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**DESEGREGATION IN KNOXVILLE, TENNESSEE: A CASE
STUDY**

A Dissertation
Presented for the
Doctor of Education
Degree
The University of Tennessee, Knoxville

Ruby Jewel Anderson Hassan
May 1999

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DEDICATION

This dissertation is dedicated to my grade school teachers at:

Barton Colored Elementary School, Barton, Alabama (1950-1957)

And

Cherokee Colored High School, Cherokee, Alabama (1957-1963)

Dr. Chasie Reynolds

Mrs. Otelia Long

Mr. Amos Malone

Mr. Charles Carter

Mr. Walter Frank Mullins

Dr. Sim Otis Harris (deceased)

Mrs. Hattie Mae Meade Thompson

Mrs. Alvin Pillar (deceased)

Mrs. Zuma Cain

Mrs. Amanda Bailey (deceased)

Miss Ella Reese Johnson

and

Mr. C. K. Calloway

Mr. P. B. Reynolds

Also To:

Dr. Thomas Murray, University of North Alabama (1973-1977)

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Abstract

Desegregation in Knoxville, Tennessee: A Case Study investigates the efforts of a school district to desegregate its schools for the second time. The first desegregation attempt in 1959-1974 left several racially identifiable schools intact as well as inequities in staff and administration, curriculum and facilities. A second attempt begun in 1989 followed a complaint from the National Association for the Advancement of Colored People (NAACP) to the Office of Civil Rights (OCR). Despite mixed community reactions, the Board of Education submitted a desegregation plan to OCR in full compliance with Title VI of the 1964 Civil Rights Act. The key component of the 1991 plan was the institution of magnet programs in six inner-city schools.

This study reconstructed the events of the 1989-1996 desegregation process and the implementation of a desegregation plan. The evidence strongly suggested that the Superintendent of Education, the Chairman of the County Commission, a Board of Education member, and the agencies they represented, were the most influential participants in the process. The official solution to desegregation, the creation of several magnet programs, represents a compromise by each of the major participants. The findings also indicate that the tensions and conflicts included the interplay of (a) racism, (b) classism (prejudice or discrimination based on class), (c) individual ideologies, and (d) an on-going power struggle between two government agencies, the Board of Education and the County Commission. The role of other community participants, although important, tended to follow or to react to one or more of the three leading participants.

The findings have implications for future analyses of desegregation. Despite the time, energy and resources invested in the desegregation effort, the racial balance between predominantly white and black schools has not altered to any significant degree. The number of students involved in the magnet programs is low, approximately 783 students or 1.5% of the total student population. Although magnet programs are steps in the right direction, they compromise the issue of desegregation. Such programs are at best a partial solution to segregation. In the case of Knoxville, the programs need to be dramatically expanded to have a

major impact on segregation patterns. Given the intransigence of segregation, additional studies of desegregation are needed. Such studies should include cities such as Knoxville where desegregation efforts have been attempted more than once.

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CHAPTER ONE

Desegregation in Knoxville, Tennessee: A Case Study

On May 17, 1954, the United States Supreme Court ruled, in *Brown v. Board of Education*, that statutory segregation was unconstitutional (347 U. S. 483, 1954). Consequently, the Courts directed school districts to begin "a prompt and reasonable start toward full compliance" [to integration] (349 U.S. 394, 1955). A few school districts immediately complied with the mandate, but the majority of districts devised strategies to prevent or to minimize integration (Bell, 1973; Berman, 1966; Douglas, 1995; Ely, 1976; Fisher, 1996; Graglia, 1976; Kluger, 1975; Tushnet, 1987; Wasby, Anthony & Metailler, 1977; Whitman, 1993; Wilkinson & Harvie, 1979; Wolters, 1984).

The success of these tactics was noted by the continued existence of predominantly black schools that were for the most part grossly inferior and inadequate; in other words, the mandate of *Brown* was unheeded. Because of the resistance to *Brown*, many school districts are still involved in desegregation efforts forty-five years later. While some school districts have dismantled desegregation plans, other districts, such as the Knox County School District in Knoxville, Tennessee, attempted to bring their school system within federal desegregation guidelines.

The districts engaged in desegregation efforts are often urged to do so by the Office of Civil Rights (OCR). The OCR, housed in the Department of Education, is authorized to (1) investigate complaints, (2) conduct compliance reviews and (3) terminate federal funds to any school district practicing racial discrimination (Landberg, 1997). Guidelines for compliance review were established with the passage of the Civil Rights Act of 1964. Three titles in the 1964 Act, Titles IV, VI and IX, allowed federal officials to become involved in desegregation cases. England and Morgan (1986) explain each title:

Title IV of the Act authorized the attorney general to sue segregated school districts on behalf of complainants if a person or persons were unable to bear the expense of the litigation. Title IX authorized the Justice Department to intervene in a private school desegregation court case if, in the opinion of the attorney general, the case was of "general public importance." Finally, Section 601 and 602 of Title VI of the Act prohibited discrimination based on race, color, or natural origin under any program or activity that received federal financial assistance and granted power to administrative agencies to issue rules and regulations that could be followed to cut off federal funds for noncompliance (pp. 10-11).

The initial guidelines, developed by HEW, required schools to desegregate at least four grades for the 1965-1966 school year. The guidelines also established criteria for judging free choice systems of student assignment (Landsberg, 1997, p. 139; cf *Price v. Denison Indep. School Dist. Bd. of Educ.*, 348 F.2d 1010, 1015 (5th Cir. 1965)). After several revisions, the guidelines were finalized in 1968 in conformance to *Green v. County School Board of New Kent County, VA*). In *Green*, the Supreme Court eliminated "freedom-of-choice" as a desegregation remedy, and imposed a stringent test for desegregation (Bell, 1973; Landsberg, 1997; England & Morgan 1986). Since then, school districts undergoing desegregation have been assessed by what is commonly referred to as the *Green indices*. The five indices are: the racial composition of the (1) schools, (2) staff, and (3) administration, and the accessibility of (4) transportation and (5) extracurricular activities to black students (Landsberg, 1997).

The OCR enters desegregation cases after a complaint is filed. If OCR finds that a school district has violated Title VI desegregation guidelines, a district is advised to comply with the guidelines or face withdrawal of federal funds, and/or the expense of a lawsuit. At this point, the cited school district must choose the most feasible option.

The 1989 desegregation effort in Knox County emerged somewhat by chance. It began when the NAACP filed a complaint with OCR charging Knox County with practicing discrimination within the school system. Paradoxically, the NAACP was not interested in the desegregation issue per se, but in correcting inequalities such as the recruitment, placement, assignment, and promotion of black teachers and administrators, and in the administration of the student transfer policy (OCR Complaint #04-89-1269). Upon investigation, OCR found that Knox County violated desegregation guidelines in the assignment of teachers and administrators, and in revoking the transfers of black students because of discipline problems. OCR also found that one of the board's transfer policies--administrative transfers--increased segregation in schools by allowing white students to transfer out of predominantly black schools, and by allowing blacks to transfer into these schools (Letter to Superintendent Hoffmeister from OCR, 12-15-89). To the surprise of the NAACP, school officials not only agreed to correct the violations, but voluntarily submitted to a desegregation plan that would bring Knox County into full compliance with Title VI of the Civil Rights Bill (Board of Education of Meeting, Resolution, 3-9-90).

The 1989 desegregation effort was Knoxville's second attempt to desegregate its schools. As in other cities, Knoxville's first attempt in 1959 failed to desegregate its schools. It left the majority of black students in predominantly black schools. Several factors contributed to this condition: (1) institutional racism and the legacy of segregation, (2) white flight from the city to the county, and (3) administrative transfers that allowed white students to transfer out of schools with large black population. As has been true in other cities with a black urban core, Knoxville would be challenged to find a desegregation remedy inclusive of the inner city and the surrounding areas. The steps taken by Knox County to solve this dilemma are the focus of this study.

Purpose

This study examines events following a complaint filed with the United States Office for Civil Rights (OCR) by the National Association of Colored People (NAACP) against Knox County Schools, including the planning process and the stages of implementation. The OCR found the school system discriminated in the assignment of teachers and principals to schools and in the transfer of students from one school to another without regard for racial impact. Anticipating further action by the NAACP, the Board of Education voluntarily agreed to and submitted a formal desegregation plan to OCR. This study focuses on events across a seven-year period from 1989 to 1996.

To understand the process of planning and implementing desegregation, the study:

- Establishes the sequence of events from the planning stage to the implementation stages.
- Determines the key participants and their influence on the decision-making process.
- Examines factors (determinants) that precipitated actions and reactions of participants (e. g., historical, demographic, socioeconomic, and political variables).

From the information gathered, this study offers a descriptive account of the desegregation effort and interprets the conflicts and tensions that accompanied the process.

Theory

This study was guided by *Africana Theory*. *Africana Theory* offers a conceptual framework for the investigation of ethnic groups within a larger society. It examines the interpersonal relationship with the dominant group as well as the groups' effort to enter social, political and economic institutions. Although this theory incorporates two concepts, Giddens'

Theory of Structuration and DuBois' theme of double-consciousness, it was placed under the general rubric of Africana philosophy (Gordon, 1997; Outlaw, 1992-3). Africana philosophy was conceived by a group of black philosophers as a "gathering notion under which to situate the articulations and traditions of African and peoples of African descent collectively . . . " (Outlaw, 1992-3, p. 64). Africana philosophy addresses such general issues as "freedom, anguish, responsibility, embodied agency, sociality and liberation" (Gordon, 1997, p. 3). The use of the name *Africana* appears to limit the theory to one ethnic group, black Americans, but the tenets are broad enough to address shared concerns among all groups. The name, Africana, can be replaced by another name that fits the particular group.

The concepts that formed the core of Africana Theory, Giddens' Theory of Structuration and DuBois double-consciousness are discussed at length as an explanation to their use and to glean appropriate themes for the seven tenets of *Africana. Theory*.

Giddens' Theory of Structuration

Studying class systems, Giddens was concerned, in a general way, with questions of history and social changes: how human actors engage their past and their prospective future. From a Marxist perspective, he sought to determine if human actors are subjectively aware of their objective state. If so, how do they actively seek to transform the structural constraints of their "life paths" through "time and space." Whereas philosophers had studied the agency of actors as a series of discontinuous, compartmentalized "Nows," Giddens sought to locate actions as a continuous interactive process throughout time and space. By conflating time and space, Giddens' removed the distance between man and his responsibility to the present. With this reasoning, past events were not isolated incidents, but were constitutive of on-going events and occurrences. Hence, the past and present are interwoven as a continuous flow of purpose, reasons, rationales and motives (Giddens, 1991, p. 2).

Continuity through time and space, as posited by Giddens, is maintained through the discursive and practical consciousness of human actors. Discursive consciousness is what the actors can articulate about the condition of their action. And practical consciousness is what actors know, but cannot explicate. By probing both consciousness set, Giddens proposes that every social actor knows a great deal about the condition of reproduction of the society of which he or she is a member. This knowledge, even in subordinate positions, leads to some control over conditions, covertly or overtly. According to Giddens, change is effected through the human agency, or action, of each actor. Agency is defined as "a continuous flow of conduct" and action as "a stream of actual or contemplated causal interventions of corporeal beings in the ongoing process of events-in-the-world" (Giddens, 1979, p. 53). With this concept, Giddens related human agency or human initiatives to be a continuum of actions that slowly, but surely, chiseled away at contested social and institutional (structural) practices.

DuBois and "Double-Consciousness"

From DuBois' concept of double-consciousness, *Africana Theory* addresses the contradictions, ambiguities and dualities in the lives of black Americans as they challenge racist practices. According to DuBois, many tensions occur in black Americans because of an internal struggle between two consciousnesses: one African and one American, two warring souls within one dark body. Furthermore, asserted DuBois, blacks are always subconsciously trying to reconcile the two souls into one. The tenets of *Africana Theory* agree with others that this tension leaves to contradictory actions within individual black Americans as well as within the collective whole.

DuBois arrived at double-consciousness as an explanation to the identity dilemma that confronted black people. (Adell, 1994, p. 18; Andrews, 1985, Gilroy, 1993; Horne, 1986; Logan, 1977; Marable, 1986; Rampersand, 1976; Stepto, 1991; Weinberg, 1977, Williamson, 1978). Concerned about his own identity, DuBois posed the question of black identity to the collective

race. His analysis of black identity was recorded in *Of Our Spiritual Strivings* first published in 1897, and reprinted in the *Souls of Black Folks* in 1903. In this article, DuBois wrote:

[T]he Negro is a sort of seventh son, born with a veil, and gifted with second-sight into his American world,--a world which yields him no true self-consciousness, but only lets him see himself through the revelation of the world. It is a peculiar sensation this double-consciousness, this sense of always looking at one's self through the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity. One ever feels his two-ness,--an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder (p. 3).

The veil, as mentioned by DuBois, represented the color line that separated white and black lives. On one side of the veil, whites lived lives of freedom and privilege; while on the other side, blacks lived lives of darkness and invisibleness (Rampersand, 1976; Stepto, 1991). Through his writings, DuBois sought to introduce whites to the dignity, humanity, and beauty of the people behind the veil. To expose the Negroes' souls, he first bared his soul: "I who speak here am bone of the bone and flesh of the flesh of them that live within the Veil (1903, p. 3). DuBois, at this intellectual junction, believed that oppression by whites resulted from ignorance of black humanity, and not from malice. The introduction of The Souls of Black Folks, hopefully, would free whites to see blacks as humans; and in turn, free blacks to live lives unencumbered by the dichotomies, dilemma, paradoxes, contradictions, absurdities, or in other words, dualities of everyday existence.

Based on the observations of DuBois and others, I propose double-consciousness or dualism as a tenet of African in which to examine the lifeworlds of black Americans within the macro- and microstructure of racism. To this end, I chose *Africana Theory* as an investigative tool inclusive of the back experience, yet modifiable to Others' experiences. This concept is a synthesis

of DuBois' idea of double-consciousness and Giddens's Theory of Structuration. From Giddens, I borrowed the idea of social practices and structures or institutions that are reproduced and maintained throughout time and place (space). I also borrowed the idea of human agency from Giddens, which has been simplified and expressed as "black initiative."

The structures of racism are approached epistemologically from the Duboisian double-consciousness. Faced with the entrenched structures of racism, blacks are confronted with the dilemma of choosing which consciousness dominates—the African or the white consciousness. They must choose to respond from a collective ethos as mandated by an African consciousness or to respond as an individual as dictated by a Eurocentric consciousness. Or they could choose to reconcile, compromise or synthesize a solution that speaks to both perspectives. I submit that this dilemma lies at the heart of the many contradictions within the black community and has been the erosive factor undermining efforts to escape from the figurative plantation. I further contend that this dilemma, unless reconciled, will continue to impede black progress, where "progress" is defined as mass black movement into America's social, economic and political institutions. In the meantime, the contradictions render the black community incapable of dealing with the collective problems mentioned earlier.

Duality also refers to the dichotomy between the democracy and the existence, at various periods, slavery, Jim Crow segregation, and disfranchisement (Marable, 1985). It [duality] notes the integrated resistance of whites to blacks' efforts to increase their respective social, political and economical power.

Africana Theory

The blending of the Theory of Structuration and double-consciousness aided in the development of *Africana Theory*. Applied to black Americans, Africana theory offers a framework that examines (a) the interactions of black Americans with structural inequality in economic, education, politics, and religion. It also seeks to understand the dichotomies and ambiguities that

have characterized African-Americans' struggle for economic, social, and political equality as well as the contradictions within the African-American communities that retard progress. Africana Theory also provides a framework to assess the actions of the white Americans as they confront and challenge black initiatives. My definition of the theory includes the following premises:

- All ethnic groups must be historically contextualized, therefore **slavery** is the starting point of black's experiences in America.
- **Race and class** as organizing principle that guides the lifeworld/life chances of black Americans and other minorities.
- The **human agency or initiatives** of minorities has allowed them to survive and to succeed in a predominantly white environment
- The struggle by African-Americans for justice is connected through **time and space**
- **White resistance** to inclusion by minorities to social, economical and political institutions has challenged minorities' initiatives.
- **Dualisms** have characterized the lives of minorities as they reconciled the dichotomies and ambiguities of race, ethnicity and class.
- Changes in institutions and social practices have been **incremental and disproportional** to blacks' demands.

Each of the tenets will be examined in the context of black lives in America.

Historical Perspective—The Legacy of Slavery

The inclusion of the slave experience is essential to any discourse on African-Americans for many reasons. The legacy serves as the historical marker for the emergence of "new people" who shared an African, a European, and an Indian heritage. Because of this mixed heritage, these people would be known at different times as Negroes, Coloreds, blacks, African-Americans, Afro-

Americans, and black Americans (Parham, 1989; Williamson, 1980). Slavery also differentiates the "new people" from other Americans, psychologically and spatially. This group is the only group of American that suffered 300 years of enslavement and another 100 years of statutory discrimination. In addition, the legacy of slavery gives African-Americans a unique perspective on America, its people, and its processes. As the recipients of America's brutality, African-Americans' struggle to gain equality represents America's growth toward the ideal goal of democracy (de Tocqueville, 1945; Kluger, 1975; Myrdal, 1944). Finally, the legacy of slavery has a relatively recent history and is operative in the lifeworld of virtually every black American.

Focusing on the slave experience is also important because it preserves the time/space of African-Americans' experience. It serves to reject the efforts of some to "rely upon a linear idea of time that is enclosed at each end by the grand narratives of African advancement" (Gilroy, 193, p. 190). Instead it provides the starting point for all scholarship on African-Americans. It is at this juncture that African-Americans was disconnected from a tradition, a past, a memory, and most devastatingly, a family. This fissure prompted de Tocqueville to write in 1835-1840:

The negro. . . having been told from infancy that his race is naturally inferior to that of the white, [he] assents to the proposition, and is ashamed of his own nature (1945, p. 364).

In de Tocqueville's opinion, the conditioning was so complete "that only God could obliterate the damage that has been done" (Ibid.).

Race and Class as Organizing Principles

Race

Although the concept of race is without biological validity, race has operated as the organizing principle that guides the lifeworld of African-Americans (Bell, 1973, 1978, 1992; Benjamin, 1991; Birmingham, 1979; Blauner, 1972; Blumer, 1958; Branch, 1988; Cox, 1970; Cross, 1991; Essed,

1992; Fanon, 1971; 1967; Greenberg, 1980; Gresson, 1995; Harrison, 1995a, 1995b; Omi & Winant, 1986; Sammons, 1998; Smedley, 1993; Smith & Feagin, 1995; Squire, 1991; West, 1993). The social color black, and its various shades, creates rules, beliefs and values as ways of explaining the variations in human nature (Omi & Winant, 1986). Even if "color" is absent, the "one-drop rule" (hypodescent) assumes collective differences in temperament, sexuality, intelligence, athletic ability, aesthetic preferences, family, love, trust and reliability (Ibid.). These differences have been historically constructed to justify differential treatment of slaves and their progeny and continue to be argued by social scientists, religious leaders, and the media.

If the concept of race operates only at the micro-level, that is, in the four existential lifeworlds: spatial, corporeal, temporal and relational, then African-Americans could exist as an entity, separate and apart from the white majority (van Manen, 1990, p. 104). The concept of race, however, is also operative at the macro-level, defining the political rights, economic location and cultural/ideological identity of African-Americans (Omi & Winant, 1986). According to Omi and Winant, each structure or "site" enveloped a set of "constitutive social relations" that overtly or covertly determine African-American life chances (Ibid., p. 67). Inherent in both levels, micro and macro, are racial ideologies that thrive and survive through the interlocking mechanism of individual, collective, and institutional racism (Dunaway, 1973; Omi & Winant, 1986).

Individual Racism

Individual racism refers to a person's set of attitudes derived from or influenced by racist norms and ideology (Wilson, 1973, p. 34). At this level, personal interactions between African-Americans and Euro-Americans are inscribed by overt and covert acts of racism. Behaviors and actions that dehumanize, debase, devalue, and demoralize its recipients. I have witnessed and experienced this form of racism: it ranges from total silence when an African-American presents an idea or opinion, to patronizing explanations or definitions of common knowledge, to the blatant observation of African-American patrons in stores because they are perceived to be potential

thieves. Each instance diminishes the African-American's sense of humanity, precipitating an internal struggle to maintain their dignity and respect. This struggle is debilitating. Putting it in a broader context, the struggle "consumes an inordinate amount of mankind's energies and attention that are," according to historian John Hope Franklin, "so desperately needed to solve the major problems of peace and survival" (Ibid., p. x).

Collective Racism

Collective racism forms the second level of racial exploitation. It refers to the existence of informal societal or group norms that specially reinforce sporadic collective acts of racial discrimination, exploitation, and suppression (Wilson, 1973, p. 34). Blumer (1958) argues that collective prejudice:

[O]perates chiefly through the public media in which individuals who are accepted as spokesmen of a racial group characterize publicly another racial group. To characterize another racial group is, by opposition, to define one's own group. This is equivalent to placing the two groups in relation to each other, or defining their position vis-a-vis each other. It is the sense of social position emerging from the collective process of characterization which provides the basis of race prejudice (pp. 3-7).

Collective racism accounts for the violent resistance to desegregation in Little Rock and Boston; the 1919 race riots in Knoxville; the post Civil War lynching, and the recent church burnings throughout the South. According to Wilson, it is from collective racism that individual racism evolves and is manifested. Hence, collective actions, such as race riots, are prompted partly by personal ideology, but largely by the dominant group apprehensiveness that the minority plans to encroach on the dominant group's prerogatives (Wilson, 1973, p. 36).

Black philosophers including Gordon (1997) and Outlaw (1992-3), find the above assessment of collective racism to be too simplistic. Instead, they describe racism as a process by which whites justify their inhumanity to Africans and their progeny. As such, whites convinced themselves, and others, that the essence of Africans was their black color. A color that was diametrically opposed the social constructed "white" as well as to the symbolic meaning of "whiteness." Therefore, racism is more than prejudices, discrimination, exploitation and domination. It is a mechanism that allows whites to divest themselves of undesirable traits and to divert these traits to someone else. Hence, Africans, and their descents, became phobogenic objects that symbolize biological and moral danger.

Institutional Racism

While individual and collective racism is local constructions, institutional racism describes structural inequalities embedded in the state apparatus. "State," as defined by Gramsci (1971), "is the entire complex of practical and theoretical activities with which the ruling class not only justifies and maintains its dominance, but manages to win the active consent of those whom it rules" (p. 244). State apparatus includes ordinary bureaucratic institutions such as the post offices and highway departments, as well as the legal and judicial system, labor exchanges, welfare agencies, schools, colleges, media, political parties, prisons, police departments and the military (Greenberg, 1980). Collectively, the state apparatus functions as coercive institutions (politically), and as ruling class ideologies (civil) that preserve the status quo. To maintain control requires accommodation by the ruling class to the "changing notion of historical circumstances and the complex demands and critical actions of human beings" (Giroux, 1983, p. 276). Simply put, institutional racism refers to an overarching system of rules and meanings that perpetuate and maintain a racial order originated in slavery. Although the order has been mediated with the

removal of legal sanctions, African-Americans still confront the 'color line' through formal and informal mechanism (DuBois, 1968; Dunaway, 1973).

I present racism as an American phenomenon because of the specificity to African-Americans, but racism is a world phenomenon. Harrison (1995a) notes racism also characterizes an "international hierarchy in which wealth, power and advanced development are associated largely with whiteness or 'honorary whiteness'" (p. 50). Similarly, Marxist proponents locate racism as "constitutive of the capitalist world-economy" and represents "a 'global apartheid' marked by severe inequalities of income, life expectancy, and power" (Harrison, 1995a, p. 50; Wallerstein, 1991, p. 92; Johnson, 1970, p. 323).

New Racism

Another form of racism exists; it is referred to as the "new racism." According to Harrison (1995a), it fits into a framework of 'racism without race' which conforms to a dynamic social and political structure (p.49). Its proponents claim a color-blind philosophy wherein all individuals are regarded as equal. In this race-free perspective, a free-market economy and minimal state intervention rules without racial connotations. As such, affirmative action is unnecessary as it provides an unfair advantage to those lucky enough to be a minority. Furthermore, proponents contend, blacks that charge 'discrimination' are trying to cover up their deficiencies. They, the blacks, are either (1) academically unprepared, (2) irresponsible, or (3) their interaction, speech and/or dress are inappropriate for the public domain. The new racism values blacks that are totally assimilated or amalgamated into the white culture. Hence, blacks that fall outside the norms and mode of white culture are negatively categorized in coded terms. Regardless of type, reason or location, racism remains a challenge to the initiatives of blacks and other minorities.

Class¹

Where race and racism is of prime concern, the issue of class has always confronted blacks, externally and internally. In slavery, it existed between the house servants who were most often descent of white fathers and the darker-skinned field hands. During Reconstruction, the mulattos, some of whom were educated, often were the representatives of the black race. This elite group also consisted of freed blacks who had during slavery acquired property and private business enterprises (Birmingham, 1979; Blackwell, 1979; Frazier, 1957; Marable, 1985). Many in this small group sought coalitions with and favors from whites by condemning actions that would increase the opportunities of the poorer blacks, e. g., denouncing integration and endorsing racial disfranchisement (Marable, 1985, p. 151). This group also attempted to improve the race by "marrying up" to someone of a lighter complexion, or at least to someone of the same complexion. With few exceptions, their descendants continued the traditions of their forefathers in choosing partners and in accommodating the ruling class. For example, few of the black elite participated in the civil rights movement of the sixties. Notable exceptions were former State Representative Julian Bond and former Ambassador Andrew Young, both of Atlanta.

The Black Elite

Historians categorized the black elite that emerged during and immediate after slavery as *accommodationists* or as *radical reformers* (Blassingame, 1979; Genovese, 1976; Kluger, 1975; Litwack, 1979; Cooper & Terrell, 1991). The reformers were divided into two extreme camps: the *integrationists* and the *nationalists*. A third group, the *cultural pluralists*, provided a middle ground between the two. The accommodationists believed that blacks should better themselves before asking for equality, therefore, they supported policies and practices that were detrimental to

¹ I am indebted to the works of Marable (1985, 1998) and Scott (1998) in this section.

the advancement of the poor blacks in exchange for economic and social gains. Many of the accommodationists believed that subterfuge was the only way to gain any concessions from the dominant class. Conversely, the integrationists believed true equality for blacks was obtainable only through the integration of all social, economic and political institutions, and the subsequent elimination of all black institutions (Ibid., pp. 64). Similar to the accommodationists, the integrationists sought coalitions with whites to obtain their goals. The nationalists resembled the accommodationists in that they preferred segregation, but shunned any coalitions with whites. Instead, they advocated racial solidarity across class lines, an emphasis on an African origin, the building of an independent black community, and alliances with blacks in the West Indies and Africa. On one hand, the cultural pluralists agreed with the integrationists that blacks should have "unfettered access" to all institutions, but agreed with the nationalists that blacks should concentrate on building independent black communities. The cultural pluralists also advocated the organization of blacks throughout the diaspora to fight for equality as a group rather than in isolation. The position of the accommodationists is best represented by Booker T. Washington the founder of Tuskegee Institute, the integrationists by Walter White executive director of the NAACP from 1930 to 1955, the nationalists by Martin R. Delany a black leader in South Carolina, and the cultural pluralists by W. E. B. DuBois a sociologist.

