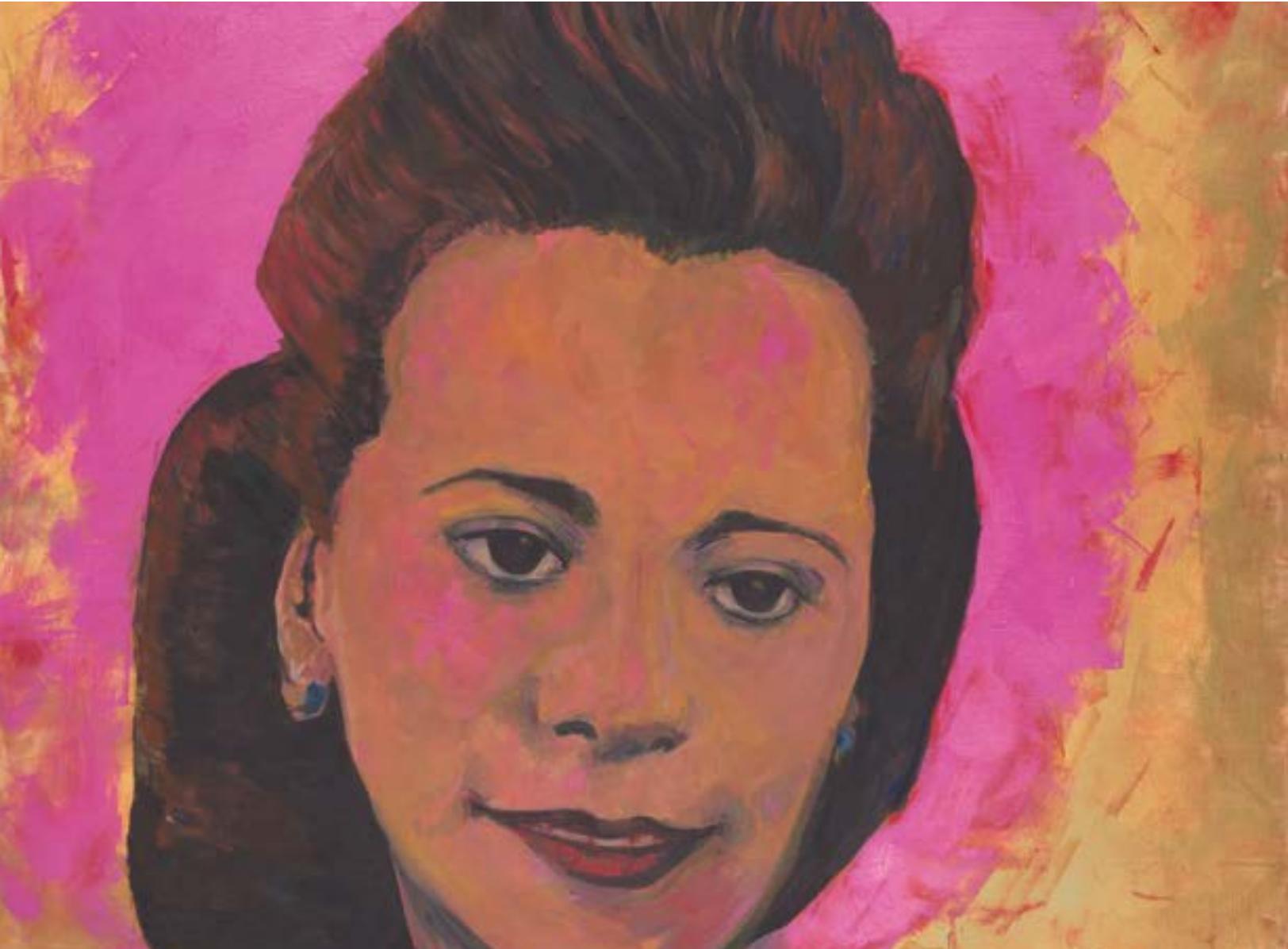


“I didn’t realize a thing like this  
could happen in Nova Scotia.”<sup>1</sup>



# Viola Desmond

## 1914-1965

It was not the kind of history Viola Davis Desmond set out to make. Forcibly removed from a Nova Scotia movie theatre for sitting in the “white” section, she was suddenly pushed past the limit of her own tolerance. She resolved to challenge the racism. Her courageous stand drew public attention to racial segregation and systemic injustice in the province, and helped to spark the civil rights movement in Canada.

