

Profiles of *African Americans* in Tennessee

The African American Journey on the Road to Attain Civil and Human Rights



The African American journey on the road to civil rights and equality in Nashville began long before the Modern Civil Rights Movement of the 1950s and 1960s. In the 1860s African Americans began an earnest drive for civil rights, deciding on three objectives: terminating economic enslavement through the constitutional process; securing equal rights and the right of the franchise; and obtaining due process and equal protection of the law.

On June 8, 1861, Tennessee leaders voted to secede from the U.S., the last state to do so. That month, Tennessee became the 20th state to ratify the 13th Amendment to the Constitution, abolishing enslavement. From August 7-10, the State Convention of Colored Men gathered at St. John's African Methodist Episcopal Church in Nashville and made plans to pursue those rights. In April 1865, African American men issued a "Nashville Petition," asking for suffrage.

On January 5, 1866, Congress passed the first federal civil rights bill in the nation's history. President Andrew Johnson vetoed the bill. The veto incensed Congress, which had evidence of widespread mistreatment of African Americans throughout the South, and Johnson's veto was overridden on April 9, 1866. Elements of the 1866 Civil Rights Act became the foundation for the 14th Amendment, which Tennessee ratified in July 1866 making it the first of the former confederate states to rejoin the U.S. The 14th Amendment granted citizenship to formerly enslaved people and specified that no state could "deprive any person of life, liberty, or property without due process of law." It provided all citizens with "equal protection under the laws," extending the provisions of the Bill of Rights to the states. It also banned those who "engaged in insurrection" against the United States from holding any civil, military, or elected office without the approval of two-thirds of the House and Senate. The citizenship clause of the 14th Amendment was specifically intended to repeal the Supreme Court's ruling in the 1857 *Dred Scott v. Sandford* case. It established the principle of birthright citizenship, whereby a person born in the U.S. is automatically deemed a citizen.

That same year, African Americans in Nashville refused to adhere to racially segregated seating on a privately-owned streetcar company, thereby staging their first "freedom ride." The following year, Republican leaders insisted that transportation to the biracial Fourth of July celebration be desegregated; for the next four decades, there was no "colored section" on Nashville's streetcars. Tennessee ratified the 13th and 14th Amendments, but refused to do the same for the 15th Amendment in 1870. In March 1867, Tennessee passed a law allowing African

American men to vote and hold political office; this was part of the reason for not ratifying the 15th Amendment. More than a century later, Tennessee ratified the 15th Amendment on April 2, 1997.

African Americans set out to formulate ways to transition from enslavement to freedom, despite organizations like the Ku Klux Klan, that attempted to intimidate and terrorize former slaves. African American men first voted in a statewide Tennessee election in 1867, electing an African American man to Nashville's Board of Aldermen. It was not until 1868, when a law prohibiting Blacks from holding office was overturned, when he assumed office. In 1868, ten aldermen and six members of Nashville's City Council were African American men. In 1872, Sampson W. Keeble (1831-1887), a Nashville barber, civic activist, and a part of the State Colored Men's Convention delegation that lobbied the state legislature for the right to vote, became the first African American elected to the Tennessee General Assembly, where he served one term. During the late 19th century, 13 African American men, in addition to Keeble, served in the Tennessee General Assembly.

Congress passed the Civil Rights Act on March 1, 1875, which affirmed the "equality of all men before the law" and prohibited racial discrimination in public places and facilities. The law also made it a crime for anyone to facilitate the denial of such accommodations or services based on color, race, or "previous condition of servitude." Three weeks after Congress passed the Act, the state's legislative body voted against the Act, which the Supreme Court overturned in 1883. Two years later the state began enacting Jim Crow segregation laws that included public accommodations, transportation (laws in 1891 and 1905), and education (laws in 1901 and 1925). By the end of the 19th century, the state legislature restricted the voting rights of African American men by requiring literacy tests and the poll taxes. In 1896, the Supreme Court further solidified racial segregation with its infamous ruling in the *Plessy v. Ferguson* decision that stated "separate but [un]equal" facilities for African Americans and whites were constitutional.

Lynching was a deadly instrument in the toolbox of white supremacy. In Tennessee, it is reported that there were 233 lynchings between 1877 and 1950. Of that, six lynchings have been documented in Davidson County. In April 1892, a white mob lynched two Black men in Nashville, Ephraim Grizzard (1847-1892) and his younger brother Henry Grizzard (1864-1892). Accused of assaulting two white girls in the

Goodlettsville community near the Sumner County line, Henry Grizzard was lynched on April 27. A day later, a white mob pulled Ephraim Grizzard from the Nashville jail and hung him from nearby Woodland Street Bridge. As if execution without judicial liberation was not enough, the mob riddled his body with bullets as spectators watched. The last documented lynching that occurred in Nashville was that of 15-year-old Sam Smith, on December 14, 1924. The mob hanged him from a tree and shot him multiple times.

