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The Lexington, Kentucky Civil Rights Movement

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THE LEXINGTON, KENTUCKY CIVIL RIGHTS MOVEMENTS

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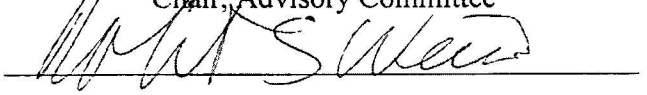

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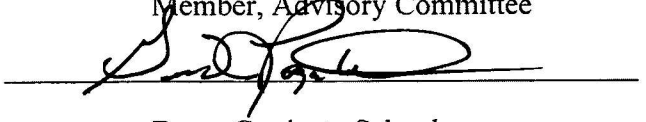

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Abstract

This thesis seeks to describe the regional differences between the northern and southern civil rights movements through the examination of the black freedom struggle in Lexington, Kentucky. The geographical location of Lexington offers a unique perspective in civil rights movement activity, as the local movement was not distinctly northern or southern in character. This thesis functions as an analysis of northern and southern civil rights movement activity and uses a narrative of the Lexington movement to place the city's struggle in the context of each region. Oral interviews from white and black Lexingtonians that lived in the city before, during, and after the movement provide the basis for the narrative of the Lexington black freedom struggle. Through the examination of Lexington in different stages – segregation, the civil rights movement, and post-movement society – it is possible to obtain an understanding of the regional differences between the northern and southern movements, as well as Lexington's placement among each region.

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Introduction – The Lexington, Kentucky civil rights movement lacks an updated comprehensive narrative of the city's black freedom struggle, as well as an analysis of the ambiguity of Lexington's location as a northern or southern city. The majority of Kentucky civil rights historiography centers on the movement in Louisville or encompasses all of rural Kentucky, leaving Gerald Smith's 1980 graduate school thesis as the lone narrative of the Lexington civil rights movement. Unlike Smith's work, however, this study of the Lexington movement benefits from the numerous oral interviews of Lexington civil rights activists conducted since 1980, as well as the expansion of civil rights movement historiography that extends past the boundaries of the traditional movement.

Smith's study argues that little progress occurred in Lexington throughout the Lexington civil rights movement. This study analyzes the events of the northern and southern civil rights movement, separately, to identify key characteristics that make each movement unique. The characteristics of the northern and southern civil rights movements are useful in determining the regional alignment of the Lexington movement and how it fits into the nationwide civil rights struggle. The application of regional characteristics to Lexington's civil rights movement places the city's movement in a regional context, allowing for a better understanding of the similarities and differences of the northern and southern movements.

The civil rights movement in the United States functioned differently city-by-city, region-by-region. The Lexington civil rights movement offers a unique perspective in the functionality of the movement given its geographic location, as well as its events. Lexington, a city that contains both northern and southern features of segregation and

civil rights activism and resistance, highlights the differences in features of the northern and southern civil rights movements.

Lexington lies in a unique geographic position. The Civil War, geographical boundaries, and the analysis of regional civil rights movement characteristics help to clarify the issue of Kentucky's regional status. The designation of Lexington as a northern or southern city clarifies the issue of placing the movement in regional context. The regional perspective of the Lexington movement displays the regional distinction in which the civil rights era progressed in different parts of the country. The following account of the Lexington civil rights movement works in two parts: as a comprehensive narrative of Lexington society from the Civil War era through the early 2000s and as an analysis of Lexington's placement in the context of northern and southern civil rights activity.

Northern and southern patterns of segregation share very few similarities, if any. It is necessary to piece together various sources to create a chronological account of the movement in Lexington, starting with the city's social and race relations in the antebellum period. The examination of Lexington society from the end of the Civil War to the beginnings of the civil rights movement illuminates key features of segregation in the city. In principle, northern cities attempted to eliminate segregation, but struggled to do so in practice. Legal enforcement of segregation in the South established racial separation in social, political, and economic realms. The abolition of slavery and the subsequent rural-to-urban migration of black Kentuckians resulted in residential segregation that impacted economic and educational opportunity – similar to northern segregation in the twentieth century. The Black Codes and Jim Crow segregation display

the southern methods of racial separation in Lexington prior to the civil rights movement. Lexington experienced both northern and southern forms of segregation.

This account of the Lexington civil rights movement describes the progress, or lack thereof, that occurred throughout the mid-twentieth century. The evaluation of legislation, leadership, activities, and resistance to civil rights are key characteristics that identify the regional context of the Lexington movement. Efforts in housing, education, and employment discrimination, as well as equality in political participation and the use of public accommodations, contain both northern and southern characteristics of movement activity.

The Lyman Johnson case and the desegregation of the University of Kentucky marked the beginning of the civil rights movement in Lexington. The school's strict refusal to admit black students followed southern forms of racial separation in higher education, yet desegregated earlier – and more peacefully – than many institutions in the Deep South. The University of Kentucky's importance to Lexington and the process of desegregation provide an indication of Lexingtonian's views on race relations in the early twentieth century.

Civil rights organizations dominated the leadership roles in the city's movement. Groups such as the National Association for the Advancement of Colored People (NAACP) and the Congress on Racial Equality (CORE) established local chapters that organized protests against discriminatory practices in Lexington. Both organizations formed in northern cities, yet functioned in the South. Southern civil rights leadership, however, relied on black clergymen to lead the cause of civil rights. The importance of

the NAACP and CORE to the Lexington civil rights movement provides insight into northern and southern characteristics of local movement leadership.

Similar to civil rights movement goals across the United States, efforts to ban discrimination in housing, employment, and education were main objectives of civil rights advocates during the movement. These three objectives, however, did not receive the same amount of attention. Protests demanding equal employment and educational opportunity occurred frequently, while open housing protests did not. As the nationwide civil rights movement came to a close in the late 1970s and early 1980s, the movement in Lexington experienced fewer protests and demonstrations. A look at post-movement society in Lexington explains the role of the movement in subsequent generations – how it impacted the city and how it is remembered.

Similar to Smith's argument, the lack of progress in housing, employment, and education is a connecting theme in the final section of this study. Civil rights activity in Lexington, however, received national attention two decades after the end of the movement. The *Lexington Herald-Leader* issued an apology for refusing to publish civil rights activity during the movement, drawing national media attention. Issues of police brutality, residential segregation, and economic opportunity highlight continuing problems in post-movement Lexington. An analysis of the legacy and impact of the movement in later generations is a critical component to Lexington's civil rights movement and the history of the city.

This study relies mostly on oral interviews from white and black civil rights activists who lived in Lexington before, during, and after the movement. Although archival evidence and newspaper articles contribute to the re-creation of the civil rights

movement in Lexington, the spoken testimonies of those that took part in the movement offer a unique perspective not available in other kinds of sources. Additionally, we have such oral interviews in abundance. Newspaper articles from the *Lexington Herald* and *Leader* – separate companies until 1983 – are few and far between. Fred Wachs, Sr., owner of both newspaper companies, publicly opposed civil rights and refused to print stories about civil rights protests and demonstrations. In the case of the Lexington civil rights movement, these interviews detail the strategic and organizational skills required to protest racial discrimination in the civil rights era. Notable interviews that play a large role in this account of the Lexington civil rights movement are testimonies from Audrey Grevious, Calvert McCann, Abby Marlatt, Lyman Johnson, and Harry Sykes.

There are pros and cons to using oral interviews and the reliance upon information conveyed through these sources. Obtaining information directly from those who experienced the movement firsthand offers insight to the mindset and actions of white and black Lexingtonians in the era of civil rights. Many of the interviews of civil rights activists in Lexington, however, take place up to fifty years after the events they discuss. Not only does memory become a factor in the reliability of information received from activists, but the perspective of civil rights activists can change over time and they may remember the movement differently than when it occurred.

This study relies specifically on three important works. Beginning with the general historiography of the civil rights movement, Thomas Sugrue's comprehensive study of the northern civil rights struggle in *Sweet Land of Liberty: The Forgotten Struggle for Civil Rights in the North* (2008) is an important work in highlighting civil rights activity outside of the South. Sugrue's *Sweet Land of Liberty* is the definitive

study of the northern civil rights movement and provides a basis for comparative analysis between the North and South in the era of civil rights. Sugrue's book argues that the movement in the northern United States functioned differently than in the South. Features such as segregation, white resistance, and civil rights goals highlight the different characteristics of the northern and southern movements to support Sugrue's argument. For the purposes of this study, Sugrue's argument and evidence identify distinct features of the northern movement to determine Lexington's regional alignment.

Jacqueline Dowd Hall's article "The Long Civil Rights Movement and the Political Uses of the Past," (2005) emphasizes the nationwide black freedom struggle that extends from the New Deal Era and ends with the Reagan Administration. Similar to Sugrue, Hall argues in favor of a framework that transcends the timeframe and geographic location of traditional civil rights movement studies, but also includes the economic obstacles for black communities to overcome during the movement and the impact of the "New Right" on the movement's memory. Hall's introduction to the concept of the long civil rights movement allows for more depth on the subject. Confining the civil rights movement to a specific decade and region diminishes the efforts of activists throughout the United States that participated in the movement and reduces its meaning. Hall's work is critical to this study in introducing a concept that extends the study of the civil rights movement to unlock the barriers of the traditional black freedom struggle.

Catherine Fosl and Tracy K'Meyer's *Freedom on the Border: An Oral History of the Civil Rights Movement in Kentucky* (2010) focuses on the ambiguity of Kentucky's geographic location, as Fosl and K'Meyer argue that Kentucky is neither a distinctly

northern nor southern state. Aside from the oral accounts of the movement in Kentucky, this study uses Fosl and K'Meyer's emphasis on the importance of geographical determination to adequately describe the civil rights movement in Kentucky. Fosl and K'Meyer provide an important perspective to the wider civil rights movement by focusing on events in Kentucky, a state on the periphery of the Deep South. Fosl and K'Meyer's work is evidence of a movement that takes place in the South, but is not considered distinctly southern. This account of the Lexington civil rights movement expands on the ideas of Fosl and K'Meyer concerning the geographic location and the regional characteristics of the movement in Kentucky.

Located below the Mason-Dixon Line and often categorized as the South, Lexington did not experience the violence and massive resistance to civil rights that characterized the Deep South. This fact, however, does not minimize the importance of the Lexington civil rights movement. The emphasis on open housing, school desegregation, and equal employment throughout the Lexington civil rights movement demonstrates that, though the city is usually regarded as southern, its civil rights movement displayed characteristics more like the movement in northern cities.

The completion of this work would not be possible without the help and support of many people. First and foremost, I would like to thank my mother and father for their unconditional love and their encouragement and support throughout graduate school; I could not have done this without them. I would also like to thank Dr. Carolyn Dupont for her insight and critique, as well as her time and effort. I feel very fortunate to have someone as knowledgeable and caring as Dr. Dupont as my advisor for this project. I

would like to extend my appreciation to Judy Sackett, Oral History Librarian at the University of Kentucky, and the staff at the University of Kentucky Library's Special Collections department. Finally, I would like to thank Dr. Robert Weise and Dr. Thomas Appleton for serving as members of my thesis committee.

Segregation in Lexington – Civil rights activity in Lexington, Kentucky dates back to the city's antebellum period. On July 4, 1867, an estimated 6,000 to 10,000 central Kentuckians, mostly black Lexingtonians, witnessed one of the earliest recorded civil rights events in the state. Beginning in downtown Lexington with a parade that contained a brass band, representatives of local organizations, and Union soldiers from both white and colored regiments, the procession ended off of Harrodsburg Pike in south Lexington, with a picnic following. The evening culminated in a series of speeches given by prominent Lexingtonians concerning the issues blacks faced in the wake of the Civil War and the end of slavery, such as voting rights and racial violence.[1]

Because Kentucky did not officially secede from the Union during the Civil War, the state was not subject to the measures of Reconstruction as defined by the United States Federal government, despite the significant amount of Southern sympathy among state legislators. William Willard Davis, a lawyer and abolitionist, delivered the first and most prominent speech of the Fourth of July event, calling for "colored suffrage" in an effort to address the refusal to grant blacks in Lexington and the rest of Kentucky political participation and representation.

As debate regarding the Civil Rights Act of 1867 continued in Washington, D.C., Charles Sumner, a Republican Senator and abolitionist from Massachusetts, used much of Davis' speech as he argued in favor of expanding reconstructive efforts to include the state of Kentucky.[2] The matter, however, was not given much attention on the senate

[1] Thomas M. Law, "A Fourth to Remember: 1867 Lexington Event was Stop on Road to Civil Rights Movement," *KyForward.com*, July 3, 2014. Accessed January 12, 2015. Law uses the accounts provided by
[2] "July 4th, 1867: Davis Bottom, Civil Rights, and Reconstruction," The Davis Bottom History Preservation Project, University of Kentucky Department of Anthropology

floor following Sumner's request to provide blacks in Kentucky with the same Reconstructive measures as their counterparts in former Confederate states.

