

# ForumJournal

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## Preserving Difficult Histories



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The National Trust for Historic Preservation works to save America's historic places for the next generation. We take direct, on-the-ground action when historic buildings and sites are threatened. Our work helps build vibrant, sustainable communities. We advocate with governments to save America's heritage. We strive to create a cultural legacy that is as diverse as the nation itself so that all of us can take pride in our part of the American story.

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Cover: Angola Prison Camp H guard tower displayed in an exhibition about segregation at the National Museum of African American History and Culture.

PHOTO COURTESY OF THE SMITHSONIAN NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE

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# The Fight to Save Blair Mountain

CHARLES B. KEENEY III

**T**here is no piece of real estate in West Virginia more contested than the battlefield at Blair Mountain, the site of one of the largest—but also among the least widely known—armed uprisings in American history. The Battle of Blair Mountain, the culminating event of the West Virginia Mine Wars, took place in August 1921, when an estimated 10,000 miners, armed and wearing red bandanas around their necks, marched south from the state capital toward the anti-union counties of Logan, Mingo, and McDowell. They intended to force an end to the notorious Mine Guard System, which had enabled coal companies to rule the coalfields as a police state. As the miners marched south, company forces, led by Logan County Sheriff Don Chafin, set up 10 miles of defensive positions north of the town of Logan, along ridgelines stretching from Blair Mountain north to Mill Creek. The two forces fought for four days before federal troops intervened and the miners, unwilling to fight U.S. soldiers, laid down their arms. In the aftermath, more than 500 miners and their union leadership were arrested and charged with treason and murder. Among them was my great grandfather, Frank Keeney, then president of the United

Mine Workers of America (UMWA) in West Virginia, and one of the central figures of the Mine Wars.

The memorialization of the Battle of Blair Mountain has been, in some respects, every bit as contentious and complex as the event itself. The majority of the 1,669 acres of the battlefield are owned by large absentee landowner corporations such as Natural Resource Partners and United Affiliates, Inc.,



**Blair Mountain.**

PHOTO COURTESY OF PAUL CORBIT BROWN

who lease the land to Arch Coal, Inc., and Alpha Natural Resources, respectively. These coal companies are pursuing the mining practice of mountaintop removal—blasting the tops of mountains in order to access the coal seams within. This would effectively erase the battlefield and undermine the efforts to memorialize the historic events of 1921. Given their history of conflict with the UMWA, it is not surprising that those landowning and coal companies have not emerged as champions of a monument to the battle.

Battlefields like Pearl Harbor or Antietam are often tied to patriotism and national identity. They tell stories of conflicts that have long since ended, their legacies typically enjoying a certain amount of stability in the national consciousness. By contrast, the battle at Blair Mountain was a conflict between laborers and industrialists over unionization and a lack of civil liberties in the coalfields. This conflict continues to the present day and raises questions about how to include labor history in the pantheon of our national identity.

## **BLAIR MOUNTAIN ON THE NATIONAL REGISTER**

The Battle of Blair Mountain has remained shrouded in mystery partly because there has been no extensive written record of the fighting. To study Gettysburg or Yorktown, one can read diaries, soldiers' letters, and official military correspondence to help reconstruct the event. This is not the case with Blair Mountain. The miners kept to a code of silence about the organization and specifics of the battle. After all, they were committing what some would call treason by taking up arms against the state. On the mine owners' side, Don Chafin's men kept out journalists and remained secretive about their tactics and strategies.<sup>1</sup> This lack of written record leaves a gap in the history, which naturally magnifies the significance of the battlefield. Only by preserving the site and conducting archaeological studies there can we truly know what happened. In 2006 Dr. Harvard Ayers of Appalachian State University and Logan County native Kenny King—and board member of preservation group Friends of Blair Mountain (FOBM)<sup>2</sup>—conducted a partial archaeological survey of those portions of the battlefield that were not leased by coal companies. They found dozens of