The year was 1946. The Second World War was over and a new era of prosperity was beginning. Times were promising. Viola was in her prime: 32 years old; a successful business owner with ambitious plans to build a beauty empire in Nova Scotia and eventually across Canada. She was poised, confident, and capable. Her beauty parlor was thriving in north-end Halifax. Her beauty school, the Desmond School of Beauty Culture, was training a new generation of African Nova Scotian women to start their own businesses. Step by step, Viola was building a distribution network for a line of beauty care products bearing her name and image. She and her husband Jack were respected members of their community, living a hard-earned middle-class life.

It was November 8th. Viola was making the long drive from Halifax to Sydney—travelling alone in a car she had bought with money she had earned—defying the odds set by her gender, racial identity, and era. Her goal was to deliver beauty products to customers in Cape Breton and to return home with new orders. But her four-door sedan broke down along the way. She found a garage in New Glasgow and arranged for the repair. The mechanic told her the car would be ready the next day. Making the best of the delay, Viola decided to see a movie. *The Dark Mirror*, a psychological thriller, was playing at the Roseland Theatre. Viola arrived at the box office in time for the 7 pm show. She bought what she thought was a main floor ticket. Settling into her seat,

1 \ Viola Desmond, quoted in the *Halifax Chronicle*, shortly after her conviction. Recounted by Constance Backhouse in *Colour-Coded: A Legal History of Racism in Canada, 1900-1950*, 245.

Viola’s business plans were inspired by stories she had first read in high school about the legendary **Madam C. J. Walker** (1867–1919), an African-American entrepreneur and philanthropist who rose from poverty to become America’s first female self-made millionaire.

she was surprised when an usher told her to move to the balcony. Thinking it must be a mistake, she returned to the box office to pay the 10-cent difference for a seat on the main floor, closer to the screen. The cashier refused her money. “I’m not permitted to sell downstairs tickets to you people,” the woman said. Only then did Viola realize that the theatre was racially segregated. Indignant but composed, Viola returned to her seat. She was, after all, a visitor in town, well dressed

Viola Desmond was not the first African-Canadian woman to challenge the Roseland Theatre in court. In 1942, **Carrie M. Best** launched a civil lawsuit against the theatre, aiming to bring attention to its racist seating policy. She lost the case and was forced to pay costs to the defendant totalling \$156.07 (*Best v. Mason and Roseland Theatre*, 1942). A few years later, Carrie Best founded *The Clarion*, the first newspaper in Nova Scotia owned and published by an African Canadian. She wrote passionately about Viola’s story and urged readers to donate generously to the Viola Desmond Court Fund.

and well mannered; there were no signs barring her from the main floor; and she had paid for her ticket. The manager stepped in and called the police. Viola was dragged from the theatre, dropping a shoe and her handbag in the struggle, and suffering bruises to her body. She was taken to jail and spent a long, frightening 12 hours in a locked cell, taunted by male prisoners. She kept her white gloves on and her hat in place to maintain whatever dignity she could muster.

The following morning, Viola appeared before a judge, charged with defrauding the Province of Nova Scotia. The theatre manager, cashier, and usher testified against her. Mrs. Desmond had bought a 30-cent ticket, they said, but had insisted on occupying a 40-cent seat. The difference in tax between the two tickets was one cent and it was on this penny that the theatre manager made his case. Viola tried to speak on her own behalf but she was exhausted and unaware of her rights, limited as they were.