Although Sumner failed to procure federal legislation for Kentucky, regional differences concerning a "border state" like Kentucky play a role in the segregation of blacks. The actions taken to enforce segregation, in turn, drove the initiatives of the civil rights movement. From the end of the Civil War until the civil rights movement of the mid-twentieth century, segregation took on many different faces, altering throughout time and varying by region. As roughly nine out of ten blacks lived below the Mason-Dixon line until 1910, efforts to strengthen the ever-present racial hierarchy in the South hinged on economic subjugation and violence towards blacks. The Black Codes, the regulation of racial interaction through violence and oppression, were replaced by the 1896 *Plessy v. Ferguson* ruling, defining the doctrine of "separate, but equal" and legalizing Jim Crow segregation.[3] Yet, separate public accommodations between whites and blacks constituted only a small portion of the barriers blacks confronted. The analysis of measures taken to ensure segregation in Lexington, Kentucky, from the 1860s to the 1940s illuminates the formation of the racial hierarchy that the black freedom struggle sought to dismantle.

Lexington offers a unique perspective in the examination of regional differences in segregation and the civil rights movement. It is often difficult to place Lexington in the context of northern or southern segregation, as each region contained alternative methods for ensuring a separation of the races and the promotion of a racial hierarchy that systematically oppressed blacks of all socioeconomic standing. Jim Crow legally

[3] C. Vann Woodward, *The Strange Career of Jim Crow* (Oxford: Oxford University Press, 2001)

enforces segregation in the South, while the North functioned used alternative, less visible forms of racial separation. Lexington distinctive form of segregation displayed elements of both northern and southern tactics in housing, employment, educational, public, and political participation, as well as relational factors, such as violence, were present in Kentucky's second-largest city in the era of segregation.

Race Relations in Lexington: Segregation and Racial Violence – Lexington racial makeup dramatically shifted throughout the decade of the Civil War. Rural-to-urban migration as a result of the abolition of slavery in the 1860s produced a 133 percent increase in Lexington's black population as a result of the abolition of slavery and left whites as a slight majority in the city.[4] As nearly half of the city's population was black in 1870, whites used fear and violence to collectively deny black political participation, especially in voting. To eliminate the political power of blacks, an 1871 amendment to the city charter gave the Lexington City Council the authority to elect city officials, including mayor. Lack of black representation in the justice system gave rise to a new period of unchecked racial violence in the city without the mask slavery and the categorization of blacks as property.

Lexington experienced many cases of racially motivated violent events. In February 1870, the Ku Klux Klan lynched a black man off of Tates Creek Pike after the

[4] John D. Wright, Jr., *Lexington: Heart of the Bluegrass* (Lexington, Kentucky: Lexington-Fayette County Historic Commission, 1983). Wright describes the white-to-black populations as "almost one-to-one" (pg. 98). The rapid influx of blacks into Lexington was countered with slow population growth within Lexington's white community. As the nineteenth-century progressed, however, whites would begin to outnumber blacks, proving that the 1860s were an exception, not the rule, to black population growth. Wright uses U.S. Census data from 1860 and 1870 as support.

man was acquitted for stealing a pig.[5] The January 1878 hanging of three black men garnered national attention, as the *Kentucky Gazette* of Lexington and the *New York Times* feuded about the men's crime. Although Tom Turner, Edward Claxton, and John Davis did not kill a white man, the three men supposedly knew of the murderer, thus guilt by association became their only crime.[6] The *Kentucky Gazette* believed in punishing blacks harshly for minor offenses, while the *New York Times* disagreed. It is difficult to determine how the *Times* discovered the story of the hangings, but regional differences characterize the feud stemming from the hanged men. Other unreported cases of violence, notably police brutality and the remnants of criminal activity, occurred during the latter half of the nineteenth century, but records do not reflect the frequency or severity of these acts. In the twentieth-century, however, Lexington and Kentucky law enforcement officials took steps to ensure due process of law as opposed to mob rule – one indication of improved race relations – but not sufficient to substantiate meaningful progress.

Kentucky's two largest cities employed an execution method that allowed racial violence to occur. Louisville and Lexington led the state in "legal lynchings" – or racially biased cases in which due process of law resulted in execution by hanging – with forty-four and twenty-one, respectively, until 1940.[7] Executions as a result of the justice system running its course became a point of pride among Kentucky legislators in two ways: to allow unrecognizable forms of institutional racism to continue unabated; and to

[5] Wright, Jr., *Lexington*.
[6] George C. Wright, *Racial Violence in Kentucky, 1865-1940* (Baton Rouge, Louisiana: Louisiana State University Press, 1990).
[7] Legal lynchings became a discontinued form of execution, public or private, before 1940. This date is given to provide a cut-off point considering the difficulty in attaining the exact year that this form of execution style was discontinued in Kentucky, despite the anti-lynching law established in 1920.

separate the state from the violence of the Deep South. This, however, did not diminish the fact that 106 "non-legal" lynchings were recorded in the Central Kentucky area in a fifty-mile radius of Lexington. Although lynchings were not a regular occurrence in Lexington, the presence of racial violence in the nearby cities and towns influenced the black psyche.[8]

Other forms of violence and discrimination played a role in race relations in Lexington at this time, as evidenced by what Lexington police officers considered a routine public intoxication violation. On March 31, 1925, Gertie Boulder, a black woman from Lexington, was arrested for public drunkenness after being found unconscious late at night on the side of the road. Boulder was taken to a Lexington jailhouse where she died, with later medical tests revealing that she had had a heart attack and fallen into the street. Despite Boulder's reputation as an upstanding member of Lexington's black community, Lexington patrolmen refused to allow her medical treatment under the assumption that she was drunk and that she would wake up from her inebriated state while remaining in custody. An internal investigation of the Lexington Police Department concluded that incompetence, not discrimination, was the leading factor in Boulder's death. Several members of Lexington's black community, including Gertie Boulder's family, were unhappy with the results of the investigation, claiming that

[8] George C. Wright, *A History of Blacks in Kentucky, 1890-1980* (Kentucky Historical Society, 1992). As it will become evident, many black Lexingtonians took part in the rural-to-urban migration in this period and were from smaller towns outside of Lexington, with family members living in places like Nicholasville, Stanford, Lebanon, etc. Therefore, these lynchings were not only impactful through distance, but also in relation and familiarity to the surrounding areas of Lexington and Fayette County.

police harassment and brutality were common occurrences at this time, and that Boulder's case was no different.[9]

The absence of blacks on Lexington's police force and the unwillingness to prevent crime added to Lexington's black population's frustration with local law enforcement in the early 1900s. Lexington police ignored prostitution, gambling, and liquor sales during prohibition in black communities – unless those vices crossed invisible residential barriers into white neighborhoods – prompting various members of the community to create the Good Citizen's League.[10] Unable to draw the attention of city officials to the crime that continued to plague the black community, the organization disbanded shortly after its inception, yielding no significant progress in the reduction of criminal activity. As an entity of the city government, the Lexington Police Department claimed no obligation to serve and protect the black neighborhoods in the first half of the twentieth-century. This situation arose, in large part, to black political impotence.

Whites continued to use fear to rally voters to turn out to the polls in higher numbers, claiming blacks would gain the majority of political representation. Whites also used various methods of violence and repression to dissuade blacks from the voting booths. In 1911, the Democratic Party of Lexington and Fayette County circulated a pamphlet that encouraged whites to turn out to the polls to prevent blacks from gaining too much political power. The pamphlet made two arguments: first, it denounced the right of blacks to political involvement, claiming that the "white citizen pays a tribute of 98 per cent," essentially supporting the black community through public services, such as schools, roads, and police protection; secondly, a letter from Lexington resident C.E.

[9] Wright, Jr., *Lexington*; Wright, *Racial Violence*; Gerald Smith, "Blacks in Lexington, Kentucky: The Struggle for Civil Rights," (M.A. Thesis, University of Kentucky, 1980).
[10] Wright, *History of Blacks in Kentucky*.

Merrill, called for the use of violence if blacks chose to participate in politics.[11] Into the 1930s and 1940s, however, Edward Breathitt, a Hopkinsville, Kentucky native who would serve as Governor of Kentucky in the 1960s, stated that blacks "were not discouraged from voting, but were not encouraged, either."[12]

The idea of racial progress, based on strides made in efforts to curb racial violence and voter intimidation, existed in Lexington in the era that spanned the Civil War to the mid-twentieth century. In 1920, Governor Edwin Morrow showed a commitment to order and due process of law when he deployed state troops to Lexington to prevent mob rule from hanging a black prisoner accused of rape and murder, resulting in the death of five rioters.[13] Voting records do not indicate black voter turnout during this period, but several accounts of Lexington residents provide an adequate representation of discrimination, or lack thereof, in terms of blacks in the voting booths.[14]

Despite the progress in voting rights and racial violence, however, the persistence of housing, education, and employment discrimination continued unabated into the 1940s, along with the segregation of public accommodations through Jim Crow with support from the 1896 *Plessy* ruling. The civil rights movement of Lexington, Kentucky cannot be understood in complete depth without examining the history and causes of housing, education, and employment segregation, important objectives that the movement's advocates sought to rectify.

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[11] George C. Wright, *Life Behind A Veil* (Baton Rouge, Louisiana: Louisiana State University, 1985); Wright, *History of Blacks in Kentucky*; *To The Voters of Lexington*, Laura Clay Papers, Special Collections Library, University of Kentucky

[12] Interview with Edward T. Breathitt, February 23, 2000. Interviewed by Betty Brinson, Kentucky Civil Rights Oral History Project, Kentucky Oral History Commission, Kentucky Historical Society.

[13] Wright, *Racial Violence in Kentucky*; Wright, *History of Blacks in Kentucky*. In the same year, an anti-lynching law was passed by the Kentucky State Legislature.

[14] This claim is supported by the interviews of James McCann, Joyce Hamilton Berry, Edward Breathitt, and others in interviews recounting life before and during the Civil Rights Movement in Kentucky.

Residential Segregation and Discrimination in Lexington – Residential segregation of blacks began as a seemingly harmless way of finding housing for freed slaves. Although the idea of segregation did cross the minds of property owners at this time, housing discrimination and segregation took on a more concerted effort through city development and zoning laws in the twentieth century. Lexington's black population more than doubled from 1860 to 1870, and it is assumed that the majority of the rural-to-urban migration occurred in the latter half of that decade due to emancipation. In an effort to cash in on the influx of migrants, Lexington landowners sold narrow strips of land to housing contractors with the intention of building slender, "shotgun-style" homes. The newly formed black neighborhoods often took on the names of the former landowners, such as Davistown for William Willard Davis and Goodloetown for William Cassius Goodloe.[15]

Although most black neighborhoods originated in east Lexington, black enclaves can be found on the outskirts of the city, in what are considered to be the most undesirable sections of town at this time: Brucetown, Taylortown, and Smithtown are located north of downtown Lexington; Adamstown, Pralltown, and Davistown, sometimes referred to as Davis Bottom, in the area south of the Lexington central business district; Goodloetown and Kinkeadtown can be found in east Lexington, with Lee's Row west of downtown.[16] Other black areas with unspecified locations, but

[15] Wright, Jr., *Lexington*. Wright describes the formation of these black neighborhoods, along with information of the namesake's for which these neighborhoods were created.
[16] James Hanlon, "Unsightly Urban Menaces and the Rescaling of Residential Segregation in the United States," *Journal of Urban History*, Vol. 37 (2011). Hanlon uses Lexington as a case study to describe the evolution of residential segregation in Lexington. Hanlon was able to produce a map (figure 2, pg. 734) based on John Kellogg's article "The Formation of Black Residential Areas in Lexington, Kentucky, 1865-1887." Several sources identified some, but not all, of these neighborhoods, including Wright's *History of Blacks in Kentucky*; Wright, Jr.'s *Lexington*, and Smith's "Blacks in Lexington, Kentucky." Smith and Wright mentioned these neighborhoods, but not the location of each, while Wright, Jr. was able to provide

believed to be on the eastside of the city, were Utteringtown, Pricetown, Cadentown, Little Georgetown, and Fort Spring. The physical growth of Lexington proper began to encompass these black neighborhoods, becoming harder for white Lexingtonians to avoid these areas.