**Kenny King and Harvard Ayers on Blair Mountain in 2006.**

PHOTO COURTESY OF KENNY KING

shell casings, entrenchments, and firearms used in the battle. Such findings can help scholars reconstruct troop movements, weapons used by each side, and the nature of the fighting. Ayers and King confirmed a high degree of integrity at the site and collected enough evidence to nominate the area for inclusion on the National Register of Historic Places in 2009.<sup>3</sup>

In March 2009 the battlefield was placed on the National Register. However, this listing was immediately challenged by the coal industry. According to King and state staff serving at the time, Don Blankenship, then the CEO of Massey Energy Company and the most powerful coal executive in the state, immediately threatened to personally sue each staff member of the State Historic Preservation Office (SHPO).<sup>4</sup> Jackson & Kelly, Inc., a powerful law firm that often represents the coal industry, then petitioned the SHPO to remove the battlefield from the National Register. As the basis for the petition, the firm presented a new landowner list as evidence that a majority of the owners of small tracts of land on the battlefield objected to its designation. [The SHPO readily accepted](#) Jackson & Kelly's list in place of the one that had already been submitted to the Keeper of the National Register to support



### The 2011 protest march to Blair Mountain.

PHOTO COURTESY OF PAUL CORBIT BROWN

the site's nomination. On December 30, 2009, the battlefield was delisted from the National Register.<sup>5</sup>

The delisting of Blair Mountain sparked a local preservation effort that has continued to the present day. FOBM—along with the Sierra Club, the National Trust for Historic Preservation, and several other groups—immediately challenged the Keeper's ruling in a federal lawsuit. Additionally, in June 2011 a number of activist groups formed a coalition and organized a 50-mile, week-long protest march to save Blair

Mountain and end mountaintop removal in Appalachia. On the final day of the march, some 800 protestors hiked up to the south crest of Blair Mountain, and the event [received a good deal of national and local publicity](#). While the march had brought much-needed attention to the controversy, the battlefield's status on the National Register remained uncertain.

### MAKING A CASE FOR BLAIR MOUNTAIN

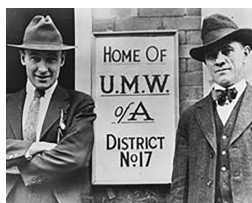
The obstacles to preserving Blair Mountain are considerable. Although the 2011 protest march was a big success and helped build momentum for the preservation effort, many of the activists were environmentalists—from grassroots groups to the Sierra Club—concerned more with the overall struggle to end mountaintop removal than with saving Blair Mountain's labor history. It should come as no surprise that a strong anti-environmentalist sentiment exists in the coalfields. Since the 1990s coal companies

have spent a tremendous amount of time and money in a public [campaign to debunk climate science](#) and portray the environmental movement as hostile to blue-collar jobs. Thus, the prevalence of environmentalism has driven many coal miners and their families away from supporting efforts to preserve Blair Mountain. Anti-environmentalism has also contributed to many blue-collar workers in the area leaving the fold of the Democratic Party. Because of this atmosphere, FOBM has worked to shift the focus from surface mining to the history of the site. Convincing locals to support the cause has taken time, but the effort has paid off—as evidenced, for example, by the popularity of the [West Virginia Mine Wars Museum](#).

State politicians have not been receptive to preservation efforts. In November 2011 FOBM submitted a petition to the state government documenting more than 50,000 supporters of preserving the battlefield. The governor's office did not respond. In June 2012 a new petition supported by 100 labor historians touted the economic and educational benefits of a historic park at Blair Mountain. FOBM emailed the petition and park proposal to each member of the state House of Delegates and Senate, but did not receive a single response. In 2013 and 2014, FOBM lobbied the state legislature to pass a resolution in favor of a state park at Blair Mountain, but that resolution never made it to the floor.

Lobbying at the state capitol was a frustrating experience. The effect of approaching legislators about Blair Mountain was not unlike causing pigeons to scatter when taking a stroll through a city park. Many of them would not even make eye contact. The lowest

point came when I visited Delegate Mike Caputo, a Democrat who has claimed to champion organized labor throughout his political career. I sat in Caputo's office, a few feet away from Bill Raney, the head of the West Virginia Coal Association, who grinned at me over his coffee. While Caputo told me that he could not support our resolution to save the battlefield, I noticed a framed photograph of my great grandfather, veteran of the Mine Wars, on his office wall.