In July 1942, a vicious episode on a bus headed to Nashville showed the South's deep-seated attitude toward racial segregation. Bayard Rustin boarded a bus in Louisville, Kentucky, and took a seat in the whites-only section and refused to move, stating that he could not "condone injustice." Approximately 13 miles north of Nashville, the bus stopped, four policemen boarded, and demanded that Rustin move. Rustin stated, "I believe that I have a right to sit here." They dragged him off the bus and physically assaulted him. Eventually, three white male passengers on the bus assisted Rustin. Once he arrived in Nashville, he appeared before assistant district attorney, Ben West, who after hearing both sides, dismissed Rustin, telling him "You may go, Mister Rustin." This was a major change from Nashville's desegregated streetcars in the 19th century.

Over almost three generations between 1866 and 1955, the Tennessee General Assembly passed 23 laws impacting the everyday life of African Americans. There were six laws mandating school segregation, three mandating separate accommodations on railroads, two segregating public accommodations, one for streetcars, and four disallowing African Americans and whites to unite in Holy Matrimony. These laws remained in effect until the Supreme Court's 1954 ruling in the landmark *Brown v. Board of Education of Topeka, Kansas*, which brought forth the Modern Civil Rights Movement. African American children faced the wrath of white supremacists who vehemently opposed the deconstruction of the South's social order. School desegregation captured Nashville's attention with *Kelley v. Board of Education* (1955), a case that was not settled until 1998. Following the 1955 *Brown II* decision, A. Z. Kelley agreed to be the lead plaintiff for 21 African American children, including his son, against the Nashville Board of Education for its failure to implement the *Brown* decision.

In 1955, the lynching of Emmett Till in Mississippi and the bus boycott in Montgomery, Alabama, signaled a mixture of litigation and direct nonviolent protest. A significant event occurred in January 1958 when Rev. Kelly Miller Smith and other African American Nashville ministers gathered at Capers Memorial CME church and established the Nashville Christian Leadership Conference (NCLC). The NCLC and many African American attorneys played a prominent role in Nashville civil rights activities in the 1960s. During this era, college students mostly from African American colleges and universities (Historically Black Colleges and Universities-HBCU) decided to put themselves on the front lines and nonviolently resist the Jim Crow laws. What began as an effort to desegregate lunch counters morphed into deconstruction of the nation's mores, especially in the South. Students from the city's HBCUs - American Baptist Theological Seminary (now American Baptist College), Fisk University, Meharry Medical College, and Tennessee A & I State University (Tennessee State University) - became the foot soldiers of Nashville's movement for equality and justice.

It is not surprising that African Americans in Nashville, inclusive of students, would be ready to take a stand for their civil and human rights. Fisk University, through its Race Relations Department and Race Relations Institute (RRI) founded by Dr. Charles S. Johnson (first African American President of Fisk), brought national attention to systemic racism and its

ruthless violence. Numerous civil rights leaders attended the interracial summer institute, which was the first such organization in the South. The RRI ran from 1944 to 1969.

North Carolina A & T captured national attention on February 1, 1960, when the Greensboro Four staged their nonviolent sit-in protest at a Woolworth store; Nashville was soon to follow. Nashville students participated in test sit-ins in November and December 1959 and had been studying principles of nonviolent direct protest under the tutelage of Rev. Glenn Smiley of the Fellowship of Reconciliation, James Lawson, and others of the NCLC. They went into full protest mode on February 13, and on May 13, 1960, Nashville became the first southern city to begin desegregating its downtown lunch counters. Between May 1960 and the passage of the Civil Rights Act of 1964, Nashville student activists helped found the Student Nonviolent Coordinating Committee, with Fisk student Marion Berry as its first president. They continued their protests until the 1964 Act ended racial segregation in public accommodations. Nashville served as the "movement's research laboratory, the nonviolent sit-in was...methodically theorized, practiced, and tested." Nashville leaders like James Bevel, Bernard Lafayette, John Lewis, C. T. Vivian, Diane Nash, Marion Berry, and other HBCU students went on to become national leaders. Nashville students played prominent roles in the 1963 March on Washington for Freedom and Jobs and actively participated in marches to gain the right to vote, which became law with the passage of the Voting Rights Act of 1965 and the Housing Act of 1968.

The African American journey on the road to attain civil rights and equality in Nashville began long before the Modern Civil Rights Movement and continues today. Nashville student activists continue to fight the good fight and "get in good trouble." They have taken the battle to the present where they are attempting to right the wrongs of the 21st century just as their foreparents before them did. The actions of many, especially students, helped to make Nashville a national leader in the Civil Rights Movement, with the goal of living up to the principles enunciated in our country's founding documents as America strives to become that more perfect union.

Linda T. Wynn

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