The ideology of the leadership groups has shifted since the early 1900s. Contemporary *accommodationists* are now moderate intergrationists rather than subtle segregationists. Their goal, however, remains constant: To gain economic, political and social status by supporting conservative white ideology (Marable, 1985). As such, accommodationists condemn policies and programs designed to assist poor and working-class people (e. g., economist Thomas Sowell and businessman Ward Connelly). According to Marable, the accommodationists "provides marginal ideological cover for the modern white supremacy movement" (Ibid., p. 175).

Conversely, the *radical reformers* continue to challenge racial discrimination. The *nationalists* are best represented by Afrocentrists such as Molefi Asanta and Louis Farrakhan of

the Nation of Islam. Both groups emphasize a black heritage with controversial prescriptions for black actualization in America. While the Afrocentists do not embrace integration as a goal, they are not opposed to integration per se. Conversely, Farrakhan retains Elijah Muhammed's belief in "racial purity" and opposes integration as a strategy for black advancement. On the other hand, the *integrationists*, as represented by the NAACP, have not changed their integrationist goals. There is, however, dissension among its members around this issue.

Integration is also not a goal of the modern-day cultural pluralists who are categorized as *multiculturalists*. Echoing DuBois' sentiment regarding black culture and black institutions, multiculturalists encourage the preservation of black cultures and institutions within a predominantly white culture (Scott, 1998). Post multiculturalists, on the other hand, are critical of modern multiculturalists' emphasis on cultural differences and cultural celebration. This group, composed mostly of professional blacks, are more interested in establishing cultural ties that enhance their positions, than in addressing inequities in social, economic and political institutions. In this respect they are reminiscent of integrationists, but they also represent DuBois' concept of the Talented Tenth of the black community. Similar to DuBois, they lead from the periphery having little contact with the majority black population. Unlike DuBois, neither the post multiculturalists nor the multiculturalists deal with issues central to the poor and working-class population. Ironically, the post multiculturalists' status is derived from their discourse on race in the media and in the academy (Scott, 1998). Professors Henry Louis Gates and William J. Wilson represent post multiculturalists.

Another black group exists that is in part nationalistic, multiculturalistic and post multiculturalists. It is similar to the nationalists in that it promotes "black pride" and a common heritage. It reflects the multiculturalists and post multiculturalists' view in that it encourages alliances with other cultures. However, this group departs from the multiculturalist groups in regard to politics. In addition to addressing the needs of poor and working class blacks, it has a political agenda to "create a broad-based, progressive reformist, multi-ethnic, multi-class

coalition" to challenge the major political parties (Marable, 1985, p. 179). Jesse Jackson's Rainbow Coalition exemplifies this group.

The lines between these categorizations have always been blurred. For example, W. E. B. DuBois who opposed Booker T. Washington's accommodationist policy, often echoed Washington's themes of black self-determination and independence (Ibid.). Other blacks during this period also switched ideological allegiance, at times supporting Washington's position and at other times supporting DuBois' position. Likewise, Jesse Jackson has confused both his critics and supporters with his ideological inconsistencies. For instance, Jackson surprised many when he endorsed Ronald Reagan's presidency over that of liberal Edward Kennedy. Inconsistency is also reflected by Farrakhan's informal alliances with fascist and white paramilitary organizations (Marable, 1998). Jackson and Farrakhan's ideological inconsistencies are in keeping with black leaders tendency to cross ideological borders.

Marable's and other typologies of black leadership reveal a failure of black politicians, regardless of ideology, to affect change for the masses of black people. Marable attributed this failure to a "lack of social theory that explains the essential dynamics of the political economy of capitalism and the utility of racism in the process of capital accumulation" (Marable, 1998, p. 175). As discussed by Marable, the political failures of blacks result from an inability to form effective coalitions and alliances with other social movements and political organizations. Instead, blacks, with few exceptions, have sought alliances with the "ruling class that inevitably pursue policies that are detrimental to blacks" (Ibid., p. 180). Jackson's politics differ from most generalizations because of his ideological shifts were more dramatic and erratic.

The Black Lower Class

Other than being the first black to run for the president, Jackson's prominence reflects a reconfiguration of black leadership. Prior to the civil rights movement most black leaders were

part of the older black elite. After the civil rights movement, some blacks from the lower class, such as Jackson, were able to enter and compete for the higher status positions. Despite the existence of black elite groups, the majority of blacks belong to neither group. Ironically, the high visibility of the elite groups as well as the exposure of a growing black middle-class have served to strengthen racial stereotypes of poor blacks (Marable, 1985). As a result, many whites consider blacks who have not achieved middle-class status to be the "deserving poor," and argue that America is no longer responsible for the malaise that exists in inner cities (Chandler, 1971). Hence, programs to alleviate poverty have been rescinded or are under attack.

The alienation of America's poor continues, though social scientists recognize that the social ills of the inner cities are largely independent of the its residents (Bluestone & Harrison, 1982; Scheel, 1988; West, 1991; Wilson, 1987). As a result, many refuse to consider the history of urban migration, the globalization of the market place and the suppression of the informal job market in shaping the social malaise. They also refuse to consider the "inherent inferiority" of inner city schools, which transfer to inferior education for the students (Kozol, 1993; Oakes, 1985; Ogbu, 1978, 1983, 1994; Paynter, 1989; Persell, 1977; Wilson, 1994).

The problems of black inner city residents are also confounded by the racialization of poverty by the media. Most often, black faces accompany any story of poverty in America, especially if fraud or misuse is the topic. The racialization leads poor whites to dissociate their poverty from the blacks. Therefore, issues that concern both groups are often submerged under the issue of race (Terkel, 1974).

The plight of the black inner city residents is exacerbated by the schism between poor and middle-class blacks. As mentioned earlier, the division has always existed but during the era of segregation, the two classes were forced to live in close proximity. As such, the black elite served as role models to young blacks and some served as mentors to poor youths. This was especially true of the elite women, such as Josephine St. Pierre Ruffin and Mary Church Terrell. Both women were part of the black Women's Club Movement whom goal was expressed in its

motto "lifting as we climb" (Davis, p. 1996). Paradoxically, the loss of the middle-class and upper-class blacks from black communities is a by-product of black progress. The civil rights laws of the 1960s allowed blacks to move from segregated environment to mixed or upper-mobile neighborhoods.

Time and Space

Africana Theory introduces "time and space" as a factor in the analysis of racism in America. It conflates time and space, and views racism as a continuous interactive process rather than a series of discontinuous, compartmentalized "nows." By integrating the past and present as a continuous flow of purposes, reasons, rationales and motives past actions and practices are linked to the existing conditions (Adjaye, 1994; Bryant, 1991; Giddens, 1979, 1991).

"Space" is especially important because it identifies the position of the African-American through time. (Space as used in this sense refers to the world and landscape through which human beings move (van Manen, 1990, p. 120)). I use space and place interchangeable. In slavery, Slave Codes and individual masters defined African-American space. After the Civil War, African-American space was codified by Black Codes and Jim Crow legislation (Anderson, 1988; Blassingame, 1979; Cooper & Terrell, 1991; Foner, 1988; Franklin, 1947; Genovese, 1976; Kluger, 1975; Litwack, 1979). Throughout this period, African-Americans' space was at the backdoors, the alleys, the backseats, and in the segregated facilities of society. The violation of "space," as well as the code of etiquette could result in beatings, death or economic punishment. Until the 1960s, African-Americans were denied space in professional sports, the political arena, white institutions of learning, and in professional careers. Space, however, was redefined, and extended, with the passage of the 1964 Civil Right Acts and the attendant Great Society programs (Orfield, 1969). Because of these acts and programs, some blacks were able to achieve middle-class status, but many others found the doors of opportunities too narrow to pass through (Orfield

1991). The struggle for space continues as the foundation for black advancement, Affirmative Action, gradually receded into the past.

Human agency or Black Initiative

The inclusion of time/space allows an examination of the initiatives of Blacks in America. Even though the acquisition of basis rights took three hundred years, blacks, from slavery to the present, have resisted the domination of White America. Evidence suggests that resistance, not passivity, was the norm for slaves brought to this country. The resistance to slavery was not only noted in periodical uprisings and runaways, but in subtle ways, such as poisoning slaveowners' food, destroying their crops, and stealing food supplies. Human agency or black initiative was also demonstrated by the freed Blacks during slavery. Some, such as Frederick Douglas, worked ceaselessly for the abolition of slavery, and others, such as Harriet Tubman guided slaves to freedom. Post-slavery found blacks campaigning for suffrage and universal education, as well as fighting against lynching and other Jim Crow justice. Eventually, the NAACP became the collective human agency for black people, but individual acts of resistance were exhibited in communities throughout the country. Hence, the inclusion of space/time integrates the initiatives of blacks throughout their tenure on America's soil. This concept also eschews presenting events, or studies, as isolated and unrelated incidents.

Dualism

Africana Theory also speaks to the dualism that characterizes the lifeworld of black and white Americans. Chief among these is the dichotomy between democracy and the subordination of black people. This dichotomy originated with the slave institution and the ideals of the Constitution of America. The signing of a document extolling "liberty and justice for all" and the

ownership of slaves illustrate its contradiction by fifteen founding fathers. In 1783, the dichotomy strengthened as the Continental Congress determined Africans or blacks were "divested of two-fifths of the man, and degraded from the human rank, and classed with those irrational animals" (Kluger, 1975, p. 33). Hence, in a "monstous fashion . . . [W]hite supremacy and black degradation were institutionalized within the very framework of the new government"(Ibid.).

During slavery and afterward, dualism expressed itself in the lives of blacks in two ways: (1) in how blacks viewed themselves and in how blacks viewed America. Early writers, including de Tocqueville (1844-1845), observed an obverse relationship between slaves and their masters. De Tocqueville wrote that the slaves were in fact caricatures of their masters, imitating dress, mannerisms and speech of those who were most times excessively cruel to them. Not only was there observable evidence of the obverse relationship, but it appeared to de Tocqueville that the slaves adopted the masters' negative opinion of their inhumanity. As a result, the slaves believed in the white society's definition of democracy as well as the white society's view of their humanity.

A hundred years later, Mrydal (1945) noted the same phenomenon. Blacks, despite disfranchisement, inequalities, and physical abuse, strongly believed in the concept of democracy. Just as astonishing, was blacks' belief in a religion (Christianity) that condoned both slavery and Jim Crowism. Historians and social scientists have explained this contradiction as a strength to "resolve dissonance through the process of appropriation and transformation" (Matsuda, 1995, p. 5). What appeared to be linear adaptation of whites' values was in reality a deconstruction and reconstruction of standard text and mainstream consciousness into texts of liberation and vision, e. g. the Bible and the Constitution (Blassingame, 1979; Cook, 1995; Cooper & Terrell, 1991; Herskovits, 1939; Litwack, 1979; Matsuda, 1995; Sacks, 1989).

The tensions from the dichotomy of black lives have not only allowed blacks to survive in a hostile environment, it have been the force behind America's creativity. From the tensions, blacks have fathered and mothered the spiritual, the blues, jazz, ragtime, rock and roll, and rap. Blacks have also been the cultural leaders in America since the early 1920, setting styles in both

dress and language. The most important contribution of blacks has been the standards they set for America; throughout history blacks have demanded that America honor the ideals of the Constitution.

Ironically, the tensions produced by a sense of duality have resulted in a population that is collectively religious. Religion was, and is, the figurative glue that has held blacks together through slavery and Jim Crowism. It is still professed by most blacks, even by rappers whose songs are interspersed with obscenities. The dichotomy is in keeping with the ability of blacks to deconstruct and reconstruct text: God is above and beyond respective circumstances.

While dualism on one hand has allowed blacks to survive, it has on the other hand, produced self-destructive or non-progressive mindsets. The inconsistencies in ideological commitments by black politicians are just one example of dualism. Marable (1985) offered former Mayor of Detroit Coleman Young as an example: Prior to assuming the mayoral office, Young had a close relationship with poor and working class blacks and organized labor. Once in office, Young proceeded to protect the interest of the industrialists rather than those of his constituents (Ibid., p. 161).

Another example of the destructiveness of dualism is seen in a dynamic color-caste system that value whiteness above blackness. During the civil rights movement, the emphasis on 'whiteness' disappeared under a superficial adherent to 'blackness,' but this quickly dissipated, with a few exceptions, after the movement was over. Although the color 'black' is aesthetically more acceptable in African-American males, African-American females are still limited in opportunities and social acceptance if their skin is black.

The saddest example of the destructiveness of dualism is seen in the high black-on-black crime rate. Sociologists have sought to understand the killing of blacks by blacks with little results. I propose, as others have, that the destructive mindsets are caused by self-hatred generated in slavery and perpetuated by economic and social conditions (Andrews, 1985; Blackwell, 1985, Cross, 1991; Early, 1993; Home, 1993; Parham, 1989).

Drawing upon the works of DuBois, I argue that "double-consciousness" still conflicts and confounds blacks' collective and individual progress. Many blacks have not been able, as predicted by de Tocqueville, to eradicate a mentality, that devalues blackness and values the dominant perspective (Early, 1975). Even though the distinction between individuals who exhibit double-consciousness is tenuous, nonetheless, I offer the following individuals as examples of double-consciousness: Economist Thomas Sowell, Supreme Court Justice Clarence Thomas, English professor Shelby Steele, business/trustee Ward Connelly, and sociologist Glenn Loury. I argue further that all blacks, in varying degrees, possess a "double-consciousness" that at times contradicts their words and actions. In the same vein, I argue that all whites, in varying degrees, possess double-consciousness toward the role and rights of blacks in America

White Resistance

White resistance to black equality began in slavery where blacks were declared three-fifth humans by the Continental Congress and as such were not entitled to "certain inalienable rights" assured by the Constitution. While in slavery, the slaves made every attempt possible to convince whites that they were worthy of humanity; they imitated their masters in mannerism, dress and talk (de Tocqueville, 1945). Because of their assimilation into white cultures, many blacks believed that freedom would mean immediate equality. Whites, however, passed laws to keep blacks in subordinate positions. If blacks challenged the laws or the local black-white social etiquette, then violence often was assured.

The most violent period occurred in the early 1900s as thousands of black men were lynched and their body parts distributed as souvenirs (Kluger, 1975). Most often, the lynching was not a response to black demands, but a part of a system designed to intimidate and subvert initiatives. Although the white gentry often did not participate in the spectacles, their tacit approval was needed to perpetuate such atrocities. Violent acts were reserved for the lower class

whose hatred for blacks would pacify any perceived wrongs from the ruling elite (Cooper & Terrill, 1991).

Initially, whites justified their actions by referencing Bible verses written specifically, they reasoned, to confirm the relationship between blacks and whites. For example, whites referred to blacks as “children of Ham” who, according to the Bible, should be cursed all the days of their lives. After slavery, whites looked to scientific explanations of black inferiority to justify inhumane treatment to black people (Lyman, 1972).

Given this history, it is not surprising that black challenges to educational institutions produced such strong opposition from whites. Not only would equal education advance the blacks economically, but many whites feared black boys would have access to white girls. Few whites, even in academic settings, admitted racism was the cause of the resistance to desegregation or integration. Instead, rationales for the violence continued to be defined within religious, biological or sociological contexts (Ibid.). These matters are evident in the literature reviewed and in the discussion of the key participants in Chapter Five.

Incremental Changes

According to Giddens, change in social practices and institutions occur over time as a person or group of people “chiseled away” at their foundations. This has certainly been true in black quest for equality. Throughout America’s history, blacks have challenged inequalities often at the risk of death. An earlier example would include Harriet Tubman who risked her life to lead other slaves to freedom. Other examples would include Ida B. Wells the publisher of a black newspaper in the late 1800s. Ms Wells was forced to leave Memphis because of her crusade against the lynching of black men. A more recent example would include Harold Washington’s effort to include the interest of all minorities into Chicago’s political framework. Despite the sacrifices of blacks, equality is still a contested issue 300 years after blacks came to America.

That change occurred incrementally is uncontested, but Rustin (1975) posited that since slavery black progress has also been defined by a cycle of "hope and frustration" (p. xx). The cycle began when the Civil War ended and blacks hoped that they would be free and equal. This hope was soon dashed by Black Codes and violence from whites. Hope sprang again after World War I when blacks hoped that their services in the Armed Force would show their worth as Americans. The Depression soon weakened this aspiration as blacks were replaced by whites on formerly black-only jobs, and as whites released their frustrations over joblessness on blacks. World War II stimulated both the hope and frustration that occurred in and after World War I. In the 1950s, hope was regenerated with the *Brown* decision and later reinforced by the Civil Rights Acts. In this era, many blacks bemoan the lack of black progress, especially as it pertains to the education of poor black children. Yet, an assessment of the black population reveals successful blacks in many arenas of society. In addition to, and very important to Southern blacks, statutory segregation no longer exists. Considering the cost in lives, time and resources, the changes that have occurred are not proportional to black demands, as witnessed by the inferior schools for poor blacks in Knoxville, Tennessee prior to the 1989-96 desegregation complaint.

Conclusion

The tenets of *Africana Theory*, as defined above, were used as the framework to investigate the desegregation of public schools in Knoxville, Tennessee. By connecting the past to the present, from slavery to the 1980s and 1990s, these tenets revealed an interlocking system of discrimination that has often led to inferior education in blacks American and/or poor communities. To fully understand the forms of inequality and its transfiguration, and the prominence of race in defining inequality, *Africana Theory* examined the perpetuation and maintenance of inequalities throughout America's history. This requires an examination of the legitimization of inequalities and discrimination in the marketplace, housing, banking, etc. Actions by black Americans to mediate and eradicate inequalities need to be contrasted with

parallel movements by white Americans to maintain the racial status quo. The internal and external tensions and conflicts experienced by black Americans in their struggle for equality were also evident in the desegregation process.

Methods and Procedures

This is a historical case study of desegregation, the process and its implementation. Case studies have been widely used in the investigation of desegregation. They focus on the decision-making process, the strategies and techniques of implementation, and the outcomes of desegregation efforts. Case studies provide intensive descriptions of a given phenomenon (program, events, or process) as it evolves in time. They chronicle and contextualize a phenomenon, examine underlying assumptions, and investigate the phenomenon's impact on institutions and participants (Merriam, 1988). Case studies are also interpretative in nature. In historical case studies, the researcher must analyze, interpret, or theorize about the phenomenon to include some notion of the "meaning" of historical events (Tuchman, 1994).

Advantages of the case study lie in its ability to "advance a field knowledge base" by contributing a segment or piece to the existing body of knowledge (Guba & Lincoln, 1981, p.119). Collin and Noblit (1978) noted case studies' contribution to policy analysis:

[Case studies] better capture situations and settings that are more amenable to policy and program intervention than are accumulated individual attributes. Second [case studies] reveal not static attributes but understanding of humans as they engage in action or interaction within the contexts of situations and settings (p. 26).

Although case studies provide rich descriptive data of a phenomenon and discover the contextual characteristics of processes, they are limited by numerous conditions, such as time and finances. These two conditions can lead to an "oversimplification or exaggeration of a situation,

leading the readers to erroneous conclusions about the actual state of affairs" (Guba and Lincoln, 1981, p. 377). Another limitation of case studies is their specificity to a phenomenon that discourages generalizations to other studies (Yin, 1988). Notwithstanding the limitations, case studies can illuminate meanings essential for studying educational innovations, evaluating programs, processes and events, thus informing policies (Merriam, 1988).

According to Merriam (1996), case studies "discuss the nature of the problem investigated, the way the investigation was conducted, and the findings that resulted" (p. 194). The studies concluded with what Lincoln and Guba (1980) describe as "lessons to be learned" (p. 362). For example, case studies have been used to study desegregation of American schools. The first case study of desegregation (Williams and Ryan, 1954) followed the benchmark *Brown v. Board of Education*, 1954. This case study, and subsequent desegregation case studies, documented the desegregation processes as they unfolded and the resolution of the processes. These studies, reasoned the researchers, would help other cities avoid the conflicts and tensions that accompanied the desegregation process. Few, if any of these case studies, situated the studies historically. Beyond stating that schools throughout the south were segregated schools before *Brown*, desegregation case studies were for the most part ahistorical. They failed to include blacks' struggle for equal education from slavery to *Brown*, or to include a discussion of black agency or initiatives that challenged first the denial of educational opportunities and later the inequalities in educational institutions. In addition to the struggle against white suppression, the case studies failed to include the intra-racial struggle for educational parity in the black communities. The struggle, I categorized as dualism, existed because of a mindset or consciousness among some blacks that undermines what others would consider "black progress." Black progress is defined here as the mass movement of blacks into the economic, political and social mainstream of America.

This study deviates from most desegregation case studies in that it situates the 1989-1996 desegregation effort in Knoxville within a history the history of the black community and its

struggle for educational parity. It also differs from other case studies of desegregation in that it includes a chapter on the tensions and conflicts that accompanied the desegregation process. I present a detailed account of the events in Knoxville as was possible given the limitations of a graduate program. I also offer an interpretative analysis of the desegregation process. Significantly, *Africana* as the theoretical model weaves African-American experiences within the tapestry of national and local history. In this context, desegregation is seen not as an isolated phenomenon, but as an ongoing quest for equality.

The case study of desegregation case in Knoxville epitomizes the quest for equal education by black Americans. The first desegregation attempt begun in 1959 occurred after several years of petitioning for school desegregation by black parents. The agency or initiative of the parents was met with resistance by white citizens. As a result, the desegregation case remained in court for fifteen years. Research revealed that a minority of blacks also opposed the desegregation of schools (Banner, 1974). Throughout the litigation, the white elite insisted that their resistance was for the benefit of all children. The case ended in 1974. The fifteen-year litigation had won only a small concession for blacks; ninety-five percent of black students remained in predominantly black school.

The second desegregation attempt is the subject of this study. Fifteen years after the first attempt the National Association for the Advancement of Colored People (NAACP) challenged inequalities in the school system. This case study reveals the intractable issue of equality as it relates to the poor and the black in America

Data Collection

Data for this study were gathered from news articles, documents and interviews. Data were also gathered from board of education meetings and casual conversations with parents,

educators and other interested parties. However, the major part of this study is based on the primary and secondary sources that included the following:

- Desegregation plans submitted by (a) Task Force II, (b) the consultants Armor and Rossell, (c) the Committee for the Development of the African-American Community, and (d) one individual, Commissioner Wanda Moody)
- Legal briefs of pertinent desegregation lawsuits: *Brown v. Board of Education*, 1954, *Goss v. Board of Education*, (1960-1974), *Singleton v. Davis* (1970), *Knox County Teacher Association v. Knox County School Board* (1990), *Knox County Board of Education v. Knox County Commission* (1992), *Middlebrook v. Board of Education* (1991).
- Correspondence records and reports from the NAACP's files.
- Memoranda, reports, school data and other pertinent information provided by the Knox County Board of Education.
- Handbooks for parents regarding magnet schools in Knox County
- Local news articles about the 1959-1974 and the 1989-1996 desegregation efforts
- Correspondence between OCR and all interested parties (this information was obtained by the NAACP from OCR through the Freedom of Information Act)
- Correspondence of lawyer Carl Cowan in the 1959 desegregation effort the Knoxville College Archive
- Board of Education' Minutes, 1989-1996
- City Council and County Commission Minutes, 1989-1996
- Task Force Minutes
- Files of Dr. John McCook, Compliance Officer for the Knox County School System
- Demographic data from the Metropolitan Planning Commission

- Complaints filed by the National Association of Colored People and other individuals or groups.

I made several attempts to obtain information directly from the Office of Civil Rights in Atlanta. After several calls to the Atlanta office, I was referred to the Washington office. Calls to the Washington office resulted in multiple transfers to person after person. For example, on one call I was connected to eight different people before getting the "right person" who was "not in." This employee later left a message on my answering machine but did not return my second call. Because of time and expense, I decided to abandon efforts to interview OCR officials.

I conducted interviews with participants (a) to construct and verify the events involved in the desegregation process and its implementation, (b) to gather descriptive details of the phenomenon, and (c) to gain insights into the conflicts and tensions that influenced the process. The interviews were structured and unstructured. Structured interviewing refers to a situation in which an interviewer asks each respondent a series of pre-established questions with a limited set of response categories (Frey and Fontana, 1994). This type of interviewing can be modified to allow participants to elaborate a point or the researcher to probe for additional information. Unstructured interviews are informal conversational interviews that do not assume sets of answers (Denzin, 1980; Douglas, 1985). Although unstructured interviews vary, their goal is to:

[P]rovide the opportunity for the researcher to probe deeply, to uncover new clues, to open up new dimensions of a problem and to secure vivid, accurate, inclusive accounts from informants that are based on personal experience. . . . [it] assumes the appearance of a natural interesting conversation. But to the interviewer it is always a controlled conversation which s/he guides and bends to the service of his/her research interest (Burgess, 1982, p. 108).

Each interviewing format added to the study; the structured interviews provided needed descriptive data and the unstructured interviews aided in the interpretative analysis (Fontana & Fry, 1994).

Participants in the study were divided into two groups: those directly involved in the 1989 decision-making process and participants in the 1959 desegregation efforts. Persons involved in the more recent decision-making process included the superintendent of education, school board members, community leaders, NAACP representatives, and other school officials.

The second group included those involved in the first desegregation attempt in 1959. This group provided a historical and sociological context for the 1989 desegregation effort. Exploratory discussions were held with many participants. These discussions, in conjunction with the documents, influenced the construction of the interview questions brought to the 1989 group. Although all of the interviews included approximately ten key questions, the content of the questions differed based on the group and on the participants' role in the desegregation process. Participants included in this group include retired ministers and civil rights leaders, retired educators and a plaintiff in the 1959 desegregation case and in the desegregation of the University of Tennessee.

Interviews extended over several months as participants referred me to other participants. Still other participants approached me to be interviewed. Several interviews were conducted informally for background information, but were not relevant to the study. The first interview occurred in April 1997 and the last in June 1997. Two additional interviews were conducted in April 1998: one with a participant in the 1959 desegregation effort, and one with the black board member involved in the 1986 city and county merger. The average interview lasted from one to three hours with the longest interview requiring two four-hour sessions. Most of the participants were willing to participate and appeared pleased to share their experiences.