Newspapers in Nova Scotia and across Canada followed the story, sparking debates both for and against Viola's stand. She was praised as a hero and scorned as an uppity troublemaker.

No mention was made during the trial or in the court record of Viola's skin colour or of the theatre's discriminatory seating policy. Viola was convicted of tax evasion and given a choice: a \$26 fine, including court costs, or 30 days in jail. Viola paid the fine. The white theatre manager was compensated for his troubles.

Viola retrieved her car and headed back to Halifax, injured in body and spirit. Urged by her family doctor and by supportive friends, Viola launched an appeal in the district court. **Pearleen Oliver**, a noted activist and community leader, convinced the Nova Scotia Association for the Advancement of Coloured People (NSAACP) to take up Viola's cause and provide financial support for her legal fees. Newspapers in Nova Scotia and across Canada followed the story, sparking debates both for and against Viola's stand. She was praised as a hero and scorned as an uppity troublemaker. Her husband urged her to drop the matter. He did not attend the appeal hearings.

Viola lost her case in district court and her subsequent appeal to the provincial court, not on principles upholding segregation, but on legal technicalities. The justice system failed Viola at all levels. But the failure was a public story that forced Nova Scotians into a dialogue about human rights. The stage was set for reforms.

Viola tried to return to business as usual, but her beauty shop was not the cheerful community hub it had been. Her marriage ended in divorce. Viola closed her businesses and left Nova Scotia, moving first to Montreal and then to New York City to start over. She lost her taste for beauty culture, but envisioned new opportunities. "I'm going to make a go of it," she told her family.<sup>2</sup> She reset her sights on the entertainment industry, aiming to work as an agent.

<sup>2</sup> \ Wanda Robson. *Sister to Courage*, 161.

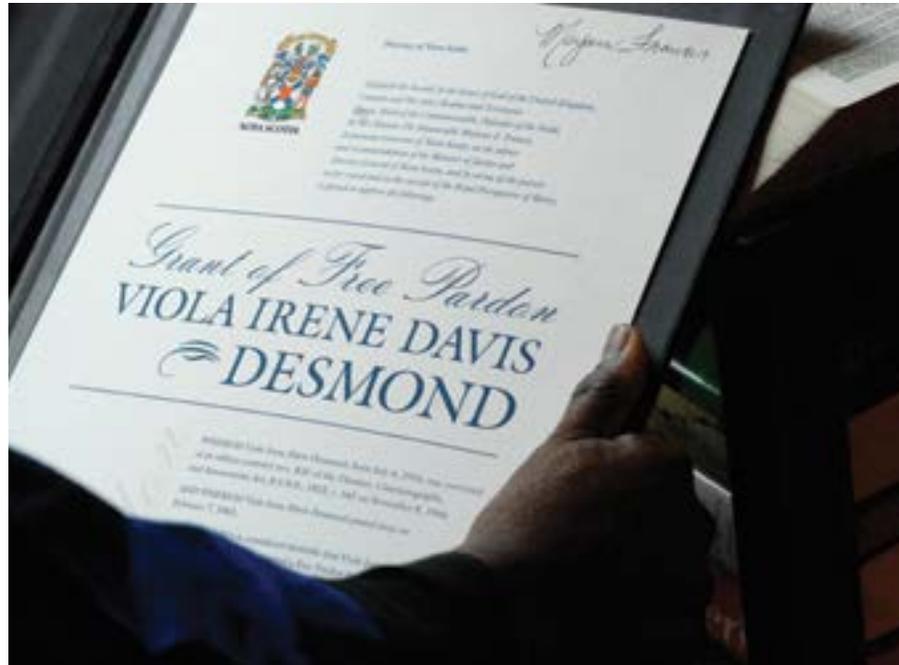
Viola resisted calls to become a spokesperson for the civil rights movement. She was not comfortable making formal public speeches. But she continued to stand up for her rights and for the rights of others. She learned, for example, that her mother had been defrauded many years before by an unscrupulous lawyer. She sued the lawyer's estate on her mother's behalf and won a substantial settlement, easing the financial hardships her parents were suffering. She also came to the aid of other family members, lending money and moral support, visiting the sick, and petitioning uncaring bureaucracies. After her mother's death in 1963, Viola returned to Halifax for a time to help care for her father. He died in 1964. Weary and afflicted with an unspecified illness, Viola returned to New York, promising her brothers and sisters that she would come back to Halifax soon. She never did. Viola suffered gastrointestinal bleeding and died alone in her small apartment in 1965. She was 50 years old.

