

THE COMMISSION  
FOR HISTORICAL  
STATUES  
IN THE UNITED  
STATES CAPITOL

CANDIDATE UNDER CONSIDERATION

OLIVER W. HILL  
(1907–2007)  
RICHMOND, VIRGINIA

Contribution to Virginia: *Civil rights hero. One of the leading lawyers in Davis v. County School Board of Prince Edward, one of five suits that were consolidated into the Supreme Court case Brown v. Board of Education of Topeka, Kansas (1954).*

CRITERIA

Suggestions for a historical figure to represent Virginia in the U.S. Capitol, where each state is entitled to two statues, must conform to criteria established by the office of the Architect of the U.S. Capitol. That criteria requires that the person honored—

- be deceased,
- be illustrious for historic renown or for distinguished civic or military service, and
- represent only one individual.

While the criteria also requires that the person must have been a U.S. citizen, it does make exceptions for an indigenous person who resided in the present-day U.S., such as Pocahontas, one name already submitted to the commission.

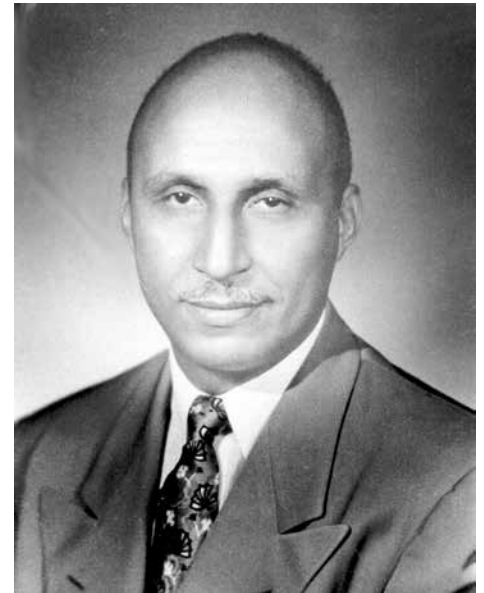
To those criteria, the commission has added additional values and attributes. The historical person must be—

- associated with significant events that changed the course of history
- or associated with significant ideals, writings or concepts
- or renowned for exemplary valor, patriotism, and bravery.

The person also must be one whose primary historical significance ties her or him directly to Virginia — or who spent the majority of his or her life residing in the commonwealth. And the historical figure should represent current prevailing values, according the commission's criteria.

Encyclopedia of Virginia  
Biography Contribution by  
Larissa Smith Ferguson (edited)

Oliver W. Hill was an African American attorney and civil rights activist. As the lead attorney for the Virginia State Conference of the National Association for the Advancement of Colored People (NAACP), Hill and his colleagues filed more legal challenges to segregation than any other lawyers in the South and successfully undermined segregation and discrimination in all walks of southern life. Born in Richmond, Hill earned his law degree in 1933 at Howard University, where he met Thurgood Marshall, a future NAACP lawyer and U.S. Supreme Court associate justice. In coordination with Marshall, then special counsel for the NAACP, Hill argued on behalf of black teachers in Norfolk who received less pay than white teachers for equal work. After winning a federal appeals court ruling in 1940, Hill became an NAACP attorney in Virginia. He was one of the leading lawyers in *Davis v. County School Board of Prince Edward*, one of five suits that were consolidated into the Supreme Court case *Brown v. Board of Education of Topeka, Kansas* (1954). In the landmark decision, the Supreme Court declared segregation in public education unconstitutional. Hill believed political activism went hand in hand with the legal assault on segregation, and ran repeatedly for political office as a way to encourage African Americans to register and vote. In 1948, Hill became the first African American elected to the Richmond city council since 1894. He retired from the law in 1998 and died at his home in Richmond in 2007.



Oliver White Hill Foundation

BROWN AND MASSIVE RESISTANCE

Hill did not go looking for the case that could directly challenge segregation; the case found him. On the afternoon of April 23, 1951, Hill received a call from students at Robert Russa Moton High School. They told him they had walked out of classes in protest of inadequate and unequal facilities, and they asked Hill for his help. The attorneys agreed to take the case if the students and their parents agreed to challenge the constitutionality of segregation directly. On May 3, Farmville's black community held a meeting at First Baptist Church to vote on whether the NAACP should represent them. After vigorous debate, the community agreed to the legal challenge. On May 23, Robinson filed the case *Davis v. County School Board of Prince Edward* in federal district court, asking the court to prevent the county from

discriminating against black students and to declare segregation unconstitutional.

