

The Promise S2
Episode 3: The Unraveling
By Meribah Knight

MERIBAH KNIGHT: Previously on The Promise...

CANZADA HAWKINS: Every weekend, his barber shop windows would always be bricked.

ANSLEY ERICKSON: Nashville was a champion of gradualism.

RICHARD DINKINS: Desegregation has been a history of the line of least resistance. What is the least integration that you all would take?

MK: So when you settled the case what was that feeling like after 22 years of it?

RD: Well, it it was a relief. I mean, you know, shoot. But really, I thought, and I think, we got the best that this city was gonna do for its children. I feel that in my heart we got the best that this city was gonna do for its children.

MK: It was a relief. But also you were proud of what it ended up as when you walked out of that courtroom?

RD: Yeah, yeah, yeah, yeah.

MK: And then what was the first signs that you saw that things might be eroding?

RD: [laughs] Hmmm.

MK: You're listening to The Promise, a podcast from Nashville public radio. I'm Meribah Knight.

This season on The Promise, we take on one of the most contentious topics in America, what has been deemed as the "Great Equalizer," but more and more feels like the Great Divider: public education.

In this episode, our story about Nashville's fight for school desegregation continues.

Episode 3: The Unraveling

In 1998, after 43-years of courtroom battles, Robert Kelley vs. Board of Education is settled. In the eyes of the law, Nashville has finally made an honest and full-throated effort to racially integrate its schools.

But in truth, the matter was far from settled.

Richard Dinkins, the lawyer for the plaintiffs, watched as his decades of work and all the progress towards desegregation began to unravel in the years that followed.

And for the Kelley family, whose son was the case's named plaintiff, it seemed being Black in America meant there were battles and sacrifices to be had at every turn, in every corner of their existence—far beyond education.

[SOUNDS FROM INSIDE KITCHEN]

ELLEN WHITE: You're ready for dessert.

MK: I'm always ready for dessert.

CH: My sister brought ice cream, if you all want some ice cream.

MK: Oh my gosh, this looks amazing...

MK: Over lunch, Ellen and Canzada, the last living of the Kelley children, tell me about life at home during those early years of the lawsuit. Their father, A.Z. had thrust the family squarely in the middle of Nashville's fight for racial equity. He was fearless when it came to getting his Black children what they deserved under the law. What every Black child deserved.

But the case took its toll on the family. It preoccupied A.Z. Kept him out of the house and away from his family. There were meetings at the NAACP office, meetings with the lawyers, court hearings, the broken windows at his barbershop. Meanwhile, his school-age children were still in segregated classrooms, miles away from their home on the east side of the city.

And then, in 1961, as the case moved slowly through the courts, integrating Nashville's schools one year at a time, the Kelley family was forced to move. Canzada explains.

CH: We left East Nashville. No, actually, we were forced out of that community.

EW: Right, we were the last family.

MK: Tell me about that story.

MK: Urban renewal came for the Kelley family.

The initiative—happening across the country—steamrolled and often destroyed Black and inner-city neighborhoods to build expressways, commercial buildings and residential housing. In Nashville, urban renewal sliced and diced historically Black communities—disrupting thriving commercial corridors and centers of Black life in ways they would never recover from.

In the Kelley's case, the city wanted to build low-income housing on their land. It was like some cruel twist of fate. The family was battling Nashville to educate its Black children. And *now* they were forced to sell their home to the city denying them that right.

Ellen, who wears an oxygen tank you may hear hissing in the background as she talks, tells me what she recalls from that time.

EW: I remember hearing mom and dad talking . And he said, 'You know, I just got this house paid for. Got to start all over again and they're not giving me enough money to pay cash for another one.'

MK: The deed of sale shows that the Nashville Housing Authority paid the Kelleys \$8,700 cash for the family's home—a little more than half of what the neighbors down the street had gotten when they sold theirs nine years earlier.

The family took out another loan and bought a home farther east. In a majority white neighborhood, Ellen recalls.

EW: We moved to Inglewood, Glenn Meade Drive, and we were... were we the third or fourth family to move? — Black family. All the other white folks, they were getting the hell out of town.

CH: White flight.

EW: White flight. The family on our left was a white family. He was a bus driver, a city bus driver. Took a minute for them to sell their house, but I will never forget... He told daddy, 'Mr. Kelley, if I'd known y'all were gonna be so nice, I never would have put my house up for sale.'

EW: Daddy just said, 'Well, how about that?'

MK: When they moved to Inglewood Canzada, being the youngest, was allowed to enroll in a traditionally white school in the neighborhood—giving her access to all the resources awarded to the city's white children. What may have seemed like a beneficial and important opportunity—the first Kelley child allowed to enroll in a white school—was far more painful in real life than it looked on paper.

