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Lawrence and Desegregation in Bowling Green

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LAWRENCE AND DESEGREGATION IN BOWLING GREEN

A Capstone Experience//Thesis Project

Presented in Partial Fulfillment of the Requirements for

the Degree Bachelor of Arts with

Honors College Graduate Distinction at Western Kentucky University

By

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2014

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ABSTRACT

To gain a deeper understanding of the historical context and development of the Civil Rights Movement nationwide, this project analyzes the desegregation of the City of Bowling Green, Kentucky. Brown v. Board of Education of Topeka, Kansas declared segregation deprived minority groups of equality in 1954, and the first implementation of the ruling in the United States followed with Willis v. Walker out of Adair County, Kentucky in 1955. The desegregation of Bowling Green schools, however, did not come until 1963 with Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al.. The analyzation of relevant legal documents, news media, and societal reactions to Lawrence in Bowling Green enables a greater appreciation of the story of school desegregation in South Central Kentucky.

Keywords: Lawrence v. Bowling Green; Willis v. Walker; Desegregation; Bowling Green, Kentucky; Mac Swinford, J. E. Jones; NAACP

Dedicated to all victims of institutional injustice, racial and otherwise

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CHAPTER ONE

INTRODUCTION

The history of the United States is marked by an unbroken thread of racism. The early republic, for example, utilized slavery as a means to a consistent labor force and as the basis for the creation of a racial caste system. Although slavery was banned following the Civil War, the racialized labor and power relations attached to it would outlive the de jure practice of slavery itself. America's racial caste system as developed through chattel slavery reemerged in the post-Civil War United States through the practice of racial segregation and often violent forms of racial subjugation. In short, the white majority forced the black minority into a position of total separation from the all-white establishment. Although the Reconstruction era brought a brief improvement to the lot of African Americans immediately following the Civil War, all forms of racial progress were systematically reversed following the ruling in Slaughterhouse (U.S., 1873). After the brief Reconstruction period, America's white majority leaders legally recreated the old racial class system and insured its continuity through the first half of the twentieth century.

Ultimately this caste system was thrown into disorder and largely dissolved by the Civil Rights Movement of the mid-twentieth century. Although formally beginning with the nationwide effects of Brown v. Board of Education, the Civil Rights Movement is best embodied by victorious, localized movements toward greater rights and liberties for

those people who were formerly disenfranchised on the basis of their race. The local and generally unknown fights for school desegregation within the Commonwealth of Kentucky, for example, are all enormously symbolic of the larger national movement for school integration. Each instance represents an individual victory over the prejudices of the past, and no aspect of these extraordinary stories should be overlooked for lack of national renown. The national Civil Rights Movement, after all, was largely born out of local fights for justice.

The United States Supreme Court decision in Brown v. Board of Education of Topeka, Kansas, 347 US 483 (1954), which was made up of five distinct cases emerging from five different locations across the United States, was first formally implemented with Willis v. Walker 136 F. Supp 177 (1955) in Adair County, Kentucky. Litigated at the Federal courthouse of Bowling Green, Kentucky, Willis forced the successful integration of the Adair County school system.¹ Despite the location of the hearing for the first implementation of Brown in 1955, Bowling Green did not desegregate until threatened with federal troops in April of 1963—a full nine years after the initial order in Brown. Although covert racial discrimination has not yet ended, Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 forged a new path toward equality for all in Bowling Green, Kentucky. This is Lawrence's story.

¹ Willis v. Walker 136 F. Supp 177 (1955). The Brown decision also ruled on Belton (Bulah) v. Gebhart (1952), Bolling v. Sharpe, 347 U.S. 497 (1954), Briggs v. Elliott, 342 U.S. 350 (1952), and Davis v. County School Board of Prince Edward County, Virginia (1952).

CHAPTER TWO

NATIONAL BACKGROUND

The post-Civil War Reconstruction amendments and laws enabled the unfortunate relation between race and personal status to abate for a short period. The Thirteenth Amendment banned chattel slavery in the United States in 1865. Next, the Civil Rights Act of 1866 was passed—this was legally remarkable in that it was the first major piece of legislation passed by the federal government solely intended to protect the rights of African Americans.² The law mandated

Any person who...shall subject...any inhabitant of any State or Territory to the deprivation of any right secured or protected by this act...by reason of his color or race...shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both...³

The positive tide for the law of personal status continued to rise with the passage of the Fourteenth and Fifteenth Amendments in 1868 and 1870. Both of these Amendments were significant for American constitutional law in that they were designed to protect the citizenship of Americans who were formerly disenfranchised by their race.⁴ Although the Fourteenth and Fifteenth Amendments bolstered the Civil Rights Act of 1866, the

² “An Act to Protect All Persons in the United States in Their Civil Rights, and Furnish Means of Their Vindication,” in Kermit L. Hall, Paul Finkelman, and James W. Ely Jr. eds., American Legal History: Cases and Materials (New York: Oxford University Press, 2005), 265.

³ “An Act to Protect All Persons,” 265.

⁴ Jordan J. Paust, “On Human Rights: The Use of Human Right Precepts in U.S. History and the Right to an Effective Remedy in Domestic Courts,” *Michigan Journal of International Law* 10, no. 543 (1989): 567 and 599, <http://heinonline.org/> (accessed November 26, 2013).

protections it aimed to guarantee for racial minorities were still further advanced by the passage of the Civil Rights Act of 1875.⁵

Despite the progress made with Reconstruction, support for civil rights—especially for African Americans—began to dissolve after 1873.⁶ The position of the federal government as a protector of civil rights was strategically undermined through the Slaughterhouse Cases (1873) and the Civil Rights Cases (1883), the latter invalidating Civil Rights Act of 1875 as unconstitutional.⁷ This enabled the most significant setback for civil rights—the removal of Federal authority over their protection. As the protection for civil rights was remanded to the state level, their guarantee became impossible to enforce in the former Confederacy.

Slaughterhouse restricted the meaning of the Fourteenth Amendment to the point that states could discriminate against persons on the basis of race without legal restraint.⁸

Justice Miller ruled

Our statesmen have still believed that the existence of the States with powers for domestic and local government, including the regulation of civil rights—the rights of person and of property—was essential to the perfect working of our complex form of government.⁹

The shifting of authority over civil rights to the states through Slaughterhouse largely reversed the advancements made during Reconstruction and enabled Southern states to discriminate between citizens on the basis of race without consequence. The

⁵ Hall, American Legal History, 266-267.

⁶ Hall, American Legal History, 267; See also Slaughterhouse Cases 16 Wall. (83 U.S.) 36 (1873), Civil Rights Cases 109 U.S. 3 (1883), United States v. Cruikshank, 92 U.S. 542 (1876), Hall, American Legal History, 267-273, and Paust, “On Human Rights,” 581. Also, this text refers to the modern conception of civil rights.

⁷ Hall, American Legal History, 267-273. See also Paust, “On Human Rights,” 581.

⁸ Hall, American Legal History, 267-271.

⁹ Slaughterhouse Cases, 16 Wall. (83 U.S.) 36 (1873), Ratio decidendi.

discriminatory jurisprudence found in Slaughterhouse enabled, and arguably promoted, racial disenfranchisement.

If Slaughterhouse enabled the recreation of racial caste system in America, Plessy v. Ferguson (1896) cemented it with the doctrine of separate but equal. Ironically engineered as a test case to reduce the increasing severity of segregation laws in Louisiana, Justice Henry Billings Brown's ruling approved of segregation in the strictest sense. Citing both Slaughterhouse and the Civil Rights Cases, Justice Brown mandated

The object of the Fourteenth amendment was undoubtedly to enforce the absolute equality of the two races before the law, but in the nature of things it could not have been intended to abolish distinctions based on color...Laws permitting, and even requiring, their separation in places where they are liable to be brought into contact do not necessarily imply the inferiority of either race...The most common instance of this is connected with the establishment of separate schools for white and colored children...we cannot say that a law which authorizes or even requires the separation of the two races in public conveyances is unreasonable... Legislation is powerless to eradicate racial instincts or to abolish distinctions based upon physical differences...**If one race is inferior to the other socially, the Constitution of the United States cannot put them on the same plane.**¹⁰

The language of the Plessy decision is offensive to the tenets of justice. The essence of the Fourteenth Amendment, originally undermined by Slaughterhouse, was desecrated by Plessy. The case sanctified de jure segregation in the United States and successfully rolled back the law in regard to race to pre-Civil War ideological standpoints.

Roberts v. City of Boston (1850) is a central component of the ruling in Plessy. In Roberts, the Massachusetts Superior Court authorized school segregation within the Boston school district. Although the ruling was overturned by state legislation a mere five years after the decision, the case was still utilized as valid precedent in Plessy. Its use in Plessy is absurd. Roberts was a state court case, not federal, and had been

¹⁰ Plessy v. Ferguson 163 U.S. 537 (1896), Ratio decidendi.

considered under the Massachusetts Constitution which did not have an equal protection clause vis-à-vis the Fourteenth Amendment. That the defunct and illegitimate precedent was utilized as the basis for Plessy alludes to the unlawful core of the decision. The law of segregation through the twentieth century would utilize Plessy's separate but equal doctrine as its standard measure, but the promise of equality became nothing more than a well-known sham. Although strict segregation waned to an extent in many Northern states, racial disenfranchisement remained central to Southern culture well into the 1960s.¹¹

The nature of segregated schools in Clarendon County, South Carolina perhaps best symbolizes the inequality mandated by Plessy. The 1952 case against the segregated schools in Clarendon County was brought under the title Briggs v. Elliott 98 F. Supp. 529 (1952). Briggs, one of the cases that went to the Supreme Court and was ultimately decided with Brown, records a high profile emblem of all segregated school systems in the Southern United States.

Briggs was spurred by an investigation of the condition of segregated schools in Clarendon County by the National Association for the Advancement of Colored People (NAACP). The reports were filed by Matthew J. Whitehead, the assistant registrar and an associate professor of education at Howard University. Whitehead was informed upon

¹¹ Roberts v. The City of Boston, 5 Cush. (59 Mass.) 198 (1850) and Plessy v. Ferguson 163 U.S. 537 (1896), Ratio decidendi. See also "Note: Separate But Equal in the North," in Kermit L. Hall, Paul Finkelman, and James W. Ely Jr. eds., American Legal History: Cases and Materials (New York: Oxford University Press, 2005), 281-282. It is also notable here that segregation was not a purely Southern phenomenon, and was generally accepted in portions of northern and Midwestern states as well. Brown v. Board garnered its name from a Kansas lawsuit, Brown v. Board of Education of Topeka, Kansas, 347 US 483 (1954).

his arrival in Clarendon County that he was the first African American ever allowed to tour the white schools.¹² Richard Kluger records Whitehead's findings as follows:

The total value of the buildings, grounds, and furnishings of the two white schools that accommodated 276 children was four times as high as the total of the three Negro schools that accommodated a total of 808 students. The white schools were constructed of brick and stucco; the black schools were all wooden. At the white elementary school, there was a teacher for each 28 children; at the black schools, there was one teacher for each 47 children...at the black high school, only agriculture and home economics were offered. There was no running water at one of the two outlying black grade schools and no electricity at the other one. There were indoor flush toilets at both white schools but no flush toilets, indoors or outdoors, at any of the Negro schools—only outhouses...¹³

Not only were the Clarendon County schools strictly segregated, but they also disproved the nonsensical premise of Plessy that separate could be equal. The African-American schools were of significantly poorer quality than the white schools and deprived the minority students of an equivalent education to that of the white students. Whitehead's findings did not even account for the long-term psychological and economic damage inflicted on African-Americans by their exclusion from the white majority's schools.

