any invidious equations, I might remark that the matters with which I am here concerned stem from two revolving bodies: Sputnik, and the Supreme Court of the United States. Certain obvious similarities might be reviewed, but I resist the temptation.

By confining this address so narrowly, I do not mean to suggest that many other subjects are not of real importance to Virginians at this time. I am much concerned, for example, with the urgent need for economic development in Virginia, and will transmit a special message to the Assembly on this topic. I have several recommendations in the field of highway safety which I hope will find favor with the Assembly. There is much that might be said on this occasion of our natural resources, our penal institutions, our mental hospitals, our State sanatoria and public health programs. These I put regretfully aside for another day.

Yet I would not want even to begin my principal remarks without expressing deserved tribute to the devoted and able leadership of Governor Thomas Bahnsen Stanley, whose firmness, patience and fortitude have characterized Virginia these past four years.

Permit me to speak to you briefly on what seem to me certain great political principles of this Republic, and of their application to the perplexing problems so close at hand.

This Republic, as I have said, 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 this original structure of a 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 delegates to Philadelphia who there embarked upon the task of creating a more perfect union.

Out of their deliberations 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.*

In fashioning this sturdy charter, the great men who once walked upon this very Hill were conscious of many considerations. The convictions that influenced them are familiar to us in Virginia—they are part of the very air we breathe—yet they scarcely can be recalled too often. The first is that government derives its just powers from the consent of the governed; men do not derive their rights from government—the rights of man are not subject to alienation in this fashion. Secondly, they recognized that there is a tyranny of the majority, and from this despotism free men, and free States, must ever be protected. For a third, they knew that government must ever be tied down, as Jefferson phrased it, by the chains of a Constitution, lest even the most limited government exceed its powers and usurp the freedom of the people.

These considerations were among the elemental provisions written into the Constitution, and these were not paper provisions, designed like bunting for adornment only. These were the bones and sinews of the political body thus brought into being. There was a reason for the composition of the Senate, and a reason for the seemingly cumbersome provisions for the election of a President, and a reason for the language of Article V requiring the concurrence of a full three-fourths of the States for amendment of the basic law. And these reasons rested in the diversity of the ratifying States, in the certainty that government is most susceptible to popular control when it is closest home, and in the

conviction—born of bitter experience under Great Britain—that despotism could be restrained only by checks and balances upon a central government.

Out of these desires and feelings and forebodings the Constitution was formed. 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 prohibited 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 any 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 leechd: 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 lie 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. That determination must not falter now.

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.

I call upon the General Assembly, with the utmost confidence in the loyalty and devotion of that body to the fundamental precepts of our constitutional system of government, to stand firm with unwavering unity of purpose and high resolve against every assault upon the sovereign integrity of this Commonwealth. Against these massive attacks, we must marshal a massive resistance.

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. For I say to you, with all the earnestness at my command, that the potential of this Republic to resist external aggression, and the capacity of our central government to preserve domestic tranquillity, evolves from and depends upon the continuing integrity of its structural components.

Virginia has a high responsibility, I believe, to contribute in whatever way we can toward the preservation of this constitutional structure. I therefore recommend that the General Assembly give thorough consideration to the establishment of an appropriate commission to work with the Chief Executive in cooperation with our sister States to the end that the several States may be restored to their proper dignity, and defended in the exercise of their non-delegated and reserved powers under the Constitution of the United States.

From these general comments, I must turn now to the specific problem which troubles us so sorely at this time.

I state now, without reservation, as I have so often stated: 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. As I want to emphasize somewhat later, 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 to 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 of life squarely. Moderation may be, indeed, the noblest gift of heaven, but it is stark