Efforts to relocate blacks to undesirable sections of the city began in the early twentieth century. By 1920, Lexington's total population of 41,434 included 12,450 black residents. In the same year, city officials began construction on a housing development – specifically for black tenants – north of downtown Lexington, between railroads and factories. This development was the beginning of a plan to create black neighborhoods on the outskirts of Lexington with the intention of gentrification – new housing for whites, business developments, and the expansion of the University of Kentucky's campus.[17] As housing discrimination existed in the form of refusing loans to prospective black homeowners, most blacks rented homes and apartments from white landlords who could sell at any moment, leaving their tenants with very few options due to rental discrimination. Other projects, such as the Charlotte Courts and Aspendale public housing developments, attempted to create a dependency of black citizens on government housing, as black neighborhoods were torn down to make way for new projects.[18]

The case of Adamstown, located near the University of Kentucky's campus, displays the expendability of black neighborhoods prior to the civil rights movement. In

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a short history for Goodloetown, Davis Bottom, Kinkeadtown, Pralltown, Brucetown, Taylortown, and Smithtown.

[17] Hanlon, "Unsightly Urban Menaces"

[18] Interview with Sanford T. Roach, December 1, 2008. Interviewed by Joan Brannon. East End Oral History Project, Louie B. Nunn Center for Oral History, University of Kentucky Libraries. Roach mentions the Aspendale Housing projects, describe them as "more upscale" than the others, but does not state what year the development was constructed or when he lived there. The Charlotte Courts housing project was constructed in 1941.

1941, the University of Kentucky Board of Trustees approved the decision to acquire Adamstown, a black residential neighborhood situated opposite campus off Euclid Avenue on the southside of downtown Lexington. In an effort to disguise the discriminatory practices of zoning laws and area development, the board claimed that, by purchasing this area, it would eliminate one of Lexington's many slum neighborhoods responsible for disease and the declining property values in surrounding areas. The destruction of Adamstown played a role in the segregation of the city by gentrifying the black neighborhood and creating public housing, specifically for blacks, on the outskirts of Lexington. The sale of the land to the University of Kentucky did not become final until 1943. Adamstown was purchased for a total of $96,000 from sixteen different property owners.[19]

Methods to ensure housing segregation evolved from the conclusion of the Civil War through the mid-twentieth century in Lexington. The Great Migration, a term used to describe the black exodus of the South from the 1910s to the 1960s, exacerbated the regional differences of residential discrimination's impact on housing segregation throughout the United States. Industrial recruiters from northern cities such as Chicago, New York, and Detroit, sought workers from below the Mason-Dixon line to fulfill employment needs that were the result of worker shortages due to labor strikes and two world wars. As blacks traveled en masse to live and work in the North, whites used restrictive covenants, unequal rental rates, and "on-contract" housing to keep blacks and immigrants out of their neighborhoods. Essentially, blacks were filtered into specific neighborhoods, typically the most uninviting portions of the city, to prevent residential

[19] Hanlon, "Unsightly Urban Menaces."

mixing of the races.[20] In the South, however, class distinction, not racial discrimination, acted as the invisible barrier to separate communities. Blacks of all socioeconomic status often shared neighborhoods with poor whites, as "upper-class" blacks were subject to housing discrimination in all-white communities.[21] As a city in a border state, Lexington housing and residential discrimination is most closely aligned to what is taking place in the northern United States in the early-twentieth century.

With rural-to-urban migration taking place in the 1860s, racially defined neighborhoods in Lexington resembled northern cities. Although the black population in Lexington prior to 1860 was not considerably low, the influx of blacks into the city allowed for segregation that would become more refined with time. By demarcating black neighborhoods, incoming blacks were put into the small developments created just after the Civil War, creating boundaries that defined segregation in Lexington. Evidence of racially mixed neighborhoods is difficult to find, although information on jockeys and horse trainers living in mostly white areas does exist.[22]

Segregation in Education – On January 12, 1904, Democrat Carl Day, a state representative from Breathitt County, introduced a law "[prohibiting] White and colored persons from attending the same school." Day, upon learning that Berea College had

[20] Several works detail the Great Migration of Blacks to the North: Isabel Wilkerson, *The Warmth of Other Suns: The Epic Story of America's Great Migration*, (New York: Vintage Books, 2011); Davarian L. Baldwin, *Chicago's New Negroes: Modernity, the Great Migration, and Black Urban Life* (Chapel Hill, North Carolina: University of North Carolina Press, 2009); Thomas Sugrue, *Sweeet Land of Liberty: The Forgotten Struggle for Civil Rights in the North* (New York: Random House, 2008) and *Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (Princeton, New Jersey: Princeton University Press, 2005 Reprint)

[21] Hanlon, "Unsightly Urban Menaces." Through sharecropping and domestic work, along with lack of transportation, it was necessary for blacks in these lines of business to live near or with their employers, as described by Hanlon in this article.

[22] Wright, *History of Blacks in Kentucky*.

integrated black and white students, introduced this bill to the state legislature to reinforce the *Plessy* ruling, extending Jim Crow segregation to educational facilities.[23] Despite protestation from William G. Frost, president of Berea College, the bill was signed into law by Governor J.C.W. Beckham in March 1904 as a statewide measure to ensure racial segregation of all levels of education. The United States Supreme Court, in the 1908 ruling of *Berea College v. Kentucky*, upheld the Day Law, citing the *Plessy* ruling as precedence.[24] The Day Law became a tool to fight racial integration in Kentucky, as the barriers preventing blacks from gaining admission into the state's best colleges and universities was continually challenged in the first half of the twentieth century.

Separate education for white and black students did not receive a significant amount of attention in Lexington until the 1940s. Black students often met in dilapidated schoolhouses and shared learning resources, while their white counterparts had better facilities, adequate learning material, and teachers earning higher wages. It can be argued that blacks in Lexington saw separate education as beneficial – despite the circumstances – given that black schools could hire their own teachers and administrators, becoming one of the few employment opportunities for blacks in this era. For example, in 1915, although local black leaders in Lexington understood that separate schools were not equal, instead of asking for integration between white and black students, the group wrote a letter to the Fayette County School Board requesting a new facility for black high school students. In 1922, the Fayette County School Board answered the appeal, as

[23] Berea College had integrated as early as the 1870s, admitting black students to certain degree programs, such as teaching and agriculture.
[24] John Hardin, "'Kentucky is More or Less Civilized,'" *The Register of the Kentucky Historical Society*, Volume 109, Issue 3 (2011)

Russell High School became a ward school with the opening of Paul Laurence Dunbar High School.[25] Constitution Elementary School, located east of downtown Lexington, contained most of the city's black elementary-aged students.

Segregation of Kentucky's colleges and universities became the most contested form of racial separation in education. It was not uncommon for aspiring black college students to apply to racially segregated universities, despite denial of admission due to racial discrimination. Two institutions, Kentucky State College for Negroes in Frankfort and Louisville Municipal College for Negroes, maintained segregation in post-secondary education; the two schools, however, contained a limited amount of options for degree programs and neither institution could admit graduate students because both lacked graduate schools. In 1936, Governor A.B. Chandler signed the Anderson-Meyer Act for black students to pursue graduate studies at out-of-state colleges to prevent the challenging of post-secondary segregation in Kentucky. Although Chandler's efforts seemed to have encouraged students to obtain post-graduate degrees, poor funding and lack of commitment to the program often led black students to abandon their graduate studies and return to Kentucky, without the option of entering programs at schools such as the University of Kentucky and the University of Louisville.[26]

It is difficult to place the separation of education by race in the context of northern or southern segregation, considering both regions contained schools specifically for black and white students. The defining characteristic, however, is the extension of the *Plessy* ruling, through the 1904 Day Law, into the racial segregation of educational facilities – a branch of Jim Crow. Racial segregation in Lexington's educational system,

[25] Wright, *History of Blacks in Kentucky*, 119-121.
[26] Hardin, "'More or Less Civilized.'"

therefore, resembles southern forms institutional oppression given its connection to racial separation in the region.

Discrimination in Economic Opportunity – Employment discrimination in pre-civil rights movement Lexington is hard to gauge due to the lack of records in the private sector and the amount of publicly employed black workers. At the turn of the twentieth-century, blacks held jobs in area department stores, in positions such as sales clerks and elevator operators; domestic workers in the homes of various Lexington residents; and as grocery store attendants. Black business owners, as well as black education, became a significant source of employment for members of the black community, as Deweese Street became the center of black commerce in Lexington.

A 1910 pamphlet by Lawrence Harris, a black businessman from Lexington, detailed black-owned businesses in the city to encourage blacks and whites to support local small business in Lexington. Black-owned businesses consisted largely of barbershops, with twenty-five, along with eight physicians, four lawyers, three dentists, two undertakers, and two real estate agents.[27] Despite the various income levels of Lexington's black professionals, it was common to see domestic workers and contractors, doctors and barbers, living on the same city block, due to housing discrimination, as well as wage discrimination.[28] Employers justified lower salaries by stating that "blacks need

[27] Wright, *History of Blacks in Kentucky*, 19. Wright's statistics are drawn from Lawrence Harris' 1910 pamphlet, *The Negro Population of Lexington in the Professions, Business, Education, and Religion*. At this time, however, black real estate agents were not recognized by the National Association of Real Estate Boards.
[28] Interview with Sanford Roach.

less [money] to live on," given the poor living conditions of blacks in Lexington at this time.[29]

The discrimination of blacks in the workforce existed throughout all regions in the United Stated prior to the civil rights movement, therefore it is challenging to define this issue by region. The socioeconomic status of blacks during this period resembles urban areas, considering the different types of employment and businesses owned, as compared to rural regions, where sharecropping and domestic services were the typical means of income among blacks. Urban and rural characteristics are the most useful tools for emphasizing the distinction between northern and southern discrimination in Lexington.

Segregation of Public Accommodations – As a young girl growing up during segregation, Joyce Hamilton Berry noticed specific habits among her family members, notably her mother and father, to guard her from encountering segregated public facilities. Berry's father would often drive, instead of taking the train, when visiting distant family members; her mother would convince her that she was not interested in eating at restaurants that specifically catered to a white clientele; and she would not encounter segregation until riding public transportation with friends in high school.[30] George Logan, at thirteen-years-old, was told that he would have to order his bus ticket at a back window if he were to travel from Stanford, Kentucky, back to Lexington, yet chose to hitchhike instead of exposing himself to second-class citizenship.[31] James

[29] Interview with James W. McCann, July 24, 1986. Interviewed by Ann Grundy. Louie B. Nunn Center for Oral History, University of Kentucky Libraries.
[30] Interview with Joyce Hamilton Berry, March 31, 2000. Interviewed by Betty Brinson. Kentucky Civil Rights Oral History Project, Kentucky Oral History Commission.
[31] Interview with George Logan, March 14, 2001. Interviewed by Betty Brinson. Kentucky Civil Rights Oral History Project, Kentucky Oral History Commission.

McCann frequented the Lyric Theater to avoid the dehumanizing colored sections of the Strand, Ben Ali, and Kentucky Theaters, which used separate entrances and seating areas for black patrons.[32] Examples of segregation in public accommodations are the most memorable aspect of racial separation – a daily reminder of the social hierarchy present in Lexington. While examining personal experience of blacks living in Lexington during segregation, instances of racial separation in community relations are the most emphasized and vivid recollections of the era.[33]

The segregation of public facilities took on a strange tone: just as housing discrimination became more rigorous moving into the twentieth century, the implementation of Jim Crow in the very late nineteenth century resulted in a strict parting of the races in daily activity. Until 1916, blacks and whites were free to use any public park in the city, although it was uncommon for mixed racial events to occur. With the institution of Fredrick Douglass Park in Lexington's westside, parks became racially designated for white or black Lexingtonians.[34] In 1920, the Young Men's Christian Association (YMCA) set up a separate facility for blacks after various complaints from white patrons.[35] Black barbers, in an effort to keep white customers, would refuse to accept business from blacks out of fear that whites would no longer have their haircut at black barbershops that served both black and white clients.[36] One specific case, however,

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[32] Interview with James McCann.
[33] The Blacks in Lexington Oral History Project at the Louie B. Nunn Center for Oral History at the University of Kentucky and the Kentucky Oral History Commission's Kentucky Civil Rights Oral History Project are the two most reliable sources for personal accounts of what took place during the civil rights movement. As most of the participants in both projects were children and may not have understood the political aspects of the civil rights movement, many cases of segregation in public accommodations come to the forefront.
[34] Wright, *History of Blacks*.
[35] Smith, "Blacks in Lexington."
[36] Wright, *History of Blacks*. The practice of black barbers discriminating against other blacks eventually stopped, but no timetable or specific event is noted for the elimination of this practice.

speaks to the regional distinction of segregated public facilities, involving cases in the North and the South.