I began each interview with biographical questions, followed by questions related to the roles played in the desegregation effort. After gathering background information, I followed Taylor's advice and posed a "Guided Grand Tour Question," such as: "Could you tell me what happened in the 1989 desegregation case?" (Taylor, 1996; Spradley, 1979, p. 87). The grand tour question coupled with open-ended questions prompted the participants to give detailed

descriptions of their involvement in the process as well as to offer their opinions on the process. A few participants refused to grant formal interviews, including the mayor, the former chair of the county commission, and the former county executive officer. The former commissioner and the county executive, however, engaged in informal one-hour telephone conversations. As the conversations became more involved, I informed each person that I was taking notes. Both men continued to talk. Several participants did not return my calls; these included the legal consultant, the lawyers for the plaintiffs in the *Middlebrook* case, and a former board of education chairman.

I interviewed a total of 29 participants. Eighteen participants were white and eleven were black. All of the formal interviews were conducted in person, except a telephone interview with desegregation expert Dr. David Armor. All of the interviews were taped, including the one with Dr. Armor, and all were transcribed except for two that were exceptionally long (eight hours and three hours). These lengthy interviews did not add information not already obtained from other sources. The separate transcripts ranged from ten to fifty-two pages

I followed Taylor's strategy of interviewing familiar participants first (Taylor, 1996). Familiarity, however, did not automatically secure interviews, as a few of the participants were reluctant to share their experiences. An example was the president of the NAACP who did not appear at three scheduled appointments. He later confessed that he had no intention of giving me an interview because he was tired of people (especially graduate students) coming into the black community and taking and never giving anything back. Most of the participants, including the NAACP president (eventually), shared their time and a wealth of resource materials.

Data Analysis

Data analysis occurred simultaneously with data collection. Each interview or document led to the next phase of data collection. This type of study required data be chronologically organized according to the logical sequences of events. All information related to the planning

phase of desegregation was arranged first, followed by data about the implementation phase. The descriptive data formed the narrative structure of the final paper.

A second level of analysis involved developing interpretive categories. Of the eleven categories recommended by Miles and Huberman (1994) for generating meaning, seven were used to guide this study:

- (1) Counting what is there to get some idea of the general drift of data (Ibid., p. 215).
- (2) Clustering of events, of acts, of individual actors, of processes of setting/locales that appear similar (Ibid., p. 219). The clusters become the categories for analysis.
- (3) Subsuming particulars into the General to create general classes from the specific (Ibid., p. 223). This process is similar to clustering.
- (4) Factoring is synonymous with a category, cluster or theme that involves hypothesizing that some disparate facts or words do something in common or how variables are related (Ibid., p. 224).
- (5) Noting Relations between Variables and speculating on how they are related. It is essentially the process of developing hypotheses to explain a phenomenon (Ibid., p. 226).
- (6) Building a Logical Chain of Evidence by integrating the categories, hypotheses, metaphors, and themes into a coherent whole (Ibid., p. 228).
- (7) Making Conceptual/Theoretical Coherence through theory-building activity in which findings are tied together into "overarching, across-more-than-one-study propositions that can account for the 'how' and 'why' of the phenomena under study" (Ibid., p. 228; cf. Merriam, 1988, p 148-153).

Examples of the above analysis involved constructing the chain of events in chronological order. To accomplish this I counted the number of complaints and lawsuits filed in

reaction to the process, the revisions of the desegregation plan, the task force's meetings, the visits to Knox County by desegregation consultants and OCR officials, and the visits by the Knox County delegates to the OCR's office in Atlanta. In addition, the agenda and topic of each event was significant to the study.

The third level of analysis involved interpreting the events and relating the data to the theoretical framework. Numbers (5) and (7) were used in formulating the theoretical framework that guided this study. Because I found traditional theories to be too restrictive and exclusive, I conceived of *Africana Theory* as a framework to examine the data in the larger context of the black or African-American experience.

Validity and Reliability

Addressing questions of internal validity, reliability and external validity raised the issue of trustworthiness. Internal validity asks: do the study's findings match reality? Four strategies are suggested to ensure internal validity (Merriam, 1988):

1. Triangulation--using multiple sources of data, or multiple methods to confirm the emerging findings (Denzin, 1970).
2. Member checks--taking data and interpretations back to the people from whom they were derived asking them if the results are plausible (Guba & Lincoln, 1981).
3. Peer examination--asking colleagues to comment on the findings as they emerge (Merriam, 1988).
4. Researcher's bias--clarifying the researcher's assumptions, worldview, and theoretical orientation at the outset of the study (Merriam, 1988).

As previously mentioned, I based this study from data gathered on "multiple sources" that included the Board of Education, the County Commissioner, the local newspapers, the correspondence between various participants, and from interviews. Validity was also assured by a

"member check" by Dr. John McCook, an administrator and compliance officer of the Knox County School System. I have discussed the results of this study with several participants, community members, and graduate students. The input from these people, from different backgrounds and races, provided a wider lens through which to examine the desegregation process.

Reliability asks whether the study can be replicated with the same results. It is based on the "assumption that there is a single reality which if studied repeatedly will give the same results" (Merriam, 1988, p. 170). The following techniques are suggested to ensure the dependability of the results (Ibid., pp. 172-172):

1. The investigator's position: The investigator explains the assumptions and theory behind the study, his or her position vis-a-vis the group being studied, the basis for selecting informants and a description of the informants and the social context from which data were collected (Goetz and LeCompte, 1984).
2. Triangulation: (see above definition).
3. Audit Trail: The investigator describes in detail how data were collected, how categories were derived, and how decisions were made throughout the inquiry (Goetz and LeCompte, 1984).

External validity questions the applicability of the findings to other situations. Although generalization from one case study to another situation is often inappropriate, a researcher can improve the generalization of the findings by:

- Providing a rich, thick description that permits transference to other situations (Guba, & Lincoln, 1985)
- Establishing the typicality or modal category of the case--describing how typical the situation is compared with others in the same class, so that other researchers can make comparisons with their own situations (Goetz and Lecompte, 1984)
- Conducting a cross-site or cross-case analysis--collecting and analyzing data from several cases (Yin, 1984).

To ensure external validity, I examined six desegregation cases for commonalties and dissimilarities. The desegregation cases occurred in the following cities: Little Rock, Arkansas; Fayetteville, Arkansas; Boston, Massachusetts; Richmond, Virginia; Charlotte, North Carolina; Nashville and Clinton, Tennessee. From the studies, I established a modal typology of white resistance that I labeled *passive, active and compliance*. My categorizes differed from popular usage in that I defined passive resistance as those cases where resistance involved protracted litigation, e. g. Richmond, Virginia. I defined active resistance as those cases that involved violence, e. g. Little Rock, Arkansas and Boston, Massachusetts. Compliance applied to those cities that desegregated their schools without any resistance at all. Traditionally, passive referred to those cities that accepted desegregation without resistance and active as those cities that resisted desegregation whether through litigation or violence.

I rejected the conventional typology of white resistance because it failed to account for the two forms of resistance, violent and nonviolent. For example, the resistance in Virginia was conventional categorized as massive by social scientists (Ely, 1976; Gates, 1966; Metcalf, 1983, Monti, 1985; Muse, 1961; Wilhoit, 1973). The resistance consisted of legislative acts designed to subvert the *Brown v. Board of Education* decision. One of these acts gave school districts permission to close their schools rather than admit black students to predominantly white schools. Another act authorized the state to pay tuition to any white student who did not want to attend an integrated school. These acts were implemented in Prince George County, Virginia when the public schools closed rather than admit black students to predominantly white schools (Smith, 1965). Subsequently, the state of Virginia paid tuition for the white students of Prince George County for one year. In the meantime, black students were without schooling. Although these acts were extreme, I did not feel that this type of nonviolent resistance should be categorized with violent resistance as witnessed in Little Rock, Arkansas, Mobile, Alabama and Boston, Massachusetts. Therefore, I categorized the two forms of resistance as passive and active resistance.

Researcher's Stance

The possibility of bias exists in the participants and in me, the researcher (Collins, 1991; Eagleton, 1990; Fine, 1994; Geertz, 1974; hooks and West, 1991; Merton, 1972; Stanfield, 1994; Myrdal, 1969): White participants, for example, may have worded their responses in a manner that hides racial meanings, or/and their true feelings about the desegregation process. On the other hand, black participants may have assumed an identity or a sense of consensus with me because of a shared ethnicity. Likewise, some may have made assumptions about white participants and black participants based on my ethnicity or experiences, a factor that may have influenced some of my interpretations. As Denzin and Lincoln (1994) wrote:

Every researcher speaks from within a distinct interpretive community, which configures, in its special way, the multicultural, gendered components of the research act . . . This perspective leads the researcher to adopt a particular view of the "other" who is studied (p. 11).

It is, therefore, understandable, that I entered the research process with concerns about objectivity and subjectivity (Adler, 1982; Denzin & Lincoln 1994; Collins, 1990). I wanted to put the white participants at ease without subordinating my black identity, and I wanted to maintain objectivity while subjectively identifying with the black participants (Myrdal, 1964). I found neither stance problematic and each interview was conducted in a congenial and cooperative atmosphere. I assumed the participants were honest in their interviews as several participants made "off-the-record" comments about the process and other participants. Although these comments gave me greater insight into the process, I did not include any confidential comments in the study.

Nonetheless, this study was conducted and analyzed from the perspective of an African-American, or black woman. I am a product of the Deep South; I have experienced and witnessed

the most overt forms of racism, while simultaneously experiencing the most exaggerated forms of politeness. These experiences have required balancing emotional senses and honing sensorial perceptions. To the uninitiated, this means that I have been forced throughout life to switch codes, manners, posture, form and style in a nanosecond. This awareness makes one extremely sensitive to the slightest gesture, flicker, expression, or omission, as well as making one skilled in interpreting silence and things unsaid. Thus trained, I was ready for any scenario. I was pleasantly surprised at the frankness and intensity of most interviews. It appeared that the interview process was cathartic for the participants, leaving some of the participants and me feeling somewhat drained after an interview.

My contribution to the study of desegregation may be unique. Few, if any desegregation researchers, have viewed desegregation through the multifocal lens that I possess. Unlike most researchers, I experienced the inequities of segregated education. I attended a school that did not have the basic necessities of indoor plumbing, water, a lunchroom or an encyclopedia. Less than a mile away, a white elementary school possessed all of the amenities of western civilization. Later, I would send my daughter to this school. I watched with dismay the lack of concern and encouragement by the predominantly white teaching staff. As a teacher-aide in the same system, I witnessed covert forms of racism toward black children who did not have the vocabulary or experience to articulate their debasement. For example, African-American children who succeeded academically were not recognized or praised for their good works, while their white peers received accolades. Later as a teacher, I recoiled at the lack of sensitivity to African-American students, especially inner-city students, who lacked behavior modes and norms congruent with white society. My experience as a parent in the Knox County School System has also sensitized me to some of the blatant and subtle forms of discrimination in some schools. This sensitivity was reinforced by my experience as a supervisor of interns in other Knox County schools. Although I make every effort not to allow these perceptions to distort the findings, I, nevertheless, examined

desegregation in Knoxville, Tennessee through the lens of my experiences as a student, parent and educator.

Outline of Study

The study is organized into seven chapters. This chapter has discussed the purpose, theory and methods of the study. Chapter Two presents a review of literature pertinent to the study. Chapter Three provides a background of Knoxville, Tennessee, its topography, history, culture and people. Chapter Four presents a detailed chronology of desegregation in Knoxville, Tennessee from 1989 to 1996. Chapters Five and Six offer the analytical sections of the study. Chapter Five examines the roles of participants as well as background variables pertinent to desegregation. Chapter Six analyzes the tensions and conflicts that accompanied the process using the tenets of *Africana Theory* as its guide. Chapter Seven discusses the findings and implications of the study.

Although I have tried to be consistent in my terminology, I sometimes have used "black," "Black" and "African-American," interchangeably. I've also used "Negro," because this terminology was acceptable during the first desegregation attempt. The various identities, black, African-American, black American, Colored and Negro, represent changing periods in history, they are indicative of the struggle by a people to define themselves.

CHAPTER TWO

Literature Review

The literature on desegregation is extensive particularly in the period prior to the early 1980s. According to Crain and Hawley (1981) "There are well over 1,000 articles, books and circulated papers which present some form of empirical evidence on school desegregation" (p. 3). Most of the research focused on the affective results of desegregation, primarily the academic scores of black students pre- and post-integration. A smaller amount of research investigated the process and implementation of desegregation efforts. This research consists of two types of studies: case studies and comparative analyses (England & Morgan, 1986, p. 25).

The comparative study attempts to explain desegregation success by systematically identifying and analyzing factors that may affect school desegregation (Ibid. p. 27). In this study, several cities are studied and their similarities and differences are evaluated to construct a predictor model for future efforts (Crain, 1968). In contrast, the case study simply describes the desegregation implementation process by providing rich details about an event (England & Morgan, 1985). Case studies, however, are limited because they "fail to provide reliable, systematic, generalizable information concerning public school desegregation across the United States" (Fitzgerald, 1975, pp. 39, 87). Nevertheless, findings from these studies were reviewed as a guide to the study of desegregation efforts in Knoxville, Tennessee.

Case Studies of Desegregation

One of the first case studies of desegregation, Schools in Transition, was published by Robin Williams and Margaret Ryan in 1954. Concerned with factors that determined desegregation success, these studies compared the experiences of twenty-four communities in six states that had moved toward integration following World War II. The states chosen were

states that had moved toward integration following World War II. The states chosen were significant for their proximity to southern states where traditional systems of schooling and living were being challenged in the courts. It was hoped that the information gathered would help southern communities avoid problems and conflicts portended by the social change.

The study presented a complex scenario that defied grand generalization; nonetheless, certain patterns and commonalties allowed tentative conclusions to be drawn. Particularly significant were the attitudes and actions of school boards and school officials in districts transiting from segregation to integration. Williams and Ryan found that in communities where the school boards and superintendents assumed strong leadership roles, violent opposition was absent. Notably, the amount of desegregation achieved was independent of the racial attitudes of the white communities. Prophetically, Ryan and Williams predicted that the unique character of each community would preclude "sudden massive changes" from dual educational systems to unitary systems (p. 235). Although the ease of transition hinged on the attitudes and actions of school board members and school administrators, other factors were also influential. These factors included the persistence of black organizations, the establishment of bi-racial citizen groups, the timing of the plan, the preparation of teachers and students and the history of race relation in the community.

A study by Crain et al. (1968) reexamined Ryan and Williams' findings to assess the change in school politics post-*Brown*. Although Crain was primarily interested in the role of school boards, he also examined the decision-making process and the unique character of each city. The case study included eight northern cities that were attempting voluntary desegregation and seven southern cities under court mandate to desegregate. Because southern desegregation was, for the most part, a "simple issue," the researchers chose to report on only the southern cities that experienced violent resistance to desegregation. The complexity of northern desegregation efforts, however, required that each city be analyzed and drawn together to generate a topography of the northern desegregation process (Ibid. p. 10).

Crain's conclusions affirmed Ryan and Williams' findings: School boards played the most important role in responding to the demand for desegregation. The role of the superintendents and mayors were less important. The study also found that the boards operated independently of the white population and the civil rights groups. Surprisingly, Crain et al. found that once litigation begin, the role of the civil rights groups ceased to be an important factor. Instead, the figurative ball was carried by civic elite who directly or indirectly influenced school boards decisions. Disruption and violence that accompanied desegregation attempts were directly related to the progressive versus the traditional orientation of this group.

Several conclusions from Crain's study were contradicted in a study by Kirby et al. (1973). This study investigated *de facto* desegregation in ninety-one Northern and Western cities between 1963 and 1969. Similar to Crain, Kirby sought to determine what actor(s) controlled the decision-making process. These included civil rights leaders, mayors, school board members, black politicians, school superintendents, business leaders and grass roots white groups.

Quantitative data collected from surveys and interviews confirmed Crain's assertion that actions by white citizen groups and civil rights groups are ineffective in deterring or advancing desegregation. In fact, the amount of *actual* desegregation that occurs is inversely proportional to the amount of protest observed. They also agreed with Crain et al. that civic elite groups influenced decisions to desegregate, but in this case the influential elite were often black businessmen and politicians. The data disagreed with Crain in respect to the roles of superintendents; it found that the contribution of superintendents was critical in the decision-making process. In their role as mediators between insular school boards and the public, superintendents were often instrumental in facilitating desegregation or in suggesting satisfactory compromises.

It is important to note that the above studies represented that period in which desegregation was more symbolic than real. Symbolic integration at best allowed a few "select" blacks to attend predominantly white schools while maintaining the status quo among the masses

of black students. As mentioned earlier, the Civil Rights Acts and the Elementary and Secondary Education Acts prompted a substantial increase in desegregation throughout the South between 1965 and 1972; however, *de facto* segregation in the North and West remained unchanged as "white flight" ensued (Rossell, 1975-76, 1980, 1981, 1990; Schofield, 1976; Willie & Greenblatt, 1981). *Actual* desegregation included: closing predominantly black schools, terminating black faculty and staff, demoting black principals and distributing black students to predominantly white schools. These steps taken to insure desegregation had been achieved in the Deep South by 1972; the border states continued their resistance for much longer periods.

To analyze the effect of actual desegregation on communities, Willie and Greenblatt (1981) conducted a study of ten communities undergoing court-ordered school desegregation. Variables in this study included the actions of public officials, superintendents, and school boards, the amount of resistance and opposition to desegregation; and the pattern of community participation in the planning process. Greenblatt and Willie's case study found communities' reaction to desegregation was directly related to the response of the school board and public officials to desegregation. Little Rock, Arkansas presented a classic example of violent reactions to desegregation. For example, President Eisenhower deployed the military to restore order in Little Rock after nine black students attempted to attend a predominantly white high school. On the other hand, Richmond, Virginia avoided violence largely because the school board assumed more leadership in responding to the school desegregation court order. Interestingly, Richmond's passive resistance was more successful in preventing desegregation than Little Rock's massive resistance. Richmond's policy, aimed at avoiding integration, involved thirty-five years of litigation. In the meantime, the issue of desegregation became moot as Richmond's school population changed from 57% white in 1954 to 88% black in 1989 (Pratt, 1992).

The study also found that community participation in desegregation planning can be beneficial in preventing conflict if implemented early in the planning stage. Regardless of the weight of the contribution, the symbolic inclusion allays fears against the unwanted social change

As *token* desegregation gave way to *actual* desegregation, researchers evaluated the most effective means of achieving desegregation. One such study by Fife (1992) investigated desegregation techniques in twenty school districts from Boston to Tulsa. The techniques included two categories: involuntary or mandatory, and voluntary. The primary voluntary techniques are open enrollment, majority to minority transferred, and magnet schools. Involuntary and mandatory techniques include pairing and clustering, rezoning, and magnet schools. The magnet school concept differs in the latter case as students are assignment to schools on an involuntary basis. Using a quantitative design, Fife correlated the different types of desegregation plans with the amount of segregation that existed in each district. The data indicated that the most effective desegregation plans were those that were coercive or mandatory. He added, "If given the choice, whites will not choose to mix with other racial groups to the extent that they will when given very little choice" (Ibid. p.138).

His conclusion agreed with an earlier appraisal of voluntary magnet schools by Hughes, Gordon and Hillman (1980):

Though this voluntary mechanism appeals to many educators and school boards, it has not proved effective in school desegregation. School systems in Dallas, Houston, Indianapolis, Minneapolis, and Philadelphia point to their magnet programs as important parts of their school desegregation plan; in fact, these programs have had minimal impact on the overall racial balance of these systems (Ibid., p. 19).

The authors concluded that magnet schools "simply have not worked as a tool of desegregation" (Hughes, et al., 1980, p.19).

Regardless of reservations and opposition, magnet schools have become the most popular remedy to desegregation implementation. Magnet schools are highly specialized schools that draw students, mostly whites, to predominantly black or poor neighborhoods (England & Morgan, 1986; Rossell, 1990). In mandatory magnet schools, students, usually white, are assigned to a particular school to establish a racial balance; in voluntary magnet schools, student's selection is

based on the "public choice" model (Henig, 1990). This model assumes that parents will choose the school their child will attend "on the basis of curricular incentives" (Rossell, 1979, p. 305).

Surprisingly, the actual number of studies on magnet schools and their effectiveness is small. The most extensive study was funded by the U. S. Department of Education and conducted by the research team of Blank et al., (1982). Focusing on 15 school districts, the researchers visited 45 magnet schools in the sample cities, collecting a wide range of statistics while also observing the classroom behavior of students and teachers. They concluded that magnet schools advance "positive racial integration"; "help reduce real and potential community conflict concerning desegregation"; and "have a positive effect on holding students in public schools and reducing 'white flight' " (Ibid., pp. 36-37).

Support for voluntary strategies came in a study by a former opponent, Christine Rossell (1990). Rossell's earlier studies (Rossell, 1978a, 1978b; Rossell and Hawley, 1983) agreed that mandatory desegregation plans were more successful as a desegregation tool than voluntary plans with magnet schools. Finding her former studies methodologically flawed, Rossell reinvestigated the merit of voluntary remedies using ten-year post-implementation data. (The former studies had used data collected for a one-year implementation period). A sample of twenty school districts with both magnet-mandatory and magnet-voluntary schools was included in the study. Although the 20 school districts analyzed had a wide range of population characteristics, the samples consisted mostly of medium and large cities (populations of all, but two, are over 1,000,000).

The success of magnet schools was based on whether the schools had abated white flight, reached a prescribed racial balance, and increased the extent of interracial contact between white and black students. Using these criteria, Rossell concluded that mandatory plans initially produced the desired outcome, but the effect is short-lived because of white flight and declining white birth rate. On the other hand, all three of the criteria remained more or less constant over a ten-year period in the voluntary plans. She attributed this endurance to "choice" and to the better educational incentives of these schools.

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Conceptual Perspective

An examination of the studies cited, and other desegregation studies, revealed an absence of theoretical or conceptual perspectives. This absence has led to disjointed studies in which no general conclusion about desegregation can be drawn. For example, Crain and Hawley, stated: "The key to enhancing the productivity of desegregation research is the development of theory to guide research design and analysis" (1981, p. 5). Given this need, desegregation researchers have often, "entered the political arena before they had much to offer that was based on hard data rather than on well-meaning but basically empty rhetoric" (Gerald, 1983, p. 183). This study seeks to correct the lack of theory in desegregation case studies. *Africana Theory* provides a framework in which to situate the struggle of blacks and other minorities to achieve educational parity. It place each study on a 'desegregation continuum' providing an important linkage between past and present efforts. It also examines the human agency or initiatives of its participants as well as the contradictions that accompany the process.

There are, however, two exceptions to the general edict are two desegregation studies, one by Rodgers and Bullock (1976) and one by England and Morgan (1986). Rodgers and Bullock's contribution was two-fold: (1) it presented a broad conceptual framework for understanding the school desegregation process--implementation/compliance theory and (2) it bridged the gap between two disparate approaches to the study of school desegregation--case studies and comparative studies. From the studies they were able to describe influences that may

affect desegregation implementation and systematically isolate the determinants of desegregation success.

Using an approach similar to Rodgers and Bullock (1976), England and Morgan (1986) investigated three classes of variables that may influence school desegregation success: school district characteristics, external influences, and a group of desegregation process variables (implementor's attitudes, community's and elite's attitudes). To facilitate this investigation, school desegregation was conceptualized as a process and an implementation model composed of the three classes or potential influences were advanced. Fifty-two school districts that had experienced desegregation over the 1968-1976 period and had been previously studied were selected for the study.

A model worthy of consideration is Sabatier and Mazmanian's (1980) model for policy implementation. The model identified three categories (independent variables) of factors that affect the achievement of goals and five stages of implementation that constitute the dependent variables. The independent variables include: (a) the tractability of the problem(s) addressed by a statute, (b) the extent to which the statute coherently structures the implementation process and (c) the non-statutory variables affecting implementation. The stages of implementation are: (a) the policy outputs (decision) of the implementing agencies; (b) the compliance of target groups with those decisions; (c) the actual impacts of agency decisions; (d) the perceived impacts of those decisions; and finally, (e) the political system's evaluation of a statute in terms of major revisions (or attempted revisions) in its content (Ibid., p. 542).

These studies were included in this review, not because of their results but because they incorporated a conceptual or theoretical framework that can be used for future studies. It is also interesting that neither Rodgers, who had tested Sabatier and Mazmanian's (1980) conceptual model for policy implementation, nor England and Morgan who referenced Sabatier and Mazmanian's model, have advocated it for desegregation implementation studies. I, however, find it to be a very useful and appropriate implementation model. An examination of England and

Morgan's model reveals an approximation of Sabatier and Mazmanian's model in design and theoretical construct. The difference lies not in the design and theoretical construct, but in England and Morgan's narrow focus on desegregation as opposed to Sabatier and Mazmanian's broader application to policy implementation.

With the exception of a few dissertations (Checkoway, 1989; Taylor, 1988), studies of policy implementation are rare (England & Morgan, 1986; Pressman & Wildasky, 1973; Radin, 1977). Hawley (1981) found that "implementation research is not likely to be well understood by examples of existing research and theory which by and large addresses questions of incremental change" (p. 23). Rossell (1978) noted that "there are virtually no theories of social change that are applicable to this particular type of 'forced' community change" (p. 23). Despite this vacuum, implementation theory remains in the developmental stages (England, 1986). This statement by Van Meter and Van Horn (1975,) still stands: "at present we know relatively little about the process of policy implementation" (p. 449).

Implementation Literature

The literature on policy implementation contains only three thoroughgoing analyses of implementation of public policies (Derthick, 1972; Pressman & Wildasky, 1973; Radin, 1977). Each of these studies focused upon the implementation of a federal policy, or more aptly the failure of federal policy implementation. Because of the lack of previous research, each study relied heavily on the previous study as a knowledge base; thus, each analysis added depth and scope to the barren field of policy implementation. Two of the studies are somewhat tangential to the study of desegregation, but were included because they provided an understanding of the problems incurred as the "responsibility for school compliance shifted up the bureaucratic chain of command" (Radin, 1977, p. vi).

One of the first studies of policy implementation was Derthick's (1972) New Towns In-Town. This study examined President Johnson's effort to create a model community on unused federal land. The implementation of this project was plagued with problems of weak mayors, objections from Capitol Hill, racial concerns, clashes between conservationists and urban planners, and difficulties in making the federal bureaucracy responsive to presidential initiatives. Derthick concluded that the major roadblock to implementation was the inability of the federal government to transfer policy from a highly centralized level in the White House, through the states, municipalities and counties to the lowest and most decentralized level of fragmented citizen groups.