Whitehead's report on the status of the segregated schools in Clarendon County forced school officials to realize the disparity between the black and white schools in South Carolina had become a liability. Fearing a shift in the status quo, officials of South Carolina reacted swiftly to Whitehead's investigation. Whitehead's report provided the first significant threat to segregation in the South Carolina school system and frightened the racists who had once assumed their injustices could perpetually go on unnoticed.

This threat led South Carolina to attempt to create a separate but equal school system as

¹² Richard Kluger, Simple Justice (New York: Vintage Books Press, 2004), 330-331. See also Briggs v. Elliott 98 F. Supp. 529 (1952). It is notable that the circumstances of Briggs also bear a striking resemblance to those in Lawrence. The commonalities are discussed in detail in Chapter Four.

¹³ Kluger, Simple Justice, 331-332.

mandated by Plessy. This reform, however, was not intended to improve the lot of African Americans in the state, but rather was meant to preserve racial segregation and discrimination in the public sphere. Following the election of Governor Jimmy Byrnes in 1950/1951 the state embarked on a \$75 million school building campaign to improve the appearance of the segregated school system. Byrnes, a former Justice of the United States Supreme Court, understood the changing legal tide on segregation. He would not allow desegregation without a fight. Richard Kluger states, “South Carolina, in short, was trying to keep one step ahead of the law.”¹⁴ Although South Carolina moved toward its definition of equal treatment of racial groups, the state was prepared to shut down its public schools if forced to integrate. Byrnes spoke about this publicly.¹⁵ Unfortunately the open racism of the South Carolina government was not unique. Rather, it is emblematic of the underlying reason for continued segregation and what the NAACP contended with when fighting for racial equality in the United States’ public school systems.

Unfortunately, the inequality between the schools for white students and those for black students in Clarendon County was not uncommon. Similar circumstances were evident throughout the United States and the Commonwealth of Kentucky. Although Kentucky had a notably smaller African American population than that of South Carolina, there was an equally stringent policy in the Commonwealth that mandated separate schools for the races.¹⁶ As a result of this, the discrepancies between the quality of the schools provided for white students and those provided for black students in

¹⁴ Kluger, Simple Justice, 333-334.

¹⁵ Kluger, Simple Justice, 334-335.

¹⁶ Commonwealth of Kentucky, Day Law (1904); see also Berea College v. Kentucky, 211 U.S. 45 (1908).

Kentucky followed the general pattern of inequality found in the segregated school systems throughout the former Confederacy as recorded in Briggs.¹⁷ Adair County, Kentucky—the venue for Willis v. Walker—provided only six one and two room schools for its hundreds African American pupils; students who could not reach the schools were simply denied an education.¹⁸ While the schools of Adair County would have their own desegregation case, Briggs out of South Carolina was the first to make headlines.

¹⁷ Willis v. Walker 136 F. Supp 177 (1955), Obiter Dicta.

¹⁸ Willis v. Walker 136 F. Supp 177 (1955), Obiter Dicta.

CHAPTER THREE

BROWN AND MASSIVE RESISTANCE

Brown v. Board of Education of Topeka, Kansas (1954) was a landmark decision for the United States Supreme Court. Not only did the ruling permanently ban segregation in public schools, but it paved the way for the future of the Civil Rights Movement. The justification for the ruling of the case, however, was not simple. The NAACP, whose lawyers represented the case for the plaintiff, was forced to determine reasonable, legal reasons to overturn the 1896 precedent of Plessy v. Ferguson. Further, lawyers both defending and opposing segregation in publicly funded schools were required to determine what the Fourteenth Amendment's original intentions were and present their findings to the court. The NAACP justified its intentions to overturn Plessy by claiming any unequal educational opportunity for persons of color was unconstitutional by the Fourteenth Amendment. The NAACP attorneys also used social science to aid the humanitarian side of their argument by claiming segregation of races was morally wrong and mentally damaging to all parties.¹⁹ When asked to define the Fourteenth Amendment's original intent, the NAACP argued it was created "to prohibit all forms of state-imposed racial discrimination."²⁰ The lawyers defending segregation in

¹⁹ Richard Kluger, Simple Justice (New York: Vintage Books Press, 2004), 556-558.

²⁰ Kluger, Simple Justice, 648-652.

public schools countered with the claim that the Fourteenth Amendment was never intended to outlaw segregation in the public education system.

Thurgood Marshall, who would go on to become the first African-American Justice on the Supreme Court in 1967, was the chief lawyer in the arguments for overturning Plessy.²¹ While Thurgood Marshall was supremely qualified for his position as head counsel for the NAACP, he stood in stark contrast to the white lawyers defending the old, segregated establishment. James Lindsay Almond Jr. and John W. Davis headed the group of lawyers who argued for the preservation of separate but equal. Almond was the Attorney General of Virginia and a graduate of the University of Virginia School of Law.²² John W. Davis was chief counsel for South Carolina. Davis was a graduate of the Washington and Lee University School of Law and had participated in over 250 Supreme Court Cases and argued before the Court more than 140 times by 1954. Davis was so in favor of segregation that he refused to charge a fee for his arguments before the Court.²³

During the presentation of Brown to the court, the NAACP legal defense team used the Fourteenth Amendment, the legal precedents of Sweatt and McLaurin, and

²¹ “Thurgood Marshall, Supreme Court Justice,” <http://chnm.gmu.edu/courses/122/hill/marshall.htm> (accessed February 18, 2014). Marshall attended Lincoln University in Pennsylvania to gain his undergraduate and went on to earn his law degree from the Howard University Law School. While at Howard, Marshall came under the influence of Charles Hamilton Houston; the two would remain lifelong friends and would fight together for racial justice in the United States. Marshall first joined the NAACP in 1934 and won his first major case (with the aid of Houston) in 1935. In 1940 he won his first Supreme Court case; he would go on to win twenty-eight more before he was appointed to the Second Circuit Court of Appeals by President John F. Kennedy. Marshall was a both brilliant and progressive legal mind without whom the Civil Rights Movement would not have been successful.

²² “The Defenders of Segregation,” <http://americanhistory.si.edu/brown/history/5-decision/defenders.html> (accessed February 18, 2014). A polite racist and fervent defender of segregation, Almond would go on to serve as the Governor of Virginia from 1958-1962; he continued to argue in favor of segregation until the end of his career. In his arguments before the Court in Brown, Almond claimed “with the help and sympathy and the love and respect of the white people of the South, the colored man has risen...to a place of eminence and respect throughout the nation.”

²³ *Ibid.* Davis had served as a congressman from West Virginia, was the Democratic candidate for the Presidency in 1924, and was the United States Ambassador to the Court of St. James under President Woodrow Wilson.

social science to cement their reasoning for reversing Plessy v. Ferguson.²⁴ The Fourteenth Amendment states

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.²⁵

According to Marshall and the NAACP's legal defense team, school segregation laws—laws depriving non-white citizens of fulfilling their educational aspirations—violated the guarantees of the Fourteenth Amendment, and were therefore unconstitutional. The NAACP also argued that the legal precedents created by the rulings of Sweatt and McLaurin voided the previous rulings in both Plessy and Gong Lum; they also prepared to argue that “physical or curricular” similarities between schools did not necessarily constitute full equality.²⁶ Rather, the lawyers claimed any form of discrimination based on race could psychologically damn minority students' motivation to learn. To help prove the psychological damage inflicted by segregation, social scientists Kenneth Clark, Isidor Chein, and Stuart W. Cook worked together to create a concise, 4,000 word summary of the mental detriments caused by a segregated school system. The summary pressed “segregation tends to create feelings of inferiority and personal humiliation in black youngsters, whose sense of self-esteem is soon replaced with self-hatred, rejection of their racial group, and frustration.”²⁷ The scientists concluded the negative effects of

²⁴ Sweatt v. Painter, 339 U.S. 629 (1950) and McLaurin v. Oklahoma State Regents, 339 U.S. 637 (1950) were both successful small-scale integration suits in schools of higher education. Gong Lum v. Rice, 275 US 78 (1927) was essentially a legal reaffirmation of Plessy.

²⁵ The Fourteenth Amendment of the Constitution of the United States.

²⁶ Kluger, Simple Justice, 556. In other words a fine or new segregated school building cannot make up for a reality of poor educational opportunities for minority students.

²⁷ Kluger, Simple Justice, 557-558.

segregation on the psyche of children results in poor behavior that was construed by white supremacists as “justification for continuing prejudice and segregation.”²⁸

Chief Justice Earl Warren announced the Supreme Court’s ruling in Brown v. Board on May 17, 1954. He announced the news simply: “Does segregation of children in public schools solely on the basis of race...deprive the children of the minority group of equal educational opportunities? We believe that it does.”²⁹ Although shocking for strict segregationists, Warren’s announcement was softened for the South in that no implementation strategy was mandated yet. The lack of provisions for a specific time frame calmed the delivery of the ruling and reduced tensions for “the region’s most vocal extremists.”³⁰ The Court may have miscalculated how quickly their ruling would be implemented, although the Justices were certainly aware of the controversy their ruling would cause. Although immediate reactions throughout the country varied, reaction to the ruling in Southern regions of the United States was particularly visceral.

Because the initial ruling in Brown provided no guidelines for implementation, it was not until the release of the opinion in Brown II in May of 1955 that the Supreme Court provided a method for the execution of integration.³¹ The Court announced lower district courts should pursue a “prompt and reasonable start toward full compliance” with integration of schools following at “all deliberate speed.”³² There is no academic consensus as to why the Court refused to mandate a more strict integration policy than that of Brown II. Potential explanations have ranged from the Court’s potential desire to

²⁸ Kluger, Simple Justice, 558. More simply, inequality is created by injustice and not by nature.

²⁹ Kluger, Simple Justice, 703-707.

³⁰ Kluger, Simple Justice, 714.

³¹ Willis was filed in 1955 and decided in 1956.

³² Michael J. Klarman, Unfinished Business: Racial Equality in American History (Oxford: Oxford University Press, 2007), 152-153.

hide its lack of enforcement mechanisms to guilt on behalf of the Justices for ordering Southern segregationists to integrate. Regardless of the specific reason for the vagueness of the implementation strategy provided, there is no doubt that Brown initiated a pivotal shift for American race relations. Although the desegregation of schools was eminent, Massive Resistance to desegregation quickly spread throughout the South, and neither Congress nor the President showed direct support for Brown.³³

The reaction of school boards throughout the South to Brown was both hectic and disorganized. The army of the United States was famously required to ensure integration in Little Rock, Arkansas, and the army stayed in Little Rock to protect the first African-American students at the local high school through the 1957-1958 school year. Michael J. Klarman states of Little Rock: “The situation was chaotic. Hundreds of white students were suspended for harassing blacks, and there were more than twenty bomb threats.”³⁴ Even most of those who supported Brown saw gradual integration as the only feasible approach. Following the disaster in Little Rock, Southerners realized their schools could not continue to operate on a segregated basis. The states of Arkansas and Virginia chose to close schools that had been directly ordered to integrate, while other states began to accept “token” integration. The few Southern politicians who endorsed gradual desegregation plans were attacked as weaklings. By 1960, less than one black child out of 1,000 attended school with other white children. Nonetheless, Attorney General William Rogers remarked that the pace of integration was “surprisingly good when compared with the legal problems involved.”³⁵

³³ Ibid, 153-155.