During Audrey Grevious' tenure as a member of the Lexington Chapter's National Association for the Advancement of Colored People (NAACP) in the 1950s, she found herself in an experiment testing segregation and the treatment of blacks in northern and southern restaurants.[37] After attending a conference in New York City, Grevious and her companions were asked by NAACP representatives to record encounters with white businesses as they traveled south back to Lexington. Grevious noted that racism and segregation intensified as her and her traveling mates crossed the Mason-Dixon Line and officially entered the South. The experiment was repeated in the same manner – beginning in New York and ending in Lexington – however, the travelers wore more expensive clothing, elaborate jewelry, and used a limousine for transportation to give the appearance of a higher class of blacks. The follow-up experiment yielded the same results as the initial attempt.

Racial separation in public facilities and events promoted the racial hierarchy of whites over blacks, yet indirectly produced two significant points of pride among blacks in Lexington: the black business district of Lexington on Deweese Street and the Lexington Colored Fair. The Colored Fair, started in 1869, became a nationally renowned event, even drawing praise from W.E.B. DuBois. The Colored Fair featured horse races and band competitions, as well as gambling, often drawing crowds into the tens of thousands. With the onset of the Great Depression in the 1930s, however, the

[37] Interview with Audrey Grevious, April 13, 1999. Interviewed by Betty Brinson. Kentucky Civil Rights Oral History Project, Kentucky Oral History Commission.

event was discontinued due to lack of funding among fair sponsors and the inability of fair-goers to pay the price of admission.[38]

The segregation of public accommodations is the most visible, and lasting, evidence of racial separation in the early twentieth century. The use of Jim Crow methods extended from train cars and clinical waiting rooms, to lunch counters and bus seating. It is important, however, not to minimize the civil rights movement to the issue of signage demarcating "white" and "colored" and the attempt to break down such noticeable barriers. The integration of theaters, restaurants, and public transportation, among other facilities, is one of many difficulties blacks faced throughout the southern and nationwide civil rights movements. It is a disservice to those who took part in the movement to identify it as if the ability to order a sandwich at a certain restaurant or ride at the front of the bus were the main objectives of civil rights advocates.

A description of segregation and discrimination in Lexington prior to the civil rights movement provides evidence of the desire for change among blacks in a local context. By examining regional contextual factors indicating northern or southern forms of discrimination, the dynamics of border state race relations and social interaction reveal characteristics that highlight the unique position of a city such as Lexington. The use of different forms of discrimination in housing, employment, education, politics, and public accommodations, as well as the racial violence that accompanied the enforcement of racial separation and the promotion of a racial hierarchy, emphasize the distinction

[38] Wright, *History of Blacks in Kentucky*.

between and within regions of the United States that effect the objectives of local civil rights leaders and organizations.

The Lexington Civil Rights Movement – The general mood of the black community in Lexington prior to the civil rights movement is often described in three ways: complacent, reluctant, and somewhat grateful. Black leaders of Lexington are often critical in their remembrance of fellow blacks prior to and throughout the movement, recalling the various excuses for the lack of activity among members of the black community. Ideological differences divided blacks politically and socially, leading to frustration and anger in an already difficult period. The characteristics and collective mood of the Lexington black community, however, are only unique in the same way that the movement functioned differently throughout each region of the United States.

Complacency is the most common description of blacks in Lexington in the mid-twentieth century. The idea of "polite racism" led many blacks to believe that a movement for civil rights was unnecessary, and that demanding equality would be detrimental to race relations. Complacent attitudes among black Lexingtonians led to a reluctance to fight for equal treatment in politics, public accommodations, housing, employment, and education, as well as an appreciation that blacks had access to these rights without the uninhibited violence of the Deep South. Many blacks were reluctant to act for fear of losing the few rights they had attained until the 1950s, leading to the belief that blacks were thankful for the seemingly progressive attitude towards race relations in Lexington.

The concept of a "long civil rights movement," as described by Jacqueline Dowd Hall, begins with New Deal era political change and extends past the death of Martin

Luther King, Jr.[39] Hall's framework runs counter to the belief that the civil rights movement was a southern phenomenon, born out of King's leadership in the Montgomery Bus Boycott of 1955-56 and ending with his assassination in Memphis in 1968. Hall lends evidence to a nationwide movement, arguing that America's black community fought for civil rights in all geographical regions of the United States. The development and depth of civil rights movement historiography provides a broader view of the movement, emphasizing a nationwide struggle that consists of roughly forty years of activism. While civil rights activity had occurred since the end of slavery, the collective efforts of blacks and their allies in the struggle for equality constitute a movement of movements taking place throughout much of the twentieth century.

The Lexington civil rights movement begins shortly after the New Deal era with attempts to desegregate the University of Kentucky and concludes in the late 1970s with efforts to expand open housing and employment, as well as the continued determination to fully integrate Lexington's public schools. Lexington's geographical location, however, puts regional context into question as elements of northern and southern segregation and civil rights activism are present in the city. Further examination of the Lexington movement can uncover particular characteristics that reveal which regional framework the Lexington civil rights movement functions best. Although regional distinction of the Lexington civil rights movement may seem insignificant, it is important to analyze the different struggles between northern and southern civil rights advocates to avoid generalizations and emphasize the unique nature of the movement city-by-city, region-by-region. The Lexington civil rights movement offers a unique perspective in

[39] Jacqueline Dowd Hall, "The Long Civil Rights Movement and Its Political Uses of the Past," *Journal of American History*, Vol. 91, Issue 4 (2005).

regional differentiation as it is not considered a northern city due to its location below the Mason-Dixon Line, but did not experience the violence and extreme opposition of the movement in the Deep South. A closer look at the events that took place throughout the Lexington civil rights movement will provide insight to regional differences in the wider freedom struggle of America's black community.

The Desegregation of the University of Kentucky – The 1904 Day Law ensured segregation in all public education, including state universities and colleges. This piece if legislation left Louisville Municipal College for Negroes and Kentucky State College for Negroes in Frankfort as the only in-state post-secondary education options for black Kentuckians. The "separate, but equal" doctrine, in conjunction with the Day Law, enforced segregation in practice, but only supported equality in principle. Universities with all-white enrollment were given first priority in state funding, allowing for a higher quantity and better quality of programs compared to black colleges. As a consequence of disproportionate funding, which favored schools that discriminated against black students, the widening gap in programs offered and the superiority of those programs at all-white universities became much more noticeable. The absence of graduate education at Louisville Municipal College and Kentucky State, along with the failure of the Anderson-Meyer Act of 1936, which allocated "scholarships" to aspiring black graduate students to out-of-state universities, became the breaking point for black students that sought to remain in the state of Kentucky for their graduate studies.[40]

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[40] Hardin, "More or Less Civilized"; Smith, "Blacks in Lexington." Signed by Kentucky Governor A.B. Chandler, the Anderson-Meyer Act was used to justify the absence of graduate programs at all-black universities, as well as a deterrent for black students to attempt to integrate graduate schools. The program designed to send black students out-of-state was poorly funded and lacked support, often giving black

Despite the lack of a Lexington Chapter for the National Association for the Advancement of Colored People (NAACP), members of the organization in Kentucky, comprised mostly of Louisville NAACP participants, made a concerted effort to desegregate Kentucky's public universities. The University of Kentucky was chosen over the University of Louisville for an odd reason, however, as the University of Louisville's status as a public or private college was unclear in the 1930s.[41] In 1939, a candidate was chosen to serve as an applicant – with the support of the NAACP – to the University of Kentucky in the first attempt at desegregation.

Twenty-year-old Louisville native Alfred Carroll applied to the University of Kentucky Law School in January 1939. Carroll, a graduate of Wilberforce, fought his rejection to the university for two years before Thurgood Marshall advised Charles Anderson, the lead attorney in the Carroll case for the NAACP, to drop the suit against the University of Kentucky. Since Wilberforce lacked accreditation, Marshall felt that defeat in the legal system was imminent, hurting the efforts of the NAACP's attempt at desegregation. In 1941, Alfred Carroll and the NAACP made the decision to drop the lawsuit against the University of Kentucky. The civil rights organization, however, had designs for a new case to bring against the school, believing that it would be more successful than the previous attempt to desegregate the University of Kentucky.[42]

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students enough money for only a semester of school. The typical student that received funding for out-of-state programs returned to Kentucky without a graduate degree within a year.

[41] Interview with Lyman T. Johnson, August 9, 1978. Interviewed by Edward Owens. Blacks in Lexington Oral History Project, Louie B. Nunn Center for Oral History, University of Kentucky Libraries. The University of Louisville's status as a public or private university is, more than likely, due to the inaccessibility of files or state funding. After desegregation efforts of the University of Kentucky had begun, it was discovered that Louisville received state funding, categorizing the school as a public university.

[42] Wright, *History of Blacks*; Hardin, "'Kentucky is More or Less Civilized.'"

The NAACP refused to give up on desegregating Kentucky's colleges and universities. In the same year that the NAACP decided to drop the Carroll case, a new candidate, Charles Eubanks, a seventeen-year-old aspiring engineering major from Louisville, emerged as a participant. The Day Law mandated that black colleges must offer the same programs as white universities to ensure the "separate, but equal" doctrine, yet failed to enforce the equality of standards for racially separated schools and programs. Eubanks and the NAACP felt that they had an airtight case, considering Kentucky State College did not offer a civil engineering program or course. The Kentucky Department of Education, however, required Kentucky State to create and offer an engineering program, allowing for the University of Kentucky to deny Eubanks' admission. Efforts on the part of both Kentucky State College and the University of Kentucky to maintain segregation proved to create difficulties for civil rights activists attempting to desegregate Kentucky's universities and colleges.[43]

Rufus Atwood, president of Kentucky State College, worked closely with University of Kentucky administrators – particularly University of Kentucky President Herman Donovan – to guarantee that institutions of higher education in Kentucky remain racially separated. Atwood's participation in the Eubanks case is an example of blacks and whites working together under the belief that segregation was in the best interests of both parties. Atwood was fully aware of the inferior standards at Kentucky State College compared to the University of Kentucky, and believed that, if schools were integrated, it would hurt application and enrollment to Kentucky State. Therefore, Atwood created a civil engineering program at Kentucky State, which consisted of one professor, "not an

[43] Wright, *History of Blacks*; Hardin, "'Kentucky is More or Less Civilized.'"

engineer, but a bachelor of science in industrial education," and "practically without equipment."[44] Despite pressure from the state, Eubanks refused to enroll at Kentucky State after being denied admission to the University of Kentucky. After roughly three years of delaying tactics by University of Kentucky lawyers, the lawsuit against the school was dismissed due to a lack of prosecution on January 6, 1945.[45] As the NAACP felt that momentum had increased despite the result of the Eubanks case, the establishment of a Lexington Chapter of the NAACP in 1945, along with a much more qualified candidate, put the organization one step closer to the desegregation of the University of Kentucky and the abolition of the Day Law.

Although Lyman Johnson believed in the need to racially integrate Kentucky's universities and colleges, he accepted his new role in the desegregation campaign with reluctance. Johnson chaired the committee that led the previous two desegregation attempts, and he feared that his position combined with his new role in the integration effort would be misinterpreted as using the organization for personal gain; however, Johnson, a forty-two-year-old history teacher at Louisville Central High School, was an ideal applicant on behalf of the NAACP for many reasons.

Johnson's impressive academic record instilled confidence in the NAACP. Johnson received a Master of Arts degree from the University of Michigan and earned credit towards a doctorate at the University of Wisconsin – proving that he had the credentials to be a worthy aspirant to the University of Kentucky's Graduate School. After moving to Louisville and becoming a teacher, Johnson joined the Louisville Negro Teachers' Association, and was later elected as its president. Through the teachers'

[44] Found in George Wright's *A History of Blacks in Kentucky,* this information is drawn from an April 9, 1943 NAACP press release.
[45] Wright, *History of Blacks*.

association, Johnson gained experience in the justice system by suing the Louisville Board of Education for wage discrimination, claiming that black teachers received wages 15% less than their white counterparts.[46] Johnson's continued involvement in the Louisville NAACP chapter, along with his role in the two unsuccessful desegregation attempts, inspired the confidence necessary for Johnson to apply to the University of Kentucky's History Department as a Ph.D. student in 1948.