Decades passed and Viola's story faded from public memory. It was revived by legal and civil rights scholars in the 1990s, but remained on the edges of popular consciousness until a fateful moment in a classroom at Cape Breton University. Viola's youngest sister, Wanda Robson, was attending a lecture about racial segregation. Viola's picture flashed on the screen. "That's my sister!" Wanda said. Wanda and the professor began working together to bring Viola's story alive for a new generation of students.

Encouraged by a CBC reporter and others, Wanda wrote to the mayor of New Glasgow seeking a public apology for Viola's mistreatment. The initiative took on a life of its own, becoming a provincial matter that led to a formal apology from the premier and a free pardon from the Crown. The pardon itself was not without controversy.

Some argued that seeking a pardon was like asking for forgiveness. But proponents saw it differently. This was a *free* pardon, signaling that the trial was a miscarriage of justice—a travesty. The Royal Prerogative of Mercy Free Pardon was officially declared in 2010 in a ceremony at Province House. That same year, a monument honouring Viola Desmond was unveiled in the Africentric Heritage Park on Vale Road in New Glasgow. In 2012, Canada Post issued a stamp commemorating Viola Desmond’s struggle for justice.

The tributes and storytelling continue, begetting more stories and fresh ways to explore the lessons of history. In a new century, Viola Desmond has become the face of a different kind of beauty industry, celebrating the beautiful courage of African Canadian trailblazers.





Wanda Robson at the unveiling of a Canada Post stamp featuring her sister, Viola Desmond, in February 2012.

## And now ...

**Wanda Robson** knows from a lifetime of experience that her sister's story is not unique. "Discrimination happened all the time to many, many people," she says. "Not always big things, but small, daily injustices ... It's still happening," she adds. The point in retelling Viola's story is not to set one woman apart, but to draw people together to learn from each other.

Wanda is a superb storyteller. She understands how to weave small things into a big picture. Read her book, *Sister to Courage*. If you are lucky enough to meet Wanda, pay attention. Ask questions. Like Wanda and Viola, you may find yourself inspired to make history of your own.

## SOURCES

Backhouse, Constance. *Colour-Coded: A Legal History of Racism in Canada, 1900–1950*.

Toronto: University of Toronto Press, 1999.

Backhouse, Constance. “I was unable to identify with Topsy: Carrie M. Best’s struggle against racial segregation in Nova Scotia, 1942.”

*Atlantis*, vol. 2, Spring/Summer 1998, 16–26.

[online] [constancebackhouse.ca/fileadmin/publicationlist/I\\_Was\\_Unable\\_to\\_Identify\\_with\\_Topsy.pdf](http://constancebackhouse.ca/fileadmin/publicationlist/I_Was_Unable_to_Identify_with_Topsy.pdf)

*Long Road to Justice: The Viola Desmond Story*

[video]. Halifax: Province of Nova Scotia, 2011.

[online] [youtube.com/watch?v=yI00i9BtsQ8](https://www.youtube.com/watch?v=yI00i9BtsQ8)

Robson, Wanda. *Sister to Courage: Stories from the World of Viola Desmond, Canada’s Rosa Parks*.

Wreck Cove, NS: Breton Books, 2010.

## IMAGE CREDITS

p. 57 / Republished with permission from The Halifax Herald Ltd.

p. 58 / Shirley Robb/Communications Nova Scotia