³⁴ Ibid, 154.

³⁵ Ibid, 156-157.

CHAPTER FOUR

BROWN V. BOARD IN BOWLING GREEN

The reaction in Bowling Green to the May 1954 ruling of Brown was both swift and evasive. Although the rhetoric of the press coverage of Brown alluded to the imminent integration of the Bowling Green city schools, in reality the Bowling Green City School Board had been developing a plan for the preservation of segregation long before the ruling in Brown had been made public. The Bowling Green *Park City Daily News* promptly reported the Brown ruling to the community on May 17, 1954. Early public and government reactions were outlined. Governor Lawrence Wetherby claimed Kentucky would integrate with greater ease than any other Southern state, arguing the relatively small African-American population would be easily assimilated with whites.³⁶ In truth it was, ironically, the small number of blacks within Bowling Green that made it so easy for the school board to ignore dissent. On May 18, 1954 the local paper reported Georgia's open flouting of the Brown ruling along with the Bowling Green School Board's claim that they would comply with the mandate of desegregation at the nearest feasible time.³⁷ In fact, Bowling Green's school board was not planning to desegregate any time soon, and the board actually did its best to postpone integration for as long as

³⁶ "Says Kentucky Will Comply," *Park City Daily News*, May 17, 1954.

³⁷ "2 Top Georgia Officials Hotly Hint At Open Defiance of Segregation Decision," *Park City Daily News*, May 18, 1954. See also "Local Schools Plan To Comply With Ruling," *Park City Daily News*, May 18, 1954.

possible. Even when directly mandated by Federal Court order in 1963, the school board continued to argue integration was not feasible.

The reaction behind the scenes to the ruling of Brown in Bowling Green was even more immediate than the school board would announce publicly. Prior to the release of the decision, special preparations were made to ensure Bowling Green's safe transition to post-Brown segregation. Anticipating a potential shift in the status quo, the Board of Education called a special meeting on January 28, 1954 for the construction of "a new colored school in cooperation with the City of Bowling Green, Kentucky..."³⁸ The school was to be called High Street, and the architecture firm Otis & Grimes of Louisville, Kentucky had been lined up for the project in August of 1953. Preparations were made to issue \$500,000.00 in bonds to fund the construction of the new segregated school.³⁹ The construction of a new segregated school on the eve of the Brown ruling was not a coincidence. Only Brown could have motivated the Board to spend such a vast amount of money on a previously ignored portion of society.

It is clear the conditions of the old segregated school were so poor that the school board thought it more defensible to raze the old segregated school and erect a new building rather than to merely renovate. Parents of African-American students had presented a petition in 1948 requesting a new and adequately sized segregated school. Although there were 572 students enrolled in the Bowling Green African-American school at the time of the petition, only 496 desks were available for the students. This left up to 76 students without desks every school day. The petition further requested

³⁸ Bowling Green, Kentucky Board of Education, *Minutes January 1945-September 1958*, note on page 167.

³⁹ *Ibid.* The Adair County School mentioned in Section II. cost roughly \$458,000.00. It seems there is something magical about \$500,000.00 in relation to the preservation of segregation.

better educational opportunities for the African-American students. The parents noted the school board recently provided funding for the construction of a new gymnasium at the all-white Bowling Green High School, but the board somehow was unable to provide enough funding for the black school to meet basic needs.⁴⁰ The *only* formal recognition of the petition by the school board is recorded as follows:

A delegation of colored citizens called to request this Board to build a new Sr. & Jr. High School Bldg. and to also make some improvements to their present Bldg. after each of them made a talk the Pres. told them that their requests would be taken up and given consideration.⁴¹

Note the language used in this document. The school board does not record a concerned group of parents looking out for their children's welfare, but records a threatening, political "delegation" of "coloreds." The 1948 petition was not met with action by the school board. Ignoring their requests, the board left pleading, African-American parents without aid.

Left unaided by their previous attempts to negotiate, African-American parents next met with the school board on Friday January 13, 1950. The Parent Teacher Association of State Street School, the segregated school in Bowling Green that High Street was to replace, met with the board to make some simple requests. The parents asked the school board to

consider inaugurating at the State St. School a Cafeteria a Band and a Commercial Course. They were told that Mr. Curry would make a survey of the needs and advise the Board and they then would further consider these requests.⁴²

⁴⁰ "Negroes Ask School Building," *The Park City Daily News*, June 16, 1948.

⁴¹ Bowling Green, Kentucky Board of Education, *Minutes January 1945-September 1958*, 65.

⁴² *Ibid*, 90.

Yet again, the African-American community was met with inaction by the Bowling Green School Board. The simple requests made by the parents were not answered with action until the segregated school system came under serious threat. The reconstruction of High Street School proved to be the Bowling Green School Board's evasive acknowledgement of inequity within the city school system.

The Minutes of the Bowling Green School Board's reveal multiple things. The dates show the proposal, development, and construction planning for High Street School took place within a roughly *one month span*. Although the school building itself was not finished within one month for obvious reasons, all planning, zoning, financing, design, and contracting on part of the school board was completed between January 28th and February 26th 1954. This expedited planning displays the perceived urgency of the situation. Anticipating how the Court would rule in Brown, the school board officials decided to maintain segregated schools within the Bowling Green city limits at any cost.⁴³

The consideration of the construction of a contemporaneous white school in Bowling Green following the construction of High Street is revealing. A resolution on the construction of a new white school, issued April 8, 1957, shows "a preliminary estimate" to have valued the cost of a new school at roughly \$200,000.00.⁴⁴ Interestingly, three years after the construction of High Street, the board was somehow "without presently available resources sufficient to pay the costs thereof."⁴⁵ There can only be one reason for this lack of funding. The construction of High Street School, an

⁴³ Ibid, 167. See also Ibid, note on 170.

⁴⁴ Ibid, 247.

⁴⁵ Ibid, 247.

implicit attempt to maintain segregated facilities, had drained the Bowling Green Independent School District's coffers. Although from reading the Bowling Green School Board's *Minutes* alone High Street School initially appears to be an anomaly, when viewed as an attempt to maintain segregation it makes perfect sense. The timing of the project is also conspicuous. Why did this project emerge so suddenly in late 1953 and early 1954? Because the Bowling Green Board of Education, anticipating an unfavorable ruling in Brown, was frantic to preserve segregation in the city schools. The High Street project was a folly of racists in Bowling Green.

These remarks are not without qualification. In fact, notably similar strategies to avoid desegregation were embraced throughout the South. Of these, South Carolina's use of such a plan was the most high profile. Briggs v. Elliott 342 U.S. 350 (1952), mentioned previously as one of the five cases that made up the docket for Brown, circled around a nearly identical 'equalization' plan. Governor Byrnes of South Carolina approved a \$75 million dollar school construction program a mere three weeks before the initial oral arguments in Briggs. Overseen by an ironically named Mr. Crow, a newly established commission was directed to utilize its funds for the improvement of the Clarendon County, South Carolina schools which were the topic of the Briggs case.⁴⁶ In a rousing parallel to the construction of High Street School in Bowling Green, Crow's commission was directed to spend \$500,000.00 on the improvement of the segregated schools in Clarendon County.

Neither the fact that the Bowling Green City School Board wished to avoid desegregation nor the methods employed by the school board in an attempt to preserve

⁴⁶ Kluger, Simple Justice, 344-345.

segregation post-Brown are anomalistic. What is unique for Bowling Green is the length of time for which schools in the town remained segregated. Although the highest court in the United States ordered desegregation in 1954, Lawrence was not mandated until 1963. This point was not missed by U.S. District Judge Mac Swinford when he heard the case.

CHAPTER FIVE

WILLIS V. WALKER

The first attempt in the United States at the implementation of Brown occurred in Kentucky with Willis v. Walker 136 F. Supp 177 (1955). Filed by the NAACP in 1955 on behalf of the African-American community of Adair County, the ruling in the case mandated the integration of the county's school system.⁴⁷ Although the national NAACP organization aided in the case's litigation, the movement toward the desegregation of Adair County was spearheaded by the local NAACP branch. The Adair County/Columbia, Kentucky NAACP branch was founded on December 21, 1954—a mere seven months after the release of Brown and likely following the urge of prominent Louisville, Kentucky attorney James A. “Jim” Crumlin. A Howard University graduate who earned his law degree from the Robert H. Terrell Law School in Washington D.C., Crumlin moved to Louisville, Kentucky in 1944 where he was elected president of the local chapter of the NAACP.⁴⁸ Mr. Earl Willis (the father of Fred Willis) was the founding president of the Adair County/Columbia NAACP branch and Mr. K. I. Bowman

⁴⁷ Willis v. Walker 136 F. Supp 177 (1955)

⁴⁸ University of Kentucky Libraries, “James A. Crumlin Sr.,” *Notable Kentucky African Americans Database*, http://nkaa.uky.edu/record.php?note_id=8 (accessed February 11, 2014).

was the founding secretary, although Bowman would soon be replaced by Ms. Ethel B. Cooper as secretary. The branch's official charter was mailed by January 15, 1955.⁴⁹

Not merely a friend to the new Adair County NAACP, Crumlin was also the branch's active legal counsel. Crumlin served as Earl Willis' attorney in the landmark case Willis v. Walker. The circumstances of the segregated school system in Columbia, Kentucky of Adair County were as follows. Columbia Kentucky's segregated Jackman School burned to the ground in 1953. Despite the fact that the Adair County school board refused to admit African-American students to the newly built all-white Adair County High School, the board had yet to replace the Jackman School by 1955. Because no black high school was provided and African Americans were barred from attending the white high school, all eligible African-American teenagers in Adair County were completely denied a high school education from 1953 until 1956.⁵⁰ The actions of the Adair County School Board were theoretically justified through Kentucky's 1904 *Day Law*, a piece of state legislation that barred racial mixing in the school system. All state laws which enforced segregation in schools, however, had been declared unconstitutional by the Brown decision.⁵¹ Crumlin was no doubt aware of this fact.

⁴⁹ Gloster B. Current to Mr. Earl Willis, December 21, 1954, letter box IV: folder C93 Adair County, NAACP Records, Library of Congress, Washington D.C. and Mr. K. I. Bowman and Mr. Earl Willis to NAACP, December 7, 1954, letter box IV: folder C93 Adair County, NAACP Records, Library of Congress, Washington D.C. and Mr. Gloster B. Current to Mr. Earl Willis, January 15, 1955, letter box IV: folder C93 Adair County, NAACP Records, Library of Congress, Washington D.C. and Mr. James A. Crumlin to Mr. Gloster B. Current, January 31, 1955, letter box IV: folder C93 Adair County, NAACP Records, Library of Congress, Washington D.C. and Mr. Gloster B. Current to Mr. James A. Crumlin, February 18, 1955, letter box IV: folder C93 Adair County, NAACP Records, Library of Congress, Washington D.C. Different papers in the same collection claim the charter was mailed on January 13 rather than the 15, and there was confusion on the location of the charter through the end of January 1955. Regardless, the charter was mailed and the Adair County branch of the NAACP was founded in early 1955. Crumlin helped organize the paperwork for the newly formed branch.

⁵⁰ David L. Wolford, "Resistance on the Border: School Desegregation in Western Kentucky, 1954-1964," *Ohio Valley History* Vol 4, No 2 (2004), 50 and Willis v. Walker 136 F. Supp 177 (1955), Obiter Dicta.