The lack of a graduate school at Kentucky's two black universities allowed for Johnson's case to warrant serious consideration. In July 1948, Kentucky State College and the University of Kentucky entered into a contractual agreement aimed at raising the quality of education at the University of Kentucky.[47] The failure of this agreement between the two schools is highlighted by the case of John Hatch, an aspiring black law student denied admission into the University of Kentucky Law School in 1948. Seven law professors from the University of Kentucky traveled to Frankfort weekly for lessons with Hatch. This plan, however, failed due to a lack of materials supplied by Kentucky State and arduous travel arrangements for the professors from the University of Kentucky.[48] The failed law school experiment proved that establishing a doctoral program at Kentucky State College was not possible.

From the beginning of the process, though, differing accounts of Johnson's case surfaced from both university administration and Lyman Johnson. Dr. Thomas Clark, a native of Mississippi and head of the History Department at the University of Kentucky, states that he never saw Johnson's application, which would have inevitably "crossed his

[46] Interview with Lyman T. Johnson. It's unclear whether or not Johnson and the teachers' association won the case; Johnson neglected to declare the result of the lawsuit in the interview.
[47] Gerald Smith, *A Black Educator in the Segregated South: Kentucky's Rufus B. Atwood* (Lexington, Kentucky: University of Kentucky Press, 1994).
[48] Smith, *A Black Educator*.

desk" considering his position in the department. In Clark's words, Johnson showed up to registration to sign up and pay for courses without receiving a decision concerning his application to the university's graduate school.[49] According to Johnson, Dr. Maurice Seay, Dean of Admissions at the University of Kentucky, had told him that he could not be admitted to the school because of his race. The encounter between Johnson and Dr. Seay took place at the cash register as Johnson – accompanied by the Lexington and Louisville NAACP chapter presidents, two reporters, two preachers, and an attorney – attempted to pay for courses to be taken in the Fall of 1948.[50] Seay suggested that Johnson take up the issue of his admissions status with the chancellor and president to resolve the conflict that occurred at the cash register, sparking the legal battle over racial discrimination.

The idea of complacency among the black community in Lexington is evident in the reception of Lyman Johnson and his attempt to desegregate the University of Kentucky.[51] Rumblings among black Lexingtonians contained traces of disapproval, as older blacks did not want to create any unnecessary tension in race relations. Due to perceived harmony between whites and blacks, many felt that it would be detrimental to break longstanding traditions in the area. Another, less noticeable, feeling among blacks was that black educators and administrators were inadequate in comparison to their white counterparts, when, in reality, lack of funding and support from the state led to this discrepancy. As the case of Lyman Johnson progressed, optimism in the black community increased as desegregation became a real possibility.

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[49] Interview with Thomas Clark.
[50] Interview with Lyman Johnson. Johnson states that Seay first told him that he would have to pay in cash, then completely refused to accept his payment because he was not admitted to the university.
[51] Interview with James McCann.

Shortly before going to trial, the NAACP used several different tactics to strengthen its case against the University of Kentucky. White students and professors were chosen to speak on behalf of Johnson, claiming that it would be beneficial for graduate students to learn in a diverse atmosphere. John Hope Franklin, a leading historian and professor at Howard University, was brought to Kentucky by the NAACP to speak on the inadequacy of the Kentucky State College program and the inequality in denying Johnson admission into the University of Kentucky. Despite Franklin's contributions, he was not chosen to testify in the Johnson case. It became clear, however, that integration was no longer a matter of *if*, but *when*. The NAACP had taken the necessary steps to ensure a successful trial and felt confident in their efforts when the verdict became final.

Unlike the previous two cases, it did not take long for a decision to be made in the Johnson trial. On March 30, 1949, in the presence of Thurgood Marshall, Judge H. Church Ford of the United States District Court ruled in favor of Johnson and granted him and thirty other black students admission into "graduate and specialized courses" for the fall term of 1949.[52] The victory of Lyman Johnson and the NAACP led to the abolition of the Day Law in 1950 and the desegregation of public universities statewide. Although the Alfred Carroll and Charles Eubanks cases seem like failures of the NAACP, the beginnings of a ten-year effort to desegregate Kentucky's public universities and colleges were sparked by the two unsuccessful attempts – a part of the process that deserves more attention and credit in the final ruling of the Lyman Johnson case. Although the desegregation of Kentucky's universities and colleges was an arduous

[52] Wright, *History of Blacks*; Smith, "Blacks in Lexington"; Hardin, "Kentucky is More or Less Civilized.'"

process, integration and acceptance of black students into formerly all-white institutions of higher education were just as difficult.

Racial integration at the University of Kentucky brought changes to the university policy to control interaction between white and blacks students. Edward Breathitt, a 1948 graduate at the university, was a law student during the school's first year of integration in 1949. Breathitt recalls violating university policy on several occasions by sitting next to and associating with black students.[53] Records of the change in university policy to regulate race relations among the students are difficult to locate; however, black and white students clearly remember efforts to minimize interaction between the races in the early stages of integration at the University of Kentucky.

Black students experienced small, but significant, acts of racism from white students once integration took place. Following the admission of black students into graduate programs, "some threats were heard, and a few crosses burned," but no substantial "acts of violence" occurred at this time.[54] On George Logan's first day of graduate classes at the University of Kentucky, he was the first student to arrive to Dr. Thomas Clark's class. Already seated as white students filed into the room, Logan noticed that not only would no one sit next to him, none of the students would sit at the desks, choosing to stand near the wall until the professor entered the room. The white students complied with Clark's instructions to sit so that class could begin, yet the second day of classes took on a different mood. Although Logan arrived to class early yet again, all of the white students were in the classroom and seated, with one open seat containing a sign reading "for colored only." As Dr. Clark entered the room, he noticed the sign and

[53] Interview with Edward Breathitt.
[54] Wright, Jr., *Lexington*. Aside from the Greg Page story, one of the first black football players at the University of Kentucky, there were no acts of violence that can be proven.

ordered Logan to leave the room so that he could address the white students. Logan, unaware of Clark's message to his peers, could not recall any further incidents with his classmates after that day.[55] Kay and LaMont Jones, students who met at the University of Kentucky in the early 1960s and later married, experienced subtle forms of racism from students and professors. Both felt that they were accepted by professors in the arts and humanities departments, but were told by science instructors that blacks were "genetically inferior to whites."[56] Several black students who attended the University of Kentucky recall experiencing some form of racism or discrimination, but spoke as if it were expected.

Athletics teams at the University of Kentucky were slow to include black student-athletes to their sports programs due to conference bylaws. As a member of the Southeastern Conference in collegiate athletics, the University of Kentucky integrated black and white student-athletes in 1966, with black football players Greg Page and Nate Northington. Before the inaugural season of integration, however, Page died from a broken neck suffered during a drill in practice. Although no investigation into the incident took place by the university or outside authorities, many members of Lexington's black community felt that Page's death deserved attention, believing that it was not an accident. Around roughly the same time, University of Kentucky basketball coach Adolph Rupp, notorious for refusing to recruit black basketball players, had dismissed the first black student-athlete to play basketball at the university for conduct reasons. Given the university's reluctance to integrate, there is evidence that validates

[55] Interview with George Logan.
[56] Interview with Kay and Lamont Jones.

the concerns of black Lexingtonians, as integration was not easily accepted. Despite protest, Page's death was ruled a tragic accident and, in 1967, Nate Northington became the first black football player to play for the University of Kentucky.[57]

As in many southern states, Kentucky State College and Louisville Municipal College were created to support the "separate, but equal" standard put in place in 1896. Although black colleges and universities existed above the Mason-Dixon Line, it was not uncommon for black students to attend mostly white northern universities – a phenomenon that did not occur in the South. To avoid integration, it was necessary to provide some semblance of equality, leading to the creation of black institutions of higher learning. Following the abolition of the Day Law in 1950 and the subsequent admission of black students into formerly all-white universities, Louisville Municipal College closed its doors in 1951. Kentucky State College for Negroes, now Kentucky State University, remains Kentucky's lone historically black college.

As a plaintiff of the desegregation case in the late 1940s, Johnson felt that it was his duty to enroll in coursework towards a doctorate at the University of Kentucky, but did not intend to graduate. Johnson planned to receive a Ph.D. from an institution he had "some respect for," and did not want to "cheapen his master's degree from the University of Michigan with a doctorate from the University of Kentucky."[58] On May 12, 1979, however, the University of Kentucky gave Johnson an honorary doctorate for his role in the integration of the school's graduate programs, which he gladly accepted.

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[57] Larry Vaught, "Brother for Former Kentucky Football Player Greg Page Writing a Book About His Life," *The Advocate Messenger*, December 4, 2013. As freshmen were not allowed to play varsity athletics, Northington's achievement as the first black football player to play for the university did not occur until the following year, 1967.

[58] Wade Hall, *The Rest of the Dream: The Black Odyssey of Lyman Johnson* (Lexington, Kentucky; University of Kentucky Press, 1988).

Kentucky, notably Lexington, contained characteristics of both northern and southern segregation. The University of Kentucky's rigid enforcement of the color line is closely aligned to southern ideological beliefs concerning race, while the desegregation of Kentucky's largest public university occurred before southern states such as Mississippi and Alabama, lending evidence to northern characteristics. Kentucky's institutions of higher education seemed backwards in comparison to northern universities, but progressive compared to the Deep South.

Unlike many schools, such as the University of Mississippi and the University of Alabama, no violence on or around campus accompanied the integration of the University of Kentucky. Aside from the individual cases of racism, the abolition of racial separation at the school went much more smoothly than some universities in the Deep South. Given the University of Kentucky's importance to the Lexington community, desegregation was an historic event for the city and the relationship between black and white Lexingtonians.

CORE, NAACP, and other Lexington Civil Rights Organizations – In the South, preachers and clergymen were chosen to spearhead the civil rights movement, largely due to the massive resistance of southern whites to civil rights organizations. Therefore, ministers and churches became the focal point for strategic planning concerning protests and demonstrations against Jim Crow segregation and the unabated violence in the Deep South. Although organizations such as the Southern Christian Leadership Conference (SCLC) functioned successfully in the South, the presence of the NAACP became a point

of contention on a state and local level below the Mason-Dixon Line.[59] Originally established in New York City in 1909, NAACP chapters were created throughout the United States in the first half of the twentieth century, including the South. The construction of these southern chapters, however, were not welcomed by many, including blacks, as hostility and tension between whites and blacks increased. Blacks feared losing their jobs and violent reprisal for attending NAACP meetings, as racially conservative newspapers – in Jackson, Mississippi, for example – would publish the names and addresses of members, denouncing their participation in the organization.[60] In 1956, Alabama state legislators successfully voted to outlaw the NAACP – an indication of the measures that government officials took to prevent civil rights progress.

The Lexington NAACP continued to be heavily involved in Central Kentucky long after the organization's efforts to desegregate the University of Kentucky. Audrey Grevious joined the NAACP in 1954 and became Lexington chapter president in 1957. She recalls the Lexington chapter having a membership of thirty when she joined, yet only a third of the members were active participants.[61] The organization had teachers, preachers, housewives, and secretaries and consisted mostly of women. Despite low membership and difficulty in organizing protests and demonstrations outside of the realm of politics, the Lexington NAACP maintained its impact on the Lexington community in an unconventional way: by partnering with a fellow civil rights organization.

In 1959, the Congress on Racial Equality (CORE) was established in Lexington as an "interracial, university-based" organization. William Reichart, an Economics

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[59] Woodward, *Strange Career*; Hank Klibanoff and Gene Roberts, *The Race Beat: The Press, the Civil Rights Movement, and the Awakening of a Nation* (New York: Vintage Press, 2007).
[60] Klibanoff and Roberts, *Race Beat*.
[61] Interview with Audrey Grevious.

professor at the University of Kentucky, is credited with bringing the CORE chapter to Lexington. Instead of competing to become the prominent civil rights organization in Lexington, the NAACP and CORE worked together extensively to promote change in the community. Rivalries between civil rights organizations stemmed from ideological differences, but, more commonly, occurred because many leaders in this era refused to share credit for civil rights gains. Two factors for the unusual solidarity between the NAACP and CORE are the lack of involvement, and often regressive tactics, among black preachers and churches and the friendship between Audrey Grevious and CORE president Julia Lewis, "two women at the forefront of the civil rights movement in Lexington."[62]

The consensus among black Lexingtonians who lived through the movement is that the involvement of black preachers was counterproductive to the goals of civil rights advocates. Several incidents involving demonstrations of public accommodations and housing resulted in the accusations that black preachers were responsible for "backroom dealings," which compromised the achievements of civil rights aims.[63] Pastor William Jones, Sr. of Pleasant Green Baptist Church is often recognized as the sole minister responsible for advancing the cause of civil rights by establishing his church as the meeting grounds for NAACP and CORE members to work together.[64] Calvert McCann, who joined CORE at nineteen-years-old, recalls black ministers being "very critical of

[62] Interview with Audrey Grevious; Gerald Smith, "Direct-Action Protests in the Upper South: Kentucky Chapters of the Congress on Racial Equality," *Register of the Kentucky Historical Society*, Volume 109, Issue 3 (2011).
[63] Interview with Calvert McCann; Interview with Audrey Grevious; Smith, "Blacks in Lexington"; Interview with Kay and LaMont Jones; Fosl and K'Meyer, *Freedom on the Border*.
[64] Interview with Kay and LaMont Jones.

young civil rights activists."[65] As the movement wore on, however, a new generation of preachers moved into Lexington during the 1960s, this time aiding to the progress of civil rights goals.

