



Lincoln Lesson Plans

Grade Level:
9-12

Materials

- Student Handout: Kentucky Civil Rights Timeline
- Background Information for Teachers

Technology

- DVD player or computer
- Computers with Internet access for research

Vocabulary

civil rights
discrimination
indict
integration
non-violent resistance
prosecution
segregation

Lincoln's Legacy: Kentucky On Trial

Length

Three or four 50-minute class sessions plus time at home or in class for research and writing.

Concepts/Objectives

- Students will learn about the long struggle for legal and social equality in Kentucky.
- Students will learn that, although Kentucky was a slave-owning state and Kentucky government enacted many measures unfair to African Americans, many Kentuckians, black and white, fought for civil rights for all people.

Activity

Students prepare for and take part in a mock trial. The Commonwealth of Kentucky has been accused of not honoring Abraham Lincoln's legacy. Both the prosecution and the defense cross-examine witnesses chosen from the last 150 years.

Lincoln Resources

KET documentary, *I, too, am a Kentuckian*

- Segment 21: Kentucky Turns Towards the South
- Segment 22: Lincoln's Legacy, From Schools to the Civil Rights Movement

Instructional Strategies and Activities

Introducing the Activity

Show the video segments from the KET documentary *Lincoln: I, too, am a Kentuckian*. In a short discussion ask students about Abraham Lincoln's political thought and leadership. Why did he think the Civil War was necessary? What did he mean when he said his purpose was to save the Union? Make sure that students understand that he wanted the country to honor the principles of the Declaration of Independence: "We hold these truths to be self evident: that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are life, liberty, and the pursuit of happiness." Point out that slavery was the most blatant contradiction of what America represented—as was segregation, which followed emancipation in 1865.

Define "civil rights" as rights which are considered to be unquestionable and deserved by all people. This has not been the case in Kentucky. Students will be surprised and shocked by the extent of segregation. In the 1940s there were segregated schools, graveyards, hospitals, shops, restrooms, and libraries. African Americans could not drink out of the same water fountains as whites, ride in the same taxis as whites, or, in many places, enter buildings through the same doors. Louisville prides itself on its park system, but African Americans were allowed only in Chickasaw Park; the six others were reserved for whites. (Unlike in many cities in the South,

however, Louisville African Americans could vote, and the streetcars and buses were integrated.) Share details of segregation from your own community. Tell the students that the history of Kentucky since emancipation shows a slow, uneven growth towards civil rights for all. But has this progress been adequate, considering what Lincoln wanted for the country and for each of the states?

Preparing for the Simulation

Explain the simulation and assign the roles. Using the appropriate language, tell students that Kentucky has been indicted on a charge of failing to live up to Lincoln's legacy and is to be tried in a public court. Students will play the roles of the prosecution and the defense, the jury, and the witnesses.

The Roles

1. The Judge: The teacher is to be the judge, guiding the lawyers through the court procedure.
2. The Bailiff is the court officer, i.e., the judge's assistant.
3. The Prosecuting Attorneys and the Defense Attorneys: The prosecution and the defense can each be assigned a team of attorneys. You may specify how they are to divide the work (e.g., one "attorney" handles the opening and closing arguments, one does the direct examination of witnesses, and one does the cross-examination), or allow the students to work on their own division of the tasks involved.
4. Witnesses: The following are suggested. However, feel free to add the names of people who can testify about civil rights and segregation in your own community.
 - John Gregg Fee was a staunch abolitionist who preached against slavery, administered a community for the wives and children of African-American soldiers in the Civil War, and founded Berea College, the first interracial college in Kentucky.
 - Mary V. Cunningham Smith and her husband filed, and won, Kentucky's first civil rights suit against a Louisville streetcar company.
 - Supreme Court Judge John Harlan protested the Supreme Court's Plessy v. Ferguson ruling, which established "separate but equal" doctrine, and Kentucky's Day Law, which established segregated schools.
 - Frank Stanley was editor and publisher of *The Louisville Defender* and a staunch campaigner for civil rights.
 - Lyman Johnson filed, and won, a federal lawsuit challenging the University of Kentucky's policy of segregation.
 - Social activist Anne Braden was involved in several efforts to secure civil rights for all, including protesting residential segregation in the 1950s and supporting busing to integrate the schools in the 1970s.
 - Governor Edward Breathitt was a strong advocate for civil rights. Under his leadership, Kentucky established anti-discrimination and civil rights legislation, making Kentucky the first state in the South to enact such laws.