⁵¹ Commonwealth of Kentucky's Day Law (1904) and Brown v. Board 347 US 483 (1954).

Angered by the lack of educational facilities for black school-aged children, spurred by the recent ruling in Brown, and likely encouraged by Crumlin, Earl Willis decided to sue the Adair County school board for the desegregation of its schools. A responsible parent and the founding president of the local NAACP branch, Willis was willing to openly discuss the unequal status of the African-Americans in Adair County when they were compared with their white counterparts. Due to its national importance, Willis was litigated by some of the most prominent actors in the nationwide desegregation efforts. Jack Greenberg and James M. Nabrit III, both leaders in the national Civil Rights Movement, served with J. Earl Dearing and James A. Crumlin to represent the plaintiffs in Willis.⁵² Harbert Walker, Superintendent of the Public Schools

⁵² Willis v. Walker 136 F. Supp 177 (1955). Both Jack Greenberg and James M. Nabrit III were major players in the Civil Rights Movement. Greenberg was the youngest in the group of lawyers that brought the Brown v. Board cases to the Supreme Court. As of 1955, Greenberg had worked for the NAACP Legal Defense Fund (LDF) for six years. He acted as assistant counsel for the LDF from 1949-1961 under Thurgood Marshall, and he was promoted to Director-Counsel in 1961. From 1961 Greenberg continued to serve as Director-Counsel until 1984. He litigated a total of forty cases before the Supreme Court in his long career. In 1963 Dr. Martin Luther King Jr. called on Greenberg to oversee all demonstration cases involving the Southern Christian Leadership Coalition; Greenberg accepted the challenge. Following his retirement from the NAACP Legal Defense Fund, Greenberg would go on to serve as the Dean of Columbia College and win the Presidential Citizens Medal. See NAACP Legal Defense Fund, “Jack Greenberg,” <http://www.naacpldf.org/jack-greenberg-biography> (accessed February 11, 2014).

James M. Nabrit III followed in his father’s footsteps in being one of the most important civil rights legal activists of his day. Among his many accomplishments, Nabrit’s father James M. Nabrit Jr.—who had been faculty at Howard Law School since 1936—worked on Sharpe, a companion case to Brown. See Howard University School of Law, “James Madison Nabrit, Jr.,” *James M. Nabrit, Jr. Biography* <http://www.law.howard.edu/1113> (accessed February 11, 2014). By 1958, Nabrit Jr. was Dean of Howard Law School and would go on to be the President of Howard University from 1960-1969. Jr. represented the United States as a deputy ambassador to the United Nations in 1966. Nabrit III was a quiet but powerful legal presence; he was close personal friends with Thurgood Marshall, Julius Chambers, and Jack Greenberg. He joined the NAACP Legal Defense Fund in 1959; by 1962 he was serving as the Associate Director-Counsel for the LDF. He argued before the Supreme Court on twelve separate occasions on topics including school desegregation, public accommodations, prison conditions, and criminal defense—he won nine of his twelve cases before the Court. Nabrit helped litigate the case that led to the desegregation of Central High School in Little Rock, Arkansas and was key in the desegregation of schools in Northern Virginia. Although Nabrit officially retired from the NAACP Legal Defense Fund in 1989, he continued to advise LDF up to his death in 2013. See NAACP Legal Defense Fund, “James M. Nabrit, 1932-2013,” <http://www.naacpldf.org/news/james-m-nabrit-1932-2013> (accessed February 11, 2014). Nabrit III advised the LDF as late as 2012 in Fisher v. University of Texas 570 U.S. (2013).

of Adair County, was the acting defendant for the case. Judges Parker W. Duncan and Paul R. Huddleston, both of Bowling Green, served as counsel for Walker along with Mr. Earl Huddleston of Columbia, Kentucky.⁵³

Willis was heard by a three judge panel at the Federal Courthouse in Bowling Green, Kentucky with the opinion authored by Federal District Judge Mac Swinford.⁵⁴ Oral arguments progressed simply, and the defense ultimately conceded the unconstitutionality of the Adair County School Board's actions.⁵⁵ Judge Swinford confirmed there were 34 black students who had been excluded from the recently constructed white high school. None of these 34 students were allowed to attend high school because no segregated school was provided for them, and they also were not allowed to attend the all-white Adair County High School. There was a large grade school in Columbia that educated 640 white students along with 50 other one-room schools for white students spread throughout the county. None of these schools permitted any of the 207 black, primary-aged schoolchildren to attend. The black elementary

J. Earl Dearing of Louisville, Kentucky worked directly with Crumlin in Willis. Dearing became the first African American to be appointed deputy clerk of the police court in Jefferson County. In the 1960s he won the primary for a circuit court judgeship, but he died before the general election. Dearing openly advocated desegregation in public schools following his own poor experiences due to segregation. See University of Kentucky Libraries, "J. Earl Dearing," *Notable Kentucky African Americans Database*, http://nkaa.uky.edu/record.php?note_id=1087 (accessed February 19, 2014).

⁵³ Willis v. Walker 136 F. Supp 177 (1955). Judge Paul Huddleston served as the Bowling Green Board of Education's attorney prior to becoming a judge. See Bowling Green, Kentucky Board of Education, *Minutes January 1945-September 1958*, note on page 102.

⁵⁴ Willis v. Walker 136 F. Supp 177 (1955). Swinford was born in Cynthiana, Kentucky on December 23, 1899. He attended the public schools of Cynthiana and went on to graduate from the University of Virginia Law School in 1925; he was elected to the Kentucky House of Representatives in 1926 and continued to practice law in Cynthiana, Kentucky until 1933 when he was appointed the United States Attorney for the Eastern District of Kentucky. Swinford was appointed to the federal bench by President Franklin Delano Roosevelt for the Eastern and Western Districts of Kentucky in 1937. He was the Chief Judge of the Eastern District of Kentucky from 1963 until 1970, and he continued to serve as a United States District Judge for the Eastern and Western Districts of Kentucky until his death in 1975. A social progressive, Swinford had a pro-civil rights reputation. See Bernard T. Moynahan Jr., "Tribute to Mac Swinford," 64 Ky. L.J. 1 (1975-1976), <http://heinonline.org/HOL/LandingPage?handle=hein.journals/kentlj64&div=7&id=&page=> (accessed March 4, 2014).

⁵⁵ Willis v. Walker 136 F. Supp 177 (1955), Obiter Dicta.

school students merely had a choice between six scattered one and two-room schools throughout the county. These, of course, were found to be overcrowded and of poor quality. The court found the segregated schools were of significantly worse quality than any of the white schools.⁵⁶

Because the African-American high school students were not provided a high school and were barred from attending any white high school, they were being *completely deprived of any education whatsoever* prior to the integration of the Adair County High School on February 1, 1956.⁵⁷ Unfortunately, the elementary schools were not integrated with equally deliberate speed. The elementary schools of Adair County did not integrate until the fall of the 1956-1957 school year. The defense objected to Swinford's order for integration, arguing desegregation was unreasonable due to the overcrowding of the schools. In response, Swinford quipped "no white children...were denied admission" because of overcrowding at any point.⁵⁸ The Adair County School Board followed the order for integration at the mandated speed. There was no significantly negative reaction from the white community in Adair County, and many whites even supported integration.⁵⁹ Unfortunately, although Adair County was compliant with federal law, Bowling Green, Kentucky continued to defy orders for integration for another eight years.

⁵⁶ Willis v. Walker 136 F. Supp 177 (1955), Obiter Dicta.

⁵⁷ Willis v. Walker 136 F. Supp 177 (1955), Obiter Dicta.

⁵⁸ Willis v. Walker 136 F. Supp 177 (1955), Obiter Dicta.

⁵⁹ Wolfford, "Resistance on the Border," 50.

CHAPTER SIX

RACE AND THE NAACP IN BOWLING GREEN

Although less well-known and researched than their national counterparts, local desegregation stories are often the most important and fascinating aspect of the history of race relations in America. While the 1956 desegregation of the Adair County schools through Willis v. Walker was relatively efficient, the desegregation of the Bowling Green schools provides a much more complicated tale. Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 ended in the 1963 desegregation of the public schools in Bowling Green and Warren County *more than nine years* after the initial ruling in Brown v. Board of Education of Topeka, Kansas. Like Willis, Lawrence was presided over by Judge Mac Swinford and heard in Bowling Green's Federal Courthouse.

Prior to Lawrence, schools in Bowling Green had maintained their racially segregated structure despite the 1954 ruling in Brown. Minutes from the Bowling Green Board of Education reveal the school board planned and decided to build High Street School—the last segregated school constructed in Bowling Green—within the months immediately surrounding the ruling of Brown v. Board in 1954. City officials of Bowling Green clearly believed that if African-American children were provided with the appearance of having a fine school building and an efficient learning environment then de

jure segregation could be upheld within the city limits. Thankfully this presumption was incorrect.

Long disenfranchised from the social hierarchy in the United States due to their race, African Americans were also marginalized in Bowling Green, Kentucky. The Western District of Kentucky, the judicial district in which Bowling Green is located, has a long history of significant racial discrimination. The tactics used in western Kentucky were not unique when viewed in the context of the former Confederacy, but were both unusual and extreme when viewed in the context of the Commonwealth alone. For the century following the Civil War, white supremacists in western Kentucky embraced intimidation tactics to protect the segregated society and reinforce the Jim Crow laws. Historian David L. Wolfford writes

George C. Wright has revealed a high frequency of lynchings, especially in western Kentucky. In the Jackson Purchase alone, whites lynched forty-nine blacks, twenty in Fulton County and thirteen in Graves County, which Wright characterizes as ‘two of the counties with the most lynchings in the entire state.’⁶⁰

As if the fear of imminent death was not enough to terrorize the African-American community in Bowling Green, night riders also threatened the black community. Barns owned by African Americans were burnt to the ground in the night and white employers who dared hire black workers were openly threatened. There are 120 counties in the Commonwealth of Kentucky; 27 of these counties make up the Western Kentucky district. Of all the lynchings in the history of the Commonwealth, 41% occurred in the 27 counties immediately surrounding Bowling Green.⁶¹

⁶⁰ Wolfford, “Resistance on the Border,” 53.

⁶¹ Ibid.

John Edward Jones, the African-American pastor of State Street Baptist Church, recorded immensely valuable information on the political and socioeconomic status of blacks within the Bowling Green area. Easily one of the best educated people in Bowling Green at the time, Jones was also an active citizen. Jones taught social studies at the segregated High Street School for three years, and he later served as principal at the school for four years. Jones' 1956 paper "The Political Status of Negroes in Warren County" provides a general but pertinent account of the correlation between race and personal status in Bowling Green post-Brown.⁶² Although Jones primarily relied on statistics and refrained from using personal accounts of discrimination to show the racial disparities in Bowling Green, his work is effective at painting a picture of inequality.