Increased membership in the NAACP also contributed to civil rights momentum in Lexington. Grevious claims that the organization grew to between 150 and 200 members during her tenure as president. An upswing in involvement, specifically in the desegregation of public accommodations, allowed for more blacks and white allies to join the front line of the movement to promote more tangible change. Grevious states that the increase in membership was due to "keep[ing] people involved" in activities that ranged from picketing grocery stores to organizing marches.[66] As participation in the nationwide civil rights movement began to grow in the 1960s, the Lexington movement followed suit.

Although the NAACP and CORE are responsible for the majority of civil rights activity in the Lexington and Central Kentucky area, other organizations, such as the Lexington Committee on Religion and Human Rights (LCRHR), the Urban League, and the state-mandated Fayette County Commission on Human Rights, contributed to the efforts of civil rights advocates. The LCRHR, formed in 1963, consisted of black and white clergy and laity who were dedicated to interracial involvement from Lexington's Christian community, adding a religious element to the local movement.[67] The Urban League, a national organization, was created in 1968 to serve Lexington minorities – not only blacks, but also poor whites and women – by addressing inequality in education and

[65] Interview with Calvert McCann.
[66] Interview with Audrey Grevious.
[67] Interview with Harry Sykes; Mission Statement, Lexington Committee on Religion and Human Rights, 1963-1967, 1M75M10, Special Collections, University of Kentucky

employment, as well as promoting black history by commissioning an oral history project of blacks in Lexington.[68] The Civil Rights Act of 1966 established the Fayette County Commission on Human Rights, a state law passed by the Kentucky General Assembly that mandated the creation of local human rights commissions throughout Kentucky to prohibit discrimination in employment and public accommodations.

The LCRHR, Urban League, and Fayette County Commission on Human Rights are responsible for affecting change, yet their legacy in the Lexington civil rights movement varies. The LCRHR dissolved inexplicably in 1967. The Urban League remained in Lexington, yet its minimal participation did not place the organization at the forefront of civil rights activity in Lexington. The Fayette County Commission on Human Rights provided a political outlet for those who felt victimized by racial discrimination; however, as with many state mandated programs, it did little to establish concrete change outside of the initial bill that created it.

Lack of involvement from Lexington's religious community until the mid-1960s created a dependency on civil rights organizations to affect change. Organizations like CORE and the NAACP established their position at the forefront of the local movement in Lexington, drawing much of the support from the community that typically went to churches and religious organizations in areas of the Deep South. The organizational structure, strategic planning, and authority figures of the movement in Lexington resembled northern forms of civil rights leadership. It is not difficult to make the northern connection considering the ties that both CORE and the NAACP had to the

[68] Interview with Porter G. Peeples, Sr., November 5, 1982. Interviewed by Gerald Smith. Blacks in Lexington Oral History Project, Louie B. Nunn Center for Oral History, University of Kentucky Libraries; Interview with Harry Sykes

North in their respective formative natures. Similar to northern trends, secular organizations dominated civil rights leadership in the Lexington movement.

The Desegregation of Lexington and Fayette County Public Schools – Prior to the *Brown v. Board of Education* decision in 1954, inequality in the Lexington and Fayette County Public School systems existed at many levels. Although the *Brown* decision did not close the gap in white and black education in Lexington, it brought significant change in the structure of each school system over the course of twenty-five years.[69] Issues that often go unnoticed through the desegregation process, such as the redistribution of black teachers and administrators, wage discrimination, closure of black schools, and busing systems, are evident in the struggle to rectify the damage created through more than a half-century of "separate, but equal" education in Lexington school systems.

Black teachers were a key part of Lexington's civil rights community, as education was not only a valuable economic opportunity, but also elevated many blacks to respectable positions in the community. Black teachers, however, faced many difficult challenges prior to integration. Although white and black teachers were required to have the same educational qualifications, black teachers were paid less than their white counterparts.[70] Black teachers were also responsible for holding their students to the same standards as white students, but did not have the resources necessary to close the achievement gap. The mentality of black students became a barrier for black teachers as well, as the students felt that the only jobs available to them were garbage or factory

[69] Twenty-five years denotes the length of the civil rights movement.
[70] Wright, *History of Blacks*. Wright provides a study by Charles Anderson that found black teachers made $850 annually compared to $1,000 for white teachers.

workers, making it difficult to find motivation.[71] Despite the challenges of being a black teacher and administrator, black communities took pride in their schools, as Constitution Elementary and Dunbar High School experienced a high rate of parental involvement. Integration of black and white students, though, resulted in mixed emotions and consequences, as it was simultaneously both advantageous and detrimental to black education.

Many blacks felt that integration was necessary for black children and educators. Calvert McCann states that he knew "black schools were second-rate" and that integration was the only remedy to the problem of inequality.[72] In 1956, formerly all-black Dunbar and all-white Henry Clay High School became "school[s] of choice," meaning that a student could attend that school despite skin color and school district. In the following two years, a busing system was implemented for the students of Lexington and Fayette County to attempt to fully integrate schools.[73] A closer look at Lexington's busing system highlights one facet that separated northern and southern segregation and civil rights activities.

As black neighborhoods formed in Lexington through rural-to-urban migration, distinctly segregated neighborhoods justified and maintained segregates schools. As in northern states, housing and residential segregation played a more prominent role in school districting, thus integration required busing programs. Busing played a less

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[71] Interview with Harry Sykes.
[72] Interview with Calvert McCann.
[73] Interview with George Logan. Logan recalls that the busing system occurred over the course of 1957 and 1958.

important role in the South, as many blacks and whites lived close enough to integrate schools without redrawing school districts or busing students across town.[74]

As integration had yet to live up to its intended effect by 1965, the busing system was reformed, but encountered significant opposition from black parents who believed that busing was a "burden."[75] Three parents joined together in a lawsuit against the school board, citing their children should not be forced into the busing program because they were the original targets of discrimination; however, the case was eventually dismissed after a district court judge ruled against their claim.

Different perspectives of black educators in the period of integration offer insight into the process and its effects. Sanford Roach, a black teacher and basketball coach at Dunbar High School, left the school in 1965 to become the principal at Lexington Junior High School. Roach witnessed the height of integration efforts in Lexington, serving as principal for ten years. According to Roach, he encountered very few problems between white and black students and parents, alluding to a seamless transition into desegregation. Roach recalls using integration as a learning tool for teachers and students, incorporating diversity into various lessons.[76]

Roach became the principal at Lexington Junior High School at an opportune and tumultuous time, as public schools in Lexington underwent serious change in the late 1960s. The Lexington and Fayette County School systems merged during the 1966-67 school year, and Dunbar High School, Lexington's lone black high school named after poet Paul Laurence Dunbar, closed its doors in 1968.[77] The closure of Dunbar and the

[74] Sugrue, *Sweet Land of Liberty*.
[75] Smith, "Blacks in Lexington."
[76] Interview with Sanford Roach.
[77] Wright, *History of Blacks*; Wright, Jr., *Lexington*; Smith, "Blacks in Lexington."

resulting effect on the black community indicates of the unintended consequences of racial integration in Fayette County's Public School system.[78]

Dissatisfaction with integration continued in Lexington's black community despite the efforts in busing, school closures, and the institution of the "school of choice" policy. Leading up to the 1972-73 school year, black parents voiced their displeasure with the lack of progress concerning the integration of schools. A march set for the first day of the school year started at Douglass Park and ended at the Fayette County Board of Education office. The black parents challenged the constitutionality of the Fayette County desegregation plan, though the case was dismissed by a federal judge in a U.S. District Court.[79]

After several attempts at education reform and full integration, Alvin Seals, a black man from Lexington, decided to run for a position on the school board in 1972. Seals saw the opportunity to capitalize on the political success of Harry Sykes, who had served as a city commissioner for almost ten years, before losing the mayoral election in 1971 to Foster Petit. Sykes was later chosen as assistant to the city manager, then promoted to acting city manager when his predecessor stepped down from the position. Seals, however, lost the election to the school board to Martin Devers, a white man, in a close race – so close, in fact, that Seals and his supporters questioned the validity of Devers win. Seals' suspicions were confirmed four years later when he successfully earned a spot on the school board and learned that the votes in the 1972 race were changed to award Devers the election. The board was aware that Seals wanted to become

[78] Oral interviews of those who taught and attended Dunbar recall the school fondly, but this could be an anachronistic interpretation of how these participants remember the movement and the long struggle to fully integrate schools in Lexington.
[79] Smith, "Blacks in Lexington."

a member to press integration efforts and felt that his involvement would provoke unwanted change to the existing integration plan.[80]

Public school integration in Lexington was not met with the massive resistance widespread in the Deep South, yet whites employed subtle political tactics to ensure that integration moved slowly.[81] School boards across the country deployed stalling methods and unsatisfactory alternatives to prevent integration of black and white students, with Lexington being no different. With the reluctance toward busing programs and the redrawing of school districts, northern tactics preventing integration were less visible, but impactful, similar to the integration of Lexington schools.[82] In 1981, twenty-five years after *Brown v. Board of Education*, and the end of the civil rights movement, issues involving desegregation continued to be a point of contention among school districts throughout the United States.[83]

Economic Opportunity and Open Housing in Lexington – Despite the devotion of many civil rights organizations to housing and employment equality, these two issues became secondary concerns as the movement in Lexington progressed. Early victories in local and statewide legislation that banned housing and employment discrimination contributed to the loss of momentum, yet sporadic demonstrations and protests continued into the late 1970s. The sparse, but ongoing efforts of Lexington civil rights advocates to rectify housing and employment discrimination is an example of perceived victories for

[80] Smith, "Blacks in Lexington."
[81] George Lewis, *Massive Resistance: The White Response to the Civil Rights Movement* (London: Bloomsbury Academic, 2006).
[82] Sugrue, *Sweet Land of Liberty*.
[83] A letter to Kentucky Governor John Brown from the Department of Education's Civil Rights office will be further discussed in the post-movement section.

the abolition of segregation in principle, but not in practice. Believing that laws designed to prevent discrimination would function properly, it seemed that civil rights had been won.

Black Lexingtonians felt that the city they called home did not offer much economic opportunity. According to Calvert McCann, many blacks felt that it was necessary to look outside of Lexington to find a successful career.[84] McCann's sentiment resonates with Harry Sykes' belief that black students in Lexington were difficult to motivate, as the children were aware of the lack of opportunity in employment – even for those who had received a good education.[85] In the late 1950s, with the newly formed CORE chapter, employment discrimination in Lexington became a target of civil rights organizations.

Activists took on blue-collar employment in the first step to fighting economic inequality in Lexington. As president of the NAACP in the late 1950s and early 1960s, Audrey Grevious organized the picketing of grocery stores that relied heavily on black customers, yet lacked black cashiers, such as MSR and Cotrell's. With the help of CORE President Julia Lewis, Grevious implemented a plan that involved picketers working in shifts, allowing for the demonstration to occur throughout the day. Despite poor weather conditions, those who committed to picketing the grocery stores followed through for three straight Saturdays. The protests ended with grocery store managers agreeing to hire black cashiers.[86]

Although this agreement seemed to favor the NAACP and CORE, several problems were revealed in the effort to curb racial discrimination in employment. First,

[84] Interview with Calvert McCann.
[85] Interview with Harry Sykes.
[86] Fosl and K'Meyer, *Freedom on the Border*; Interview with Audrey Grevious.

Grevious recalls blacks crossed picket lines and entered the stores, ignoring the protests. Crossing picket lines showed the lack of unity in Lexington's black community towards civil rights progress.