Kentucky Academic Content

Academic Expectations

2.14
2.20

Program of Studies

Understandings

SS-HGC-U-4
SS-HHP-U-2
SS-HHP-U-US1
SS-HHP-U-US2
SS-HHP-U-US3

Skills and Concepts

SS-HGC-S-5
SS-HHP-S-1
SS-HHP-S-3

Core Content

SS-HS-5.1.2
SS-HS-1.2.2
SS-HS-1.3.3
SS-HS-5.2.6

- James Howard was one of several students who attempted to integrate the formerly all-white Sturgis High School.
- Raoul Cunningham has been involved in several efforts to protest segregation and secure civil rights for all, including successful picketings and sit-ins in the 1960s.
- During her 21 years in the state Senate, Georgia Davis Powers introduced statewide fair housing legislation and sponsored bills prohibiting employment discrimination as well as sex and age discrimination.

Note that each of these people can testify for either the prosecution or the defense. Anne Braden, for example, can testify for the prosecution by telling the court how African Americans were discriminated against in housing policies in the 1950s. However, the defense can call on Anne Braden to show how Kentuckians were appalled by such discrimination and chose to take responsible action to stop it. Similarly, Frank Stanley can explain how African Americans in the military during World War II were fighting a war for freedom and yet were discriminated against at home; but he can also relate how the causes he espoused drew support from President Harry Truman and Governor Bert Combs.

Follow “color-blind casting” when assigning these roles to students, that is, African-American students can play Caucasian-Americans, and Caucasian-Americans can play African Americans.

5. The Jury: Ideally, another class can serve as the jury for the simulation. However, if this is not possible, choose students to form a jury.

Each of these roles involves a writing assignment that must be completed before the trial begins. (See Writing for the Lesson, below.) Allow several days for research and writing, in class and/or at home.

The attorneys should know who their five witnesses will be before they begin to research. You can randomly assign five witnesses to either the prosecution or the defense, or allow them to choose. Attorneys should be allowed some time to meet together for planning purposes.

Conducting the Trial

Depending on how much detail you permit, the trial will take 1-2 days.

1. *Opening of the trial.*

The bailiff announces the beginning of the trial, e.g., “Please rise. The Court of Public Opinion is now in session, the Honorable Judge Teacher presiding.”

2. *Opening statements.*

First the prosecuting attorney introduces himself/herself and then explains the evidence that will result in Kentucky’s conviction on the charge of failing to live up to Lincoln’s legacy. Then the defense attorney does the same, claiming, however, that Kentucky has indeed honored the legacy of its favorite son.

3. *Prosecution: examination of witnesses.*

The prosecution calls its first witness and asks questions that allow the witness to tell his or her story about civil rights in Kentucky. After each prosecution witness

is called and answers the questions posed by the prosecution, the defense is given the opportunity to ask questions. The bailiff should administer the oath to each witness, i.e., “Please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?”

4. *Defense: examination of witnesses.*

After the all the prosecution witnesses have testified, it is the turn of the defense to call its witnesses. The prosecution is given the opportunity to cross-examine each witness as well.

5. *Closing arguments.*

(Attorneys will need a few minutes to prepare before giving closing arguments.) First the prosecution summarizes the evidence that should lead the jury to declare Kentucky guilty of not living up to Lincoln’s legacy. Then the defense summarizes its evidence and asks the jury to declare Kentucky innocent.

6. *Jury deliberation.*

Members of the jury meet to decide Kentucky’s fate and relay their decision to the judge.

Concluding the Activity

Students will have writing assignments following the jury’s verdict. In addition, to help them put all this in context, have them study the Civil Rights Timeline and underline or number references to the witnesses who appeared in the trial. Answers to the multiple choice questions listed below can also be found on the timeline.

Support/Connections/Resources

Web sites:

Eyes on the Prize: American’s Civil Rights Movement, 1854-1985
Public Broadcasting System
www.pbs.org/wgbh/amex/eyesontheprize/

Web site explores 25 major events of the Civil Rights movement through newspaper excerpts, image galleries, music clips, video segments, personal stories, and more. Puts Kentucky’s experience in the context of the nation.