CH: I didn't want to go. I wanted to stay with my friends. And it was hard. Very difficult. So I experienced the repercussions of integration. I was spat on, N this, N that... I'm not gonna say the word, but walk down the hallway, get pushed for no reason. I had teachers that I experienced, and I could tell they didn't want me in their classroom. It

was not a pleasant thing. Children wouldn't want to sit next to me because I was Black. And again, as I think back, it was heartbreaking.

[ANNIE DRIVER CHATTING AT LUNCH]

Ellen and Canzada's older second cousin, Annie Driver, is also here for lunch, and as Canzada talks, Annie leans across the table, nodding in agreement.

Annie is now in her 80s. And years ago, in 1960, she added her daughter to a desegregation lawsuit just outside of Nashville. After she was turned away from a white elementary school. The suit was eventually combined with the Kelleys' case.

What Canzada is saying, about how difficult it was being a Black student in a white school, sounds familiar. Annie's heard the same thing from her children.

AD: It comes up over and over as if that had something to do with forming and their behavior and their attitude, and I suppose it did. But what I did was to make your life better. I wanted you to have a good education. Because they had the better textbooks, they had the better everything compared to where I went to school, where we didn't have and I knew the difference.

CH: But you said you thought that they would get a better education by going into an integrated situation.

[CROSSTALK]

AD: Not because it was integrated, but because they provided better school and more materials, that. not the integration.

CH: Now, I did hear daddy say this. It was not about integrating. It was about providing the Black schools with the same textbooks, same science lab materials, but the only way for us to have to receive it, we had to go into that integrated situation.

RD: America is not comfortable addressing race. I mean really addressing it. And confusing nicety, being courteous with justice and equity, you know.

MK: On September 28, 1998, Richard Dinkins stood before the federal Judge, Thomas Wiseman, to accept the terms of the settlement. 43 years had passed since Robert Kelley vs Board of Education was filed.

The plaintiffs' original lawyers, Z Alexander Looby and Avon Williams, had died. And now, Dinkins...himself a 22-year veteran of this case—would finally bring it to a close.

The plaintiff's and the district had agreed to a settlement amounting to more than \$200 million. It gave more money to struggling schools. It hired more teachers. It promised to build and renovate schools so every neighborhood would have a strong community school.

The next morning, a frontpage story in the Nashville Tennessean proclaimed: "Judge frees Metro from court control," referring to Metro Nashville Board of Education.

It went on to misspell the lead plaintiff, Robert Kelley's last name — a telling omen of how quickly the city might be inclined to forget this whole thing, and how little regard was given to getting its facts right.

RD: There's no doubt that certain segments of the city valued getting the suit dismissed, but they didn't value the objectives of it.

MK: And while Dinkins says he got the best deal for the children of Nashville. Concessions were made. Big ones.

The most significant was a lack of oversight. The school board argued that it could be trusted to keep an eye on things and continue to set aside the funds needed to follow the terms of the settlement. It had been working toward this for 43 years, they argued, surely it didn't need someone looking over its shoulder now.

And so, the plaintiffs agreed, reluctantly. Trusting that if the time came — if integration started to backslide — the city would stand up and do the right thing.

Just before the settlement, Dinkins told The Nashville Tennessean newspaper that “There is a significant trust factor here on the part of the plaintiffs...And I assure you, I am catching a lot of heat for that.”

And, as it turned out, the plaintiffs were right to be skeptical.

That’s coming up after the break

[BREAK]

MK: In the intervening years since the 1998 settlement of the Kelley case, Dinkins saw the city backtrack on its promises. Resources. Renovations. Transportation. They never came for many Black students. Even when high-performing magnet schools opened, they were out of reach for children whose parents couldn’t drive them there.

One of the first signs of trouble came just months after the judge approved the settlement. The district had pledged to create more robust neighborhood schools that could, in theory, attract a diverse student body. One of them was Carter-Lawrence Elementary, a nearly all Black school located next to a public housing complex. It reopened as a science-focused magnet school with the hope of luring white middle class families.

When those white parents visited that fall, for the open house, they expected to see what any science program should have — beakers, Bunsen burners, slop sinks, a fume hood for experiments, but there was no proper science lab in sight. The building was far too old and decrepit for such a retrofit and despite its promises, the city hadn’t yet invested in its improvement. Needless to say, white families didn’t enroll.