Pressman and Wildasky (1973) found similar problems of implementation in their study of the Economic Development Administration's employment efforts in Oakland. This program intended to solve the problem of unemployment and racial unrest by financing public works and business loans that would lead to the creation of jobs for unemployed, primarily black citizens. Pressman and Wildasky attributed the failure of the program to a multiplicity of participants, a multiplicity of perspectives, and a multiplicity of decision points. This study illustrated the implementation process as a chain "connecting actions to objective," wherein each linkage (representing participants) fulfills a function necessary for completion. Hence, success depends on "the ability to forge subsequent links in the causal chain so as to obtain the desired results" (p. xv).

Borrowing Pressman and Wildasky's metaphor, Radin (1977) analyzed the implementation of Title VI by the Office of Education (OE) and HEW. As an insider, Radin was struck by the lack of consensus between the OE and the representatives of local educational establishments. An investigation into the implementation process revealed "knots" in the causal chain precipitated by OE's and HEW's practice of *closed or centralized decision-making*. Radin concluded that this controlling policy effectively eliminated and alienated prime linkage necessary for goal achievement.

Radin's study is the only one of the three studies that was directly related to desegregation implementation; the inclusion of the other studies, however, provides understandings of processes that invoke the tension between federalism and localism. These studies warn that failure is predictable when established structures are bypassed and when policy design and implementation are separated by multiple participants and multiple interpretations. Although these studies were beneficial in explicating the implementation process, they failed to provide a conceptual framework for future analysis of implementation efforts.

Given these multiple variables, Badrach (1977) believes that the *only* path to resolution [to desegregation] is through the use of persuasion and bargaining. In other words, "politics" and a "special kind of politics," a form of politics in which tension from a legacy of domination-subordination carries over to the policy-adoption process and then crosses over to the implementation process (Ibid., p. 15). Often, the aftermath of passage finds die-hard opponents to a policy negatively influencing the implementation steps. Tension, especially in desegregation implementation, results in highly defensive actors maneuvering to avoid responsibility, scrutiny and blame (Ibid.).

Desegregation implementation, as with any policy, assumes reality only when compliance has been attained. Compliance, as defined by Rodger and Bullock (1981), refers to a whole range of responses including complete obedience with the letter and spirit of a law to formal and perfunctory obedience (p. 182). Limited; resistance to compliance is the common response to desegregation mandates. Van Meter and Van Horn (1975) suggested that noncompliance or resistance is assured whenever a policy (to be implemented) is characterized as being of the "major change/low consensus" type. This description is highly accurate since desegregation required major changes, and it upsets a way of life, and the traditional views of the relations between people based on race. More than any other policy, desegregation implementation has low consensus among the citizenry.

White Resistance

The literature review reveals several attempts by social scientists to explain low consensus or white resistance to desegregation independently of racism. Resistance was often represented as a struggle between state rights and federal intervention or federalism (Bullock & Roger, 1981; Hochschild, 1984; Radin, 1977). Inherent in this reasoning was the qualifying legitimacy of *Brown* and the American concept of local control (Bullock & Roger, 1981; Hochschild, 1984; Radin, 1977). In other words, some viewed federal mandates to desegregate as violating the foundation of democracy that protects citizens against interference by the federal government into local affairs. Bullock and Rodgers (1981) proffered that if the "law is deemed to benefit all, compliance will probably follow" (p. 182). By the same token, if the law is considered illegitimate, or an affront to what Myrdal called "moral valuation," then resistance is justified in the minds of American citizens (Hochschild, 1984, p. 20).

The assessment of resistance by Taylor (1986) closely paralleled those of Rodgers and Bullock (1981). Drawing from Gamson's work on social protest, Taylor posited that integration, as a public policy, did not meet the criteria of legitimacy. According to Gramson et al., (1982), the public will obey a policy within "a legitimacy frame of reference" (p. 122). But disobedience to authority will arise if the public believes: (a) that a policy is biased against their interest, (b) their voice is not included, (c) the goals of the policy are inconsistent with their own view, or (d) that harmful results will occur. Instead of being legitimate, the opponents view the policy as an injustice and a violation of some moral code (Taylor, 1986, p. 65). Within this framework, opponents of desegregation are able to exploit a policy as an injustice and to engender collective protest at the injustice (p. 69). The amount, intensity, and level of protest are determined by the opponents who call attention to the incident. Opponents include professional agitators such as John Kasper in Clinton, Tennessee, Governor George Wallace in Alabama and School Board member Louisa Day Hicks in Boston, Massachusetts.

Resistance to desegregation as a conflict between popular sovereignty and democracy was found in Strinchcombe and Taylor's (1980) explanation of Boston's violence. They stated:

It is a serious misstatement to conclude that the explanation for the opposition to busing in Boston and in other American cities is racism. The protracted community conflict that sometimes occurs over busing is best understood in terms of the uncertainties and objections to the costs and benefits of busing and in terms of public attitudes toward the conflict between the rule of democracy (i.e., the voice of resisters) and the rule of law (i.e., court-ordered desegregation) (p. 159)

Buell and Brisbin (1982) offered another explanation to the resistance to busing in Boston. They posited that opposition was in effect a "defense of [a] neighborhood against unwanted social change"(pp. 6-7). A defended neighborhood is defined as:

A type of urban village . . . [that] enjoys distinct identities reinforced by insiders' understandings of where neighborhood turf begins and ends . . . a particularly recalcitrant environment for implementation of basic change . . . Appeals to the rule of law, social equality, or other norms probably will not offset what residents fear they will lose (pp. 6-7).

Rossell (1990) agreed that racism was not a factor in the resistance of whites to desegregation. In her opinion, Americans "wholeheartedly accept[ed] these decisions [*Brown* and its progeny] and the nondiscrimination principle on which they rest" (p.183); but she added that they were not united on the doctrine of social equality. She explained:

[W]hat appears to be a contradiction between overwhelming White support for the principle of integration and overwhelming rejection of forced busing is not a contradiction at all. It follows logically from the fact that Americans support civil rights--for example, integration--but believe that

Blacks have to earn social equality, not have it forced through busing or affirmative action . . . Blacks, it is believed, violate such traditional American values as individualism and self-reliance, the work ethic, obedience, and discipline; thus, it is unfair for equal social interaction to be forced by government (pp. 184-185).

An exception to the non-racist theme is found in another study of Boston (Sheehan, 1984). According to Sheehan, racism was a factor in Boston, but only as a tool by a small oligarchy to drive first and second generation immigrants from the inner cities. This out-migration allowed the transference of Boston from an industrial, manufacturing and port city to a center of finance and service industries surrounded by high technology firm in suburban areas. His assessment, surprisingly, conforms to Bullock and Rodgers' (1981) assertion that cost/benefit calculus determines the amount of desegregation compliance. Their analysis did not apply to events that can be construed racial manipulation, but Boston appears to conform to this equation in light of Sheehan's evaluation.

Desegregation in Knox County

An example of low consensus by citizenry is seen in the protracted effort to desegregate Knox County's schools. Dunaway (1973) and Banner (1974) discussed the resistance of whites and a faction of blacks to desegregation in the first desegregation attempt (1959-1974). Although a few dissertations addressed racial attitudes, perceptions and reactions of students and teachers to desegregation in Knoxville, no research dealt with the sequence of events, or the process and implementation of the 1959 desegregation. Thus, vital information is forever lost to history. For example, I was unable to obtain the names of the seventeen plaintiffs in the first desegregation lawsuit, *Goss v. Board of Education*. I asked one of the plaintiffs, Theotis Robinson, and he could recall only three of the seventeen plaintiffs involved in the lawsuit. I understand that this

information can be obtained for a fee. Information about the 1959 desegregation is available at Knoxville College in Attorney Carl Cowan's files. Unfortunately, these files are not organized. The omission is tragic because *Goss* received national attention as one of the "three important southern school desegregation cases in the ten years after *Brown*" (Bell, 1979; Graglia, 1976: Peltason, 1961; Wasby, D'Amato & Metrailler, 1977, pp. 162, 422; Yudolf, 1981). Incidentally, the other two significant desegregation cases are *Cooper v. Aaron* (Little Rock, Arkansas), and *Griffin V. County School Board of Prince Edward County* (Virginia).

The most comprehensive account of the 1959 desegregation effort is found in the court rulings of District Court Judge Taylor (*Goss v. Board of Education*). These opinions detailed the events leading to the filing of the lawsuit and subsequent actions by surrounding counties to the impetus to desegregate schools by black plaintiffs (e. g., a school was bombed in Clinton, Tennessee). From the *Goss* rulings, a picture of what occurred prior to, during, and after the 1959 desegregation lawsuit emerged. It is worth noting that Judge Taylor's opinions are sprinkled with suspected bias; this suspicion is fueled by such statements as "Insofar as quality of teaching is concerned, the Public Schools of Knoxville operated for Negro students are substantially equal to the Public Schools of Knoxville operated for white students The physical facilities for white and Negro students are excellent" (*Goss et al. v. Board of Education of the City of Knoxville, Tennessee*, 186 F. Supp. 559, 1961, p. 561). Additional information on desegregation in Knoxville can be garnered from two excellent books by Peltason (1961) and Bass (1981) on the forty-eight District Court Judges who bore the "full burden of adjudication and . . . of enforcement" of desegregation in the South (Peltason, 1961, p. x). Because the two events the 1959 and 1989 desegregation attempts, are interrelated and inseparable, it was imperative that I investigate both attempts to understand "what happened" in the second attempt.

Recapturing the 1989 desegregation attempt, although time-consuming and expensive, was made easier by its recentness. Most of the participants as well as their records were readily available. Correspondence, previously unavailable, was possible through the Freedom of

Information Act. The legal trail, however, was harder to pursue as the Office of Civil Rights data are stored in Washington, D. C. and are accessible only through on-site research. OCR's personnel were also inaccessible as I could not obtain telephone numbers or addresses of the investigators of Knox County's desegregation. While OCR's data were elusive, Knox County data are chronologically and topically organized by the office of Dr. John McCook. Additional information on the planning and implementation stages of the desegregation process is found in the Board of Education and City Commission's meetings, the NAACP's office, the files of Commissioner Madeline Rogero and Professor Fran Ansley. Several lawsuits against the desegregation plans, particularly *Middlebrook v. Knox County School System*, provided important data regarding the reasoning behind certain decisions. The local newspapers, *The Knoxville News Sentinel* and the *Knoxville Journal* also contributed to the total picture of desegregation in articles, editorials, and updates of events from 1989 to the present. Other valuable sources included updates from the Board of Education, brochures about the magnet programs, correspondence between the different agencies (e. g. Board of Education, OCR, NAACP and local citizen groups), and reports by citizen groups. From these diverse sources, this study presents a rich description of the 1989 desegregation implementation process, and interprets the events, actions and behavior of the participants based on Africana Theory.

Equally important, this study contributes to the literature on the black population in Knoxville, a population that has generally been neglected in the past. Several books on the history of Knoxville, such as Creekmore's Knoxville (3rd., 1976); Rothrock's (1946) French Broad-Holston Country: a History of Knox County, Tennessee; Deadrick's (ed. 1976) Heart of the Valley; and MacDonald and Wheeler's Knoxville, Tennessee: Continuity and Change in an Appalachian City (1990) devoted minimal attention to the lives of black Knoxvilleians. Background information on blacks can be pieced together from various works, including Booker's Black Knoxvilleians (1994), Proudfoot's Diary of a Sit-In (1962) and Kerns' Social and Economic Conditions in Knoxville, Tennessee, as they Affect the Negro (1967). These books, however, do

not provide an in-depth or comprehensive study of the black population nor the quest for educational equality.

As this dissertation was completed three important sources of information became available. The three were: (1) *The Disparity Study*, (2) the *Mayor's Commission On Police*, and (3) a series of articles on race in the *Knoxville News-Sentinel*. These reports will be discussed in detail in Chapter Seven.

CHAPTER THREE

Knoxville, Tennessee and Its Black Community

In this chapter, the tenets of *Africana Theory* are applied to the study of Knoxville, Tennessee and its black community. It notes the agency or initiative of blacks as they challenged institutional and racial barriers from slavery to the present. The chapter confirms the constancy of black struggle through time as well as the role of race and class in defining the struggles and the progress by this community. This chapter also notes the contradictions in the dual concepts of democracy and Christianity as they regard the black citizens. Less attention is given to contradictions by blacks as they seek to gain equality, but the literature supports *Africana Theory* that some blacks undermined their own progress (Banner, 1975; Dunaway, 1973; Proudfoot, 1990). Although not explicit in this chapter, the tenets of *Africana Theory* recognize the contribution of white Americans who have assisted blacks in their quest for equality, noting that change in institutions occurred at the behest of black initiatives (agency) and their white supporters.

Knoxville, Tennessee and Knox County

Knox County is located in East Tennessee. It lies in a broad valley between the Cumberland Mountains to the northwest and the Great Smoky Mountains to the southeast. Knoxville is the largest city in Knox County and the third largest city in the state of Tennessee. Knox County contains one other city, Farragut a suburb of Knoxville (Economic Overview & Resource Guide, December 1993).

According to the 1990 Census, the population of Knoxville was 165,121, Knox County was 335,749, and the Metropolitan Standard Area (MSA) that includes Anderson, Blount, Loudon, Knox, Sevier and Union Counties was 604,816. African-Americans comprised 8.8 percent of Knox County's population and 15.7 percent of Knoxville. Asian/Pacific Islanders, Hispanics and

Native Americans make up 1.82 percent of the County's population and 1.92 percent of the City's population.

Knox County is divided into six major sectors: North, Northeast, Northwest, Southwest, South, East and Central. The Central Sector is also sub-divided into six areas commonly referred to as the inner city. The highest percentage of blacks lives in the East Knoxville sector and the highest percentage of whites lives in North Knoxville (city), and North County Sectors. The Southwest County Sector is experiencing the highest percentage of growth in the county. The rate of growth is an important issue in the appropriation of schools funds. Prior to and during the desegregation process, the County had to appropriate funds to renovate the deteriorating city schools, and at the same time, build schools to accommodate a growing population in the County. This challenge is an on-going dilemma as the population shifts. A 1993 projection by the Metropolitan Planning Commission (MPC) suggests the County will face the dilemma again: MPC projects the greatest population growth to occur in the Northwest and Southwest County by 2020. Even though the City Sectors and the South County Sector are not expected to experience any perceptible growth, the County must maintain and support aging school facilities (Population Projections for Knox County, November, 1995, MPC).

In 1998, Knox County School System contained 51,835 students. The system includes: 50 elementary schools, 13 middle schools, 12 high schools, 3 vocational centers, 2 special education schools, and 2 alternate schools. These numbers include three elementary magnet schools, one magnet middle school and one magnet high school (Board of Education, 5-21-98). The County and City once operated separate school systems, but in 1987, the City declared itself out of the school business and the County inherited the city schools by default. The merger presented a pivotal legal question in the 1989 desegregation lawsuit: Was the County included in the 1974 ruling regarding desegregation of the City's schools? In this ruling, the District Court

declared the City School System desegregation in accordance with the *Alexander v Holmes* decision of 1971.

In 1998, four blacks served on governing bodies. Diane Jordan and Frank Bowden were County Commissioners; Sam Anderson was on the School Board; and Danny Mayfield was a City Councilman. Neither Knoxville nor Knox County has ever had a black executive, a Mayor or a County Executive. No black has represented a district that is not predominantly black.

Knoxville enjoys certain topographical advantages: it sits on the Tennessee River, and is strategically connected to twelve different states. Because of its location, speculators predicted that Knoxville would emerge as the commercial, manufacturing and industrial center of the South (McDonald & Wheeler, 1983; Stanfeild, 1985). Knoxville did not become a major city, but the Knoxville MSA hosts 800 manufacturing firms and over 10,000 business establishments (See Chart p. 15 in Economic Overview & Resource Guide or the 1990 Census of Population, p. 20). Knoxville also benefits economically as the home of the University of Tennessee and the Tennessee Valley Authority.

Knoxville attempted to reach its economic potential with the 1982 World's Fair. The World's Fair, expected to transform Knoxville into the "new Atlanta," did not live up to expectations (Stanfield, 1985). According to McDonald and Wheeler (1983), Knoxville's economic stagnation results from a city that has not quite transformed itself from a "premodern" to a "modern" environment (p. 4). Knoxville, unlike other southern cities, has not been able to "leach out Appalachian characteristics," and is still linked symbiotically and symbolically to the "the rural hinterland" (p. 5).

The Black Community

Slavery

The topography of Knoxville and Knox County makes McDonald and Wheeler's claim plausible. Not only did the mountains isolate early Knoxvillians, but it also discouraged the development of large plantations in which a large slave population was needed. The isolation, however, served to strengthen community ties including between the small slave population and their masters. Because of the close, if paternalistic relationship, the slaves in Knoxville did not suffer the most brutal forms of slavery (Stanfield, 1985).

The paternalistic master-slave relationships, however, did not mean that slaves enjoyed the same rights and privileges as whites, or any rights at all. It merely meant a gradation of servitude and brutality. To insure compliance, Knoxville adopted North Carolina slave laws, one which authorized slave patrollers to whip any slave found gathering with other slaves without permission (Rothrock, 1946). Later, Knoxville enacted a series of city ordinances to prevent insurrection and to regulate slaves as taxable property (Ibid.).

In addition to the slave population, a small group of free blacks lived in Knoxville. Although free, these blacks faced structural barriers to full equality. For example, a 1801 statute required emancipated blacks to pay a \$500 bond to vouch for their good character and serve as a safeguard in case they became public charges (Booker, 1993). Another ordinance required free blacks to register with the state and to carry registration papers with them at all times (Ibid.). At the onset of the Civil War, the number of free blacks increased as blacks in neighboring states fled roaming white mobs. (See Cansler's *Three Generations* for an account of free blacks doing this time).

The Civil War

The Civil War promised freedom and equal opportunities to enslaved African Americans but to white southerners the war represented a loss of their privileged economic, political and social way of life. Because of its nonagricultural economy, East Tennesseans were less threatened than their fellow southerners. As a result, East Tennessee voted to remain in the Union while West and Middle Tennessee voted to secede. Interestingly, all of the East Tennessee delegates voted to remain in the Union except those from Knoxville (Deadrick, 1976). (Virginia also divided over the secession, but its division resulted in two separate states, Virginia and West Virginia.)

Reconstruction

After the Civil War, blacks entered into what they thought was a new life as free men and women. The 14th and 15th Amendments guaranteed this right. The 14th Amendment granted full citizenship to the freed blacks, and the 15th Amendment gave black males the right to vote. Subsequently, black men, throughout the South, entered the political arena.

In Knoxville, several blacks bid for political offices, including William Frances Yardley. Yardley, a freeborn, studied law with a local judge, passed the bar examination and began to practice law in 1872. He ran for governor of Tennessee in 1876 and lost the election to the Democrat James D. Porter 2,165 votes to 123,740 (Jones, 1995).

Yardley lost his bid for governor, but the Reverend J. C. Lawrence won a seat on the board of education in 1881. After the election, the *Knoxville Sentinel* assured the community that Reverend Lawrence's election did not point "in the slightest degree to social equality," furthermore he was only to have "special charge of the colored schools" (*Knoxville Sentinel*, 1-28-1888). Reverend Lawrence did not participate in any school decisions as the board met in secret, refusing

to reveal the time and place of its meetings. Once Lawrence walked into a secret meeting and he was asked to leave. The next day, the editor of the *Daily Tribune* wrote:

"His action in *forcing his way* into the presence of five white gentlemen, seated in a private office . . . may be an indication of *what he might do should he take a notion to visit the Girls High School* (*Knoxville Daily Tribune*, June 9, 1888).

In response, Reverend Lawrence filed a suit against the Knoxville School Board seeking a writ of *mandamus* asking to be notified of the time and place of the Board's meetings (*Lawrence v. Ingersoll*, October 19, 1889; Jones, 1995, p. 97). The Tennessee State Supreme Court ruled against Lawrence. His election was invalid, the Court held, because "one member had tendered a blank ballot which could not be construed as a positive vote" (Jones, 1995, p. 98).

This ruling, and other actions by whites, undermined blacks' efforts to fully participate in the American government. In a lengthy letter to the *Daily Tribune*, a group of blacks wrote:

[W]e depreciate the necessity of having to . . . publicly acknowledge that there is such a want of enlightened actions on the part of the powers that control these matters, yet stern reality drives us to it. We are sorry that these matters have not been intelligently managed, which would have prevented us from appearing . . . to demand that the law be executed . . . If we are citizens by the law, let us enjoy the fruits of this privilege, as well as incur the responsibilities, and bear our share of the burdens . . . we believe it is the duty of the colored voters of Knoxville to respectfully, but sternly demand these privileges (*Knoxville Daily Tribune*, December 11, 1877).

The Republican Party, the dominant party in Knoxville, chose to ignore the demands of the blacks. Consequently, the blacks decided to 'depart' from the party if certain concessions were not made

(Jones, 1995, pp. 87-100). Temporary concessions were granted. The party allowed a black to sit on a murder case in 1879 (Ibid.).

Blacks continued to participate in a limited fashion in Knoxville politics until the early twentieth century. According to Jones (1995), twelve blacks served as aldermen between 1869 to 1912. At this time, Knoxville followed its neighbors and completely disfranchised its black citizens. It would be almost sixty years before Knoxville would have another black politician. In 1970, Theotis Robinson, Jr., was elected to the City Council (Ibid., p. 99).

While Knoxville's blacks gained small concessions, the overall picture for southern blacks was bleak. DuBois described the scene as:

[T]he most piteous thing amid all this was the black freedman who threw down his hoe because the world called him free. What did such a mockery of freedom mean? Not a cent of money, not an inch of land, not a mouthful of victuals,--not even ownership of the rags on his back (In Kluger, 1975, p. 51).

The plight of southern blacks was exacerbated by the withdrawal of federal troops in 1880. White southerners immediately retaliated against blacks with overt acts of violence and laws that ensured free labor on plantations, in the factories and the mines (Foner, 1988; Kluger, 1977; Sterling, 1976; Taylor, 1974, 1976).

The Jim Crow Era

By 1895, the South had established a racial caste system that virtually disfranchised blacks of their newly gained rights. The system, commonly called Jim Crow:

[I]nvolved formal codes, restrictions written into law, and informal codes, unwritten but understood forms of behavior. The informal codes, for instance required that blacks use only the back door at the home of whites and that blacks

address a white by title and last name while whites almost always used the first name or nickname of a black (Cooper and Terrill, 1991, p. 545).

Jim Crow dictated every aspect of black lives including where they could live, work, play and whom they could marry. By law, blacks were segregated or excluded altogether from all public places: public transportation, schools, housing, libraries, restrooms, drinking fountains, barber and beauty shops, the offices of physicians, dentists, and lawyers, hospitals, institutions of the incapacitated and cemeteries (Ibid.).

During this period, Knoxville differed from other southern states in one important aspect: a few blacks had jobs normally reserved for whites. For example, Knoxville had a black postman, policeman, railroad clerk and fireman almost one hundred years before these positions were available to blacks in Alabama, Mississippi, Georgia, Louisiana and the Carolinas.

Despite discriminatory practices, a few southern black businesses were somewhat successful. They were, however, restricted to black customers who earned menial wages. One exception, Caledonia Johnson, became financially independent by dealing in the informal market of saloons, races horses, and a racetrack (Booker, 1993). Even though his clientele consisted of both blacks and whites, the code of segregation prevailed at all of his businesses.

Education and Blacks

As slaves, blacks realized the power of the written word and believed that true freedom demanded literacy. As ex-slaves, they immediately organized to build schools for themselves and their children. They sometimes they were assisted the Freeman Bureau and missionaries, but most of the times, the ex-slaves and built schools and paid teachers from their earnings (Anderson, 1988). In Knoxville, Mrs. Laura Cansler, a free black, opened the first school for blacks in 1864 (Booker, 1993). In 1875, another school, currently Knoxville College, opened as a grade school.

This school was funded and operated by the United Presbyterian Church (Ibid.). Another private school, Fairview School, was built in 1875 by blacks on land donated by a wealthy white landowner, General Moses (Booker, 1993; Deaderick, 1976).

The ex-slaves' quest for education coincided with a national trend toward universal education. Tennessee was one of the first states to pass a Common School Act (1867) which provided free public schools. This Act, passed under Republican Governor Brownlow, was later repealed when the southern aristocrats returned to power. Disregarding state-level politics, Knoxville created a public school system in 1871. The first school, Bell House, was established to educate white students from the first to the ninth grade (Woodbury, 1995). Four years later, the city established the first public school for black students, Cozier Street School (Booker, 1988). Cozier Street School educated students in grade one through grade five (Booker, 1988; Woodbury, 1995).

Because of severe overcrowding at Cozier, a white teacher, Emily Austin, convinced the city to buy land for a new black school. Subsequently, Miss Austin traveled to Philadelphia and raised \$6,500 to build the school. The school, Austin, opened in 1879, with an emphasis on industrial education as well as reading, writing and arithmetic (Woodbury, 1995). Miss Austin also raised money to build an industrial school, the Slater Training School. Opening in 1887, this school taught carpentry, printing, cooking, sewing and kitchen-gardening skill (Ibid.).

Blacks in Knoxville from 1900s to Civil Rights Movement

Beginning in the late 1800s, many rural blacks from the surrounding counties migrated to Knoxville (Gordon and White, 1997). Knoxville's booming economy also attracted hinterland whites. Between 1910 and 1920, the two groups increased the city's population by 114 percent, 85 percent of which was white (Ibid.). The influx had the net effect of producing a hostile

environment as the white migrants competed with blacks for unskilled, non-industrial jobs. The tension, however, reached its maximum in 1919, when a white mob attacked the black community. The attack occurred after a black man was accused of murdering a white woman (Williams & Williams, 1972). The state militia, called to repel the mob, fired on the blacks as they defended themselves against the mob. (During the summer of 1919, there were twenty-five racial outbreaks in the country.)

Williams and Williams (1972) attributed Knoxville's riot partly to competition for jobs between blacks and whites, and partly to a change in black attitudes. Black men returned from World War I with a new perspective on democracy and their place in society. This was reflected on the local level, and on the national level, with the growth of the newly formed National Association for the Advancement of Colored People (NAACP). Blacks, who had resisted discrimination on a per-incident basis, now prepared to resist racism on a national level.

The Depression

The Depression of 1930 challenged black resistance as jobs became scarcer. Hence, jobs formerly held by blacks were given to whites who had lost their jobs. For example, in 1924 all of Knoxville's asphalt and paving workers were black, ten years later only four or five blacks remained on this job. Other examples of a black workforce being displaced by whites included the baking trade, chefs, cooks, janitors and porters (McDonald & Wheeler, 1983).

In addition to dire economic conditions, the black community also suffered many social ills. Its homicide rate was six times greater than that for whites. The larceny rate and juvenile delinquency also reflected a troubled community. Consequently, during the 1930s a second migration occurred as over 1,000 blacks migrated North for better social and economic opportunities (Ibid., pp. 64-65). The first migration followed the 1919 race riot.