Living the Story: The Civil Rights Movement in Kentucky
Kentucky Educational Television
www.ket.org/civilrights/

Companion web site to the one-hour KET documentary of the same name. The documentary features individual Kentuckians telling their own stories of what they saw, heard, experienced, and did during the civil rights movement in the 1950s and 1960s. The web site also includes a Kentucky civil rights timeline, capsule biographies of each of the participants, and a collection of 11 fascinating hour-long video interviews of Kentuckians with a long-term commitment to securing civil rights for all Kentuckians, including Edward Breathitt, Georgia Davis Powers, James Howard, Raoul Cunningham, and Anne Braden.

Writing for the Lesson

Make the following writing assignments before the trial.

Prosecuting attorneys

- Opening argument: Why is Kentucky guilty?
- Questions for all witnesses with expected answers
- Draft for closing argument (This should be modified to accommodate the witnesses’ testimonies.)

Defense attorneys

- Opening argument: Why is Kentucky innocent?
- Questions for all witnesses with expected answers
- Draft for closing argument (This should be modified to accommodate the witnesses’ testimonies.)

Witnesses

- Detailed report on their character’s personal experiences with civil rights

Bailiff

- Overview of important civil rights legislation in Kentucky

Jury Members

- role of a jury in trials; how selected and how eliminated

Make the following writing assignments after the trial

The losing attorneys

- Statement of appeal to a higher court

The winning attorneys

- Explanation of reasons why there should be no appeal

Witnesses and bailiff

- Was justice served by the decision?

Members of the jury

- Personal statements of beliefs about the case and reasons for voting as they did. Jury members may, if they choose, take on the roles of another character, e.g., a parent of a white/black child during the 1975-76 busing crisis, the proprietor of a downtown business in 1960.

Mary Victoria Cunningham Smith
Kentucky Center for African-American Heritage
www.kcaah.org/site/essay/c/maryvictoriacunningham.htm

An essay from the Filson Club about Mary Cunningham Smith, who challenged discrimination on Louisville streetcars 80 years before Rosa Parks' famous bus ride.

Mini-Mock Trial Manual
Civically Speaking/Learning Law and Democracy Foundation
<http://civicallyspeaking.org/minimock.pdf>

Manual for teachers on how to conduct a mock trial in the classroom. Focuses on the trial process, including the roles of the various participants, the rules of evidence, and constitutional protections. Includes handouts for students.

bookclub@ket web site
www.ket.org/bookclub/books/2000_sep/

Online information about Anne Braden's book *The Wall Between*.

Books:

Braden, Anne. *The Wall Between*. 1959. Knoxville: University of Tennessee Press, 1999.

Dunnigan, Alice Allison. *The Fascinating Story of Black Kentuckians*. Washington, DC: Associated Publishers, 1982.

Hall, Wade. *The Rest of the Dream: The Odyssey of Lyman Johnson*. Lexington: University Press of Kentucky, 1988.

Kleber, John E., ed. *The Encyclopedia of Louisville*. Lexington: University Press of Kentucky, 2001.

The Kentucky Encyclopedia. Lexington: University Press of Kentucky, 1992.

Lucas, Marion B. *A History of Blacks in Kentucky: From Slavery to Segregation, 1760-1891*. Frankfort: Kentucky Historical Society, 1992.

Powers, Georgia Davis. *I Shared the Dream*. New Jersey: New Horizon Press, 1995.

Wright, George C. *A History of Blacks in Kentucky: In Pursuit of Equality, 1890-1989*. Frankfort: Kentucky Historical Society, 1992.

Racial Violence in Kentucky, 1865-1940. Baton Rouge: Louisiana State University Press, 1990.

Life Behind a Veil: Blacks in Louisville, Kentucky, 1865-1930. Baton Rouge: Louisiana University Press, 1985.

Open Response Assessment

Prompt: Abraham Lincoln committed the nation to a civil war because he felt that slavery was a blatant contradiction to the ideals that establish the U.S. as a country where “all men are created equal.”