The issue of black support, however, is not the most detrimental effect of the grocery store pickets: this event sparked distrust in the black community towards black preachers. After the protests, Grevious and Lewis discovered that black preachers met behind closed doors with grocery store managers who urged the preachers to take advantage of their position in the community to call off the protests. When it became evident that the picketing would only cease once store management agreed to the demonstrators' demands, the managers agreed to hire black cashiers.

Finding black applicants also proved difficult. Although an agreement had been reached, blacks were reluctant to apply to the grocery stores because of wage discrimination. Equal pay for equal work had not been a point of contention in the pickets, and blacks who were asked to apply believed that they would not earn as much as their white coworkers. Even when grocery store managers agreed to equal pay, black grocery store workers had to be promoted to cashier as new black applicants were difficult to find. Promotion to leadership positions for blacks became the most common way to fight employment discrimination, which allowed for businesses to conveniently avoid backlash for discriminatory hiring practices without hiring more blacks.[87]

On June 26, 1963, Governor Bert Combs signed the "Codes of Fair Practice," a bill banning racial discrimination in state employment and with businesses contracted with the state. Kentucky's Codes of Fair Practice was implemented nearly two years

[87] Fosl and K'Meyer, *Freedom on the Border*.

after President John F. Kennedy's Executive Order 10925, establishing "affirmative action" in federal and federally contracted jobs. Despite the stance taken by the state and federal government, however, private employers not contracted through the state or federal governments could deny the hiring of blacks without facing punitive action. On August 2, 1963, demonstrators laid in the aisles of the Sears and Roebuck in Lexington to protest employment discrimination, leading to the arrest of nine protestors. Later that month, on August 30, roughly two hundred-fifty marchers assembled downtown to show their disapproval of hiring practices in Lexington's downtown department stores and restaurants.[88] The march on Lexington's downtown stores resulted in the opening of employment to blacks, a victory for local civil rights activists who sought to create economic opportunity.[89]

In 1975, as affirmative action programs throughout the United States experienced resistance, often being referred to as "reverse racism," the Urban-County Government in Lexington created a program that took the Codes of Fair Practice a step further by attempting to seek out blacks to work state jobs outside of the service sector. Unanimous approval of the affirmative action program for the Urban-County Government, however, could have been an effort to maintain federal financial backing. The reasoning behind the overwhelming support of the legislation is unknown, but there is evidence that progress in eliminating discriminatory hiring practices in local government was slow.[90]

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[88] Smith, "Blacks in Lexington."
[89] The opening of downtown department stores to black employees was one of several small victories, including the hiring of black bus drivers to the city transit system and the hiring of black waitresses at restaurants.
[90] Information and data in regards to the lack of racial diversity in Lexington's public employment will be discussed further in the post-Civil Rights Movement section.

Open housing in Lexington consisted of a political battle between black leaders and civil rights organizations against city leaders – most notably the development sector. Very few records that attest to measures taken to rectify housing discrimination in Lexington exist, yet equal housing is often mentioned as a major goal of local civil rights advocates and organizations. Therefore, it is difficult to track the progress of the attempt to eliminate housing discrimination in Lexington as it occurred throughout the mid-twentieth century.

As racially segregated neighborhoods resulted from rural-to-urban migration shortly after Civil War's conclusion, special planning on the part of Lexington city officials sought to relocate black neighborhoods to undesirable areas. Into the mid-twentieth century, however, blacks demanded equal housing opportunities, often attempting to seek home ownership in all-white neighborhoods. In 1967, Lexington adopted a local housing ordinance preventing racial discrimination, but the law was unenforceable as Kentucky state law allowed for segregation. In 1968, however, an open housing law passed through the Kentucky State Legislature.[91] The 1968 open housing law allowed for the Kentucky Human Rights Commission to fight housing discrimination – a practice that undoubtedly extended to local human rights commissions, notably the Fayette County chapter.[92]

Of the three major goals – open housing, economic opportunity, and racial integration in education – of the civil rights movement, it can be argued that housing is the most crucial issue. Black neighborhoods held the least economic opportunity, as business establishments avoided impoverished, and often crime-ridden, areas when

[91] Governor Louie B. Nunn let the bill pass without his signature, a symbolic gesture showing his opposition to the idea of open housing in Kentucky.
[92] Smith, "Blacks in Lexington."

choosing to locate. The lackluster quality of education compounded the dearth of economic opportunity. Spatial segregation by race allowed for neighborhood schools to remain segregated, as well. The purpose of busing systems in education allowed for residential areas to avoid race-mixing without affect to educational institutions. Essentially, housing segregation dictates educational and economic opportunity. Unfortunately, however, very little concrete evidence exists to illustrate the progress of equal housing in Lexington throughout the civil rights movement.[93] The issue of housing was taken up by leaders of Lexington's black community and civil rights organizations with the Lexington political structure as the main target.

The Desegregation of Public Accommodations – Racially designated public accommodations – waiting rooms, drinking fountains, public transportation – are the most visible and frequent reminders of segregation prior to the civil rights movement. Therefore, the removal of signage demarcating social interaction among blacks and whites displayed the tangibility of progress throughout the movement. With the idea of progress lying in the abolition of segregation in public spaces, participation in the desegregation of public accommodations experienced a dramatic increase during the civil rights movement, as issues involving housing, education, and employment began to stagnate due to the political modes of thought necessary for change. Removing barriers between blacks and whites on a social level received significant attention from civil rights advocates that did not have the ability to influence change on a political level. In the minds of activists, it was much simpler to integrate lunch counters and public

[93] The following section will demonstrate the effects of the lack of progress in housing, as segregation is a problem that continued in Lexington into the late twentieth and twenty-first centuries.

transportation than to create housing, employment and educational opportunity for blacks.

Northern and southern segregation differed in both principle and practice. The separation of social space through Jim Crow enforced the racial hierarchy implemented to keep southern blacks under white control; for the most part, blacks and whites frequented public establishments in the North without being subjected to defined measures of segregation. Segregation in southern states was a much more visible practice than in the North, where it was difficult to determine where blacks were welcomed. Firm boundaries and relaxed social practices separate the North and South in racially separated public accommodations and space. Lexington's role in the regional differences in race relations and the civil rights movement may best be described through social interaction on a daily basis.

The Lexington CORE chapter wasted no time in their efforts to desegregate the restaurants and stores around campus and the downtown area shortly after its inception. Established by William Reichart, an Economics Professor, the organization recruited young activists to spark demonstrations and protests in public accommodations.[94] In July 1959 – roughly eight months before the famous Greensboro sit-in – the Lexington CORE chapter began sitting in at lunch counters around the campus of the University of Kentucky. Members of CORE used the interracial makeup of the group to their advantage by using different tactics when met with opposition. When word of a sit-in or strike reached the restaurant managers and owners, whites were found to keep black and white CORE members from sitting at the lunch counter. This led to white CORE

[94] Smith, "Direct-Action Protests in the Upper South"; Wright, History of Blacks; Fosl and K'Meyer, *Freedom on the Border*; Interview with Abby Marlatt.

members acting as regular patrons of the restaurant, but would only leave their seat when a black fellow CORE member was there to take the empty space.[95]

The most aggressive response to the refusal of restaurants to serve blacks came in the form of an "integrated sandwich plan."[96] As blacks were not allowed to eat meals at lunch counters, the integrated sandwich plan functioned as a way for waiters and waitresses to serve blacks indirectly. The method to the plan was simple: a white CORE member would enter the restaurant, sit at the lunch counter, and order a meal as if she or he were eating alone; a black CORE member would sit next to their white fellow CORE member and the two would share the meal, thus indirectly providing service to blacks. Restaurant managers were reluctant to refuse service to white customers, allowing the integrated sandwich plan to continue until blacks could be served directly.[97]

The lunch counter sit-ins conducted by members of CORE, with the help of the NAACP, were successful for several reasons. Aside from the tactics of the integrated sandwich plan and replacing white customers with black patrons to counteract opposition, non-violence was a common practice among civil rights leaders and activists in Lexington. Demonstrators worked closely with the Lexington Police Department and the police chief to maintain peace and order throughout protests, assuring officers that activists only wished to bring attention to injustice and sought to avoid violent interaction.[98]

The issue of violence throughout the Deep South remained a concern for those involved in the Lexington civil rights movement. A photo captured by Calvert McCann

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[95] Smith, "Direct-Action Protests"; Interview with Abby Marlatt.
[96] Smith, "Direct-Action Protests."
[97] Smith, "Direct Action Protests."
[98] Interview with Abby Marlatt. Both interviews with Abby Marlatt confirm the willingness of the police to work with civil rights advocates.

displays a golden retriever with a sign around the dog's neck, reading "Birmingham Now, Lexington Next?" The image indicates that blacks, not whites, used the threat of possible violence when it comes to fighting for civil rights; however, this does not mean that blacks would be the aggressors, but that the violent conditions that plagued the Deep South could become a reality in Lexington if positive change did not occur.

One particular act of violence at a lunch counter sit-in is often remembered as the sole act of physical aggression throughout the movement in Lexington. Audrey Grevious recalls being whipped by a chain that was used to prevent customers from going behind the counter. As Grevious was seated next to the chain, the owner would forcefully unlock the chain, striking Grevious in her leg when passing by the counter. Several male demonstrators were asked to leave the sit-in for fear of starting a brawl, despite Grevious' refusal to leave her seat. The repeated blows of the chain led to permanent scarring and damage to Grevious' leg.[99] Other incidents, such as having food and drink poured on protesters, occurred regularly, but with no significant violence as a result.

In the summer of 1961, actvists targeted Lexington theaters. Prior to the 1960s, black Lexingtonians had the option of attending productions at the Lyric Theater or the segregated Kentucky, Ben Ali, and Strand Theaters. Separate entrances and balcony seating kept blacks apart from whites until CORE members conducted strikes and stand-ins at each of the segregated theaters, which were all owned by the same company based out of St. Louis, Missouri.[100] As with most demonstrations, family and friends of CORE members expressed concern over the organization's tactics. Joyce Hamilton Berry remembers her father persuading her to not attend a demonstration at the Kentucky

[99] Interview with Audrey Grevious; Fosl and K'Meyer, *Freedom on the Border*.
[100] Smith, "Direct Action Protests."

Theater because he did not want his daughter "begging them (white people) for their rights."[101] The desegregation of theaters led to many arrests, as police officers often charged protesters with blocking the sidewalks. Both white and black CORE member were subject to legalities of public disturbances to ensure that Lexington police officers were not singling out black protesters, although all charges were later dismissed.[102]

Theater management attempted to suppress protests and keep facilities segregated by appeasing civil rights activists. The theater alternated days of the week, only allowing black or white clientele on specific days, to use the theater. When it became too difficult to keep protesters away and maintain racial separation, the Kentucky, Strand, and Ben Ali theaters desegregated. By the end of the summer of 1961, blacks could attend any theater at any time without using separate entrances or sitting in the balcony.[103]

Lexington's color line in public accommodations lacked the rigidity of the Deep South's Jim Crow segregation. At the same time, however, social segregation thrived in Lexington. As Catherine Fosl and Tracy K'Meyer state, it was more a difference in "degree than of kind."[104] Segregation in public accommodations closely resembled patterns in the South rather than the North, leading historian Gerald Smith to describe Lexington as the "Upper South." Smith's observation is drawn from Kentuckians in the era of the civil rights movement and the idea that race relations in Lexington, and Kentucky as a whole, were more progressive than in the Deep South.[105]

It is not difficult to realize that race relations in Lexington were better than in cities further South, but this does not indicate the existence of racial harmony. The series

[101] Interview with Joyce Hamilton Berry.
[102] Interview with Audrey Grevious.
[103] Smith, "Direct Action Protests."
[104] Fosl and K'Meyer, *Freedom on the Border*.
[105] Smith, "Direct Action Protests."

of protests and demonstrations in public accommodations, housing, employment, education, and politics, were the result of years of oppression. The civil rights movement in Lexington and around the nation was sparked by a generation that refused to live like previous generations. The claims of discrimination and inequality were not unfounded, as a racial hierarchy stretched far beyond social space and into economic opportunity and educational development. The layered struggle to remedy these injustices had to first occur through social change. Civil rights activists challenged the everyday instances of discrimination against blacks continuously for roughly forty years, yet civil rights are still an issue that remain a topic of conversation in circles of public debate in the city and elsewhere.

The active phase of the Lexington civil rights movement can trace its beginnings to the late 1930s and came to an end in the late 1970s. Although it was not a regional hub for civil rights activity – such as Deep South bastions like Birmingham, Montgomery, or Atlanta in the Deep South; or northern strongholds like Detroit, Chicago, or New York City in the North – Lexington influenced civil rights progress in Central Kentucky. No major events, acts of violence, or nationally-known civil rights leaders came out of Lexington, but this does not diminish its importance. Through the study of the Lexington civil rights movement, issues involving politics, housing, education, employment, and public accommodations take on a much more personal feel for those familiar with the region and time period with which these events took place. Lexington's black community can embrace the history of their hometown through the most politically charged, socially driven time for blacks in United States history.