According to Caroline Bird (1966), the Depression left an "invisible scar" in all of Knoxville, one that was slow to heal. Its legacy included:

A suspicion of change and innovation; a desperate clinging to the eternal verities of family, church, prohibition, and making ends meet; deep lines of demarcation between economic, social, and racial groups; and a fanatical defense of the city itself against the criticisms of "outsiders" . . . (McDonald & Wheeler, 1983, p. 66).

World War II

World War II brought the potential for change as well as relief from the Depression through wartime industrialization (Gordon & White, 1997). Knoxville's economy was boosted by the Tennessee Valley Authority (TVA), Aluminum Company of America (ALCOA), Oak Ridge National Laboratory, and other war-related industries. These industries also brought in "outsiders" who either accepted the Appalachian culture or accommodated its regional mores (McDonald & Wheeler, 1983, p. 64). In either case, the newcomers did nothing to alleviate the economical or social plight of the black community. For example, TVA hired blacks only in menial jobs and/or dangerous jobs such as dynamite detonators (Ibid.). Hence, many blacks migrated (again) North to other wartime production centers.

Regardless of racial overtones, blacks in Knoxville actively supported WWII efforts. Taylor (1995) documented the voluntarism of black women in selling bonds, collecting scrap, and fundraising. According to Taylor, the women capitalized on the "V for Victory" slogan used by the Office of War Information and other government agencies. Promoting the "Double V" message of victory abroad and at home, black women wanted to pressure white Americans into

promoting democracy in America (Ibid., pp. 5-6). Thus, the black women's voluntarism was double-edged, patriotism and resistance.

Postwar Knoxville

After WWII, America moved into postwar posterity and modernism. Knoxville undertook several revitalization projects that included: the Knoxville Housing Authority the Knoxville Airport; a transit line; and an electric power system (McDonald & Wheeler, 1987, p. 72).

Because of the declining textile industry, and the deterioration of the city's core, Knoxville's prosperity was short-lived. New investors were repulsed by its physical landscape, marred by soot and grime, as well as by its policy toward new businesses. Unlike competing cities, Knoxville refused to follow the trend of other cities in "subsidiz[ing] industries by offering assistance in site selection, free sites, and alluring tax breaks" (Ibid., p. 100). All of these factors contributed to Knoxville's continuing economic decline.

Knoxville's blacks suffered the brunt of this decline. Even the revitalization and urban development adversely affected the lives of blacks. Black homes, or rental properties, located on the riverbank were condemned, forcing blacks to move into newly constructed housing projects or to another part of town. Most of the blacks moved eastward displacing whites who fled to other parts of the city. And as in other cities, urban renewal eliminated black businesses. In Knoxville, these businesses were located in what is currently called the "Old City." Similar to the plight of black businesses in other cities, the Knoxville's black businesses were not able to recover.

The Civil Rights Movement and Desegregation

America's ascendance to world power after WWII brought world attention to its internal affairs, especially its treatment of black Americans. To improve its national image and to gain black votes in industrial cities, President Harry Truman attempted to change America's policy toward blacks by creating a Civil Rights Committee (1947). The committee called for "the elimination of segregation based on race, color, creed, or national origin from America" (Cooper & Terrell, 1991, p. 703). It urged passage of federal anti-lynching and anti-poll-tax legislation; an end to segregation and discrimination in the armed forces, in interstate transportation, and in public services; and nondiscrimination in elections, education, and housing (Ibid.). Southern resistance effectively killed these suggestions, with one exception: In 1948, Truman ordered the gradual elimination of racial segregation and discrimination in the armed forces and in federal employment (Ibid.).

Truman's civil rights effort coincided with the NAACP's attempt to desegregate primary and secondary schools. The NAACP, confident after winning several desegregation cases in higher education, addressed this issue in *Brown v. Board of Education* (1954, 1955). In *Brown*, the U.S. Supreme Court overturned the infamous 1896 *Plessy v. Ferguson*, that ruled "separate but equal" was constitutional.

Tennessee's first grade school desegregation case occurred in 1952 in Clinton, Tennessee (*McSwain v. Board of Education of Anderson County*, 1952). In *McSwain*, blacks petitioned the court for permission to attend Clinton High. The students, who lived within walking distance of Clinton High, traveled nineteen miles to Knoxville to attend Austin High School. District Court Judge Robert Taylor denied the plaintiffs' request because the parents did not prove that the bus ride was an inconvenience.

In 1954, the Appeal Court remanded the case to the District Court (Mauney, 1979). This time Judge Robert Taylor, in compliance with *Brown*, ordered the desegregation of Clinton High School in the Fall of 1956. As was the case with most desegregation lawsuits, all of the original plaintiffs had graduated from high school before *McSwain* was resolved (Ibid.).

On the first day of school, the students were met by mobs led by John Kasper of New Jersey. Kasper, sponsored by the poet Ezra Pound, traveled throughout the South inciting mobs to oppose desegregation (Torres, 1994). To restore order, the principal, a member of the school board, the Assistant Attorney General, and two attorneys petitioned the District Court for injunctive relief. Subsequently, the court enjoined Kasper and his followers from interfering with the desegregation of Clinton High School. Kasper, however, ignored the restraint; he and a mob terrorized the city for three days. The State Patrol and National Guard eventually restored orders. The peace was, however, short-lived. Two months later a bomb destroyed the high school (Ibid.). The incident in Clinton influenced impending desegregation cases under Judge Taylor's jurisdiction.

In the meantime, blacks in Knoxville joined the national protest against segregation. Knoxville, in accord with Southern codes, required that its hospitals be segregated, its jobs racially categorized, and its public office difficult to obtain. For examples, various segregation codes required blacks to:

- sit at the back of the bus,
- eat in separate areas of restaurants (if they were served at all),
- visit public parks on a designated day,
- work only as janitors and cooks in industries and businesses,
- attend only one of the four hospitals in the city.

Knoxville's educational system reflected the Southern tradition as well--one system for whites and one for blacks. In 1954, the dual system paid black teachers and principals \$500 to

\$700 less per year than their white counterparts, even though the majority of the Black educators held Masters degrees--91 percent compared to 88 percent of whites (Dunaway, 1973). Other educational inequalities included: higher per pupil expenditure for white students, higher teacher load for black teachers, smaller classrooms for black students, summer school for white students only, more vocational choices for white students, and longer walking distance to school for black students (Ibid., p. 107).

Desegregation (1957-1974)

Knoxville's blacks challenged school inequalities for several years before *Brown*, but the Board of Education ignored their appeals. After *Brown*, the blacks increased their petitioning for desegregation of the school system (Banner, 1974). Frustrated by the board's inaction, the black leaders filed a lawsuit on January 7, 1957, against the school system. The lawsuit was dismissed on a legal technicality. In the interim of the filing of the lawsuit and the hearing, three of the five board members were replaced, and the new board members' names did not appear on the bill (*Knoxville Journal*, 5-18-70, C3). Opposing the motion for dismissal, Carl Cowan, the lawyer for the plaintiffs, argued:

It is understood that even if the suit is dismissed, the Negroes have only to file again against the current board members. However, a new suit would delay a hearing in the case because sufficient time must be allotted for answers and pre-trial conferences (Ibid.).

As Cowan predicted, the suit was delayed for two years. A second lawsuit, *Goss v. Board of Education*, was filed in 1959. It is unclear why the plaintiffs waited two years to file the second desegregation lawsuit, but Cowan's records revealed an abundance of correspondence between

him, Thurgood Marshall and a Harvard Law Professor. Perhaps he was trying to build a stronger argument.

On hearing the case, Judge Taylor asked for patience because of the incident in Clinton. According to Judge Taylor:

Superintendent Johnston stated that violence occasioned by desegregation in neighboring cities caused us to reflect a little more on how it will affect us and made us more conscious of what might happen here. He pointed out that no child could get an education operating under a feeling of fear or tensions or emotional unrest . . . (*Goss v. Board of Education*, 1960, p. 565).

Nevertheless, the school board submitted a desegregation plan on April 8, 1960, a desegregation plan that included a *grade-a-year plan* and a *minority-to-majority transfer policy*. The plan was to be implemented in the 1960-1961 school year (Mauney, 1979).

The one-grade-a-year concept originated in the neighboring Nashville-Davidson County in 1959 (*Kelly v. Board of Education of the City of Nashville*, 1959). With this plan, the first grade would integrate the first year, the second grade the second year, the third grade the third year, and so forth until all of the grades were integrated. Superintendent Johnson offered the following reasons for the plan:

- Black students were one year or more behind white students academically, hence the gradual approach would equalize academic levels.
- Teachers, administrators, and parents would have time to adjust to a desegregated environment.
- The whites in the school would be less intimidated by "little [black] children" (Mauney, 1979).

The plaintiffs objected to the grade-a-year plan because it would require twelve years before the schools were completely desegregated, at which time all of the plaintiffs would have

graduated. They also challenged the transfer policy because it permitted white students to transfer from schools with a large black population to schools that were predominately white schools. On appeal, the plaintiffs also argued that the plan violated the equal protection and due process clause of the Fourteenth Amendment, and was "designed and necessarily operated to perpetuate racial segregation" (*Goss*, 1960, p. 563).

In April 1962, the U. S. Sixth Circuit Court of Appeals found the grade-a-year plan in *Goss* an unacceptable remedy for desegregation, and ordered the school board to submit a new education plan, but the it found the transfer policy to be constitutional. The U. S. Supreme Court overturned this decision in 1963. Justice Clark tempered its ruling as follows:

This is not to say that appropriate transfer provisions upon the parents' requests, consistent with sound school administration and not based upon any state-imposed racial conditions, would fall. Likewise, we would have a different case here if the transfer provisions were unrestricted, allowing transfers to or from any school regardless of the race of the majority therein. But no official transfer plan or provision of which racial segregation is the inevitable consequence may stand (*Goss*, 1963, p. 683).

Following the Supreme Court decision, the school board submitted an amended desegregation plan. This plan was expressly created to eliminate all racially discriminatory practices in programs, facilities, faculty, and school personnel assignments in the upcoming school year (1964-1965). Once more the plaintiffs objected to several provisions within the plan. But on June 7, 1967, Judge Taylor approved the plan. He found a "preponderance of the evidence shows that the plan is not being operated to deprive Negro students of their constitutional rights and that Negro school teachers are not being discriminated against because of their race" (*Goss*, 1967, p. 918).

Yet, in 1969, irregularity in school transfers were reported:

[T]here were many Whites zoned for Austin-East High School [the Black high school] who were transferred to Holston [a White high school], for "not very good" reasons. They have to give one of the official nine reasons for which transfers are granted . . . But the real reason is they don't want to go to school with Negroes . . . If the whites were forced to go to East, then there would be more room at Holston for Negroes to transfer to the latter, thus bringing about more desegregation . . . The City Board of Education has provided a "majority to minority" transfer which allows a student to transfer from a school where he is in the racial majority to a school where he will be in the racial minority . . . This policy [was] not widely known in the Negro community . . . Neither had a Negro on the city school administration staff heard of it (Fry, *Knoxville News-Sentinel*, p. 31).

The longevity of *Goss* was to a large extent contingent on new Supreme Court rulings. For instance, in 1969 the plaintiffs filed a new motion following *Alexander v. Holmes County Board of Education*. In *Alexander*, the court directed school districts to develop a unitary system of education. ("Unitary" is best understood as "one" school system as opposed to a dual school system, one for black students and one for white students.) Because the Knoxville City School system had several all-black schools, the plaintiffs charged the system with the maintenance of a dual school system. They requested the courts to bring Knoxville's city schools under the guidelines of *Alexander* for unitary qualification. At that time, Judge Taylor ruled that all-black schools in Knoxville city schools did not contradict *Alexander* because the "Board of Education can hardly be blamed or held responsible for neighborhood residential patterns" (Goss, 1970, p.556). With this reasoning, Judge Taylor found Knoxville in compliance with *Alexander*.

Similar to *Alexander*, the *Swann v. Charlotte-Mecklenburg* decision (1971) offered the plaintiffs another opportunity to challenge the District Court ruling. It [*Swann*] was the first Supreme Court ruling regarding *de facto* segregation or residential segregation. In *Swann*, the courts directed the school districts to employ busing as a remedy to desegregation. (Most often, the busing was one-way, with Black students leaving the inner city and going to suburban schools.) In order to apply *Swann* to Knoxville's school system, the plaintiffs had to first prove that the school system was in fact operating a dual system. The lawyer for the plaintiffs Avon Williams, presented the following as proof:

- the existence of several all-black and all-white schools
- overcrowding in all-white schools
- empty classrooms in all-black schools
- the construction of and expansion of school facilities to accommodate white flight
- gerrymandering of school zones, and hiring, assigning and firing of school personnel to perpetuate segregation (Knoxville News-Sentinel, 4-6-71, A1).

On hearing the evidence, Judge Taylor reiterated his former position:

[T]he racial composition of the Knoxville school is not the result of present or past discriminatory action upon the part of the School Board. Knoxville is in compliance with *Swann*. Accordingly, Knoxville is operating a unitary school system (*Goss*, 1972, p. 729).

Judge Taylor also noted that the board had amended its desegregation plan in July 1971 to comply with the new guidelines of *Swann*. Among the modifications were the assignment of faculty to reflect the racial balance of the school system as a whole, and the revision of the minority-to-majority transfer policy (*Ibid.*, pp. 712-720).

The desegregation case, *Goss*, ended in 1974 when the Supreme Court refused another hearing from the plaintiffs. As stated above, one of its accomplishments was the institution of a

new transfer policy--the *majority-to-minority transfer*. Designed to halt the exodus of white students from predominantly black schools, the revised policy allowed students in the majority population to transfer to schools where they were in the minority. Most importantly, the litigation left twelve 'racially identifiable' or predominantly black schools intact and thirty-seven out of ninety schools without any black teachers or administrators. [The Office of Civil Rights (OCR) defines a racially identifiable school as one with a black student population that is twenty percentage points or more above the system-wide average percentage. Thus, a school in Knox County is racially identifiable if the school is thirty-three percent or more black.] The courts, however, repeatedly ruled that Knoxville City schools were unitary in accordance with *Alexander v. Holmes County Board of Education*, 1969.

Regardless of the rulings, Knoxville did not achieve full integration (Hurb, 1989). Similar to cities such as Richmond, Virginia, Knoxville's protracted litigation had rendered desegregation moot in the face of white flight, urban renewal, redlining, and blockbusting. Simply put, in places like Richmond, the whites moved out and the blacks were trapped in the inner city (Silver, 1984). Knoxville, however, differed from other cities in one important aspect: its population remained constant throughout the seventeen-year litigation (Dunaway, 1973). (Many cities experienced a decline in the white population of fifty percent or more.) Knoxville's white population remained constant because (1) white flight was confined to the city because of redlining practices, whereby realtors were able to maintain white only areas within the city, (2) busing was not used as a remedy for desegregation, and (3) white students were allowed to transfer from schools where they were the minority. Even after the Court ruled these transfers unconstitutional, the school system continued to permit white students to transfer from schools with a large black population (Ibid.). In addition to permitting transfers within the city, the school system also allowed white students to transfer to neighboring schools in the county. On the other hand, black students were

restricted to predominantly black schools as the newly instituted majority-to-minority transfer policy was not publicly disseminated (Ibid.).

According to Dunaway, there was also inconsistency in the transfers of teachers in the 1959 desegregation attempt. Rather than placing all of the white teachers' names in the lottery to be drawn, only the inexperienced or ineffective white teachers' names were submitted. Conversely, the best black teachers were selected to go to white schools. Tom Underwood, the supervisor of elementary education, explained:

We used a lottery system to reassign the Black teachers, and ironically, it was the Black students who suffered most. More than 85 percent of their teachers were reassigned and were replaced with less experienced White teachers (Knoxville News-Sentinel, 5-24-79, C4).

Hence, the predominately white schools received the best teachers, both white and black, and the predominantly black schools received the least qualified teachers (Dunaway, 1973).

Desegregation (1989-1996)

The second desegregation case emerged almost by chance in 1989. It arose from a complaint filed by the National Association for the Advancement of Colored People (NAACP) against the Knox County school system. The complaint filed with the Office of Civil Rights (OCR) did not focus on the racial composition of schools, but focused instead, upon inequalities in the school system. Principally, the NAACP was concerned with discrimination in the recruitment, placement, assignment, and promotion of teachers and administrators and in the handling of the majority-to-minority transfer policy (OCR complaint #04-39-1269).

Upon investigation, OCR found Knox County in violation of Title VI guidelines in the assignment of teachers and administrators, and in revoking the transfers of students because of

discipline problems. OCR also found that the board's transfer policy increased segregation of schools by allowing white students to transfer out of predominantly black schools and allowing blacks to transfer into these schools (OCR Region IV, to Earl Hoffmeister, Superintendent of Knox County School District, 15 December 1989). To the surprise of the NAACP, the school officials not only agreed to correct the violations, but voluntarily submitted to a desegregation plan that would bring Knox County into full compliance with Title VI of the Civil Rights Bill (Earl Hoffmeister, Superintendent of Knox County School District, to OCR Region IV, 7 January 1991).

Based on the proceedings from the first desegregation case, it could be surmised that Knox County had deliberately avoided full compliance. At the time of *Goss*, Knoxville had two separate school systems--the county and the city. In 1972, the city schools had been declared unitary, but the county system was never adjudicated. Hence, the merger of the two systems in 1987 left the question of "unitary" open. In addition, the question of parity in facilities and curriculum was an issue. The county had newer schools, a uniform curriculum, and fewer black students, while the city schools had older facilities, fewer course options, and a black student population of twenty-four percent. The merger forced the board of education to deal with overcrowding in the county's schools and the deteriorating conditions in the former city's schools. In 1987, the county began renovation of the city schools, while counterbalancing the expansion of schools in the county area. Although the NAACP's complaint did not address educational disparity in general, the school officials, fearing federal intervention, chose to examine the lingering question of desegregation.

CHAPTER FOUR¹

Desegregation in Knoxville, Tennessee

1989: The Year of the Complaint

The second attempt to desegregate schools in Knox County officially began in 1989 when the National Association for the Advancement of Colored People (NAACP) filed a complaint with the Office of Civil Rights (OCR). The story, however, had begun months earlier when the Superintendent refused to meet with the NAACP to discuss several charges of discrimination. Frustrated in its efforts, the NAACP sought legal recourse through the OCR. The complaint listed seven allegations of discrimination based on race:

1. The District discriminates against black teachers and administrators (principals and vice-principals) with respect to recruitment, hiring, promotion to administrative positions, and assignment to schools.
2. The District refuses to include Black History in the District's curriculum.
3. A black student at West High School was not permitted to march for his graduation because of race.
4. A black student at Karns High School was given a zero on his final examination for cheating although he was not caught cheating on the examination.
5. The selection process at Fulton High School discriminates against black students who wish to participate on the cheerleading squad.
6. A black student, a member of the Honor Society at Holston High School, was denied any scholarship funds by the County.

¹ The participants' ethnicity is denoted by (w) for white, (b) for black, and (h) for hispanic the first time a name is mentioned.

7. The County discriminates against black students in its administration of its Majority to Minority (M-to-M) transfer policy (Letter to Superintendent Hoffmeister from Jesse High, OCR Regional Civil Rights Director, 7-28-89; Complaint #04-89-1269).

Upon investigation, the OCR found Knox County in violation of the 1964 Civil Rights Act in the (1) assignment of staff to schools, and (2) treatment of black students as it pertains to the M-to-M Transfer Program, and 3) in the misuse of administrative transfers (Letter to Superintendent Hoffmeister from Jesse High, OCR Regional Civil Rights Director, December, 15, 1989). The OCR found that 37 of Knox County's 92 schools did not have black teachers or administrators. Furthermore, it found that a disproportionate number of black teachers and administrators worked in six predominantly black schools. These schools were Austin East High, Vine Middle, Fairgarden Elementary, Sarah Moore Green Elementary, Green Elementary, and Eastport Elementary. According to the Supervisor of Personnel, black principals requested black teachers, but an OCR investigation refuted this claim (Ibid., p. 5).

The OCR also found that white principals routinely revoked black students' transfers to predominantly white schools. These students were sent back to their base school (predominantly black) regardless of the school year. Officially, all transfers, in and out, required the approval of the Supervisor of Transfers, but the Supervisor reported violations by principals who arbitrarily revoked M-to-M transfers. The most common reasons for revocation were poor attendance and/or truancy, inappropriate or disruptive conduct, and poor academic achievement (Ibid., p. 10).

OCR further found that administrative transfers, as implemented, perpetuated and maintained segregation, or a dual school, by allowing white students to transfer out of predominantly black schools and allowing black students to transfer into the same schools. The policy, said OCR, caused a negative racial impact, or a situation in which the average degree or experience of a sending school is reduced by one standard deviation or more (Ibid., p. 11). OCR was unable to find the numbers of administrative transfers given by the Superintendent, nor how many out-of-zone students were attending Knox County schools. John McCook (w), Knox County

Transportation Officer later reported that there might be as many as 2,500 out-of-zone students attending Knox County's schools without official approval (Knoxville News Sentinel (KNS), 1-17-89, A1, A5).

OCR dismissed the other allegations because it did not find race as a factor in the charges. For example, in the denial of a scholarship to a black student, OCR discovered that the recipient of the scholarship was another black student. Similarly, OCR did not find race a factor in the Karns case even though the students in the majority white class confided that the white teacher had asked them to lie about the incident. Its ruling was based on the white students' report that the teacher "mistreats students generally without regard to race" (Letter to Superintendent Hoffmeister from Jesse High, OCR Regional Civil Rights Director, 7-28-89; Complaint #04-89-1269, p. 9).

Subsequently, the Superintendent of Education, Earl Hoffmeister assured OCR that the violations would be corrected within a three-year period, between 1989-1991 (Assurance Letter from Superintendent Hoffmeister to Raul Gamez, OCR Director, Elementary and Secondary Education Division, December 27, 1989). The corrections included (1) assigning a minority faculty member in each and every school, (2) assigning black administrators to predominantly white schools, (3) guaranteeing M-to-M transfers for one year and (4) eliminating all administrative transfers at the end of the 1989-90 school year (Ibid.).

➤ With regard to minority faculty, OCR mandated that the "percentage of black teachers at any of the disproportional black schools not to exceed the system wide percentage of black teachers by more than 15%." Simply put, this meant that no schools in the County could have more than the average percentage of black teachers, which was 8%. Since $8 + 15 = 23$, the ceiling for black teachers per school could not be higher than 23%. This meant that the predominantly black schools in Knox County had to reduce their number of black teachers to 23% or less. To accomplish this, a number of black teachers would have to be moved to predominantly white schools and an equal number of white teachers would have to be moved to the predominantly black schools.

Throughout OCR's investigation, the Superintendent and the NAACP debated their respective views via the media. When the NAACP accused Knox County of racism, the Superintendent retorted that the hiring trend was merely circumstantial--black teachers simply did not apply for jobs in Knox County. Furthermore, he added, hiring a minority recruiter "won't make black teachers come to work for us when we can pay them \$10,000 less than what they'd make in business" (KNS, 10-5-89, A1). "That is not true," replied the NAACP Education Committee Chairperson, Sarah Moore Greene (b), "I know of black teachers who had applied and were not hired. One even had a Ph.D." The Superintendent also defended the practice of placing black teachers in predominantly black schools: "We've tried to do what the black community wanted. They wanted positive role models and that's what we've done" (KNS, 12-16-89, p. A1). Again, Ms. Greene disagreed. "We just want the best teachers. Notice I didn't say black or white, just the best teachers. We don't have to have the role models right under us Martin Luther King can be a role model or a black in Athens or someplace else" (Ibid.). As for blacks being upset with the transferring of black teachers from predominantly black schools, Ms. Greene stated: "I don't think they'll be upset because this is what we've asked for--total integration"(Ibid.).

1990: A Year of Planning

The first step toward a desegregation plan involved a Task Force Committee composed of school officials and community members. Its goal was to develop guidelines for implementing the assurance agreement between OCR and the Knox County School System. The Task Force had to devise a plan to: reduce the percentage of black teachers at ten predominantly black schools, place at least one black teacher in the 38 schools that had all-white faculties, transfer two black principals and one black assistant principal from predominantly black schools to predominantly white schools, and to end administrative transfers that contributed to racial imbalances among student bodies. (KNS, 2-21-90, A1, A9).

While the Task Force considered the best method of implementing the OCR directives, the bickering between Superintendent Hoffmeister and the NAACP intensified. Eventually, and inevitably, the issue of busing would emerge. The NAACP threatened to appeal the OCR's findings. In response, the Superintendent commented "I don't know if it will lead to that [busing] but if the NAACP keeps pushing this we could have **mass** busing to get all schools racially balanced (Knoxville Journal (KJ), 1-19-90, p. A4). (Boldness for emphasis.)

Superintendent Hoffmeister and the NAACP also debated what the "black community wanted." According to Hoffmeister: "The black community leaders I have talked to are pleased with the things we have been doing." The NAACP responded: "The black community is mostly behind the NAACP, and [even though] the NAACP didn't request teacher transfers, they'll be in the best interest of the entire community"(KJ, 1-19-90, A4).

The NAACP overestimated the support of the black community. Among the first to condemn the Task Force plan was the lone black Board member Sam Anderson. Anderson was especially concerned about the revocation of administrative transfers. In his opinion, the plan contradicted integrative goals in that it confined black students and poor white students to inferior inner-city schools, and permitted suburban students the options to transfer with few restrictions. In other words, Anderson believed that the denial of administrative transfers would trap students in inner-city schools. Anderson also criticized the transfer of black teachers within the system, an action that would be extremely stressful on lone black teachers in all-white schools (KNS, 1-19-90, A1)

Black principals had similar misgivings about the proposed changes. The Eastport Elementary principal (b) reported that her "teachers [black] were very happy where they are and with the community they are in. No one wants to move" (KJ, 1-18-90, A1, A11). Sarah Moore Greene Elementary School's principal (b) agreed with the principal of Eastport, stating that "if this situation was left alone it would work itself out over time . . . People want to be in control of their destiny . . . they don't like to be treated like a number and randomly moved about" (Ibid.).