Directions: How well has Kentucky succeeding in honoring Abraham Lincoln’s legacy? Support your answer with at least three reasons or examples.

Open Response Scoring Guide

4	3	2	1	0
<ul style="list-style-type: none">• Student takes a firm stand and supports this opinion with several examples.• Details are insightful and relevant, demonstrating an extensive knowledge and understanding of the civil rights movement in Kentucky.	<ul style="list-style-type: none">• Student states a clear opinion and supports this with examples.• Details are relevant and demonstrate broad knowledge and understanding of the civil rights movement in Kentucky.	<ul style="list-style-type: none">• Student states an opinion.• Examples may not be clearly explained or may not include relevant details.• Answer shows a basic understanding of the civil rights movement in Kentucky, although a few facts may be incorrect.	<ul style="list-style-type: none">• Student states an opinion but does not support it with relevant examples.• Historical facts are incorrect.• Answer shows that the student’s understanding of the civil rights movement in Kentucky is unclear.	<ul style="list-style-type: none">• No answer or irrelevant answer.

Multiple Choice Questions

1. Of the following, which happened first?
 - A. A branch of the NAACP was organized in Louisville.
 - B. Protests made against segregated libraries in Louisville led to integration of the libraries.
 - C. Protests made against segregated restaurants and clothing stores in downtown Louisville led to integration of restaurants and clothing stores.
 - D. Protests made against segregation of Louisville streetcars resulted in integration of streetcars.
2. Which of the following laws made residential segregation illegal?
 - A. The Plessy v. Ferguson Supreme Court decision
 - B. Jim Crow laws
 - C. Buchanan v. Warley Supreme Court decision
 - D. The Day Law

Applications Across the Curriculum

- If this lesson is taught in collaboration with the language arts teacher, the students may receive instruction in writing and delivering a persuasive speech.

Lesson Extensions

Show the KET documentary, *Living the Story: The Civil Rights Movement in Kentucky*. The documentary focuses on 15 young Kentuckians in the 1950s and 1960s. In their own words, they tell what they saw and did to secure legal and social equality. According to one of its producers, “the vivid recollections of the men and women presented in the program clearly illustrate the depth of commitment of Kentuckians to social justice here and in the nation.”

**Answer Key for
Multiple Choice
Questions**

1. D
2. C
3. D
4. A
5. C
6. B

3. What are Jim Crow laws?
 - A. State and local laws enacted between 1876 and 1965 that established segregation in public facilities and institutions.
 - B. State and local laws overruled by the Civil Rights Act of 1964.
 - C. Laws that maintained “separate but equal” status for African-Americans
 - D. All of the above.
4. What happened in Sturgis, Kentucky, in 1956?
 - A. The National Guard was called to quiet the disturbance caused when eight black students enrolled at the previously all-white Sturgis High School.
 - B. Many black teachers were demoted or lost their jobs because of forced integration.
 - C. Busing to schools across town was initiated to achieve racial balance.
 - D. A “normal” school was created to teach black teachers.
5. When did the Commonwealth of Kentucky ratify the Thirteenth Amendment to the Constitution, which abolished slavery?
 - A. 1865
 - B. 1866
 - C. 1976
 - D. It hasn’t ratified it yet.
6. What was the main reason African-American young people were so determined to integrate the University of Kentucky?
 - A. It wasn’t fair to keep out black students.
 - B. UK offered education in programs not available at other schools.
 - C. The University of Louisville and Bellarmine were already integrated.
 - D. The Day Law of 1908 made it legal for UK to prevent African-Americans from enrolling.

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A Kentucky Civil Rights Timeline

Taken from Living the Story: A Civil Rights Timeline

www.ket.org/civilrights/timeline.htm

1792

Kentucky is admitted to union; the first state constitution establishes the legality of slavery.

1794

Kentucky statute gives free or freed Negroes legal equality to whites.

1798-1799

Law concerning “Slaves, Free Negroes, Mulattos, and Indians” and the second Kentucky Constitution change the status of free people of color by placing limitations on their rights, including voting and self-defense. Some cities and counties impose additional limitations.

1855

Berea College is founded by abolitionist Rev. John G. Fee to provide interracial education.

1859

Fee is forced to close the school and leave Kentucky following John Brown’s raid on Harper’s Ferry, Virginia.