Meanwhile, at the exact same time, less than five miles away, in the ritzy Green Hills Neighborhood, white parents were launching a nearly half-a-million-dollar capital campaign for their school, Julia Green Elementary. Parents wanted to renovate the school—expand the library and add new classrooms, and the school board had given them the green light. Soon, Julia Green’s mostly white student body would have space to spread out in freshly painted classrooms and curl up in a blue beanbag chair with their favorite books in the library’s new reading nook.

Two schools with two completely different and unequal sets of resources.

A week after that, the school board voted to scrap a policy that set aside spots for Black students at magnet schools. The policy had come right out of the settlement, but now city lawyers were questioning its legality.

RD: There wasn’t a real commitment to their plan once the lawsuit got over. You know, and that’s — that’s where, you know, little things like that began to pop up.

MK: Then came the big stuff.

RD: The big thing was the zoning change. Zoning some kids from Bellevue back into Metro Center.

MK: In 2008, 10 years after the settlement, the school board voted on a rezoning plan. Kids from the historically Black and mostly low-income neighborhood of North Nashville would no longer go to school in affluent white areas on the west and southwest side of the city. Instead, they would be sent back to their neighborhood schools — some of the most under-resourced and lowest-performing in the city.

The original zoning had been one of the pillars of the 1998 settlement — keeping some vestiges of busing across the city as a way to bolster against re-segregation.

But now, the district claimed it didn't have enough money to keep it up.

The whole thing appeared somewhat underhanded, conceived in alleged secret meetings between the mayor, leaders from the city's powerful chamber of commerce, and other community heavyweights.

The plan outraged Black leaders. As well as the city's own superintendent of schools, Pedro Garcia, who was ousted soon after it was passed. In a memo at the time Garcia wrote, "The underlying assumption is that if done successfully, perhaps white middle-class parents would return.... In essence, a neighborhood school plan is a disguised re-segregation plan."

Dinkins felt exactly the same way.

RD: That was a deliberate re-segregation.

MK: And he's been mad about it ever since.

RD: And before they throw dirt on my face, I'm gonna get over that and get a forgiving spirit about it, but I ain't quite there yet. Because that was such a slap on the shaky basis that they did that.

MK: The next year, when the plan went into effect, the NAACP filed a federal lawsuit against the school district. Claiming it was actively re-segregating.

“The truth of what is happening,” the lawsuit reads, “exposes the Nashville rezoning plan as the segregationist fraud that it is.”

The complaint — though they were separated by more than 50 years — had distinctly eerie echoes of the Kelley lawsuit. Two of the named plaintiffs, a Black couple named Frances and Jerry Spurlock, said their 10-year-old daughter’s now mostly Black school, didn’t have enough textbooks for every student. And she hadn’t been given a single homework assignment since school started — problem she never encountered at her mostly white school.

Ultimately the judge found no evidence that the district had *intentionally* tried to re-segregate. In his decision, the judge said the plaintiffs failed to “cite any provision of the rezoning plan that classifies students by race...because there is no such provision.”

It seemed proving intentional segregation had become almost impossible.

No longer codified in the state constitution, the forces pushing Nashville’s Black and white children apart lived in all the smaller spaces of daily life.

In the decisions made by white parents. In the resources they marshalled. And in the city’s ceaseless pursuit of them.

And while the city claimed to be hard up for the cash, it gave corporations like Dell Computers hundreds of thousands of dollars in incentives. It gave them free land and a 40-year tax abatement to secure its new headquarters. And it offered millions of dollars in property taxes to developers who built and built and built all across Nashville.

All the while, schools serving poor Black children began to languish and isolate, while schools serving white children grew and thrived.

Just three years before the settlement, the city had quickly secured almost \$300 million to land a pro-football team. Yet the \$200 million it took to settle the Kelley case had been a multi-generational battle.

RD: Hell, they did more to bring the Titans here in two years than, you know, 40 years to desegregate the schools.

MK: For Dinkins, it all amounts to a heartbreaking outcome. Decades of work, sacrifices made by the plaintiffs' families.

RD: The settlement, was based on mutual promises. And you broke a promise. The city broke the promise that they gave to the plaintiffs, that they would not re-segregate intentionally. And then in those situations where it arose, they would make adjustments so that it wouldn't result in that. You know?

MK: So as far as they're concerned, they just kind of abandoned the plan. I mean, there was written language in there to say, 'if we see this happening, we will take proactive measures.'

RD: Mhmm, Yeah. That's what I mean. That's what I mean.

MK: The numbers are disheartening to say the least. Three years before the district settled the case, the city had just one school enrolled with nearly all Black students — 90% or more. By 2005, there were a dozen. By the end of the decade almost 20.

Today, 35 schools are almost exclusively Black and brown students.

It seems desegregation in Nashville had a fleeting existence.