Community groups and organizations joined the Board member and the black administrators in opposing the plan. One group, the Committee for the Development of the African American Community (CDAAC), was the most vocal opponent to the plan. One member of CDAAC (b) considered the plan "ero[sive to] the historical significance of our African-American heritage, our neighborhoods and our individual and collective pride and dignity" (KJ, 2-1-90, A1). In an attempt to fight the plan, CDAAC sought legal assistance from Fran Ansley (w), a University of Tennessee Law Professor. Ansley, a participatory researcher, brought CDAAC's concern to the NAACP Legal Defense and Education Fund (LDF), New York. In respond, Norman J. Chackin of LFD wrote that although OCR "applied incorrect legal standards" in regard to faculty assignment, he "found it difficult to attack the OCR negotiation on legal grounds at the present time" (Letter from Norman J. Chackin to Fran Ansley, 3-1-90). Nevertheless, the CDACC urged the County to challenge OCR, or/and the NAACP in court if it insisted on transferring teachers (KJ, 2-1-90, A1). At this juncture, the lines were drawn with the NAACP and the CDAAC on opposite sides. The situation can also be described as a triangle with the Superintendent and the Board on the third side.

Although CDACC may have been the first organization to attack the three-year plan, other protest groups followed. One of the most influential groups was the United Neighborhoods Interested in Quality Education (UNIQUE). UNIQUE was an interracial coalition of business and community leaders organized by a County Commissioner Madeline Rogero (w) and Whittle Communication Minority Recruiter Jim Bussell (b). The group included representatives from the League of Women Voters, Solutions to Issues of Concern to Knoxvilleians, the PTA, the Knox County Education Association (KCEA), and Town Hall East. Individually, each group was concerned about the plan as well as the racial tensions that were surfacing. For example, the League of Women Voters urged the County Commission to appoint a Human Relations Commission to defuse racial tensions generated by teachers' transfers (KNS, 2-20-90. A1).

UNIQUE was concerned about quality education across the county, but some of its members were equally or more concerned about the revocation of the administrative transfer policy. Several members, whose children attended out-of-zone schools, were upset because their children would have to return to inadequate, inferior in-zone schools. One member (w) expressed the dilemma:

The only white families restricted are those who live in racially integrated neighborhoods and the black families restricted are those in mostly white neighborhoods. The logical result of racially redlining certain neighborhoods will be more and not less segregation (KJ, 10- 27-90, A4).

Jim Bussell faced the reverse situation in that his daughters were zoned to a predominantly white school, but attended a more racially diverse school with a higher academic reputation. Sam Anderson understood Bussell's sentiments. He found that:

[U]nder the three-year plan a dual system will operate wherein students at racially identifiable schools cannot go to other school, but other students could use existing transfers (Ibid.).

Consequently, UNIQUE offered several recommendations to the Superintendent. These may be summarized as follows:

- Appeal to OCR for *time* to design an alternative plan to the three-year plan. This plan would involve adjusting the capital improvement plan, previously approved by the School Board in 1988, to include: a new-state-of-the art school in East Knoxville; a coalition of schools with low enrollment (which involves redrawing attendance zones); and/or the renovation or construction of new schools.
- Send a delegation of school officials and community members to present ideas to OCR.
- A *study team* to formulate concrete plan [that would] accomplish more than OCR mandated, such as the creation of the state-of-the-art school (Letter to the Hoffmeister from UNIQUE, 3-5-90).

Although some staff members doubted if the Superintendent would appoint a second Task Force, Hoffmeister readily agreed to all of UNIQUE's recommendations. The Superintendent, however, was pessimistic about the outcome: "We're going to give it one last shot to try and work this thing out so OCR will give us time to come up with something better" (KNS, 3-3-90, A1).

In accordance with UNIQUE's suggestion, the Superintendent, school officials, a delegation of community leaders and representatives from various groups met with the OCR on March 16, 1990. The group requested permission to develop an alternative desegregation plan "to bring the system into compliance with Title VI and ensure equal access to quality education for children of all parts of Knox County" (Resolution, 3-9-90, Board of Education Meeting). As the Knox County OCR Liaison Officer Dr. John McCook would later note, this plan was "voluntary, and had no requirement or compliance issues with the Office for Civil Rights and there is no onus on the system to comply with or not be able to unilaterally modify the plan" (Letter to Archie Meyers, OCR from John McCook, 1-15-96). The plan, explained the group, would be designed by a study team, or Task Force, composed of Board members, academic and business leaders, and community representatives. Based on public input and consultation with OCR, the study team, or Task Force, would develop and submit the plan to OCR no later December 31, 1990 (Ibid.).

After listening to the delegates, the OCR refused to compromise on teacher transfers for the 1990-91 school year, but agreed to evaluate an alternate plan when completed. The delegates reported that OCR issued a warning: [F]uture complaints could result in "total compliance" or desegregation of the administration and the enrollment of every school (KNS, 3-17-90). A staff member Beck Ramsey confirmed OCR's not so subtle threat:

OCR officials explained that the mandate must be implemented now. They said we could present an alternate that would bring us into compliance, but we had to go ahead and do what has been agreed upon. They reminded us that they had been generous in giving us three years to plan rather than one. If after implementation another plan is presented that would bring us into

compliance, they would certainly look at it. But for now, we must begin

doing what was agreed upon (KJ, 3-17-90, A1, A13).

McCook added that OCR would consider changes in student transfers "only if Knox County moves closer to voluntary desegregation"(KNS, 3-27-90, A1).

Unbeknownst to OCR, the delegates had another plan in mind. If OCR was inflexible, the County planned on filing an appeal through OCR and/or sue OCR in federal court (McCook, KJ, 3-10-90). The Knox County Law Director advised the County that a lawsuit could cost 2-3 million dollars. In anticipation of OCR's refusal, the Superintendent tested the political waters by contacting Congressman Jimmy Duncan (TN) and Senator Sasser (TN) regarding the OCR mandate (KJ, 3-10-90). Subsequently, Duncan (w) and Sasser (w) contacted OCR concerning the teachers and administrators reassignment for racial balance (Verbal communication to Archie Myers from Jack McGrath, HO-PAL/CI, 3-14-90).

OCR's inflexibility had the hidden benefit of uniting the NAACP and school officials. Previously, the NAACP had called the Superintendent a racist, but now the NAACP said it wanted to "sit down together. . . to fight against the recommendations set forth by the OCR" (KNS, 2-10-90, A20). Interpreting the NAACP's position is difficult since the NAACP President Charles Clark (b) contradicted himself several times, often in the same news article. For example, in January Clark advocated teacher transfers, but in February, he joined the Superintendent in appealing OCR's mandate for teacher transfers.

As newfound allies, the NAACP and the Superintendent called OCR to determine if they could renegotiate the plan. OCR firmly rejected the offer. Although the Superintendent and the NAACP condemned the action of OCR, the NAACP President Charles Clark was happy about the relationship with the Superintendent. "[A]t least we now have communication with the Superintendent," Clark said. "We're hoping we can keep this dialogue open and he will be willing to work with us on resolving some of our concerns" (KNS, 2-10-90, A20).

The Second Task Force faced many problems: the most immediate was the selection of teachers for transfers. McCook suggested a random drawing selection method as the best way to ensure impartiality. A similar procedure was used in the 1959-74 desegregation attempt. Recalling the inequities of the earlier lottery, McCook rejected using a seniority-plus-experience criterion for reassignment. He believed this method would deplete the pool of "best" teachers at the predominantly black schools, where the years of experience and the number of degrees arbitrarily define "best." Equally troubling was a "bottom-up selection" that would send the least experienced white teachers to black schools. The converse, however, would not be true since the system's minority applicants were extremely small. Hence, the decision to use a random draw lottery system, as employed in the 1959-74 desegregation effort, was chosen. "But this time, there would be no questions regarding its fairness!" said McCook (Interview, 4-30-97).

At the April 5 Task Force meeting, McCook presented the Random Selection Guidelines to the Task Force. The document included several sections, as well as the reasons for the process. Other information pertinent to the teacher transfers were presented including: assumptions regarding which teachers would be in the drawing, the methodology for randomly selecting names, the handling of volunteers for transfers and school vacancies, the duration of transfers, and the random selection procedures. The reassignment procedures were described as:

The implementation of the transfers first calls for volunteers. Since volunteers are not expected to be sufficient, involuntary transfers will have to be made. Random selection will be utilized, taking into account the subjects and grades the teacher is actually teaching. Reverse seniority will not be utilized in selection . . . No teacher will be exempt based on extra duties, such as being a classroom teacher, guidance counselor, librarian, special education, or Chapter I teacher. The only exempt persons will be part-time teachers, traveling teachers, magnet school curriculum specialists,

and unique program assignment teachers, such as masonry teachers at Austin-East (Letter to John McCook from OCR, 5-3-90).

Ten predominantly black schools with more than 23% black faculty were included in the drawing. These schools, designated as "sending schools" were: Oakwood, Eastport, Lonsdale, Fairgarden, Beaumont, Green, Maynard, and Sarah Moore Greene Elementary schools; Austin-East High school; and Vine Middle school. Predominantly white schools, or "receiving schools," were also included in the drawing.

McCook announced that 36 black teachers would be transferred in the first draw on May 16, 1990 at Central High School at 5:00 p.m. The 36 teachers included 12 teachers from Vine Middle School, 9 teachers from Sarah Moore Greene Elementary School, and 5 teachers from Maynard Elementary School. The remaining teachers (6 or 7) would be transferred to schools with less than 8% black faculty, whereas the former were transferred to schools without any black teachers. He also said that the first four teachers from the predominantly black high school, Austin-East, would be placed at Powell, Carter, Gibbs and Hall.

As expected, the Knox County Education Association (KCEA) protested the transfers. In a letter to Congressman John J. Duncan, Jr., KCEA complained that Knox County ignored system-wide seniority in transferring teachers and principals. (Letter to Duncan from KCEA, April 19, 1990; Verbal Communication to Archie Myers, OCR from Jack McGrath, HQ, PAL/CL). According to KCEA, the drawing would force teachers to resign or retire. In a last ditch effort to thwart the transfer plans, the KCEA filed a lawsuit against the Board (*Knox County Education Association v. the Superintendent of Knox County School and the Knox County Board of Education*, 1990). The court denied the injunction.

The drawing took place as planned on March 16, 1990 at Central High School Auditorium (KJ, 5-17-90, A1, 15A). Three plexiglass boxes were placed on the stage: Box I contained the names of black teachers in a predominantly black school; Box II contained the names of the predominantly white schools; Box III contained the names of white teachers at the

predominantly white schools. The grade was included with the name, as well as the subject when appropriate. A student from Knoxville College drew the names from the boxes. First, he drew a name from Box I and verified the name with representatives from the NAACP, the media, the KCEA and with McCook. Second, the student drew the name of a school from Box II. The black teacher's name from Box I was paired with the selected school. Third, he picked the name of a white teacher from Box III to replace the black teacher who had just been assigned to a white school. The process was repeated until 26 black and 26 white teachers were exchanged.

In his capacity as the Compliance Officer between the school system and OCR, John McCook stressed the fairness of the process:

The first name I pulled was Sam Anderson's wife--the process was inimically fair. It was done above board, not corrupted by politics. For three hours, my guts were torn up. I sympathized for both sides. If I taught for twenty-five years at Sarah Moore Greene, and I did not want to be moved--it was like messing up a family (Interview, 5-30-97).

The process was not a pleasant. The newly elected NAACP President Dewey Roberts (b) described the drawing as a "pathetic sight" as grown people wept because of their transfers. Meanwhile, the KCEA's president, said KCEA is rethinking "Whether or not we will continue with the suit. . ." (KJ, 5-17-90, A1, A15). (For a fuller discussion of the process and its impact on teachers, cf. Cudahy, 1996).

If there was a perceived harmony between the NAACP and the Superintendent, it quickly dissipated following the drawing. Shortly afterward, the Superintendent announced that OCR had warned the NAACP in 1989 that teacher transfers were possible if they filed the complaint. The NAACP representative Sarah Moore Greene (b) denied the charge, stating: "OCR did not tell us what would possibly happen. I deny that! The Superintendent is just trying to find someone to blame again. They knew they were out of compliance when they took over the city school system

in 1987" (KJ, 3-22-90, A7). John McCook and a member of UNIQUE (w) confirmed the charge by OCR (Ibid.).

Despite public outrage over the teacher lottery and transfer policy, the Superintendent wrote OCR:

The Knox County School System wishes to voluntarily come into compliance with Title VI and wishes to request the [OCR's] assistance . . . we feel it is better . . . to work together on a plan rather than spend time in adverse format with complaints, lawsuits, and congressional inquiries (Letter to OCR from Hoffmeister, 5-16-90).

To begin the process, the Superintendent "fervently" requested the presence of OCR officials at the Task Force meeting on May 29, 1990. OCR honored the Superintendent's request and sent two OCR representatives, Roger Mills (w) and Raul Gamez (h), to the first Second Task Force meeting. After answering questions about the OCR mandate, the representatives emphasized that they were only dealing with the issues in the complaint, but they warned "we have targeted the Knox County School system for a full-scale compliance review by the Funds and Resource Committee" (OCR Task Force-Second Committee Minutes, May 29, 1990, p. 5). As far as the representatives were concerned the mandate was clearly stated and they unwaveringly stood by the mandate (KJ, 5-3-90, 1A, A13).

Despite the threat or warning from OCR, some Task Force members were not intimidated. For example, Jim Bussell of UNIQUE stated: "We owe it to our community to at least challenge the mandate. I don't think we should roll over without trying to reduce the trauma the community will go through, including 'white flight' from neighborhoods by white families whose children will not be able to transfer out of schools in their district" (KJ, 5-30-90, 1A, 13A). Another UNIQUE member (w) expressed a similar sentiment, "I do believe they are sincerely wrong [in their interpretation of Title VI] They want us to have a racially restrictive transfer policy in certain schools" (Ibid.). The Superintendent, on the other hand, accepted the decision as final,

saying: "I'm for doing it and getting it behind, and quit speculating that we can turn it around"

(Ibid.). Perhaps in reference to the two UNIQUE members, John McCook wrote Gamez and Mills:

If you had not been at the meeting the Task Force would have been led astray by some of its members in individual interpretations of both the Constitution and the Title VI regulation . . . Your attendance will hopefully preclude members of the Task Force going to a political venue in an attempt to circumvent the mandate (Letter to OCR from John McCook, 6-1-90).

Mills and Gamez left little doubt that OCR would take further action against the County if the plan was unsatisfactory. With the sword of OCR hanging over it, the Task Force began the job of "designing a plan that offered comparable educational programs and an equal educational opportunity to all pupils" (KNS, 6-3-90, A1). This would not be easy given the partisanship of the members. Nevertheless, the Task Force voted 20 to 5 to approve the restrictive student transfer policy. (In this policy, white students zoned to predominantly black schools could not transfer out, nor could black students zoned to predominantly white schools transfer.) The Task Force may have been influenced by a presentation by the County Law Director Dale Workman (w) and his assistant (w). The Law Director, in a tone similar to OCR's, cautioned the Task Force that the "quicker the Board deals with finality" on the OCR mandate, the "faster the OCR may consider modification in the plan"(KJ, 6-13-90).

Several questions confronted the Task Force as it attempted to devise a desegregation plan. Among the questions was the optimum or minimum size of schools, the Tennessee State Athletic Associations (TSSAA) requirement in transfers, and school zoning. A staff member informed the group that the optimum or minimum size for a quality school was 1000-1500 for high schools, 400 for middle schools, and 800 for elementary schools.

McCook addressed several questions. He told the group that the Board was appealing the TSSAA's requirement that students must attend a school for one year prior to participating in sport, which would mean the students whom transfers were revoked would not be able to

participate in sports at their base school for one year after the transfers. As for zoning, the McCook explained that the present zones were impractical and needed to be redrawn. The present zones were drawn, continued McCook, in the 1959 *Goss* case and had not been adapted to the changing demographics. For example, "kids in Crestwood Hill . . . can throw a rock and hit Bearden High School [but] are transported every day, seven miles to Farragut High School" (McCook, Task Force Meeting, 6-26-90, p. 18).

Following McCook's advice, the Task Force committed to a major rezoning effort. The group decided certain schools should be closed, particularly those with low enrollment and/or poor facilities. The students at these schools would be zoned to other schools or if feasible, new schools would be built. To prepare for this process (rezoning), McCook and two other staff members traveled to Huntsville, Alabama to learn a computer zone-drawing program. The program accommodated geographic boundaries, such as ridges and river as well as attendance and demographic changes during a school year. McCook warned the Task Force that "[we have] a tremendous task in front of us. The mindset of the community is that school zones are set in concrete and steel" (OCR Task Force Meeting, 6-26-90). The Task Force, however, would still have many questions to answer, such as whether the middle school zone should parallel the high school zone and whether the existing high school buildings could be converted into middle schools (OCR Task Force Meeting, 10-4-90).

In the meantime, controversy continued to plague the planning process. One of the Task Force members, Jim Bussell, submitted a letter to OCR asking it to "suspend for one year its insistence upon implementation of a racially restrictive transfer policy" (Letter to Jessie High, Regional Director, Region IV, OCR from Town Hall East and UNIQUE, 6-27-90.) Likewise, the KCEA submitted a proposal to the School Board that would revise the procedure to desegregate the faculty and rescind the random drawing processes (KCEA's Guidelines For Achieving Compliance with the OCR Mandate to Racially Balance Faculties in the Knox County School System, 6-20-90).

The Board of Education had other things on its mind as it contemplated possible federal intervention. To protect the sovereignty of its school, as much as possible, the Board via the Superintendent reached an agreement with OCR: a "one-year extension in implementing a student transfer policy concerning those schools defined as racially identifiable by OCR." Knox County, in turn, assured OCR that by the school year 1991-92 the second phase of the teacher transfer would be implemented and the beginning of the voluntary compliance plan now being developed would also be implemented (News Release, 7-11-90 from Knox County School). The Superintendent expressed appreciation to OCR: "We are appreciative of OCR's willingness to continue to communicate with us and are pleased they have responded to our efforts." He also thanked the Task Force, the Board and the staff for the "work and cooperation bringing these agreements to a reality" (Ibid.).

All seemed well between the OCR and Knox County, but the Superintendent received a letter from OCR regarding "what it was hearing from Knoxville." The letter reminded Hoffmeister of an agreement on July 11 in which OCR granted Knox County a:

One-year extension with regard to ending transfer of white students out of black schools and black students into black schools, [however] OCR ~~did~~ not consent to granting other additional transfers or administrative student reassignment that might adversely affect the racial composition of school . . . the granting of a one-year delay simply means all students previously granted transfer for 1989-90 school year might be able to continue for one more year (Letter to the Superintendent from Jessie High, OCR, 7-19-90).

OCR warned the County that if the voluntary desegregation plan was not submitted by January 1, 1991, with corrective actions for administrative and out-of-zone transfers, OCR would discontinue the extension.

Despite the tensions of the past year, the 1990-1991 school year was normal despite school closures, transfer revocations, and a possibility of second teacher draw in the spring. The

Task Force was busy trying meet the December deadline when another set of actors entered the discussion--the Knox County Commissioners. The Commissioners, who were actively watching from the sidelines, became participants when the School Board requested \$220,000 for surveys and architectural work for new schools to replace Karns Elementary and Intermediate Schools (KNS, 10-10-90). The Board's request was vetoed by four new Commissioners. Two reasons were given for the veto: 1) funds would impact what schools would be closed/open in the desegregation plan, and 2) work on Karns would supersede work on other schools that had higher priority. (Karns was number six on the County's list.) (KNS, 10-10-90)

When the OCR heard of the School Board's request for funds it sent yet another letter to the Superintendent. In the letter, OCR reiterated one of the Commissioner's concerns that "the closing of schools, and the construction of new ones could affect pupil assignment." Hence, OCR instructed Knox County to submit any proposed action to it for review (Letter to the Superintendent Hoffmeister, 10-17-90 from Jessie High, OCR). This communication and the event followed a meeting between OCR and the school officials on September 10, 1990.

Meanwhile the Task Force made progress: the zoning and facility sub-committee presented a 13-zone plan for high schools for approval by the full Task Force (KNS, October 27, 1990, A5). The new zones, unwittingly, placed two pairs of schools in the same zone--the pair being Holston and Carter High and Austin-East and Fulton High Schools, a situation that meant closing one of the schools in each pair and a decision based on the school's capacity, renovation expenditure, expansion possibility, and enrollment.

The random teacher drawing had drawn opposition from the community, but it [the opposition] would be negligible compared to the furor over the new zoning plan. Alternatives plans were quickly offered to closing schools. Of particular interest was CDAAC's recommendation of a magnet school. The CDAAC had earlier proposed a plan that would make two predominantly black schools, Austin-East High School and Vine Middle School, prep

schools. Rule High School and Beardsley Middle School would be Fine Arts Centers and Fulton High School would become a Center for Vocational Education.

The plan won the approval of many, including Avon Rollins (b), the Chairman of the Summit Hill Coalition. Rollins found the concept to be "designed to preserve and strengthen the educational infrastructure of the inner city where the schools in question are located and where the need is greatest" (KNS, 11-2-90, A7). Support for the magnet concept also came from the Knoxville Area Urban League (KUAL) President Mark Brown (b). In a statement to the press, Brown suggested that a magnet school program for the center city could accomplish this and provide for educational opportunities never before realized in Knox County (Ibid.). But the voice in the black community was not "one," as Jim Bussell of UNIQUE continued his campaign for a state-of-the-art school located on the perimeter of the black community and near the University of Tennessee.

Protest from the Community

Five hundred people met at Austin-East High School to protest closing of the high school and other predominantly black schools. The protesters, who called their group, "Save-Our-Schools," maintained that school closure would "destroy the community educationally, socially and economically" (KNS, 11-6-90, A3). They also questioned the traditional practice of sending black children to schools outside of their neighborhoods, while white children are permitted to remain in their neighborhoods. One parent asked: "Why don't they ship whites here? Their parents wouldn't like that any better" (Ibid.). "Furthermore," said the area president of PTA, "our kids won't be able to participate in athletics, clubs, band, and all the other things, because we parents can't provide them the transportation" (Ibid.).

Until the new zone plan was revealed, white protest in the community was minimal. This all changed at the prospect of school closures and student transfers. One of the first white groups to

protest was the "Northwest Concerned Parents for Better Schools." The parents were concerned about their children being zoned to Rule High School. According to one parent (w), Rule was undesirable because it was located "in a high crime area." The students in the region attended West, Central, Karns and Powell High Schools. The parent suggested, instead that, "Rule should be closed. . . . and those kids zoned to the Fulton and Austin-East zone" (KNS, 11- 2-90, A1, A9).

Other parent groups soon joined Northwest parents in protesting the zoning proposal. One group, over a thousand parents strong, met at Doyle High School to protest the possible closing of South Young High School, the merger of South Young and Doyle, and the transfer of Austin East High School to Doyle High School. One of the parents (w) presented an alternate proposal: rather than divide South Knoxville along Chapman Highway and across the river to East Knoxville, the Board should extend from the river to a line that roughly paralleled the Knoxville city limits (KNS, Nov. 1990, A1). Two School Board members attended the meeting, the representative from the Austin-East zone and the South Knoxville representative. The Board member from the Austin-East zone, Sam Anderson, assured the crowd that "We need to do everything we can to preserve neighborhood schools," and urged the crowd to express their opposition to the Board of Education, and the County Commissioners (KNS, 11-90, A1).

A similar situation occurred at Fulton High School, but unlike Anderson, the School Board member (w) from Fulton area did not try to soothe the crowd. He told the angry crowd, "Like it or not" the desegregation plans would be implemented. Instead of "quibbl[ing] on minor points," he told the crowd, "it's far better that [we] come up with some practical ideas" (KNS, 11-90, A1).

Protests against the new school zone occurred at every School Board meeting. The protestors were students, school officials, parents, and community members. One group, the Association of Christian Denominations chose to present their concern in a letter to the news media. In a press conference, five members of the organization told the media that complying with federal guidelines will "keep us from breaking the law, but it won't accomplish integration" (KNS,

12-7-90, A3). Rather than desegregate the schools through rezoning, the organization advocated providing equal "access to the same classes" for all students. This, of course, precluded closing of inner-city schools. Although the organization offered no concrete suggestions, the group indicated that its position was supported by the Knoxville Interdenominational Christian Ministers Alliance, the Baptist Ministers Union, and the Tri-Methodist Fellowship. These organizations are noteworthy for their interracial membership. Historically, white ministers have been reluctant to be involved in racial matters, as noted in Chapter Five.

The protest against the zoning plan was unjustified, said Jim Bussell. The zones, he explained, were produced by the administration and not by the Task Force. Furthermore, he continued the "administration put these figures into the computer and it has done nothing but inflame the community. Some administrators and School Board members have their own agendas on this issue" (KJ, 11-9-90, A1, A11). What the agendas were, Bussell did not elaborate, but his outburst reflected the pressure felt by Task Force members to complete the plan by November 21, 1990. (The plan would be presented to the Board of Education for approval at that time.) Despite the emerging conflict between the Board and the Task Force, the committee did not deviate from its goals. In an emotionally filled atmosphere, the members struggled to refine the proposed 13 high school zones. Specially, they considered 1) rescinding the zone of South Young, Doyle and Carter High Schools to exclude Austin-East High School's students, 2) closing Rule and sending the students to Karns, Powell, and West High Schools, and 3) creating a new zone in Northwest Knoxville.

External pressure exacerbated the already tension-filled Task Force meetings. Some members, such as the Task Force Chairman, advocated freezing all plans for two years until the tension subsided, a suggestion that prompted Bussell to ask, "Do we satisfy the academic needs of the students, or do we satisfy the emotional needs of the community?" (He was referring to the disparities between schools, specifically in courses offered at schools, e. g., Holston High School offered 70 courses while Bearden High School offered 128 courses.)

Another internal conflict arose between the CDAAC and the NAACP representatives. The two groups had been at odds since the NAACP filed the complaint in 1989, but the animosity subsided in their common effort to find a desegregation solution. But on November 16, the CDAAC asked that the NAACP representative, Sarah Moore Greene, be replaced because of nonattendance. The CDAAC named two other blacks as possible replacements for the NAACP representatives. Surprisingly, the NAACP did not defend Ms Greene, but answered: "The school hand-picked the representative. Our first representative on the first [Task Force] just disappeared because they were raising real issues and the school people didn't want to deal with that" (KNS, 11-16-90, A1).

In the interim, OCR gave the "go-ahead" to build elementary schools in the county. OCR had denied the projects in October, but withdrew its opposition after the Superintendent's staff informed OCR that the County would lose \$870,00 investment earnings if it did not fund the school projects. With OCR's approval, the school system began construction and renovation of the designated schools. Superintendent Hoffmeister justified the projects: "Since we don't know what the zones will be like in the inner city, it doesn't make any sense to spend money there now" (KNS, 11-90, A1, A4).