1863

President Abraham Lincoln issues the Emancipation Proclamation, but his native state of Kentucky is unaffected because the proclamation frees slaves only in those states that have seceded from the Union.

1864

Camp Nelson, south of Nicholasville, becomes the most important Union recruiting station and training camp for African Americans. Dependents of the soldiers also come to the camp seeking freedom. Fee returns as a voluntary missionary and founds a school.

1865

Slavery ends nationwide, including in Kentucky, after the critical number of states ratify the 13th Amendment to the U.S. Constitution. (Kentucky will not ratify the amendment, though, until 1976.)

The first great African-American migration begins.

1866

Berea College is reestablished by Fee and others, including African Americans from the Camp Nelson refugee camp.

1870

Members of Quinn Chapel A.M.E. Church in Louisville organize Kentucky’s first known protest of racial discrimination, challenging segregation on local streetcars. This action and other early black protests will spark other actions demanding the rights to testify in court against whites, to serve on juries, and to vote. It also establishes a precedent for the involvement of black churches in civil rights issues.

1896

In *Plessy v. Ferguson*, U.S. Supreme Court rules that “separate but equal” treatment for blacks and whites under the law is constitutional, thus institutionalizing Jim Crow laws keeping the races apart in public facilities. Justice John Marshall Harlan, a native of Boyle County, Kentucky, dissents.

1904

The Day Law takes effect, segregating both public and private schools across Kentucky. The law is a direct response to the integrated education provided by Berea College.

1908

The U.S. Supreme Court upholds Kentucky’s Day Law. Justice John Marshall Harlan again dissents, protesting that the ruling puts racial prejudice ahead of civil liberties.

1914

The National Association for the Advancement of Colored People (NAACP) opens a branch in Louisville to protest lynching and mob violence against blacks and to fight a new housing ordinance reinforcing racial segregation. Under the ordinance, only members of the same race previously living in a house or apartment could move into it.

1917

U.S. Supreme Court declares the 1914 Louisville residential segregation ordinance unconstitutional in *Buchanan v. Warley*. But the ruling does allow cities wide latitude in protecting “racial purity,” preserving racial peace, and maintaining property values.

1935

Charles W. Anderson, an attorney from Louisville, is the first African American elected to the Kentucky House of Representatives since Reconstruction. He will sponsor bills to fund out-of-state tuition for black students denied higher education in Kentucky and to repeal the public hanging law.

1941

A Louisville sit-in protests the segregated public library.

Charles Eubanks files suit to attend the University of Kentucky College of Engineering, which leads to the creation of a “separate but equal” engineering school at Kentucky State College to prevent the integration of UK.

1945

Branch Rickey, co-owner and president of the Brooklyn Dodgers, visits the home of Baseball Commissioner (and former Kentucky governor and U.S. senator) A.B. “Happy” Chandler to ask him to overrule the baseball owners and allow the Dodgers to sign Jackie Robinson as the first African American to play in the modern major leagues. Chandler agrees.

Eugene S. Clayton is the first African American elected to the Louisville Board of Aldermen.

1948

Lyman T. Johnson files suit against the University of Kentucky for admission.

Training opportunities for physicians and nurses are desegregated, and Louisville hospitals begin desegregating. The main branch of the Louisville Public Library is integrated.

1949

UK admits the first black students to its graduate and professional schools.

1950

The Day Law is amended to allow individual colleges to decide whether to admit African Americans if no comparable course is taught at Kentucky State College. Berea, the University of Louisville, Bellarmine College, Ursuline, and Nazareth admit blacks.

Three young African Americans are refused treatment at a Hardinsburg hospital, and one dies on the waiting-room floor. The death leads to a new state law prohibiting the licensing of hospitals that deny anyone emergency care.

1954

The U.S. Supreme Court, in *Brown v. Board of Education of Topeka*, abolishes segregated public schools. UK opens undergraduate admission to black students.

Anne and Carl Braden, a white couple, purchase a house in the Louisville suburb of Shively in order to sell it to a black man, Andrew Wade. The Wade family is harassed, the Bradens are put on trial for sedition amid charges of a Communist conspiracy, and the house is bombed.