**Fred Mooney, left, and Frank Keeney, leaders of the miners during the Mine Wars.**

PHOTO COURTESY OF THE WEST VIRGINIA AND REGIONAL HISTORY COLLECTION

Those who wish to challenge the coal industry in West Virginia frequently endure personal and professional attacks. Many environmental activists, such as president of the Keeper of the Mountains Foundation Larry Gibson and Cherokee activist Maria Gunnoe, [have faced death threats, physical beatings, and other types of harassment](#) for their opposition to mountaintop removal. Members of FOBM have not been exempt from such treatment. Board members have been followed by cars in Charleston and in Logan County; have received death threats and threats of violence; and have found their phones tapped, their mail opened, and their computers hacked. The organization's website has been hacked too many times to count.

### **HARD-FOUGHT PRESERVATION VICTORIES**

Because the landowners will not allow anyone on the battlefield property, FOBM has monitored company activities using Google Earth and occasional flights over the battlefield. On a flyover in 2012, FOBM members noticed serious disturbances on the Camp Branch Surface Mine, one of three sites on the battlefield for which coal companies hold surface mining permits. Copies of these mining permits, which FOBM obtained via the Freedom of Information Act, clearly state that the companies were to respect a 1,000-foot buffer zone around the battlefield until the issue of the National Register listing had been settled. Surface disturbances in this area were evidence that this provision was not being enforced.

FOBM contacted the West Virginia Department of Environmental Protection (WVDEP), the Army Corps of Engineers, and the Office of Surface Mining Regulation and Enforcement (OSMRE), demanding to know why regulations were not being enforced. On September 10, 2013, FOBM was finally able to secure approval for a citizen's site inspection of Camp Branch in order to get a closer look at the damage that had been done to the battlefield. Before board members could make it to the site, however, one of them, Joe Stanley, was threatened by an out-of-uniform state trooper and another, King, fell and broke his ankle. FOBM was forced to call off that site inspection, and the request for a second one was denied.



Complicating matters even further, FOBM learned that Alpha Natural Resources wanted Camp Branch not exactly for the coal, but rather in order to construct a 7,000-foot runway for the Air National Guard. In 2013 Major General James A. Hoyer explained to FOBM board members that the National Guard wanted to use the site as a special ops training facility and drop zone. It would be the largest facility of its kind east of the Mississippi River, and constructing that runway would require blasting about 35 acres of the battlefield. Moreover, these plans originated in 2009, just when Blair Mountain had been briefly placed on the National Register. FOBM attempted to convince local newspapers to investigate the military base plan, believing that some key questions—whether that plan may have influenced the state or the Department of Interior to delist the battlefield and who stands to profit from the related defense contracts—merit exploration. Unfortunately, there has been very little media coverage of the issue. Regardless, the military facility plan helps explain why Alpha Natural Resources so aggressively pursued the permit at Camp Branch.

FOBM pressed on. In 2013 local attorney Mary Ann Maul agreed to represent the organization pro bono before the West Virginia Surface Mine Board. On December 9 FOBM won a unanimous decision that allowed board members to return to Camp Branch. That site inspection occurred on March 11, 2014, and Mari-Lynn Evans, one of the filmmakers for [\*Blood on the Mountain\*](#), a 2016 account of the economic and environmental impact of the coal mining industry in West Virginia, [documented the experience](#). The inspection revealed that forest areas within 1,000 feet of the battlefield had been clear cut (a prerequisite for surface mining) and that areas of the ridgeline had been bulldozed precisely along defensive entrenchments from the 1921 battle. Those entrenchments, and an unknown amount of archaeological evidence from the battle, have been permanently destroyed and eliminated from the historical record.