Questions about funds would surely involve the County Commissioners. Confused about the situation, the Commissioners requested a meeting with OCR and the Task Force Committee. Commissioner Bee DeSelm explained, "We just want to have everyone in the same room to answer questions because when you ask them (separately) you get different answers or you don't get an answer at all . . . We just want to hear everything from the horse's mouth . . . I'm tired of getting second-hand information" (KJ, 11-90). Commissioner Rogero from the Fulton High School district was particularly concerned that building and renovation in the county would deplete funds, hence, leaving the inner-city schools' project monetarily bereft. One of the black Commissioners, Frank Bowden, was not so charitable in his assessment, "I'm wondering if it's not a cleverly disguised scheme to prevent white kids from other part of the county being bussed into

the city " (KJ, 11-90). There was not an immediate response to the Commissioner's request. Perhaps the school officials were too busy negotiating a deadline with the OCR. Although OCR gave the officials permission to complete the projects at Karns Primary and Intermediate and Bluegrass Elementary Schools, it refused to extend the desegregation beyond the December 30 deadline (Meeting with OCR and School Officials, Atlanta, 11-6-90).

On November 18, 1990, the full Task Force approved a 13 high school zone that would close three high schools and build a large school in northwest Knoxville (KNS, 11-90, A1). This plan would most likely close Austin-East, Holston and Rule High Schools (See Map).

Throughout the yearlong process the relationship between OCR and school officials had been asymmetrical. In the past, OCR had quickly reprimanded school officials when they deviated from their agreement, but in December it was the school officials' turn to reprimand. The opportunity arrived when OCR's regional director Jessie High gave an interview to the *Knoxville Journal* (KJ, 12-6-90, 1A, 7A). In the interview, High commented on five issues:

- OCR has approved racially identifiable schools in the past and might do so in Knox County. (The goal of the school system.)
- The current formula for racially identifiable schools was set by Knox County and not OCR (33% based on twenty plus the percentage of blacks in county).
- That neighborhood schools are no excuse for maintaining racially identifiable schools.
- OCR will consider extending the December 31 deadline.

As would be expected, the school officials were upset over the interview. Not only, in their opinion, had OCR reversed its position, but OCR was also misrepresenting itself as the friend of the people. Reversing his former subservient attitude (somewhat), Superintendent Hoffmeister wrote OCR of his disappointment in its interview. In the letter, he reminded High that on March 16, 1990, and again on November 1, 1990, OCR had assured him that any media releases would come through the Washington office. Hoffmeister also reminded High of the "arduous task" of combining two demographically dissimilar systems, and the pressure the Board

of Education was experiencing because of its commitment to full compliance. Because High was fully cognizant of the particulars of the planning process, as well as the sincere effort being made by Knox County to comply, Superintendent Hoffmeister wondered why High was creating an adversarial position through the media. If the two were to maintain a "nonadversarial relationship," and successfully implement full compliance, then OCR, said Hoffmeister, must refrain from talking to non-school personnel (Letter to High from Hoffmeister, 12-7-90). Nevertheless, OCR wrote:

[N]one of the actions [taken by the school system] was required by OCR . . . however, OCR has agreed to review a rezoning proposal . . . Speculation regarding OCR's defensive stance lingered without explanation (Anonymous Letter, 10-1-90)

The newly appointed Knox County Law Director Richard Beeler was equally incensed by OCR's actions. He blasted OCR with these words: "They tell folks [school officials] one thing and then turn around and say another to a reporter. That's no way to resolve any problem . . . The answer you get from them depends on whom you talk to and apparently what kind or time of day it is " (KJ, 12-8-90, A1, A11).

Coincidental with OCR's interview, the Law Director released his findings on school desegregation. According to this report, Knox County was not legally required to eliminate all racially identifiable schools as previously implied by OCR, nor was it required to bus or rezone, because the Knoxville City School System was unitary, therefore the County was also unitary (Sutherland, Asbill & Brennan Law Firm, Atlanta, Georgia, to Richard Beeler, 12-6-90). The possibility hinged on a unitary hearing in DeKalb County, Georgia. If the court released the school system in Georgia from further desegregation, then Knox County could appeal OCR's findings based on the Georgia case. Beeler and a legal consultant Alfred A. Lindseth (w), urged the Board to delay action until after the decision.

Even though the Board members were relieved by Beeler's presentation, Board Chairman A. L. "Pete" Lotts warned: [I]t will present a problem . . . Because some people will assume that we do business as usual and we can't do that" (KJ, 12-8-90, A1, A11). Sam Anderson, however, felt that the tension of the last few months had been good for the County, because it "opened some people's eyes to the realization that certain things do occur in our schools. We do have to consolidate some elementary, middle and high schools. We do need to move toward a better curriculum. We just don't need to act as radically as the Task Force's plan called for" (Ibid.). On the other hand, McCook was not encouraged by the report. He cautioned the Board that, "We don't need to lose all of the flexibility and the ability to negotiate with OCR. I hope we don't end up in a situation similar to . . . Memphis and Nashville which are under court-imposed busing plans" (Ibid.).

A follow-up report from an anonymous source refuted Beeler's investigation. The report said Beeler's investigation was flawed because it was based on the "Fourteenth Amendment, not the Title VI regulation" (Anonymous Report, 12-90, p. 1). The main thrust of this rebuttal was that "The county system was never declared unitary by OCR . . . The city system was declared unitary by the lower court in 1972 . . . However . . . [the decision] precluded applying that to the combined city-county system" (Ibid.).

The Law Director's report caught the Task Force off guard. It seemed to the Task Force that it had struggled in vain for seven months. Beeler and Lindseth's recommendation to the Board to hire outside consultants was yet another blow. The last straw, however, was the Board's decision to study the plan rather than submit it to OCR for review. One Task Force member expressed frustration over the decision: I think they'd be wise to do what's been recommended by the Task Force . . . it's not a matter of what we must do to pass some review, but a matter of what we should do. We have an opportunity to create change for the betterment of the whole county" (KNS, 12-16-90, A1, A14). The Board chairman assured the Task Force that he favored going

ahead with many of the Task Force recommendations—including closing some schools and voluntarily integrating black and white students (KNS, 12-16-90, A1, A14).

In December, the Task Force submitted desegregation plans for the high school and middle schools to the School Board. The high school plan closed two high schools, Rule and Holston High School. Rules' students would be reassigned to Central, West, and Fulton High School. Holston's students would be assigned to adjacent school zones. The middle school desegregation plan closed Beardsley and Spring Hill Middle Schools. Students from both schools would be reassigned to adjacent school zones.

1991: The Year of the "Plan"

Despite the Task Force's effort, it was unable to meet the OCR's December 31st deadline. Rather than ask the OCR for an extension, the Board informed it of a new, self-designated deadline. Surprisingly, OCR respected this move and extended the desegregation plan deadline to May 31, 1991.

The Board also wanted an extension on the revocation of administrative transfers. OCR had initially told the Board to end all administrative transfers at the end of the 1990-1991 school year, but extended the deadline to the 1991-1992 school year. Although Superintendent Hoffmeister and UNIQUE opposed the revocation, the Board felt it had no choice but to obey OCR. On January 3, 1991, the Board voted to end all administrative transfers as "mandated by OCR" (January 3, 1991, Knox County Board of Education Meeting). The revocation affected over two thousand students including Jim Bussell's daughters. Hoffmeister captured the mood of many when he declared:

This is real frustrating. I'm used to being able to help people. I'm trying to explain to people that we have race percentage we have to meet . . . that there are some schools that are just closed to transfers in or out. Racial impact weeds me out from

helping people, even if giving a transfer is what I think is best (KNS, 8-18-91, A1, A6).

To prevent further federal intervention, Alfred Lindseth, the desegregation lawyer, suggested the Board hire two desegregation consultants, Drs. David Armor (w) and Christine Rossell (w). The consultants, hired to devise a federal-proof plan, met with the Board on January 15, 1991. At this meeting, the consultants told the Board that they had reviewed the Task Force recommendations, and found several flaws. The flaws were listed as: 1) the recommendations did not adequately address equity issues, 2) some zone changes were not related to the desegregation plan, 3) magnet schools were not an integral part of the plan, and 4) the M-to-M transfer was not being addressed (Armor said three problems, but named four). (*Middlebrook*, p. 1-142). Their goal, they explained, would be to design a plan that would be less disruptive, involve less movement, and would produce a sounder basis for desegregation over the long run.

To achieve the above goals, Armor and Rossell first conducted a survey to: 1) assess the community's attitude toward various programs, 2) to forecast how many students might be participating in various parts of the plan, and 3) to estimate the response of different groups of parents to the desegregation options. The survey, designed by Armor and administrated by a company in Detroit, Michigan, included 600 black and 600 white parents (*Ibid.*).

Second, Armor and Rossell visited several schools to assess what schools might be closed or renovated. Their choices closely paralleled those of the Task Force. Third, Armor and Rossell formulated a set of guidelines and principles for a desegregation plan. These principles were to:

1. Integrate as many schools as possible using a contiguous attendance zone concept and with a minimum of gerrymandering. They would continue with neighborhood school zones or a geographical, contiguous zone concept as much as possible.

2. Eliminate or reduce racially identifiable schools using OCR's definition of 33%, and where this could not be done, improve integration and education at such schools with magnet programs with the broadest appeal.
3. Attain long-term, stable enrollment and racial composition by minimizing mandatory reassignment, especially mandatory reassignment that could create substantial enrollment losses.
4. Incorporate the district's long term facility plan which involved closing a number of small, deficient buildings. Schools already chosen to close included Rule, Holston, Beardsley, and Spring Hill.

While the desegregation consultants were devising another plan, the Board stalled OCR with the preliminary plans devised by the Second Task Force. The plan, labeled the "Enhanced Educational Opportunity Plan," or the "Plan," included only provisions for high schools and the middle schools. The Superintendent assured OCR that the complete plan would be submitted by May 1991 (Letter from OCR to Hoffmeister, 2- 5-91). OCR accepted the delay.

Even though the Plan was not final, school officials began planning for a University-linked downtown magnet High School. Hoffmeister and his staff were encouraged by the reception of the University of Tennessee officials and downtown businessmen (KNS, 2/17/91, A1, A4). Others, however, had reservations about the concept. Among these were County Commissioner Madeline Rogero who was concerned about inner-city residents. According to Rogero, "the school administration has been talking to the business community, but hasn't been talking to our community" (KNS, 2-21-91, A1, A4; KNS, 2/18/91, A3; KJ, 2/19/91; 1A, 9A; KNS, 2/20/91, A1; KJ, 2/20/91, 7A; KNS, 2/21/91, A1, A4).

The Plan

On March 16, 1991, Armor and Rossell presented their preliminary report to the Board of Education rather than the plan submitted earlier to OCR. The report included the planning principles, parent survey results, a description of the proposed plan, a description of magnet programs and the description of the effectiveness of the proposed plan. A brief outline of the 1991 Preliminary Desegregation Plan is below:

High School Plan:

- Close Rule, Holston and South-Young
- Construction of new University High School
- Close Fulton and Austin-East

Middle School Plan

- Close Beardsley and Doyle
- Close Vine, Spring, and Christenberry

Elementary School Plan

- Close Lonsdale
- Close Flenniken, Anderson, and Giffen
- Close Chilhowee, Alice Belle, Corryton; Open Spring Hill as an elementary school
- Close Maynard and West View
- Close Eastport and Fairgarden
- Magnet programs at Green, Sarah M. Greene, and Beaumont
- Close Lincoln Park, Oakwood, and Brownlow

The cornerstone, or heart of this Plan, was the above-mentioned University High Magnet School. The school would be centrally located at the downtown World's Fair site. Its proximity to the University, would hopefully attract students from throughout the County. Another plus was its potential alliance with downtown businesses.

The University High School would achieve the Knox County integration goal by admitting up to 40% of its students from Austin-East. This figure changed several times. The remaining Austin-East students would be zoned to adjacent contiguous zones, e.g., Gibbs, Carter, Doyle and West High Schools. The percentages of blacks at each school, pre-and post-desegregation plan were predicted as followed (Armor & Rossell, 1991 Preliminary Desegregation Plan):

HIGH SCHOOLS	PRE (%)	POST (%)
Doyle	0.4	13
South Young	10.5	—
Carter	2.1	21
Gibbs	2.6	13
Central	7.9	9.0
West	20	13.8
University	—	28

Although the University High would draw heavily from Fulton and Austin-East High Schools, 500 seats would be reserved for white students throughout the County. John McCook assured parents that the school would not be an "elitist institution," but would include special education classes, vocational and advanced placement courses (KJ, 2-22-91, A1, A11).

Locating the University High on the World's Fair site was ideal, said Armor, because it was "roughly equidistant" from Austin-East and Fulton. Hopefully, it would also satisfy blacks' desire for a community school as the World Fair site was officially in the Austin-East zone (*Middlebrook*, 1991, p. 2-163; KJ, 1-16-91, 1A, 13A).

Armor explained that unlike the Task Force's plan, this Plan would place a core of Austin-East students at the University School (*Middlebrook*, 1991, p. 2-166). Under the Task Force's plan, the Austin-East students would have been sent to six different schools, without a core

of students at any particular school. On the other hand, the Armor and Rossell's plan would place 50% of Austin-East students at the University High and disperse the remaining students to six different schools (See the above percentages.) It should be noted that Dr. Armor varied the percentage of blacks that would be enrolled at the University High from 40% at one time to 50% to 70% at other times (See *Middlebrook* pp. 2-162, 165). He explained the disparity resulted from the uncertainty regarding the resident enrollment at Austin-East (Ibid., 2-166).

Because the middle school zone was coterminous with high school zones or close to them, the consultants considered a plan similar to the high school plan. As with the high schools, the middle schools were adjacent to the central city. These included Spring Hill, Whittle Spring, Christenberry, Beardsley, Vine, Carter and Gresham Middle Schools. Also as with the high school plan, several inadequate or small facilities were to be closed, these included Beardsley and Vine, which were predominantly black schools, and Spring Hill, Christenberry and South Doyle which were predominantly white schools. As with the University High School, Whittle Spring Middle School would become a magnet school or a "University Prep" school. Rezoning would, it was argued, ensure the following percentage of black students at the inner-city schools, pre- and post-desegregation plan (Armor & Rossell, 1991 Preliminary Desegregation Plan):

MIDDLE SCHOOLS	PRE (%)	POST (%)
Doyle	8.3	14
Carter	2.4	22
Gibbs	3.1	14
Northwest	11.2	19
Bearden	12.7	19
Whittle (magnet)	30.1	26

Planning for the elementary schools was complicated by the large number of schools involved: 55 elementary schools as compared to 15 high schools, 17 middle schools, and 10 special schools, and centers. Nevertheless, the consultants followed the same procedure in developing the middle and high school plans. After assessing the school facilities, they recommended the closure of thirteen elementary schools. The schools were: Giffin, Anderson, Flenniken, Maynard, Lonsdale, Fairgarden, Chilhowee, Corryton, West View, Eastport, Lincoln Park, Oakwood, and Brownlow. Two new schools were to be built one in South Knoxville, and one at Christenberry. The percentage of blacks at the inner-city schools is listed below, pre-and post-desegregation plan (Armor & Rossell, 1991 Preliminary Desegregation Plan):

ELEM SCHOOLS	PRE (%)	POST (%)
South Knoxville	8.0	22.0
Sarah M. Green (mag).	86.2	58.0
New South (new)	—	23.0
Greene (magnet)	96.6	58.0
Sunnyview	2.7	21.0
E. Knox County	4.2	13.0
Ritta	9.2	19.0
Belle Morris	9.8	19.0
Christenberry (new)	—	17.0
Norwood	10.0	24.0
West Haven	12.3	24.0
Pond Gap	13.2	24.0
Sequoyah	11.7	13.0
Bearden	13.1	7.0
Beaumont (magnet)	39.1	26.0

The most important component of this plan was its five magnet programs. Magnet programs are debated because of charges that they accommodate a small intellectual elite. They gained popularity in the 1960s as a solution to racial integration (Estes, Levine & Waldrup, 1990). The concept is implemented as thematic programs, either as program-in-school (PIS), or as a theme throughout an entire school. Although themes vary, the most common are in the Performing Arts, Honors Programs, and Math and Science Programs. These schools, or programs, are usually located in a predominantly black neighborhood with the intended goal of attracting white students. Some of these schools are inspired not by integrative aims, but as a component of the "excellence school movement." A major premise of this movement is that parents and students should be able to "choose" from a variety of school programs.

Beginning in 1976, magnet schools' planning and implementation was funded under the federal Emergency School Aid Act (ESAA). Later, in 1984 funds were available under a new Magnet Schools Assistance Program with the goal of "eliminat[ing] minority group segregation and discrimination among students and faculty in elementary and secondary schools; to encourage the voluntary elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority group students" (Cited in Estes, Levine, and Waldrup, 1990, p. 6; U. S. Department of Education, 1985). Hence, school districts had to have, or had to imply, an integration or desegregation goal to qualify for the funding.

The five magnet programs, the themes of each, the grade level and implementation year are listed below (Armor & Rossell, 1991 Preliminary Desegregation Plan):

SCHOOLS	THEME(S)	GRADE/YEAR
Green	Math/Science	K-5/1992
Sarah M. Greene	Computer	K-5/1992
Beaumont	Honors/Gifted	K-5/1992
University Prep	Whittle Prep	6-8/1992
University High	World's Fair Site	9-12/1994

Rossell explained that the magnet components meant that magnet students would spend more time on the particular theme than the residential students. For example, at Sarah Moore Green Computer Science magnet program, the school would have more computers than other schools and the students in the magnet program would have greater access to computers than the regular population. In actuality, the plan would establish a two-tiered stratification system with the resident students occupying the lower tier.

The success of the magnet concept would be measured by five commonly used indices: 1) the percentage of black students in schools with greater than 80% blacks (racial isolation), 2) the percentage of white students in the average minority child school (racial exposure), 3) the percentage of white and black student in integrated schools, 4) the percentage of white students or nonblack students in schools plus or minus 20 percentage point grade groupings, and 5) the percentage of black students in schools plus or minus 20 percentage point grade grouping. Rossell explained that "a grade grouping" referred to the collective unit of grades e. g., the elementary, the middle and the high schools. The "plus or minus 20 percentage" meant that each grade grouping

would be measurement by a scale from 0 to 100, where 0 meant total integration (Middlebrook, 1991, pp. 3-192-197).

Rossell assured the Board that the Plan would provide a "large and rather dramatic improvement in all of the five measurements," said Rossell (*Middlebrook*, 1991, p. 3-197). She estimated that 1300 white children would be attracted to the magnet programs; 500 at the high school level, 300 at the middle school level, and 300 at the elementary school level. Twenty-five percent of the seats would be allocated to black children. The Plan would be implemented in its entirety by the Fall 1994.

As to the Plan's impact on the transfer policy, Armor recommended changing the M-to-M transfer policy because overall it had a segregative rather than an integrative impact on schools. He proposed, instead, a policy that allowed unfettered M-to-M transfers to nonadjacent predominantly white schools. These schools would be Farragut, Karns, Halls, and Powell, all of which had six percent or less black enrollment.

Under the old M-to-M transfer plan, a student could transfer out of any school where his or her race comprised 50% + 1 of the student body to any other school in the same system where his or her race is in the minority (50%-1). In the new M-to-M transfer policy, black students could only transfer to a school that had less than a 19% Black population (1.5 times district-wide percentage of black students). The 19% was arbitrarily assigned by Armor at the suggestion of Sam Anderson. The new plan would, unlike the old plan, provide transportation. Many parents and students were upset because the new policy meant that the students would have to return to their base school. The returning students would be at a disadvantage as all extracurricular activities would have already been planned and they would have to wait a year to participate. For example, a black cheerleader at Fulton High returning to Austin-East would be ineligible for extracurricular activities for the 1991-1992 school year. Under this plan, the cheerleader's enrollment at Fulton High would place the percentage of blacks over the new quota of 19%. Dr. Armor explained that the percentage would probably change in 91-92 when the plan was implemented. Ironically, the

new plan would make the predominantly black high school, Austin-East, even "blacker" in 1991-1992 than in 1990-91.

Criticism of the Plan

Another desegregation expert, Dr. Michael Stolee (w), criticized the Plan because it placed a disproportionate burden on black students. To this charge, Armor argued that:

When a school district is predominantly white or predominantly of one race, there is never equality . . . The percentage of blacks moving will always be higher than the percentage of whites . . . Disproportionality is inherent in desegregation (Ibid. pp. 1-196, 201).

Armor emphasized that the number of white students moved was twice the number of blacks moved, but the percentage of blacks moved was higher. For example, of the 3,300 students being moved, 2,300 were white and 1,000 black. Armor later reversed this statement and declared:

[T]he desegregation plan that we've done actually places a greater burden on white students; that is, more white students are moved than black students both in the absolute and to the longer distance (Ibid., p. 2-209).

Armor also argued that placing a magnet program in a predominantly black school would not change the number of black students that would have to be moved. But in a 1985 article, his co-consultant, Rossell stated that for a magnet school in a black neighborhood to attract whites, there must be a general sense that whites will, in fact, be in the majority. Furthermore, the enrollment of whites must be controlled to insure the majority status. When questioned about this contradiction, Armor explained that if a school was "magnetized," the black students, perhaps 80%, would have to be moved; but because Knox County was using program-in-school magnets, a minimum of the residential students would have to be moved.

The opponents of the Plan had many objections, especially to the University High School. During the *Middlebrook* hearing, the opponents who included CDAAC members, a black minister Reverend Middlebrook and other participants argued that:

- the World's Fair site was inappropriate because it was not large enough for a football stadium, softball and track. Hence, students attending the school would not be able to participate in extracurricular activities.
- the site was too close to the University and the notorious "strip" where there was a "tremendous problem with alcohol and college kids getting hit by cars" (*Middlebrook*, p. 2-247).
- the site contained railroad tracks. The railroad company during the World's Fair had refused to give up its tracks.
- the size of the site required a four-story school that would present elevator problems.
- the site was difficult to reach from East Knoxville. The buses would have to get on the interstate or drive through rush-hour traffic.
- the site was chosen to appease the downtown businessmen, especially, Chris Whittle of the Whittle Communication Project. Armor and a University High Committee had met with businessmen on June 25 and 26 to discuss the school. The Downtown Organization, a group of businessmen and women, subsequently endorsed the concept.

In addition, the plaintiffs in *Middlebrook* accused Armor and Rossell of implicitly and explicitly designing a plan that:

- ignored a 1984 survey that founde Fulton High School adequate for a larger student body than was currently attended.
- was racist, in that it would keep white children from going to predominantly black schools. This was seen in the closing of Vine Middle School, which had been renovated at \$5 million, rather than pairing it with an adjacent predominantly white middle school in South Knoxville.

- was racist in eliminating predominantly black schools, hence business leaders would be able to tell "white middle-class management that in Knoxville you won't have to worry about racial problems, because we will have no more than 19% blacks in any schools" (*Middlebrook*, p. 3-36).
- was racist in wording the survey questions that avoided associating school choice with black schools.
- granted special favors to Knox County predominantly white employees by exempting their children from the new transfer policy.
- perpetuated racial isolation and segregation by setting a quota on the percentage of blacks at adjacent schools (the maximum number of black students at schools, with the exception of the University High, was 1.5 times the district-wide percentage of black students or $1.5 \times 13 = 19\%$). This meant that until the new University High School was built and the plan implemented, the percentage of blacks at the predominantly black high school would exceed the number before the plan was filed.
- was racist in closing Austin-East and allowing West High School to remain open. The two schools were of comparable condition and size.
- misinterpreted the mandate of OCR in designing a desegregation plan as stated by school officials.
- placed the burden of the Plan on black students by closing inner-city schools and busing the black students to predominantly white schools.
- covered up the Board's refusal to make black racially identifiable neighborhood schools comparable with white racially identifiable schools.
- excluded the needs of special education students to have an individualized education plan in place when schools began.
- was classist in that it placed a greater burden on poor whites and poor blacks.

As stated earlier, the above allegations surfaced in a lawsuit *Middlebrook v Knox County Board of Education*. The lawsuit was filed by Reverend Harold Middlebrook and several other plaintiffs, including the Knoxville Ministerial Association, Knoxville Inter-denominational Christian Ministerial Alliance, Baptist Ministers Alliance, and the Coalition Community Affairs. The lawsuit filed on August 20, 1991 sought an injunction against implementing the "Plan" for the 1991-1992 school year. The community groups, of which the minister was a member of each, claimed that the:

[S]ystematic elimination of schools from the black community is in itself discriminatory and injurious. It causes black children solely to bear the burden of transportation, feelings of intrusion, and feelings that schools located in the black community are in some way unfit for white children, whereas schools in the white community are good enough for everyone. It adversely impacts property values in the black community, and places an unjustified tax burden on the entire community in constructing new schools simply to avoid historical black schools (*Middlebrook*, 1991)

To substantiate their charge that the Plan was "racism in its rawest form" the plaintiffs introduced desegregation expert, Dr. Michael Stolee of the University of Wisconsin (Plaintiff's Responsive Memorandum). Dr. Stolee, who had testified in the 1959 *Goss* case, argued that the Plan:

[P]laces a disproportionate burden on black and other minorities, [because] every one of the high schools which is located in the central part of the city where the black population is located is closed. . . and they are to be replaced by a rather, in my judgment, nebulous vision of a University High School. We know not where it is to be, how it is to be built or what it is to teach (*Middlebrook*, 1991, p. 163).

Drs. Armor and Rossell, as would be expected, defended the Plan. At the hearing, Dr. Rossell testified:

We have established goals that will racially balance, that will racially integrate this school system, because that is what we saw as our mandate, that's what the school administration wants, that's what OCR seemed to want, and that's what the court would require if we were in federal district court (Ibid., p. 3-224).

The lone black School Board member Sam Anderson also defended the Plan. Anderson was particularly pleased that the Plan eliminated the M-to-M transfer policy as practiced from 1972 to 1991 (Middlebrook, p. 3-57). According to Anderson, the policy allowed other schools "to pull the best children out of the Austin-East zone and leave Austin-East with the problems . . . It lowered the enrollment at Austin-East to a level where [Austin-East] couldn't offer certain classes (Middlebrook, p. 3-58).

Anderson also supported the plan because he felt that the students at Austin-East "need to have the same exposure, because that's really what's measured, its exposure . . . this plan does that" (Interview, 5-6-97). As for blacks that opposed the Plan, Anderson wondered where they were when the Board voted on the plan. According to him, only two blacks out of 400 protesters attended a meeting concerning the Plan. The rest of the protesters were from South Knoxville and the Fulton area. He added that several black parents privately told him "when you rezone, zone us to Gibbs or Carter, but don't send us back to Vine" (Middlebrook, 1991, p. 3-71).