Jones used a standardized questionnaire, telephone conversations, and interviews at people's homes in and around Bowling Green to collect his data. He also interviewed individuals to discern more personal information and opinions, and names were generally recorded. Jones listed the population of Warren County as 86.9% white, 12.9% black, and 0.2% foreign born.⁶³ Seventy-five percent of the voting African Americans

⁶² Born in Virginia, Jones received a Bachelor of Arts degree in the Social Sciences from Virginia Union University in Richmond, Virginia in 1945. He received a Bachelor in Divinity degree from the same school in 1948 with majors in both Theology and Philosophy. Jones would eventually go on to earn a Master degree in Divinity from Virginia Union in 1972. Jones received an honorary Doctor of Divinity degree from Simmons University in Louisville, Kentucky in 1957; and he was also granted a Masters Degree from Western Kentucky University in 1959 where he earned 39 hours of course credit above the degree requirements. Jones also earned six hours of course credit from the George Peabody College in Nashville, Tennessee and nine hours of course credit in Sociology and African American Culture at the American University in Washington D.C. Among all his other educational achievements, Jones was certified as an Education Specialist by the United States office of Education in 1970. Following the desegregation of Bowling Green and the passage of the Civil Rights Act of 1964, Jones became co-principal of the formerly all-white McNeill Advancement School. Jones later served as a consultant for Human Relations at Western Kentucky University in Bowling Green. Jones also served as an Associate Professor of Sociology, Assistant Director of the Center for Intercultural Studies, and Director of African American Studies at Western Kentucky University. Seventh Street Baptist Church, "Rev. J. E. Jones," *Pastors Personal Data*, 1967.

⁶³ J. E. Jones, "The Political Status of Negroes in Warren County," (Paper: Western Kentucky University, 1956), 2-3.

interviewed aligned themselves with the Democratic Party. Those persons interviewed out of this group noted their support of Franklin D. Roosevelt and his New Deal programs, no doubt aware of the progressive nature of his administration, as the reason for their registration with his party. This information shows a dramatic change since the pre-New Deal era when most African Americans in Warren County had been Republicans. The interviews provided by J. E. Jones reveal no African American had ever been elected to public office in the Bowling Green community, although free blacks had long resided in the Warren County area.⁶⁴ Although African Americans naturally had political interests in the community, they were largely barred from civic participation outside their segregated arena through segregationists' use of fear and intimidation methods.

The size of the African-American community in Bowling Green is worth mention. Most of Kentucky had a relatively small population of African Americans when compared to other Southern states, and Bowling Green was no exception. While one might suppose the small African-American community in Bowling Green would have been easy to integrate with the larger white population, this was unfortunately not the case.⁶⁵ In fact, elements of racial exclusion permeated the living environment of Bowling Green right down to the way in which the news was reported; the local *Park City Daily News* separated the news about whites from that of black citizens.⁶⁶ Only half of the African Americans living in Bowling Green were politically active: out of 3,150, only 1,574 African Americans were registered to vote. Possibly related to the threat of

⁶⁴ J. E. Jones, "Negroes in Warren County," 9.

⁶⁵ For the most obvious source of evidence, see Lawrence.

⁶⁶ Many issues of Bowling Green's local newspaper, the *Park City Daily News*, viewed in the research that comprises the press coverage of the schools contained in this thesis separated the "Colored" news from the primary issue.

‘night riders,’ there was also a significant lack of employment opportunity for African Americans within the region.⁶⁷ Only two of the roughly 2,000 people employed at industrial facilities in Warren County identified themselves as black.⁶⁸ This meant that while 12.9% of Bowling Green’s population was black, only 0.1% of the well-paid industrial workforce was black.

Even if African Americans wanted better jobs, however, their prospects were limited from the beginning by their restricted educational opportunities. A note in the Bowling Green School Board’s Minutes from May 14, 1948 reveals that agriculture was taught to African Americans to fulfill the “minimum requirements of the code for health and physical education,” while white children were taught biology.⁶⁹ The school curriculum mandated for African Americans by the Bowling Green School Board was engineered to maintain the racially divided class system at the elementary level. The lack of economic opportunity in Bowling Green for blacks not only prevented much fluctuation in minority populations within the community, but also ensured the African Americans in Bowling Green would remain more concerned about their day-to-day needs than for their political rights. This oppressed black minority had virtually no political voice, and what voice it did have was easily silenced by the white majority within Bowling Green. It is largely because of this that the Bowling Green School Board was able to stall desegregation for a full nine years after Brown.

⁶⁷ J. E. Jones, “Negroes in Warren County,” 10.

⁶⁸ Ibid, 10.

⁶⁹ Bowling Green Board of Education, *Minutes January 1945-September 1958*, note on page 64.

The fear instilled in the black community of Bowling Green through the intimidation methods of white supremacists is also evident when examining the nature of the founding of a local chapter of the NAACP. The National Association for the Advancement of Colored People was first called into Bowling Green through a hurriedly written letter by Mr. Roy D. Taylor. Taylor wrote

I would like to put a chapter of the NAACP here in Bowling Green Kentucky, we have 3500 negroes here and need a chapter here very much what will we have to do for such?⁷⁰

The letter was personally acknowledged by Gloster B. Current, Director of Branches for the NAACP in New York. The response included complete information on how Taylor could start up his local branch. The first incarnation of the Bowling Green branch of the NAACP was chartered on March 10, 1947 and was listed with the national headquarters as the Warren County NAACP Branch.⁷¹

The first problems with the NAACP of Warren County/Bowling Green emerged the same year as the founding. At some point in 1947, the initial NAACP branch was dissolved. The branch was reorganized in 1948 with O. Alfred Moses, longtime Bowling Green resident, as the new president of the Warren County/Bowling Green Branch. By June of 1948 there was confusion as to the jurisdiction of the branch—as many as two NAACP branches may have existed in Warren County that year. Despite the potential presence of two NAACP branches in Bowling Green, the covert nature of the

⁷⁰ Roy D. Taylor to Gloster B. Current, November 9, 1946, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. Taylor's own punctuation and word emphasis is duplicated here.

⁷¹ Gloster B. Current to Roy D. Taylor, January 7, 1947, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Gloster B. Current to Roy D. Taylor, March 21, 1947, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

organization prevented many citizens from being aware of its existence.⁷² W. G. Graham contacted Mrs. Lucille Black of the national organization about his desire to create a branch of the NAACP in Bowling Green, Kentucky. Graham wrote

A few of our Citizens in this small town of 18,000 have decided to arrange the N.A.A.C.P. Will you please send us phamplets [sic] on organizing... whatever the cost we are willing to pay.⁷³

There is no record of a response directly written to Graham, although Ms. Black contacted O. Alfred Moses on July 23, 1948. Black informed Moses that a branch already existed for the entirety of Warren County and had been founded by Roy D. Taylor in 1947. Black did not issue a new charter for another branch of the NAACP in Bowling Green.⁷⁴ Before Black's letter reached him, Moses contacted Gloster Current about the founding of the Warren County/Bowling Green branch of the NAACP. Current responded with a notification that the potential charter would be discussed at the September 13, 1948 meeting of the national organization.⁷⁵

Five days prior to receiving a confirmation of the receipt to found the Warren County/Bowling Green Branch, Moses wrote to Ms. Lucille Black in response to her claim that there already was a Warren County branch and that there would be no need to found yet another branch. Here we finally receive some clarification on the creation of the NAACP branch in Bowling Green. There had, in fact, been a branch of the NAACP

⁷² Mr. O. A. Moses to Mr. Gloster B. Current, May 10, 1948, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mr. O. A. Moses to Mr. Gloster B. Current, June 9, 1948, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

⁷³ Mr. W. G. Graham to Mrs. Lucille Black, June 14, 1948, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. See appendix for copy of the letter of June 14.

⁷⁴ Ms. Lucille Black to Mr. O. A. Moses, July 23, 1948, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. This would have been either the second or maybe third group of people wanting to organize a branch in Bowling Green at the time.

⁷⁵ Mr. Gloster B. Current to Mr. O. A. Moses, August 3, 1948, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

founded in Bowling Green for the entirety of Warren County in 1947. Roy D. Taylor had been president, although the branch quickly dissolved. Moses wrote

[The first Bowling Green branch] was not a successful effort. It failed probably, because of the lack of popularity of some of the officials. Most of the present group don't [sic] like to be reminded of the former Branch. Mr. Taylor isn't living in Bowling Green now and hasn't been for the last nine or twelve months.⁷⁶

Although both the Warren County and Bowling Green residents had desired to establish a local branch, the city established its own branch before the county residents. The Warren County and Bowling Green residents thus banded together to form the Warren County/Bowling Green branch of the NAACP, with Moses as founding president.

Having a joint Warren County/Bowling Green branch of the NAACP not only meant the organization would have more members, but also meant the organization would have a broader reach with greater political influence. A post script note records 59 members of the new branch and that the original charter dated to March 1947.⁷⁷

A charter for the new Warren County/Bowling Green, Kentucky branch of the NAACP was granted on September 13, 1948 with the charter mailed on October 5, 1948.⁷⁸ The prominent J. E. Jones was elected president of the branch for 1949, and by all accounts the NAACP in Bowling Green functioned well that year. The fall 1949 drive to gain new members for 1950, however, was not successful. The increase in

⁷⁶ Mr. O. A. Moses to Mrs. Lucille Black, July 28, 1948, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. See also Mr. O. A. Moses to Mr. Gloster B. Current July 16, 1948, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Ms. Lucille Black to Mr. O. A. Moses, July 23, 1948, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

⁷⁷ Mr. O. A. Moses to Ms. Lucille Black, July 28, 1948, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

⁷⁸ Mr. Gloster B. Current to Mr. O. Alfred Moses, September 20, 1948, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mr. Gloster B. Current to Mr. O. Alfred Moses, October 6, 1948, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

membership dues from \$1.00 to \$2.00 may have presented a problem for both current and potential new members.⁷⁹ Although not a massive increase in price, this raise in dues probably placed additional fiscal stresses on the members of the African-American community in Bowling Green and Warren County who were already struggling financially.

Possibly related to the failures of their June 1948 petition and January 1950 request for better educational opportunities, is likely that by early 1950 many African Americans in Bowling Green were becoming more nervous about being associated with the Warren County/Bowling Green NAACP.⁸⁰ The culture of fear in Bowling Green, which had enabled whites to suppress the political voices of African Americans for over a century prior to the organization of the local NAACP branch, continued to affect the black community and probably made it difficult to recruit NAACP members.⁸¹ Active members must have feared economic retaliation from their white employers. Even more significant, however, was the very real *fear* of being murdered for political dissent. As mentioned previously, 41% of lynchings in Kentucky occurred in the region immediately surrounding Bowling Green.⁸² Although the Warren County/Bowling Green branch of the NAACP was not necessarily dissolved, it at least went ‘underground’ after 1949. The

⁷⁹ Mr. J. Edward Jones to NAACP “To the Officers in Charge,” January 7, 1949, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. See also Ms. Irene J. Barlow to Mrs. Lucille Black, October 4, 1949, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mr. J. E. Jones to Mrs. Lucille Black, December 13, 1949, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Ms. Lucille Black to Rev. Jones, December 21, 1949, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mr. J. E. Jones to Miss Lucille Black, January 9, 1950, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

⁸⁰ See Chapter Four of this thesis and “Negroes Ask School Building,” *The Park City Daily News*, June 16, 1948; Bowling Green, Kentucky Board of Education, *Minutes January 1945-September 1958*, 65; *Ibid*, 90.

⁸¹ See J. E. Jones, *Negroes in Warren County*.

⁸² Wolfford, “Resistance on the Border,” 53 and 55.

Library of Congress holds no record of its activity from February 1950 to December 1952.