WVDEP responded to these findings by forcing Alpha Natural Resources to modify their Camp Branch permit, forbidding them to disturb any area of the battlefield and forcing them to put plans for

the runway on hold. FOBM board members have continued their activism, meeting numerous times with the governor's office and executives of the coal and land companies to put forward a compromise settlement that would allow the military base to be built while preserving the rest of the battlefield and making the area a historic park. Thus far, this compromise proposal has not gained any traction.

Realizing that the state and federal governments may never actively support the preservation of this history, I joined with other activists and community members to create the West Virginia Mine Wars Museum. Located in historic Matewan, the museum is designed to educate the public about Blair Mountain and Mine Wars history. In May 2015, after two years of work and planning, the museum opened to a crowd of more than 500 locals and a dedication speech from UMWA President Cecil Roberts. Since then, the museum has hosted thousands of visitors from across the country and won a National Coal Heritage Award.

In spring 2016 preservationists scored a major victory when Federal Judge Reggie B. Walton ruled that the delisting of the Blair Mountain battlefield was both “arbitrary and capricious” and remanded the case back to the Keeper of the National Register. However, the Keeper has yet to reach a decision and [Blair Mountain's status on the National Register remains uncertain](#). The Keeper's decision is vital because West Virginia state agencies will not enforce the National Historic Preservation Act to protect this significant site until it is listed on the National Register. The Keeper is expected to make a decision regarding the battlefield in summer 2017.

Understanding the conflict at Blair Mountain, both past and present, is key to understanding the great struggles of the workers who have fought to secure decent wages, safe working conditions, and a thriving middle class in the United States. It is also key to understanding our future—whether extractive industries will be permitted to destroy culture and environment in the name of profit and whether Appalachia will one day emerge from the shadow of the coal industry or continue clinging to an economic model that has dominated the region for more than a century. What happens

next, in the midst of a pro-corporate, anti-environmental Trump administration, is anyone's guess. One thing is certain: during the Mine Wars, Frank Keeney never gave up. Neither will I, and neither will FOBM. **FJ**

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- 1 Lon Savage, *Thunder in the Mountains* (Pittsburgh: University of Pittsburgh Press, 1991), 155–59.
- 2 The current board of FOBM consists of West Virginia coalfield native and activist Jeff Bosley, award-winning photographer and activist Paul Corbit Brown, Logan County native and amateur archaeologist Kenny King, West Virginia native and Ball State University social studies professor Mark Myers, retired United Mine Workers of America miner and organizer Joe Stanley, and Charles B. Keeney III.
- 3 Harvard Ayers, "Blair Mountain Exposed: What the History Books Won't Tell Us," *Blair Mountain Journal*, Fall 2012, 5–8.
- 4 Kenny King, "Kenny King's Quest: A Timeline of Preservation Efforts on the Blair Mountain Battlefield," *Blair Mountain Journal*, Fall 2012, 9–10.
- 5 Ibid.



### TAKEAWAY

Read "A Step Forward in Protecting Blair Mountain," a Forum Blog post by Will Cook.



### TAKEAWAY

Read "Strategies for Challenging Destructive Mining: Lessons from Blair Mountain," a *Forum News* article by Nell Ziehl.

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Native languages, oral history, and sacred knowledge should be the database for American anthropology and archaeology. Our language, creation stories, star knowledge, oral histories, and sacred knowledge are the foundation that allows me as a THPO to properly identify and evaluate sacred sites without having to disturb the ground. The worldview and traditions of our people—passed down over generations and embodied by our sacred landscapes—are essential, irreplaceable American cultural resources, and must be recognized and protected accordingly.

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JON EAGLE SR. has 17 years of experience consulting with tribal, state, and federal agencies and has served as the Tribal Historic Preservation Officer for the Standing Rock Sioux Tribe since February 2016.



#### TAKEAWAY

Read the National Trust's guide to preserving Native American places.



#### AUDIO

Listen to a recording of an October 2016 Forum Webinar about the legal landscape of the Standing Rock Sioux Tribe's case against the U.S. Army Corps of Engineers.