The Supreme Court bundled Davis with four other segregation cases under the name *Brown v. Board of Education of Topeka, Kansas*. On May 17, 1954, the Supreme Court ruled that segregation in public education was unconstitutional and violated the Fourteenth Amendment; however, the justices did not order desegregation. Instead, the court asked the lawyers to present arguments on how desegregation might proceed. In a subsequent ruling on May 31, 1955, often referred to as *Brown II*, the Supreme Court ruled that public-school desegregation should proceed “with all deliberate speed” and remanded the cases to the federal district court level to oversee the process of desegregation. The yearlong delay between the *Brown* and *Brown II* decisions, combined with the court’s ambiguous order, provided southern states with the opportunity to stall and evade the court’s mandate. Virginia emerged as a leader in forestalling public-school desegregation.

In the wake of *Brown v. Board of Education*, Hill was an outspoken advocate of desegregation and a persistent and outspoken opponent of the General Assembly’s so-called Massive Resistance program. He met with the governor, testified before committees of the General Assembly, and spoke publicly at community meetings and on the television and radio, consistently championing the Supreme Court’s decision and encouraging Virginians to abandon segregation. As he told the Gray Commission, a group appointed by the governor to recommend a response to *Brown*, on November 15, 1954, “Gentlemen, face the dawn and not the setting sun. A new day is being born.”

Hill and his colleagues on the NAACP legal staff—which numbered thirteen by the mid-1950s—worked with local communities to desegregate public schools. Cases were filed in Norfolk, Charlottesville, Warren County, and Arlington. At the same time, Hill and his colleagues continued to press the federal district court to set a date for the desegregation of public schools in Prince Edward County. It took four years, but in May 1959, the U.S. Court of Appeals for the Fourth Circuit ordered Prince Edward County schools to desegregate that September. In response, county officials closed all public schools. As part of Massive Resistance, the General Assembly also passed laws targeting the Virginia NAACP.

These laws required the organization to register with the state and make its membership lists public, expanded the definition of “unprofessional conduct” by attorneys, and created two legislative committees—the Committee on Law Reform and Racial Activities and the Joint Committee on Offenses Against the Administration of Justice—to investigate the NAACP’s activities.

The Virginia State Conference challenged the constitutionality of these laws, which made it difficult to file new desegregation cases, caused membership to plummet, and drained the its treasury. Hill found himself on the witness stand defending his work in Davis and other civil rights cases. He also defended his colleague Samuel Wilbert Tucker from disbarment proceedings. On January 14, 1963, after a six-year court fight, the Supreme Court ruled in *NAACP v. Button* that the Virginia State Conference’s activities were “modes of expression and association” protected by the First and Fourteenth amendments. This case proved significant in protecting the rights of civil rights protestors during the 1960s.

#### LATER YEARS

In 1961, Hill joined the administration of President John F. Kennedy as the assistant for intergroup relations to the commissioner of the Federal Housing Administration, where he promoted fair housing practices. In 1966, Hill returned to private legal practice as a partner in the firm Hill, Tucker, and Marsh in Richmond. (Tucker had been a classmate of Hill’s at Howard; Hill and Henry L. Marsh III met when both men testified before the General Assembly in opposition to Massive Resistance.) In 1968, Governor Mills E. Godwin Jr. appointed Hill to the Virginia Commission on Constitutional Revision, which authored the Virginia Constitution of 1971. He retired from his law firm in 1998.

In 1999, Hill was awarded the Presidential Medal of Freedom, and in 2005, he received the Spingarn Medal, the NAACP’s highest honor. In 2003, he was named Virginian of the Year by the General Assembly. In Richmond in 1996, the new Juvenile and Domestic Relations Court building was named for Hill. In 2005, the renovated Finance Building, the third most historically significant building on Capitol Square in Richmond, was renamed the Oliver W. Hill Sr. Building.

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#### EXISTING STATUES OF THIS CANDIDATE:

Statue, Civil Rights Monument, Capitol Square, Richmond  
Bust, Third Street, Richmond