James Crumlin attempted to contact the Warren County/Bowling Green branch on December 12, 1952 when he was the president of the Kentucky State Conference of the NAACP. He wrote directly to J. E. Jones requesting he be present at the statewide meeting to be held on 17-18, January 1953 in Bowling Green, Kentucky. Unfortunately, Crumlin discovered the branch to be inoperable. Crumlin noted that

on December 13 in Columbus, Ohio, I met the Director of Branches, Gloucester B. Current, and he has informed me officially that the Bowling Green Chapter of the N.A.A.C.P. is now defunct, and that all branch officers are declared vacant.⁸³

Crumlin charged Jones with the duty to reorganize membership of the Warren County/Bowling Green branch before the statewide meeting on January 17 and 18 at which point officers would be elected for the local branch. This request led to the third charter in six years for the Warren County/Bowling Green branch, issued by the national organization on March 6, 1953. By September 1954, the membership had grown to 43 people.⁸⁴ Unfortunately the Warren County/Bowling Green branch of the NAACP again dissolved in 1957, presumably due to its inability to raise enough funding for the

⁸³ James A. Crumlin to Rev. Jones, December 12, 1952, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and James A. Crumlin to Rev. J. E. Jones, December 19, 1952, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

⁸⁴ Gloucester B. Current to Rev. J. E. Jones, March 6, 1953, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Gloucester B. Current to Rev. J. E. Jones, April 10, 1953, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and James A. Crumlin to Mrs. Wanda Elliott, September 7, 1954, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

maintenance of the local chapter.⁸⁵ The Library of Congress holds no record of any NAACP activity in Bowling Green from late 1957 to the middle of 1963.

The Warren County/Bowling Green branch of the NAACP was reorganized again in 1963 at the behest of Crumlin. In its fourth incarnation, the NAACP of Warren County/Bowling Green would have major impact. Lawrence v. Bowling Green Board of Education was filed by the organization in 1963 with Crumlin serving as present counsel for Lawrence. Richard Abel, secretary of the new organization, reported that

On March 26, 1963 Mr. J.A. Crumlin was in our town for the purpose [of] putting things in order before our school integration suit is to be tried April 8, 1963. While here he reorganized the local chapter of the NAACP including the election of temporary officers.⁸⁶

Abel received the information required for the reorganization of the chapter shortly after April 17, 1963. Abel and J. E. Jones were members one and two on the 53 person membership role of the 1963 charter. The Reverend W. G. Lawrence, father of infant plaintiff William “Willie” Larry Lawrence, was a new and prominent member of the organization.

⁸⁵ Ms. Lucille Black to Mrs. Wanda Elliott, September 29, 1955, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mrs. Wanda Elliott to Ms. Lucille Black, September 6, 1955, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and James A. Crumlin to Mrs. Willa F. Stanton, November 4, 1955, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Ms. Lucille Black to Rev. J. E. Jones, October 31, 1957, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Gloster B. Current to Mr. Richard C. Abel, April 17, 1963, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

⁸⁶ Richard C. Abel to Gloucester [sic] B. Current, April 3, 1963, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

CHAPTER SEVEN

LAWRENCE V. BOARD OF EDUCATION

Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963) was filed April 8, 1962 on behalf of infant Willie Larry Lawrence who was represented by his father, the Reverend W. G. Lawrence. Lawrence, however, was just one of 30 African-American children represented by their parents as the plaintiffs.⁸⁷ These parents, fearing their children would be denied the equal protection under the law that they had been denied in their own childhoods, sought a better future with greater opportunity for their own children. One must not underestimate the courage these parents must have had to stand up to Bowling Green's white establishment—these parents put their lives on the line when suing the school board for integration.⁸⁸

Still major players in the national Civil Rights Movement, eminent lawyers Jack Greenberg and James M. Nabrit III worked with James A. Crumlin to represent the plaintiffs in Lawrence just as they had eight years earlier in Willis.⁸⁹ Crumlin faced Marshall Funk of Bowling Green, Kentucky in the litigation against the Bowling Green

⁸⁷ Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963).

⁸⁸ Remember David L. Wolfford, "Resistance on the Border: School Desegregation in Western Kentucky, 1954-1964," *Ohio Valley History* Vol 4, No 2 (2004), 53 and 55.

⁸⁹ Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963). It is more than likely that the plaintiffs were unable to get a local attorney to represent them due to their race and the topic of the lawsuit.

school board.⁹⁰ Funk was a lifelong resident of Bowling Green and was a senior partner at his firm, Funk and Smith. The Bowling Green white establishment's equivalent of John W. Davis, Funk served as the Warren County Attorney from 1955-1959 and was a board member of the American National Bank and Trust Company from 1949 until his death in 1982.⁹¹ The contrast between Crumlin and Funk is remarkable, and not at all dissimilar to the contrast between Marshall and Davis in Brown. While Crumlin was a remarkable and progressive lawyer, Funk was a traditional member of the white establishment class in Bowling Green. In Lawrence, Crumlin was not just arguing against segregation, but he was also arguing directly against inequality and the established white order.

The Bowling Green School Board and its entire staff along with the Superintendent of Public Schools W. R. McNeill were named defendants. The complaint sought a permanent injunction against the Bowling Green Board of Education to prohibit the continued operation of a segregated public school system. The plaintiffs' legal brief cited the Fourteenth Amendment's Equal Protection clause as justification for the injunction and integration of the schools.⁹² Title VIII of the complaint notes

The educational program at the High Street School attended by Negroes is inferior to the program at the white schools. Most of the elementary schools set aside for white children offer health programs, spacious and adequate cafeteria services,

⁹⁰ University of Kentucky Libraries, "James A. Crumlin Sr.," *Notable Kentucky African Americans Database*, http://nkaa.uky.edu/record.php?note_id=8 (accessed February 11, 2014) and Richard C. Abel to Gloucester [sic] B. Current, April 3, 1963, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963).

⁹¹ "Marshall Funk Dies," *Kentucky New Era Newspaper*, September 25, 1982, <http://news.google.com/newspapers?nid=266&dat=19820925&id=fyovAAAAIABAJ&sjid=Y9wFAAAAIBAJ&pg=5338,3041368> (accessed March 3, 2014). Funk was also an active member of the State Street United Methodist Church and a director of the Kentucky League of Sportsmen.

⁹² Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963), Complaint.

and are in good condition; whereas High Street School cannot offer these programs, although the building is in very good condition.⁹³

This complaint challenged the school board's attempt to preserve segregation through the construction of the new High Street School. Unfortunately only for them, segregationists in Bowling Green had miscalculated in the construction of High Street. It turns out that a fancy building *did not* guarantee equality under the law.

Despite the petition filed by parents of the African-American community and the order to integrate by the highest court of the United States in Brown II in 1955, the Bowling Green school board continued to utilize its separate and unequal facilities to unconstitutionally segregate school children on the basis of their race up to 1963.⁹⁴ Unfortunately, teachers and school faculty were also segregated by their race—only African Americans taught at High Street, and only white teachers were allowed to teach at the white schools. The complaint argued the psychological and educational damage incurred by children forced to participate in such a ridiculous and restricted school system was “irreparable” and could only find remedy through the judgment of the court.⁹⁵

The February 23, 1963 questioning of W. R. McNeill on behalf of the School Board by Crumlin reveals the practice of segregation in Bowling Green.

Crumlin: If children are not assigned to and/or transferred to or from schools on the basis of school zones or some other geographic standard, describe in detail the standards employed to determine assignment...

⁹³ Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963), Complaint.

⁹⁴ Brown II 349 U.S. 294, 75 S. Ct. 753, 99 L. Ed. 1083, U.S.(1955); “Negroes Ask School Building,” *The Park City Daily News*, June 16, 1948; Bowling Green, Kentucky Board of Education, *Minutes January 1945-September 1958*, 65.

⁹⁵ Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963), Complaint.

McNeill: By long standing custom of the people in this community, all colored children...have applied to and been accepted as students at High Street School, regardless of their place or residence...No white child has ever attended High Street School, and no colored child has ever attended any school other than High Street...

Crumlin: What obstacles, if any, are there which prevent the complete desegregation of the school system...?

McNeill: We believe that order and decorum in the schools, necessary to the educational process, cannot be maintained if there is sudden and total integration. We are convinced a gradual approach to the problem is required.⁹⁶

Clearly, the previous nine years had been enough time. The defendants offered no viable legal defense of Bowling Green's segregated school system, but the lack of a defense is not surprising. There was none. By 1963, school segregation had been unconstitutional for nearly a decade.

By early 1963 the customary practice of calculated racism within Bowling Green had been isolated as the sole reason the defense could provide for the maintenance of segregation within the Bowling Green school system. There was no longer any legal basis for the school board's argument. Brown had made all defenses of segregation, including Kentucky's 1904 Day Law, unconstitutional. This, however, did not stop the defendants from trying still harder to postpone the date of integration. Funk offered, "We have a biracial committee that was appointed last summer before this suit was filed, that had been working on a plan...they have a plan just about ready to submit."⁹⁷ Such committees were common throughout the South post-Brown; they were usually organized to provide the appearance of an effort to desegregate. In most cases committees like the

⁹⁶ Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963), Deposition.

⁹⁷ Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963), Obiter Dicta.

one in Bowling Green were actually encouraged to stall integration.⁹⁸ With this in mind, Swinford responded to Funk “Separate but equal has no place. Separate educational facilities are inherently unequal...[Brown was decided] nine years ago in May.”⁹⁹ Swinford disallowed any further delay to integration.

The judgment of the court for Lawrence was delivered exactly one year after the initial filing of the case, April 8, 1963, with the written order following on April 11, 1963. Swinford’s opening remarks are as follows: “The question is so well settled by the opinions of the Supreme Court in this character of case and related cases that I think there can be no doubt in a class action such as this.”¹⁰⁰ Swinford became the first federal district judge in the United States to implement the ruling of Brown v. Board at the local level with his November 29, 1955 opinion in Willis v. Walker.¹⁰¹ Willis was handed down in Bowling Green at the exact same federal courthouse that witnessed Lawrence eight years later. As mentioned previously, there was no appeal in Willis and the judgment was accepted as the law within Adair County, Kentucky. In fact, numerous school boards throughout the commonwealth followed with school integration after Willis. Despite this, the Bowling Green Board of Education *violated federal law* and continued to operate fully segregated facilities for eight years after Willis. Exasperated with the situation in Bowling Green, Swinford exclaimed

Now you come in here, nine years later, eight years after a decision from this very bench, and say that you want time to submit a plan. This business of opposing

⁹⁸ Wolfford, “Resistance on the Border,” 48-49 and 51-52.

⁹⁹ Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963), Obiter Dicta.

¹⁰⁰ Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963), Obiter Dicta.

¹⁰¹ Willis v. Walker 136 F. Supp. 177 (1955) was the first federal case to mandate desegregation per Brown. This occurred at the Main Street Federal Courthouse in Bowling Green, Kentucky.

equal citizenship of negroes has gone out of style. [Integration is] the law, it's the law of the land, it's the right thing to do... **You may feel Plessy v. Ferguson 165 U.S. 537 was a good decision [but you are wrong]...I don't care if they have got a negro school here in a palace and a white school in a tent**, that's not the question. They are separating them, segregating them because of their color and their race, and that is contrary to American Justice.¹⁰²

Through a short series of heated exchanges, Funk revealed the lack of preparedness of the defendants. No successful plan for integration was made. It was as if the school board had assumed the legal issue of segregation would simply go away. Swinford ended his dicta as follows: "It will be the order of the court that the school system of Bowling Green be integrated one hundred percent and that the school board enter the proper minutes integrating it."¹⁰³

A formalized confirmation of Swinford's ruling was written into the Bowling Green Board of Education's minutes on June 3, 1963. The integration plan—which took a full nine years to prepare for—was remarkably simple. The plan called for the former High Street students to attend the high school of their choice and the elementary school nearest their home. All new students for the school district were apportioned "with regard to [available] facilities."¹⁰⁴ Despite the simplicity of the integration plan, it was not finalized until August 15, 1963—mere weeks before the schools ended summer recess. For all the fight against it, integration in Bowling Green was undertaken simply, peacefully, and later than most anywhere else in the state.