RD: It's been a very — it's been a deep disappointment. A deep disappointment.

MK: For Dinkins, the settlement was a test of whether Nashville really cared about opportunities and equity for all of its students.

RD: You know, between you, me and the wall, I think Nashville failed that test.

MK: How so?

RD: Look at the system now — more segregated than it was. **[hands clap]** Even now, even now, with 43 years, the system was segregated. Through the same sort of decision making that segregated it in the first place. What have we learned?

[SOUNDS OF LUNCH]

MK: As the women and I keep talking, and Canzada busies herself in the kitchen, I ask her sister Ellen about their brother Robert, about what being the named plaintiff of this landmark case meant to his life.

EW: He always felt that it was held against him. That he was the name.

MK: While his father, A.Z., was an affable entrepreneur, a socializer, and a man about Nashville, Robert was much more reserved: an introvert. He never wanted to be the center of attention. But the case made that impossible to avoid.

After graduating high school, Robert attended Tennessee State University—one of Nashville’s four historically Black colleges. He left as soon as he graduated. He joined the Peace Corps and went to Africa — first Malawi, then Tanzania, then Uganda, where his son was born. First as a teacher, then as a regional director for the organization. In the late 1960s, as the case slogged through the courts, he traveled through Europe. He felt more accepted, more of an equal away from home, Ellen tells me.

But a few years later, in the early 70s, family matters pulled him back to Nashville. His wife was from the city and she wanted to move home.

EW: He, he was never happy once he came back here.

MK: I hadn't expected this answer from Ellen. It was naïve of me, I know, to think this. But I had assumed the case was a point of pride for Robert. I was wrong. The truth was, the case was an albatross, and a burden on his life. It caught Robert between two difficult places. On one side was Nashville's white community, who saw him as the ultimate disrupter, a ruffian of sorts in his demands for racial equity. On the other side was Robert's guilt over what he'd unknowingly done to the city's Black community. Robert, Ellen tells me, felt blamed for upending the lives of Nashville's Black children, children like his sister.

EW: He always said he wished he'd never come back. He just always said, you know, people, there were people who held it against him. It was not, as you could probably imagine, a comfortable situation for him to be in.... It was like he didn't he didn't talk about. He just, you know, kept whatever feelings he had, for the most part inside. But he always said he felt he would have done better if he'd never come back to Nashville.

MK: Ellen says Robert almost never talked about his feelings. But he was clear about one thing: He saw little opportunity as a Black man in America. He longed to go back to Africa. There he'd live like a king—in a nice house, with a driver, and a housekeeper. In Nashville he'd struggle to find work. His sisters say he was sure it was from the case. "He was Blackballed," Canzada tells me. He went into a depression. Drowned his sorrows in ways the family would rather not talk about.

At the end of his life he lived in a low-income housing complex for seniors, right in East Nashville, where this had all started. He died from stomach cancer in 2005. He was 65 years old.

Through all this, one of the most painful truths about this case is just how much — and how little — changed for Robert. Robert Kelley never attended an integrated school. Even though his name is what compelled this city to do so. And he never saw a penny from the case. He got nothing from the settlement. He was a martyr of the movement. And for Ellen, his story is rife with contradiction.

EW: We think about how we did change the whole public educational system. And I read stories of young people who went through those turbulent times. And it's, it's amazing how, I suppose, most of them thrived and were able to do it. But then, how many like my brother, who it just was a devastating experience. And those were his words.

MK: Next week on The Promise...

OSCAR WOOD: The kindergarten class at my school was all white kids. The kindergarten class there was all Black kids. And I was like, I thought Martin Luther King got rid of that?

WILLIE SIMS: If Black America could do something about the problem. The problem would be solved. You know what I'm saying? So we can't. So hey, y'all fix it then. You feel like it's a problem? Good. Do something about it. You know?

CLAY HAYNES: And it is this— it's this kind of joyful bubble... that's not like the rest of the world, that is intentionally — it feels like, intentionally — keeping other, other people out.

The Promise is written and produced by me, Meribah Knight. Editing by Emily Siner and Anita Bugg. Special thanks to Sam Zern, the intrepid intern for this podcast, and its fact-checker.

Thank you to Tony Gonzalez, Samantha Max, Sergio Martinez-Beltran and Damon Mitchell for additional editing. Our advisor on The Promise is Savala Nolan Trepczynski.

This episode was mixed by Jakob Lewis of Great Feeling Studios. The music is by Blue Dot Sessions.

Any many, many thanks to my dear friend, my mentor, my loyal guide, Alex Kotlowitz. You can find more information and photos about The Promise at thepromise.wpln.org. This is Nashville Public Radio.