1955

Remaining state colleges are opened to all applicants. Russellville, Prestonsburg, Owensboro, Wayne County, and Lexington public schools end legal segregation. A lawsuit by the NAACP results in a federal court ban against segregation in Louisville municipal housing.

1956

Legal integration of Louisville public schools begins peacefully. But in Union County, eight black students enroll in Sturgis High School, and a mob of whites prevents them from entering. Chandler, serving a second term as governor, sends the state police and the National Guard to prevent violence.

1957

The Kentucky High School Athletics Association allows accredited African-American high schools to become members and to participate in state tournaments.

1959

The NAACP Youth Council pickets Louisville's Brown Theater when its management refuses to admit African Americans to see *Porgy and Bess*.

1960

African Americans in Louisville organize a voter registration campaign to replace city officials, capped by a rally at which Dr. Martin Luther King, Jr., of the Southern Christian Leadership Conference speaks to thousands.

Young people in Louisville form a chapter of the Congress on Racial Equality and begin demonstrations at downtown businesses.

The Kentucky General Assembly establishes the Kentucky Commission on Human Rights and prohibits discrimination in state employment.

1961

A “Nothing New for Easter” boycott targets segregated downtown businesses in Louisville and sparks other acts of nonviolent resistance around Kentucky.

Kentuckian Whitney Young Jr. becomes executive director of the National Urban League.

1962

The Kentucky General Assembly empowers cities to create local commissions on human rights in order to prohibit discrimination in public accommodations and teacher employment.

1963

Gov. Bert Combs issues a Governor’s Code of Fair Practice against segregation in state government and state contracts. He also issues the Fair Service Executive Order to discourage discrimination in public accommodations, but that order is later suspended.

Harry N. Sykes and Luska J. Twyman are the first African Americans elected to the city councils of Lexington and Glasgow, respectively. Twyman will become mayor of Glasgow in 1969.

The use of scare tactics to force African Americans out of newly integrated neighborhoods is banned by the Kentucky Real Estate Commission. A group of Louisville women forms the West End Community Council to encourage peaceful integration of residential neighborhoods.

1964

U.S. Congress passes the federal Civil Rights Act. Lack of support in the Kentucky legislature for a strong public accommodations bill leads to a mass march on Frankfort. More than 10,000 people, led by King, baseball’s Jackie Robinson, gospel singer Mahalia Jackson, and folk singers Peter, Paul, and Mary, demonstrate in support of civil rights legislation. Later, 32 people hold a hunger strike in the House gallery to coerce legislators to pass the bill, but it never comes out of committee.

1965

At a major conference on civil rights in Louisville, Gov. Edward Breathitt pledges support for a strong civil rights bill addressing employment as well as public accommodations.

1966

The General Assembly passes the Kentucky Civil Rights Act, and King calls it “the strongest and most comprehensive civil rights bill passed by a Southern state.” The law prohibits discrimination in employment and public accommodations and empowers cities to enact local laws against housing discrimination. The legislature also repeals all “dead-letter” segregation laws, such as the 62-year-old Day Law, on the recommendation of Rep. Jesse Warders, a Louisville Republican and the only black member of the General Assembly.

Bardstown adopts a comprehensive model ordinance prohibiting discrimination in housing, employment, and public accommodations.

1967

Mae Street Kidd of Louisville is elected to the Kentucky House of Representatives.

Open housing ordinances are passed in Covington and Kenton County, and the Fayette County Fiscal Court bans discrimination in housing in Lexington and the county. One of the first acts of Louisville’s

new Board of Aldermen is to pass a strong ordinance against housing discrimination, replacing the weaker, voluntary one.

1968

Georgia Powers of Louisville is elected to the Kentucky Senate. The General Assembly adds housing discrimination to the enforcement section of the state Civil Rights Act.

A protest against police mistreatment in Louisville turns violent, and a week of disturbances ends in the arrests of six African Americans—dubbed the “Black Six”—on charges that they conspired to blow up Ohio River oil refineries. After more than two years of demonstrations and court hearings, all charges against the six will be dismissed.

1969

The Kentucky Commission on Human Rights opens centers in Louisville and Lexington to help African Americans moving into new neighborhoods.

A group of black students, inspired by the Black Power movement, takes over a building at the University of Louisville to force changes on campus.