¹⁰² Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963), Obiter Dicta.

¹⁰³ Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 (1963), Obiter Dicta.

¹⁰⁴ Bowling Green, Kentucky Board of Education, *Minutes July 1961-June 1964*, August 15, 1963, 175.

CHAPTER EIGHT

AFTERMATH AND REFLECTIONS

The ruling in Lawrence made front page news in the Bowling Green *Park City Daily News* on April 9, 1963. The headline “Integration of Schools Ordered by Federal Judge: Threatens Troops if Necessary” introduced the story for the Bowling Green community. Through the newspaper, Judge Swinford publicly announced his decision with his threat of federal troops if the Bowling Green Board of Education did not immediately comply with Lawrence.¹⁰⁵ Swinford announced his disappointment in the Bowling Green school board and his distaste for the necessity of the case, exclaiming that the schools in Bowling Green should have been desegregated nine years earlier. The *Daily News* also printed Marshall Funk’s defense that the school board believed racial unrest would arise if integration was forced. In response Swinford quipped “I have more faith in the people of Bowling Green” than the school board clearly does.¹⁰⁶ Funk plainly admitted integration would occur “without Little Rock, without Oxford, without Clay in Kentucky.”¹⁰⁷ The Bowling Green area press records no violent dissent of Lawrence or its implementation. Bowling Green schools were integrated without force and on a nonviolent—if tardy—basis. Ironically, High Street School was officially closed in 1965

¹⁰⁵ “Integration of Schools Ordered by Federal Judge: Threatens Troops if Necessary,” *The Park City Daily News*, April 9, 1963.

¹⁰⁶ *Ibid.*

¹⁰⁷ *Ibid.* This is in reference to the infamously violent desegregation of Little Rock, Arkansas’ Central High School and other tumultuous school integrations in the South. See Klarman, Unfinished Business, 154 for a reference on Little Rock.

in order to comply with the Civil Rights Act of 1964.¹⁰⁸ The building itself was barely a decade old, but the institution it represented had been declared obsolete and unjust. A long time coming, the formal desegregation of Bowling Green was implemented with peace.

Oddly, Bowling Green was desegregated prior to the state capital. Two days after the announcement of the Lawrence decision, the Frankfort, Kentucky School Board was sued to integrate. Willis attorney J. Earl Dearing called the town's arrangement for gradual integration "the most cleverly contrived scheme to perpetuate racial segregation that the federal courts in Kentucky have ever been asked to approve."¹⁰⁹ Although the board proposed fully integrating the elementary schools of Frankfort by the fall of 1964, Dearing raised many objections to the flawed plan.¹¹⁰ Dearing argued "The plan raises a substantial doubt of the good faith of the board...it is clear that little, if any, desegregation can be expected if the plan is approved."¹¹¹ His specific objections were as follows. First, the plan did not force integration, but merely enabled its potential by allowing students to attend the school of their choice. This meant parents would be at liberty to send their children to whatever school they desired and that these schools could be kept de facto segregated. Second, the plan did not implement integration in grades five through eight in line with Brown. In fact, the plan did not integrate those grades at all. Third, the provision of the plan which allowed for school transfers unconstitutionally

¹⁰⁸ "Bowling Green To Close All-Negro School, Integrate," *Louisville Courier-Journal South Kentucky Bureau*, February 28, 1965.

¹⁰⁹ "Frankfort Integration Plan Hit by Attorney," *The Park City Daily News*, April 11, 1963.

¹¹⁰ *Ibid.* The high schools in Frankfort had been integrated since the mid-1950s.

¹¹¹ *Ibid.*

relied on race.¹¹² Frankfort, the state capital of Kentucky and role model for all communities within the state, made a pitiable effort to integrate.

Warren County, like Bowling Green, also maintained segregated schools into 1963. The Warren County school board, however, *voluntarily* opted to integrate its schools in June 1963.¹¹³ “County Schools to Integrate: Board Vote is 4-1 On Order” made front page news in Bowling Green’s *Park City Daily News* on June 11. As there had previously been little to no serious talk of integration within the county, this shift was probably a reaction to the Lawrence decision and was most likely intended to avoid a lawsuit as had occurred in Bowling Green. Overcrowding was the excuse used for not having integrated sooner. Interestingly, in at least one of the districts that made up the entirety of the Warren County school zone, there were no African-American students. In fact, in the entirety of Warren County, there were only seven African-American teachers. Out of the total 4,655 students enrolled in the county district there were only 344 African Americans.¹¹⁴ Overcrowding, then, was not the actual issue.

The Bowling Green/Warren County NAACP remained extant from 1963-1966, but presumably dissolved again after that date—there is no record of NAACP activity in Bowling Green after May 18, 1966 until the branch was reactivated in March of 1968.¹¹⁵

¹¹² Ibid.

¹¹³ “County Schools To Integrate,” *Park City Daily News*, June 11, 1963. The motion to integrate the county schools was passed with John Hall Hayes: board chairman, Earl Isenberg, Frank Truitt, and Guy Reneau voting in favor of desegregation and Raleigh Phelps voting against desegregation.

¹¹⁴ Ibid. It is necessary to remember the population of minority groups was kept to a small number through the lack of employment opportunities for non-whites. See Jones, *Negroes in Warren County*, 10 for a note on this.

¹¹⁵ Ms. Shelby White to “Dear Sir,” August 21, 1964, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Ms. Shelby White to Ms. Lucille Black, May 24,

The fifth run of the NAACP ended abruptly on April 22, 1970. A letter from John A. Morsell, Assistant Executive Director for the national NAACP organization in New York City notified the president of the Bowling Green/Warren County branch

that the National Board of Directors, at its meeting April 13, 1970, voted to revoke the Charter of Authority received by the Branch March 10, 1947...because the Branch has failed to maintain at least 50 members, the required number for issuance of a charter, and failed to pay past due Freedom Fund and Special Assessments.¹¹⁶

There is no record of a response to the notification of dissolution from the Bowling Green/Warren County branch, although interest in the reorganization of the branch was recorded as early as May 10, 1971.¹¹⁷ Although the Library of Congress holds record of activity associated with the NAACP in Bowling Green in 1971 and 1972, these records are only composed of a few brief letters; there is no record of an attempt to reorganize a formal branch for Bowling Green and Warren County until 1974.¹¹⁸

1965, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Ms. Shelby White to Ms. Lucille Black, May 18, 1966 letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Ms. Lucille Black to Ms. Shelby White, May 27, 1966, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Bowling Green/Warren County NAACP to "Dear Folks," March 18, 1968, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

¹¹⁶ Mr. John A. Morsell to Mr. Clifford Anthony, April 22, 1970, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

¹¹⁷ Mr. Melvin P. Watson to "Dear Sir," May 10, 1971, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mr. Gloster B. Current to Rev. W. J. Hodge, May 17, 1971, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mr. Gloster B. Current to Mr. Melvin P. Watson, May 19, 1971, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

¹¹⁸ Mr. W. J. Hodge to Mr. Melvin P. Watson, May 21, 1971, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Ms. Shelby White to "Dear Folks," March 18, 1972, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mr. Ron Lewis to "Dear Sir," May 12, 1974, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

A May 12, 1974 letter from a Mr. Ron Lewis refers to the reorganization of the Bowling Green/Warren County branch.¹¹⁹ There is no record of the membership of the local branch from 1974, although a letter addressed to Gloster Current on November 29, 1975 claims a membership of sixty-four adult members and 27 youth members. Unfortunately, the Bowling Green/Warren County NAACP continued to have both organizational and financial issues through 1976.¹²⁰ The most recent open records of the NAACP in Bowling Green date to 1976 when the city circumvented its own Affirmative Action Program by secretly hiring a new administrative assistant without notifying the press until after the new hire had been completed. The Bowling Green/Warren County branch of the NAACP was never directly informed of the hire and nearly sued the city over the issue.¹²¹ Unfortunately, Lawrence did not solve all race-related issues in Bowling Green.

Despite the end of de jure segregation in the Bowling Green and Warren County schools following Lawrence in 1963, racial disparities continue to plague the city school system to the present era. The region as a whole also continues to be gripped by the

¹¹⁹ Mr. Ron Lewis to “Dear Sir,” May 12, 1974, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mr. Ron Lewis to “Dear Secretary,” June 16, 1974, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

¹²⁰ Mrs. Elizabeth S. Edmunds to Mr. Gloster B. Current, November 29; 1975, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mrs. Elizabeth S. Edmunds to Mr. Gloster B. Current, January 25, 1976, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mr. William H. Penn Sr. to Mrs. Elizabeth S. Edmunds, February 4, 1976, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

¹²¹ Mr. Paul L. McCauley to Mr. Ronald D. Lewis, June 23, 1976, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mr. Gloster B. Current to Mr. Ronald D. Lewis, July 9, 1976, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C. and Mr. Ron D. Lewis to Mr. Paul McCauley, June 5, 1976, letter box IV: folder C93 Bowling Green, NAACP Records, Library of Congress, Washington D.C.

unfortunate reality of de facto residential segregation, which helps to perpetuate the racial inequality still found in the public schools. A 2004 interview in the local *Daily News* reveals the nature of the continuing struggle for racial equality. Professor Alan Anderson, then faculty in the Department of Philosophy and Religion of Western Kentucky University and a Civil Rights Movement veteran, argued the planning and zoning of the city was clearly planned to benefit the white and affluent residents. He claimed “It is very clear that [Bowling Green] is divided by the railroad tracks into the poor and minority sections on the west side and the largely white, middle-class and affluent classes on [the other side].”¹²² Anderson cited the destruction of the majority black Jonesville and Shake Rag communities within Bowling Green as evidence of the lack of consideration for the rights of minority groups. Of the two, Jonesville was destroyed to expand Western Kentucky University’s campus. Anderson further argues, “It is clear that African Americans here, like in every other metropolitan area, do not live where they choose to live. They live in areas that are decided for them by white leadership.”¹²³

George Carpenter’s “Where’s Jonesville? How the Destruction of Jonesville Left a Legacy of Housing Discrimination in Bowling Green, Kentucky” records the history of de jure residential segregation and its relation to class and race in Bowling Green. Carpenter shows that residential segregation became more pronounced during the Great Depression because more people became concerned with the potential loss of their class status. Defining certain neighborhoods as white-only ensured the exclusion of African Americans and thus gave white residents a sense of social superiority. While whites had

¹²² “Professor Criticizes Area Race Relations,” *The Park City Daily News*, May 18, 2004.