Lexington may have left a small impression on the national civil rights movement, yet it is a proud era for those who lived and fought for their rights during this historic period in time.

"Upper South" is the best way to describe Lexington's geographic position during the civil rights movement. The physical location of Lexington remains unchanged, yet the movement that took place in the city followed mostly northern patterns of civil rights activity. Adherence to the color line, along with a somewhat progressive attitude of Lexingtonians toward race relations allows for the justification of the designation Upper South. Connecting northern and southern trends to events that took place during the Lexington civil rights movement results in a unique conclusion that does not categorize the movement as distinctly northern or southern, despite the Lexington civil rights movement containing mostly northern features.

The End of the Civil Rights Movement and Post-Movement Lexington – The Lexington civil rights movement, coinciding with the nationwide movement, began to lose momentum in the 1970s. The idea of progress stemmed from broken down barriers and passed legislation, leading to decreased activity in civil rights causes. Local and federal laws preventing discrimination on the basis of race signaled false victories and a subsequent sense of complacency. By the late 1970s, Lexington experienced very little civil rights activity, signifying the end of the movement in Kentucky's second-largest city. The accomplishments, or lack thereof, can be assessed through the examination of post-movement Lexington society.

As white-owned businesses opened to Lexington's black community, many black businesses suffered. The Lyric Theater closed in the early 1990s, yet later reopened to new management.[106] The development of downtown Lexington enveloped Deweese Street, as black business owners could no longer depend on black customers to support their operations. Although the civil rights movement gave blacks freedom of choice in commercial interests, black-owned businesses dependency on black clientele diminished. Paul Laurence Dunbar, a major institution in the Lexington's black community prior to the civil rights movement, reopened in southwest Lexington. The new Dunbar High School's enrollment consists mostly of middle-class white students. The closure of institutions and establishments that served Lexington's black community for decades is an example of the unintended consequences of anti-discrimination and desegregation.

The idea of progress often divided civil rights activists into two camps: those that believed civil rights were achieved and those that believed in becoming more aggressive

[106] Interview with Sanford Roach.

to attain their goals. The former faded out of the civil rights scene, while the latter gravitated towards the black power movement – the empowerment of a portion of the black community that did not want to be integrated or accepted into white society. The end of the civil rights movement in Lexington – and the beginning of the black power movement across the nation – brought an end to one of Lexington's most pivotal civil rights organizations.

Although Lexington remained largely untouched by the black power movement, the CORE chapter established in 1959 could not withstand the ideological differences of black power beliefs. The Lexington CORE chapter dissolved in the late 1970s as the last of the organizations in the state of Kentucky. Abby Marlatt, a native Kansan and home economics professor at the University of Kentucky, recalls black members of CORE refusing to associate or work with their fellow white members.[107] Frustration with a lack of progress often creates internal conflict in interracial organizations, opening the way for the black power movement to gain traction with unsatisfied activists. The black power movement denotes a major shift in the era of civil rights, leading to more division than unification between whites and blacks. Lexington CORE is one of many interracial groups across the nation that eventually disbanded because of ideological differences concerning strategy and goals in black and white organizations.

Housing received little attention during the Lexington civil rights movement. An examination of residential segregation in post-movement Lexington indicates a city struggling to eliminate housing discrimination. In 1971, Harry Sykes lost the mayoral

[107] Interview with Abby Marlatt, February 2, 1999. Interviewed by Betsy Brinson. Kentucky Civil Rights Oral History Project, Kentucky Oral History Commission, Kentucky Historical Society.

election to Foster Petit, though he eventually became acting city manager. A black politician in a high-ranking office grabbed the attention of white Lexingtonians. Following "white flight," the phenomenon of whites leaving their homes in the city and opting to live in the suburbs, many whites were unable to take part in the city elections because they did not live within the city limits. Increased political power in the black community led to the decision to merge the Lexington and Fayette County governments in 1972, with the merger becoming effective January 1, 1974. The Urban-County government was created to counteract effects of the civil rights movement and its lasting impression in Lexington politics due to the elimination of housing barriers, yet there is no concrete evidence to support this claim.

Laws banning housing discrimination existed at the local, state, and federal levels, yet Lexington remained segregated through residential lines. In 1978, the United States Department of Housing and Urban Development chose Lexington as one of several cities to conduct an experiment involving prospective homeowners. The experiment involved both black and white couples looking for homes in different areas of Lexington, testing private property owners and mortgaging agents for unfair housing practices. The study found that blacks were less likely to be shown homes or approved for home loans in white neighborhoods. The *Lexington Leader* issued the study in its April 25, 1978 publication.[108] The department's experiment renewed efforts in the fight against housing discrimination, yet achieved little progress in the following years.[109]

Seventeen years later, more studies involving Lexington's housing situation indicate the continued existence of racial residential segregation. The *Lexington Herald-*

[108] Found in Smith, "Blacks in Lexington."
[109] Interview with Benjamin Baker.

Leader conducted a study and issued a report that highlights the segregation of black and white Lexingtonians. By separating the city into north and south, the *Herald-Leader* found that 90 percent of blacks live in northern Lexington, with 98 percent of whites living in southern Lexington.[110] Although rural-to-urban migration following the Civil War is a factor in housing segregation, it is evident that city development planners intended to move blacks to the most unattractive areas of Lexington, often near railroads, factories, and slums. Many of Lexington's most undesirable neighborhoods are located in the northern half of the city. In the early twenty-first century, Lexington remains a highly segregated community with clearly defined black and white neighborhoods.

Roughly a quarter of a century after the *Brown v. Board of Education* decision, the federal government remained unsatisfied with the progress of integration in Kentucky schools. In January of 1981, Kentucky Governor John Brown received a letter from the United States Department of Education's Office for Civil Rights claiming that Kentucky's college campuses had yet to be fully desegregated.[111] Despite the abolition of the Day Law thirty years prior to Governor Brown's notification from the Department of Education, many of Kentucky's campuses, particularly the University of Kentucky, lacked racial diversity. Evidence of efforts to rectify this situation, however, are difficult to find. To date, it is unknown whether or not the Department of Education Civil Right's office pursued the issue of segregated college campuses.

Many of Kentucky's schools, including those in Lexington, remained segregated through school districts. In the early 1980s, the subject of neighborhood schools became

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[110] Hanlon, "Unsightly Urban Menaces."
[111] Hardin, "'More or Less Civilized'."

a hot topic in the Fayette County School System. Neighborhood schools, however, would have remained segregated through the defined boundaries of housing in black and white communities. With housing and residential segregation clearly evident in Lexington's post-movement society, the institution of neighborhood schools is not a solution to Lexington's informal segregation in public education.

Busing systems used to take children to schools out of their district began to fade in the 1980s. The diminishing participation in the busing system resulted from lack of progress in the integration of schools, as well as the proximity of black and white neighborhoods. Today, Lexington's neighborhoods remain segregated, yet school district boundary lines often encompass several black and white neighborhoods. The location of Lexington's public high schools allow for integration to take place without being the issue that it was in the mid-twentieth century.

Despite the adoption of an affirmative action law by the Lexington-Fayette County government in 1975, public agencies in the city disproportionately employed white males. In July 1979, the *Lexington Herald* conducted a study indicating the lack of progress towards a racially diverse government workforce. In September 1979, the *Lexington Herald* surveyed the gender and racial makeup of urban county government employment, discovering that blacks were disproportionately outnumbered in technical, professional, clerical, and official administration jobs. The survey concluded that 80% of black men in the urban county government were relegated to service maintenance (truck and bus drivers, garbage pick-up, construction laborers, and custodial employees) and protective service jobs (police officers, fire fighters, and other guard duties). The

numbers for public employment of black women are more discouraging, accounting for less than 3% of total urban county employees.[112] Urban county officials justified the lack of black officials to low educational levels leading to a limited number of qualified individuals. Time is also a factor, as the study took place four years after the implementation of the affirmative action plan established by the Urban-County government.

Lexington's black community continued to feel discouraged about economic opportunity following the civil rights movement. Calvert McCann and Gerald Smith explain that employment in Lexington did not get better for blacks, and that many people believed that affirmative action did more to hurt race relations than help. The *Lexington Herald* study, published in September 1979, shows that progress in opening public employment was slow. If the government could not enforce their own laws, how would blacks fair in the private sector where equal employment did not have supporting legislation? Although many private employers applied affirmative action concepts to hiring practices, blacks continued to be relegated to low-level employment.

Black communities across the United States deal with the issue of police brutality and harassment – Lexington included. Black Lexingtonians remember excessive use of police force, but do not speak of it as a major event or crisis. Most black communities, in fact, accept harassment at the hands of police officers as a fact of life. Tensions rise when policing privileges are abused – especially in cases with racial implications. On

[112] Smith, "Blacks in Lexington."

October 25, 1994, such a case occurred: a white Lexington police officer shot and killed 18-year old Antonio "Tony" Sullivan, an unarmed black man.

While being served an arrest warrant for a shooting the previous month, Sullivan hid from the police in a closet. After emerging from the closet and entering the living room, Sergeant Phil Vogel claims that his weapon "fired by accident," striking Sullivan in the head and killing him. The shooting occurred in the Bluegrass—Aspendale housing projects – a highly impoverished, heavily black neighborhood of Lexington characterized by low levels of education. The following day, nearly one hundred people rioted to protest the shooting in the downtown area, resulting in several minor injuries.[113]

The Sullivan shooting put Lexington in the national media spotlight. More importantly, however, the polarizing issue of racially motivated excessive police force required the entire Lexington community to confront the status of race relations. The Sullivan shooting is revisited any time a black man is shot and killed by a police officer in the United States, resulting in the reevaluation of race relations in the city.

Following a speech by John S. Carroll, former editor of the *Lexington Herald-Leader*, in May 2004, the Lexington civil rights movement finally received national attention. It was not, however, the actions of civil rights activists, but the legacy of Fred Wachs, Sr. that resulted in the widespread recognition of the movement in Lexington. Wachs owned the *Lexington Herald* and *Leader* newspaper companies during the civil rights movement, yet refused to publish stories involving protests or demonstrations.[114]

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[113] Associated Press, "Black Unrest in Lexington, Ky." *The New York Times*, October 26, 1994; Chris Ford, "Remembering Tony Sullivan," *Lexington Herald-Leader/Kentucky.com*, October 19, 2014

[114] The *Lexington Herald* and *Leader* were two separate newspaper companies that would eventually merge in 1983.

Instead, Wachs used editorials to "incite" the Lexington community and often referred to civil rights activists as "communists."[115] Wachs vehemently opposed civil rights, earning a notorious reputation for his stance against the movement.

Although Carroll's reference to Wachs' refusal to publish news on civil rights protests was initially perceived as a joke, the *Lexington Herald-Leader* staff set out to make up for lost time. Articles, photographs, and interviews of civil rights activists in the Lexington movement received front-page recognition, drawing interest from national media outlets in the process.[116] Comments from Fred Wachs, Jr., speaking on the recollection of his father's attitude towards civil rights, became a large part of the story. The *Lexington Herald-Leader* received praise from news outlets around the United States for their apology to and recognition of civil rights activists in Lexington.

In examination of post-civil rights movement society, Lexington shares a particular characteristic with the nationwide movement: although race relations in Lexington improved, there remains a significant amount of progress to be made. Despite the gains of the civil rights movement, a closer look at post-movement society in Lexington reveals troubling features of a city that still lives in segregation, lacks economic opportunity for black Lexingtonians, and deals with the issue of excessive police force. The problems that civil rights activists sought to rectify continue to persist in present-day Lexington society. This leaves one question: how much progress did the civil rights movement make in Lexington?

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[115] Interview with Abby Marlatt.
[116] Associated Press, "Paper Apologizes for Civil Rights Coverage," *The Washington Post*, July 5, 2004; James Dao, "40 Years Later, Civil Rights Makes Page One," *The New York Times*, July 13, 2004.

Lexington served as one piece of the nationwide black freedom struggle. In urban and rural areas alike, victories at the federal level to achieve equality for black citizens can be attributed to the efforts of civil rights activists throughout the United States. The civil rights movement paved the way for future generations to continually improve race relations, as well. Although the civil rights movement ended in the late 1970s, the effects of the movement will continue to live on in American society – and Lexington – for years to come.

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