1970

The Jefferson County Fiscal Court extends enforcement of Louisville’s local housing law to the county.

1975

Cross-district busing to equalize the racial makeup of Louisville’s public schools sparks sometimes violent reactions, which subside after two years.

1976

Correcting a historical oversight, the General Assembly, after a campaign led by Kidd, ratifies the 13th, 14th, and 15th Amendments to the U.S. Constitution—more than 100 years after they became law.

1996

The state constitution is amended to remove provisions for a poll tax and segregated schools.

The Civil Rights Movement in Kentucky

BACKGROUND INFORMATION FOR TEACHERS

- The Kentucky legislature overwhelmingly rejected the Thirteenth Amendment (abolishing slavery) in 1865. The state did not actually ratify the amendment until 1976.
- Families of African-American soldiers in the Civil War, who had settled near the Camp Nelson, the army camp in Jessamine County, were ordered away and their homes were burned. Over a hundred women and children died.
- With support from the federal government, John Fee, a white Kentuckian, set up a refugee town for the families of African Americans who enlisted at Camp Nelson. The town included a school, a hospital, and a church.
- Between 1865 and 1880, over a hundred lynchings of African Americans took place in Kentucky; between 1880 and 1940, a hundred more African Americans died at the hands of lynch mobs. Because these lynchings were illegal, there is no way of knowing the actual number.
- In 1870, a young black woman, Mary Cunningham, was ejected from a Louisville streetcar. With her husband, she filed suit against the streetcar company and won. Streetcars were integrated.
- The Day Law, passed in 1904, established segregation in Kentucky schools and was aimed directly at Berea College, which had admitted both whites and blacks since its founding. A bill calling for the repeal of the Day Law was defeated in 1954, but the U.S. Supreme Court decision in *Brown v. the Topeka Board of Education* established the illegality of segregated schools that same year.
- The NAACP was a strong presence in Kentucky beginning with its founding in 1914.
- From 1936, when the first African-American student applied to attend the University of Kentucky, to 1949, the Kentucky state government fought desegregation of the University.
- In 1950 three young African Americans were refused treatment at a Hardinsburg hospital, and one died on the waiting-room floor. The death led to a new state law prohibiting the licensing of hospitals that denied emergency care to anyone.
- In 1854, Anne and Carl Braden, a white couple, purchased a house in the Louisville suburb of Shively in order to sell it to a black man, Andrew Wade. The Wade family was harassed, the Bradens were put on trial for sedition amid charges of a Communist conspiracy, and the house was bombed. Carl Braden was sentenced to fifteen years in prison but served only eight months. All charges were later dismissed.
- In 1956, eight black teenagers were refused admittance to the all-white Sturgis High School and the National Guard was called to prevent violence. The school was integrated peacefully the next year.

- Several non-violent resistance movements (sit-ins and picketing) targeted downtown businesses. In 1961, a “nothing new for Easter” campaign paved the way for African-American customers to try on clothes in downtown clothing stores.
- Rev. A.D. King, the pastor of Zion Baptist Church in Louisville and a leader of the Kentucky Southern Christian Leadership Conference, encouraged his well-known brother, Martin Luther King, Jr., to visit Kentucky on several occasions. Martin Luther King, Jr., participated in a rally in Frankfort in 1964 to support a bill that would eliminate legal discrimination. The rally drew 10,000 people from all over the state.
- The Kentucky Civil Rights Act of 1966 was the strongest and most comprehensive civil rights bill passed by a Southern state.
- When the Louisville city and Jefferson County schools combined, in 1975, the court ordered the school district to use busing to ensure integration. Each school was required to have an African-American population between 23 and 43 percent. When school began, more than half of the county’s students were kept home by their parents. Demonstrations took place on the first day of school, and on the second day, there was a full-fledged riot involving ten thousand people. People threw rocks, vandalized police cars, school buses and school property, and started bonfires. State troopers and state guardsmen were brought in to control the crowd. By the end of September, more than 600 people had been arrested and two hundred injured. Protests continued all year long. Armed guards were put on the buses. Protests continued throughout the year. However, the law prevailed and eventually the protests were stilled. By the next year, Louisville private schools reported more a more than 22 percent increase in enrollments.