¹²³ *Ibid.*

the potential to live in any neighborhood they could afford, African Americans were relegated out of many areas. Carpenter quotes one deed restriction from Plat Book 3, page 7:

No persons of any race other than the Caucasian race shall use or occupy any building or lot, except that this covenant shall not prevent occupancy by domestic servants of a different race domiciled with an owner or tenant.¹²⁴

This example of a deed restriction is one of many in Bowling Green. Although racial deed restrictions are now unconstitutional via Shelley v. Kraemer 334 U.S (1948), the most recent racial restriction was reapplied in Bowling Green in 2003.¹²⁵

Not only does racism continue to manifest itself in the zoning of the city of Bowling Green, but it also plays a significant role in the social operations of the community. The 2000 Bowling Green *Daily News* article “Racism’s Grip Firm, Most Say: Many Respondents Say Such Behavior is Noticeable Daily” discusses ways in which racism still represents itself in the Bowling Green community. Both old and new wounds caused by racism continue to fester in the area—95% of the people randomly surveyed by the newspaper reported racism is an everyday occurrence within the city. School teacher Angela Townsend writes

Racism is as much a part of the American and southcentral [sic] Kentucky landscape as the sight of the ubiquitous telephone lines...Both [racism and telephone lines] dot our environment in hideous fashion, but because they serve the purpose of most in so many ways, all of us have become rather oblivious to their existence.¹²⁶

¹²⁴ George E. Carpenter, “Where’s Jonesville? How the destruction of Jonesville left a legacy of housing discrimination in Bowling Green, Kentucky,” (Paper: Western Kentucky University, 2014), 9-10 and Warren County Plat Book 3, 7, Warren County Courthouse, Bowling Green, Kentucky.

¹²⁵ Carpenter, “Where’s Jonesville?,” 11 and 13, and Shelley v. Kraemer 334 U.S (1948).

¹²⁶ “Racism’s Grip Firm, Most Say: Many Respondents Say Such Behavior is Noticeable Daily,” *Park City Daily News*, October 16, 2000.

Ray Rainwater reported “There is still a large number of African Americans unemployed [in the Bowling Green area]. I recall the ratio being 4.2 percent for whites and 19.5 percent of African American males between 18 and 25.”¹²⁷ Bowling Green’s poor enforcement of anti-discrimination laws, lingering racist attitudes, and unequal educational and employment opportunities are cited as just a few of the reasons for the continued racial injustice within the city.

Despite having been legally desegregated for over 50 years, the Bowling Green City Schools are still plagued by de facto racial and economic segregation. Contemporary documents processed by the Bowling Green Board of Education show that racial disparities are still overwhelmingly prevalent in the Bowling Green Independent School District’s elementary schools. The Board’s 2012-2013 *Comprehensive District Improvement Plan* summarizes the issues at hand. In the Bowling Green district there are approximately 3,930 students. Sixty-two percent of these students, approximately 2,437 students, are eligible for free and reduced lunch. This statistic alone is not remarkable. What is remarkable is that ninety-seven percent of the students who attend either Dishman-McGinnis or Parker-Bennett-Curry elementary schools are eligible for free and reduced lunch, while only twenty-one percent of the students at Potter-Gray Elementary across town are eligible for free and reduced lunch. The schools with the highest percentages of students from families suffering from poverty also have the highest percentages of students who study and speak English as their second language. Forty-three percent of the students who attend Parker-Bennett-Curry elementary are racial minorities, foreign born, or are learning English as a second language (the figure is thirty-

¹²⁷ Ibid.

seven percent at Dishman-McGinnis), while only thirteen percent of the students at Potter-Gray Elementary fall into the same categories.¹²⁸ Bowling Green's ongoing struggle with de facto school segregation has perpetuated significant issues.

There is a major disparity between the academic achievements of racial minority students and students who qualify for free and reduced lunch when the groups' overall performance is compared with the academic performance of white students who do not qualify for free and reduced lunch. This disparity generally first appears in the third grade. The 2012-2013 *Comprehensive District Improvement Plan* states

African American students, Hispanic students, Asian students, students with disabilities, and students eligible for free and reduced lunch are performing below the state average for their demographic in Reading. This performance gap continues through sixth grade for these students. Beginning in third grade, African American students, Hispanic students, students eligible for free and reduced lunch, and students with disabilities scored below the state average for their demographic group in Math. This performance gap continued through the seventh grade. African American students also performed below the state average on the end of course assessment for Algebra II. Students with disabilities and students learning English as a second language scored below the state average for their demographic group on the English II end of course assessment. On the Biology end of course assessment, African American students, Hispanic Students, students learning English as a second language, and students eligible for free and reduced lunch scored below the state average for their demographic group.¹²⁹

These performance variances show the depth and breadth of race and class disparities in Bowling Green's public education system. Students from poor families and minority students consistently perform worse in school than any other demographic in the Bowling Green Independent School District. Unfortunately, these students are also concentrated into specific schools through de facto residential segregation. The reality of segregation,

¹²⁸ Bowling Green Independent School District, *2012-2013 Comprehensive District Improvement Plan*, 4. Bowling Green Independent School District, *2012-2013 Potter-Gray Elementary Comprehensive School Improvement Plan*, 4.

¹²⁹ Bowling Green Independent School District, *2012-2013 Comprehensive District Improvement Plan*, 4 and 10.

formally enforced or not, exists within the Bowling Green Independent School District *sixty years* after it was first declared unconstitutional.

Although Lawrence eliminated the institutional enforcement of segregation in the Bowling Green city schools, it did not solve the overall issue of racism in Bowling Green. As shown above, Bowling Green remains plagued by its legacy of racism and classism. Perhaps, then, the true legacy of Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al. Action No. 919 is not necessarily just about its end result of formal desegregation. Rather, Lawrence stands for something different. Lawrence should not be remembered as merely a one-time court victory. Instead, the case should be remembered for its role in the long-standing fight for the equality of all people in the United States. Lawrence, like Brown, neither ended racism nor general societal injustice. But Lawrence, like Brown, also stands as a beacon of what society could, and should, be if human rights are taken seriously.

Each local desegregation story played a role in the overall Civil Rights Movement. While none individually had as massive an impact as Brown, each ushered the transition of the public education system of the United States into a new era of increased equality. More importantly, Brown could not have been as powerful a ruling had it not been followed by the lower court actions like Lawrence which ensured its continuity in local movements toward desegregation. While remains work to be done to improve the quality of our schools and the socioeconomic equality of our society, stories

like that of Lawrence will always serve as an inspiration for those who fight the good fight. Until we reach our goal, may we keep our eyes on the prize.

BIBLIOGRAPHY

Primary Sources

Berea College v. Kentucky, 211 U.S. 45 (1908)

Bowling Green Board of Education, *Minutes*. See books listed by date: January 1945-September 1958, October 1958-June 1961, and July 1961-June 1964.

Bowling Green Independent School District, *2012-2013 Comprehensive District Improvement Plan*.

Bowling Green Independent School District, *2012-2013 Potter-Gray Elementary Comprehensive School Improvement Plan*.

Briggs v. Elliott, 98 F. Supp. 529 (1952)

Brown v. Board of Education of Topeka, Kansas, 347 US 483 (1954)

Brown II, 349 U.S. 294, 75 S. Ct. 753, 99 L. Ed. 1083, U.S.(1955);

Civil Rights Cases, 109 U.S. 3 (1883)

Commonwealth of Kentucky. *Day Law*, 1904.

The Constitution of the United States, Amendment Fourteen.

Gong Lum v. Rice, 275 US 78 (1927)

Jones, John Edward. "The Political Status of Negroes in Warren County" Paper: Western Kentucky University, 1956.

Letter Box IV: Folder C93. Adair County, NAACP Records, Library of Congress, Madison Building, Manuscript Room, Washington D.C. December 21, 1954-February 18, 1955.

Letter Box IV: Folder C93 Bowling Green, NAACP Records, Library of Congress, Madison Building, Manuscript Room, Washington D.C. November 9, 1946-June 5, 1976.

Louisville Courier-Journal South Kentucky Bureau, February 28, 1965.

"Marshall Funk Dies," *Kentucky New Era Newspaper*, September 25, 1982, <http://news.google.com/newspapers?nid=266&dat=19820925&id=fyovAAAIBAJ&sjid=Y9wFAAAAIBAJ&pg=5338,3041368> (accessed March 3, 2014).

McLaurin v. Oklahoma State Regents, 339 U.S. 637 (1950)

Park City Daily News, 1948-2000.

Plessy v. Ferguson, 163 U.S. 537 (1896)

Roberts v. The City of Boston, 5 Cush. (59 Mass.) 198 (1850)

Shelley v. Kraemer, 334 U.S. (1948)

Slaughterhouse Cases, 16 Wall. (83 U.S.) 36 (1873)

Sweatt v. Painter, 339 U.S. 629 (1950)

United States v. Cruikshank, 92 U.S. 542 (1876)

Warren County Plat Book 3, page 7. Warren County Courthouse, Bowling Green, Kentucky.

Willie Larry Lawrence, et al. v. Bowling Green, Kentucky Board of Education et al.,
Action No. 919 (1963)

Willis v. Walker, 136 F. Supp 177 (1955)

Primary Source in an Edited Compilation

“An Act to Protect All Persons in the United States in Their Civil Rights, and Furnish Means of Their Vindication,” in Kermit L. Hall, Paul Finkelman, and James W. Ely Jr. eds., American Legal History: Cases and Materials (New York: Oxford University Press, 2005), 265.

Secondary Sources

Carpenter, George E. “Where’s Jonesville? How the destruction of Jonesville left a legacy of housing discrimination in Bowling Green, Kentucky,” (Paper: Western Kentucky University, 2014).

“The Defenders of Segregation,” <http://americanhistory.si.edu/brown/history/5-decision/defenders.html> (accessed February 18, 2014).

Friedman, Lawrence M. A History of American Law. New York: Simon and Schuster Press, 2005.

Hall, Kermit L., Paul Finkelman, and James W. Ely Jr. editors. American Legal History: Cases and Materials. New York: Oxford University Press, 2005.

Howard University School of Law, “James Madison Nabrit, Jr.,” *James M. Nabrit, Jr. Biography* <http://www.law.howard.edu/1113> (accessed February 11, 2014).

- Klarman, Michael J. Unfinished Business: Racial Equality in American History. Oxford: Oxford University Press, 2007.
- Kluger, Richard. Simple Justice. New York: Vintage Books Press, 2004.
- Moynahan Jr., Bernard T. "Tribute to Mac Swinford," 64 Ky. L.J. 1 (1975-1976), <http://heinonline.org/HOL/LandingPage?handle=hein.journals/kentlj64&div=7&id=&page=> (accessed March 4, 2014).
- NAACP Legal Defense Fund, "Jack Greenberg," <http://www.naacpldf.org/jack-greenberg-biography> (accessed February 11, 2014).
- NAACP Legal Defense Fund, "James M. Nabrit, 1932-2013," <http://www.naacpldf.org/news/james-m-nabrit-1932-2013> (accessed February 11, 2014).
- Park City Daily News*, 1948-2000.
- Paust, Jordan J. "On Human Rights: The Use of Human Right Precepts in U.S. History and the Right to an Effective Remedy in Domestic Courts," *Michigan Journal of International Law* 10, no. 543 (1989): 567 and 599, <http://heinonline.org/> (accessed November 26, 2013).
- Seventh Street Baptist Church, "Rev. J. E. Jones," *Pastors Personal Data*, 1967.
- "Thurgood Marshall, Supreme Court Justice," <http://chnm.gmu.edu/courses/122/hill/marshall.htm> (accessed February 18, 2014).
- University of Kentucky Libraries, "James A. Crumlin Sr.," *Notable Kentucky African Americans Database*, http://nkaa.uky.edu/record.php?note_id=8 (accessed February 11, 2014).
- University of Kentucky Libraries, "J. Earl Dearing," *Notable Kentucky African Americans Database*, http://nkaa.uky.edu/record.php?note_id=1087 (accessed February 19, 2014).
- Wolfford, David L. "Resistance on the Border: School Desegregation in Western Kentucky, 1954-1964," *Ohio Valley History* Vol 4, No 2 (2004).