After several days of testimonies, Judge Leon Jordan (w) of the United States District Federal Court Eastern District of Tennessee denied the plaintiffs injunctive relief, stating that the Court:

- [D]id not find that the Plan placed a disproportionate share of the burden of desegregation upon the black students, particularly with respect to busing and school closing . . . While it is true that a very high percentage of the black children who live in the two inner city neighborhoods or communities . . . will

be bused . . . this is a result to a great degree of the very fact that those communities contain most of the county's black population, a fact of residential patterns which was not produced by preexisting discrimination in education (Middlebrook, 1991, Memorandum Opinion, p. 12)

- [S]chool closings, and the reasons for rejecting alternatives to these school closings, establishes that the closings were not motivated by unlawful discrimination on the basis of race (Ibid., p.13).
- A change in the school building in which a disabled student receives his or her education is not necessarily a change in educational placement

In conclusion, Judge Jordan reminded the School Board that:

[T]he Court's doors will remain open to the plaintiffs, and that the denial of an injunction today does not mean that any unlawful discrimination in the future will go unnoticed (Ibid., p.14).

To insure that the court remained open, the plaintiffs pursued their option to a full trial. Judge Jordan set a trial date for February 12, 1992.

In the meantime, the consultants submitted the Plan to the Board of Education. The Board members suggested several modifications to include keeping West View open and sending Maynard's students there (Ibid., p. 3-51). The final plan was approved by the Board on April 22, 1991, and submitted to OCR for review on April 24, 1991. On August 16, 1991, OCR wrote the Board:

We have completed our review of the Plan and the supplemental information provided. It is our conclusion that the Plan, if implemented as proposed, would not violate Title VI (Letter to Hoffmeister from OCR, August 16, 1991).

Although OCR gave tacit approval to the plan, it acknowledged that the agency did not "endorse" plans submitted by school officials, its role is to merely review and monitor plans (KJ,

5-10-91, A4). In addition, OCR advised Knox County that it could expect a "full compliance review" in the Fall regardless of the outcome of the desegregation effort (Ibid.). The big question, however, remained: Would the County Commissioners fund the desegregation plan?

The County Commissioners

Throughout the process, an adversarial relationship existed between the County Commissioners, the School Board and Superintendent Hoffmeister. To nonpolitical eyes, it would appear that tensions were solely related to the desegregation plan, but in actuality, it was a continuing power struggle. The most recent rift prior to the desegregation conflict occurred in 1990 when the two agencies fought over funding. The Commissioners had sought, unsuccessfully, to gain line item veto power of the school's budget, a move that, in some opinions, contaminated the issue of desegregation.

Regardless of the cause, Hoffmeister and the School Board conducted the desegregation discourse without seeking the Commissioners' advice or informing them of what was occurring. Consequently, the Commissioners felt snubbed, neglected, and resentful. Commissioner Bee DeSelm, a representative from West Knox County, expressed the general feelings of the Commissioners:

I sure feel there needs to be better communication . . . They [School Board] make policy, and we fund the money, and they're not giving us enough time . . . I'm afraid that what we'll get is the final bill with no way to negotiate on whether the plan's the best way to go (KNS, 2-18-91, A7).

Another commissioner (w) who represented Farragut, added: "[W]e don't want to be presented with an enormous set of plans and be told, 'You have to fund this, you can't delay.' We haven't been briefed in months" (Ibid.).

The political struggle between the two agencies gained momentum in May when the Commissioners asked the Board to delay implementation of its desegregation plan for one year (KNS, 5-21-91, A1, A4). In Hoffmeister's opinion, the Commissioners were trying to "control everything the School Board does . . . This is the first time the commission has challenged the line between the Board's authority and its own authority to this extent (Ibid.). In turn, Commissioner Rudy Dirl accused school officials of trying to "close inner city schools and blame OCR" (Ibid.). Although the Commissioners denied that it was retaliating against the Board, it postponed funding a new elementary school in overcrowded west Knox County. However, the commissioner from the black community commented: "It's going to be tough to get support for it [the desegregation plan] if the school administration fails to respond to Commissioners' concern. (KJ, 5-21-91, A1, A9). This statement prompted the School Board Chairman A. L. Lotts to retort, "I'm not going to let the Commissioners intimidate me to call a meeting (with them) or to delay the planning" (KJ, 3-25-91, A1, 13A).

By June, the impasse was of such proportion that the County Commissioner Chairman announced that the Commissioners were considering hiring an outside lawyer. The Commissioners reasoned that the Law Director could not properly advise both the Board and the Commissioners. The Law Director, however, defended his neutrality:

My job as established by the Knox County charter, is to advise all agencies and departments on the law. In this regard, in the context of the schools' plan, we have done precisely that (KNS, 6-6-91, A1, A4).

Furthermore, added the Law Director, "The interpretation of the 14th Amendment of the Constitution does not depend on whether [the county commission chair] or [the Board of Education chair] asks the question. The answer is the same" (Ibid.)

The Commissioners increased the Board's ire when they voted 11-5 on a school consolidation plan by Commissioner Wanda Moody (w). Moody's Plan would close 14 schools instead of the proposed 23, keep Austin-East and Fulton open, convert Holston High into a

middle-school, and expand South-Young to grades 7-12. The plan was also cheaper--\$41.5 million compared to \$76.6 million for the Board's plan. Commissioner Madeline Rogero found the Board's plan to be "moving too fast to turn back, yet at the same time is not ready for the future," and she voted against the Moody's Plan. She characterized the action of the Commissioners as "backward" (KJ, 7-15-91, 3A).

As the year came to a close, the question of funding still lingered. In frustration, School Board member Sam Anderson warned the Commissioners that if they did not fund the desegregation plan, then the Board might have to send students (white) from Carter, Fulton, and Gibbs to Austin-East to increase its enrollment. Hitting hard, the representative continued: "We would also have to rezone some of the kids from Christenberry and Whittle Spring into Vine to integrate them." He delivered the final blow by referring to the elementary schools: "Students now attending Brownlow, Lincoln Park, and Oakwood elementaries would be routed to Vine for middle school" (KJ, 11-7-91, A8).

Playing the "race-card" failed to influence the Commissioners (Interview with Anderson, May 1997). They decided to delay funding the Board's requests for \$15.8 million until January 27, 1992. The Board had requested funds for the entire Plan, but \$15.8 million for the first phase of the Plan, a move, in the NAACP President's opinion, that was "blatantly racist" (KJ, 11-26-91, A1, A13. Roberts explained: "This new high school is so important and for County Commissioners to make a political football out of the situation is unfortunate. They don't seem to be concerned about educating children in East Knoxville" (KJ, 11-26-91, 1A, 13A).

Throughout the process of developing, approving, defending and submitting the Plan, community resistance raged. Each change, closure, renovation or merger brought reaction from unhappy parents and from students. For example, in January, Rule's students protested the closure of Rule by staging a walkout (KJ, 1-26-91).

Beginning in February, Commissioner Rogero and other officials received a stream of letters protesting the closure of schools, particularly Fulton High School. Most writers recognized

the inferiority of the inner-city schools, including the facilities and curriculum, but, nonetheless, opposed closing any schools. Instead, they opted for renovation and expansion, if need be. Of approximately thirty letters to Rogero, only two supported the Plan (Madeline Rogero's personal papers).

By April, opposition to the Plan reached its zenith. Protests from angry community groups failed to influence the school officials. When an angry parent demanded to know if "your lawyer can deal with all the lawsuits by parents of children injured or killed [when you] start busing them," Superintendent Hoffmeister calmly responded: "There has never been a fatality on a school bus in the state of Tennessee" (KJ, 4-22-91, A1).

Another group, the "Coalition for Community Affairs," asked the Commissioners to refuse funding for the downtown magnet school. The Coalition charged Hoffmeister and the School Board of deception in creating magnet schools and closing neighborhood schools. The Coalition also implied reasons other than education inspired the magnet high school concept. They asked whether Hoffmeister's construction company and/or business partners would build this new school. Columnist Robert Booker (b) had echoed similar to closing neighborhood schools sentiment in 1990:

Could there have been such a great misunderstanding or do some of our school officials have a hidden agenda? Is this a way to get rid of black schools that are a source of pride in the black community and a sore spot to others? Is this meant as a slap at the NAACP, which raised the issue of racial discrimination in the school system's hiring practices? Is it the determination of Knox County schools to make black students "disappear"? . . . [I]t appears school officials [are] using the cloak of the OCR to do a little dirty work (KJ, 12-20-90)

Booker, the Coalition for Community Affairs, a coalition of ministers and others expressed the need for community or neighborhood schools. Later, Booker (b) criticized the NAACP for not supporting the concept:

The NAACP should know more than any other organization what it means to destroy any entity of the black community. It should know what the school means to a community, yet its leadership says it doesn't hold with the neighborhood school concept (KJ, 8-29-91).

Neighborhood schools were championed as the glue that holds a community together, and as the solution to underachieving students. Board member Margaret Maddox added her support to small neighborhood schools:

[I]nner city students need a small school setting where the faculty knows the students and the students know the faculty . . . In a larger school . . . I'm afraid we will lose those kids (KJ, 3-16-91, A1, A13).

Another Board member, Co-Chairman Steve Hill (w) found discussions of "the best" for inner-city schools to be "arrogant and racist, declaring, "that's why the dadgum inner city is the way it is. They used that excuse for 15 years and let those schools deteriorate. Those kids deserve the same opportunities as the kids in the county. Let's quit using the excuse" (Ibid.).

In an effort to reverse the Board's decision, a South Knoxville parent, Diane Bell (w), filed a complaint with OCR against Knox County School System (January 1991). Bell charged that the school desegregation plan placed an unfair burden on the handicapped and low-income white students.

She contended that the closing of South-Young High School and the transfer of her son to Doyle High School would discriminate against those parents who did not own cars. The Plan would:

- prevent poor students, who depended on public transportation, from attending extracurricular activities at Doyle (public transportation ended at the city limits).

- prevent poor parents from attending teacher and counselor meetings.
- deplete the income of poor families by depriving poor students of longer working hours (time on the bus route).

Bell also charged the Plan discriminated against the North, East and South areas, while leaving the more affluent West area unaffected (Steve Hill made the same charge).

Bell's complaint was one of many complaints against the plan. In addition to Bell's, another complaint filed in January, alleged discrimination against white students in the closing of Rule High School (Complaint #04-91-1074). The OCR found Knox County was not discriminatory in its actions in either of these complaints.

Not only was the County busy with complaints, but it also had to contend with confusion over the meaning of OCR's mandate. To clear up this confusion, OCR wrote Superintendent Hoffmeister that OCR wanted to eliminate "confusion to OCR's role in reviewing the district-wide plan and its various components . . . As a point of clarification, OCR has made no findings under Title VI that require Knox County to develop a desegregation plan. But OCR admitted that the confusion may have resulted from "our correspondence to you prior to the January 18, 1991 letter" (Letter to Hoffmeister from Jesse L. High Regional Civil Rights Director, April 24, 1991).

The NAACP, who for the most part, was a silent participant in 1990, sought to regain its voice in 1991. The president Dewey Roberts, in February had accused the Board of stalling, and in March announced that it [the NAACP] would fight the closure of schools (KJ, 2-1-91, 5A; KJ, 3-22-91, A1, A11). In the letter, Roberts expressed concerned about the quality of education at Austin-East while the new school was being built. Inadvertently, or not, no one had mentioned the status of the curriculum at Austin-East in the interim between closure and redistribution. The letter read as follows:

Our major concern is that there is no specific plan to address immediately the equalization of the curriculums of all of the schools in the district. We

are especially concerned about the curriculum development at Austin-East and Vine Middle Schools because they are not scheduled to be closed immediately (Letter to Archie Myer, Acting Director of OCR, Atlanta from NAACP, May 21, 1991).

The NAACP was also concerned about the location of the University High School. If it was to service Fulton and Austin-East students, why not place it equidistant from the schools--perhaps on Cherry Street? Otherwise, the NAACP said:

We believe to locate this facility anywhere other than near the East Knoxville Community would be devastating to our community and counterproductive to educating the vast majority of the Black children who reside in inner-city Knoxville (Ibid.).

The NAACP and the Superintendent continued their cycle of friendship and animosity. In May 1991, the two were friends again. This union occurred following a statement to the *Knoxville News-Sentinel* by U. S. Department of Education Assistant Secretary Michael L. Williams (Letter to KNS from Michael Williams, 5-24-91). In the letter, Williams stated:

OCR is not requiring the closing or consolidation of any schools in Knox County . . . This issue [the complaint] could have been resolved by simply stopping the [student] transfers . . . I commend the Knox County school officials for their efforts to address a broad range of educational issues, but these efforts go well beyond what is required to comply with Title VI . . . development of the district-wide plan is not an OCR requirement (Ibid.).

The NAACP and Hoffmeister, as well as the Board Chairman A. L. "Pete" Lotts claimed that Michael's statement was misleading: it implied that changing the transfer policy (and assignment of teachers) were the only actions required by OCR, and ignored other complaints that followed the initial 1989 complaint. One of the complaints, by the NAACP, focused on curriculum, and others focused on transportation for the disabled. Both complaints required further

actions by Knox County. Roberts added that the NAACP was currently in the process of filing yet another complaint regarding the comparability of schools. Therefore, Michael's statement, in their opinion, did not fairly represent the Knox County situation. The question arose about why OCR was shifting its position and leaving Knox County holding the proverbial "bag." Lotts theorized that OCR was feeling pressure from the Tennessee Congressmen and their staffs (KNS, 5-26-91, A1, A10).

Amazingly, the School Board continued with its desegregation plan despite overwhelming opposition in certain quarters, specifically from the County Commissioners. According to A. L. "Pete" Lotts, the Board continued because it was "the right thing to do. The city had ignored those schools, and we needed to do something about them" (Interview with A. L. Lotts, May 7, 1997). Consequently, the Board considered alternative sites for the University High School because Mayor Ashe refused to give his permission to use the World's Fair site for the school. According to Superintendent Hoffmeister, "Ashe wanted to keep the site open to sell T-shirts," but others accused Ashe of having more devious motives (Interview, 4-15-97). It was reported that Ashe's mother owned the alternative site considered by the School Board. I could not verify this with Mayor Ashe as he refused my request for an interview.

At the end of the 1991, a question still haunted the Board: Would the Commissioners finally fund the desegregation plan? By November, the total cost for the Plan was \$22 million. The distribution was as following (KJ, 11-7-91, 8A).

- New magnet high school--\$17.5 million on architectural, land acquisition and building cost
- Northwest Middle School--\$1,065, 745 to add 10 classrooms, providing for the influx of 300 students from Beardsley Middle School (closed).
- New elementary school in South Knoxville--\$4,548,275 (for students who attended Flenniken, Giffin, Anderson and some students from Eastport and Sarah Moore Green).

- New elementary school at Christenberry Middle--\$4,522,035 (for students who had attended Brownlow, Lincoln Park and Oakwood Elementary Schools and some students from Sarah Moore Green).
- Whittle Spring Middle--\$5,192,815 (magnet school for students from Christenberry, Spring Hill and Vine Middle).

1992: The Year of Politics: Knox County Board of Education vs. Knox County Commissioners

Almost three years after the NAACP filed the OCR complaint and two years after the School Board committed to a desegregation plan, Knox County was still engaged in a planning process. Little implementation had occurred. The main obstacle to both processes, desegregation planning and implementation, were the nineteen County Commissioners: they refused to fund the \$42.8 million plan.

After considerable debate four Commissioners, Madeline Rogero, Frank Leuthold (w), Frank Bowden and Bee DeSelm, voted to fund the Plan. Commissioner Rogero explained the change:

[W]hat had been a bare bone plan now has meat on it. I am now convinced that the proposed magnet schools plan will offer curriculum and facilities that are equal to, if not better than any school in the county and far better than we are offering . . . Continuing this fight with the School Board only offers more uncertainties and delays. There are no guarantees and little chance, in my opinion, that we would eventually win a plan that renovates and increases enrollment at Fulton (Memo to News Media from Commissioner Rogero, 1-24-92).

This stance would cause psychological stress for Rogero. She reported that many of her constituents refused to speak to her, one being a close friend. She also received threatening telephone calls. During this period, Rogero feared for her safety that of her family (Interview, 4-23-97).

The four Commissioners' votes gave the Plan's proponents the 10-8 margin needed to approve it. The deciding vote, however, was not Rogero, but another Commissioner, Mike Ragsdale (w). Ragsdale, who represented the Fifth district and was vice president at Barber & McMurry Architectural Firm, could not decide which faction to support. The choices? The opponents, Billy Tindell (w), Billy Walker (w), Fred Flenniken(w), Leo Cooper (w), Joe McMillam and Howard Pinkston (w) contended that the Plan was too expensive and exceeded OCR's mandate by closing, renovating and constructing new schools. On the other hand, the proponents viewed the Plan as an opportunity to correct inequities in the school system. Ragsdale eventually voted "pro" because "three of the four Commissioners in the most affected area--the inner city--have decided to back the Plan." These three were Rudy Dirl (b), Madeline Rogero and Frank Bowden, Frank Leuthold, Mark Cawood, Joe Mays(w), Ralph Teague(w), and Robert Bratton (w) also supported the Plan) (KNS, 1-26-92, B1, B6).

The prelude to the Commission's vote was charged with tension as proponents and opponents of the Plan argued their positions. At one point, Dennie Littlejohn of CDAAC, had to be escorted from the podium. Littlejohn, who refused to sit down after the allotted time, implored the Commissioners to deny funds to the "new racism." Cheers from the predominantly white audience followed Littlejohn's presentation. Several other speakers succeeded Littlejohn, eleven opposed the Plan and thirteen supported the Plan (Video of Board of Commissioners Meeting, 1-27-92; KNS, 1-28-92, A1, A4).

Reactions to the vote were predictable based on the participants' stance:

- Commissioner Fred Flenniken --We fought the battleWe lost. Now I'm going to make sure South Knoxville gets its fair share (KNS, 1-28-92, A1, A4).

- CDAAC Dennie Littlejohn)--That's the democratic process. It's sad for the inner city and the community. There will not be equity and there still will not be quality (KNS, 1-29-92, A3).
- NAACP Dewey Roberts--The Plan is glaringly unfair and unequal [but] at its very worst its better those kids being trained in schools that don't have the curriculum and educational chances that students are receiving in West and North Knoxville (KNS, 1-29-92, A3)
- School Board Member Sam Anderson --They (Commissioners) came to the same conclusion (as the Board) that their community has to make a commitment to quality education and it can't matter where a child lives (Ibid.).
- KNS Editorial--The County Commission took a powerful step toward a better future for Knox students . . . when it voted to approve funding for the School Board's desegregation plan. (KNS, 1-29-92, A12).
- Commissioner Rudy Dirl--The only way that black school children in Knox County can get a better education is if they leave the confines of their nearly all-black schools (KNS, 5-31-92, A1, A10).
- Commissioner Billy Tindell—It's a bad plan. We don't have to do it. It won't work and it's a tremendous waste of the taxpayers' money (Ibid.).

The four Commissioners with swing the votes might have been influenced by the return of desegregation expert David Armor to Knoxville. Armor, and legal consultant Lindseth met with the School Board and a few of the Commissioners on January 21, 1992 to discuss options to the Plan. Because of the funding delay, Armor recommended the following modifications in the desegregation implementation (Letter to the Board of Education from Dr. David Armor, February 4, 1992):

High Schools

1. The delay in funding for the new University High magnet school means deferring the opening of the new high school and the closing Fulton and Austin-East until the Fall of 1995.
2. The rezoning of portions of Austin-East to Carter, Doyle, Gibbs, and West would also be deferred until the Fall of 1995.

Middle Schools

3. The expansion of Whittle Springs, which was to start in the Fall of 1991, will not be completed until after the beginning of the 1992-93 school year at best. This change will have to be deferred until the Fall of 1993 (alone with the Whittle Springs magnet program).
4. Without the Whittle Springs expansion, Vine cannot be closed until Fall 1993 at the earliest. Since 6th graders who would have attended Vine have been assigned to their new schools in the Fall 1991, according to the new plan zones, some further temporary change must be made so that Vine does not end up with only 8th graders. The recommendation is to send the new 6th graders to Vine for the 1992-93 year according to the original Vine zone.
5. Other Vine rezoning (Carter, South Doyle, and Bearden) would also be deferred to Fall 1993).
6. The zone change from Vine to Bearden has led to more students than expected attending Bearden, and it is now over

capacity (from a housing project not in our database). When Vine is finally closed, a zone adjustment will have to be made to shift some of the students to other schools. As soon as the new student address file is available in a month or two, zone adjustments between Vine and Bearden (and other schools) can be explored.

7. Northwest Middle School expansion has also been delayed which means that the temporary zoning of some Beardsley students into Gresham will have to be continued for one more year (Fall 1993). The recommendation is to move the new 6th grade cohort from the former Beardsley zone into Gresham rather than 8th graders will not experience their third school shift in three years.

Elementary Schools

8. The new South elementary school will not be available until at least Fall 1993, meaning that Flenniken, Anderson, and Giffin will have to remain open for another year.
9. The closing of Eastport, part of which is zoned to new South, will have to be deferred to Fall 1993.
10. The expansion at Sequoyah and West View is delayed; meaning that Maynard cannot be closed until Fall 1994.
11. The expansion of Ritta is delayed, which affects the rezoning of a portion of Gibbs to Ritta. The expansion will be completed by Fall 1993.

12. Expansion of Belle Morris is delayed, which means that the rezoning between Sarah M. Greene and Belle Morris must be deferred to the Fall of 1993.
13. The lack of space at Green and Sarah M. Greene because of delays in rezoning means that the magnet programs there cannot be implemented until at least the Fall 1993. The magnet program at Beaumont can, however, proceed on schedule.
14. Due to an error in the address file relating to in-zone students, additional classrooms must be added to Bearden Middle School.
15. The Lonsdale closure has been rescheduled for June 1994.

Plan Implementations Not Changed

11. It is anticipated that the Spring Hill expansion will be accomplished so that Alice Bell can be closed by Fall 1992.
12. The Christenberry opening (and closure of Brownlow, Lincoln Park, and Oakwood) is still scheduled for Fall 1993 (Ibid.).

Unperturbed by circumstances surrounding implementation, the newly organized Magnet Steering Committee chose six sites for the Board to consider. The six sites were the Standard Knitting Mills site, Austin-East High School, Fulton High School, the south side at the World's Fair Park, a location on Cherry Street, and a site on the north side of World's Fair Park. The survey showed the public favored Standard Knitting Mill as the site for the new school (KNS, 2-06-92, A1). As a result, the Board approved this site as the location for the University High School (KNS, 2-3-92, A3).

It appeared that the School Board had won, the community lawsuit was denied and withdrawn, the Commissioners finally agreed to fund the Plan, and the site was selected and approved by the Board. Unfortunately, the fight was not quite over. Vowing to return, several

members of the community coalition (*Middlebrook v. Knox County*) decided to take "their fight from the courthouse to the ballot" (KNS, 1-16-92, A1, A5). They would seek to win seats on the School Board to block the Plan. (Four School Board seats were up for election--only two of the members leaving had supported the Plan: A. L. Lotts and John Cox (w).)

The Commissioners also were not finished, especially Commissioner Joe McMillan (w). At his suggestion, the Commissioners set up a non-binding referendum on May 26. Hence, the voters in the August election could register their opinions on the Plan. Law Director Beeler warned the Commissioners that even if the voters rejected the Plan, the Board was not obligated to alter its course (KNS, 2-19-92, A1).

Despite the upheaval, the first of the magnet schools, Beaumont Honors Magnet, was scheduled to open Fall 1992, an event that prompted School Board member Sam Anderson to ask, "Why is the first magnet program being implemented in a predominantly white school, and none in a predominantly black neighbor" (Board of Education Meeting, 3-7-92). Sharing this concern, desegregation consultant Armor recommended, via legal consultant Lindseth, that Knox County should defer opening Beaumont until Fall 1993. He gave the following reasons: 1) opening all of three elementary magnet schools would ensure the necessary Board of education's support and funding, and 2) it was too late in the year to solicit applicants. Armor added:

The last thing we want is for their initial program to have a low white enrollment which will merely confirm what a lot of people have been saying, that is we cannot draw the necessary number of white students to make a magnet program work (Letter from David Armor to Alfred Lindseth, 4-92)

Another reason, albeit unstated, could have been to avoid an investigation by OCR. OCR would be less impressed with opening a magnet school in a predominantly white neighborhood, although Beaumont was 38% black, than in the black neighborhood. Realizing this, Armor recommended that:

[I]n order to show the Board's commitment. . . . to fund all of the three magnet programs. . . . we [must] demonstrate to OCR that the Board does have a definite commitment to funding. . . and [the delay] is a belief by the Board that their ultimate success will be promoted by opening all of the elementary schools at the same time (Letter from Alfred Lindseth to Sarah Simpson, 4-13-92).

Opponents of the Plan, both black and white, were heartened by the Supreme Court decision in Dekalb County, Georgia. In this decision, *Freeman v. Pitts*, the Court released the county from further desegregation efforts even though it had not "achieved in all the specific areas outlined in the *Green* decision" (Orfield, 1996, p.xxiii). It explicitly stated that school districts were no longer required to meet all five indices of *Green*.

Reversing his former opinion regarding the case in Georgia, the Law Director with the legal consultant Lindseth explained to a large crowd that the decision did not affect Knox County because the County had never been declared unitary. To this, Dr. Charles Mathes, a member of a black community group, rejoined, "How can you sit there and say you can't have racially identifiable schools when the Supreme Court has said it's OK if that's where people live?" A member of the Coalition for Community Affairs, Carol Zimmerman (who was running for Board member), agreed with Mathes: "The Supreme Court ruling says that it is not unlawful for blacks and whites to attend different schools if they live in different neighborhood" (KNS, 4-5-92, B1, B6). The news of the ruling was especially pleasing to Leo Cooper, Chairman of the County Commissioners. He believed that the court rulings vindicated his opposition to the Plan, arguing that the ruling provides "the possibility for separate but equal schools" as long as segregation isn't intentional" (KNS, 4-4-92, A4). The new Superintendent of Schools Allen Morgan (w) tried to dampen Cooper's optimism by countering, "I don't think we can initiate separate but equal schools. Not if we are trying to show 'good faith.' Not if we're trying to have a school system with equal opportunities for all children (Ibid.).

The delay would not affect the building of the University High School. Five firms had presented proposals to construct the school. The Board awarded the \$19 million architectural contract to Barber and McMurry, Inc. who worked with the firm of McCarty Holsapple and McCarty on the project (Board of Education Meeting, 4-7-92). Another firm, KBD Planning Group, Bloomington Indiana, was chosen as the consultant for the proposed magnet school (Board of Education Meeting, 4-7-92; KNS, 4-4-92, A1). The architectural choice drew protest from Hoffmeister: "They are asking for trouble with their choice of architects "(Ibid.). Hoffmeister had recommended the joint firms of Lindsey & Maples, and Allen & Hoshall. The predicted trouble would come soon: rumors surfaced that the Board might have awarded the contract to Barber and McMurry as a reward to Commissioner Ragsdale for supporting the Plan (Ragsdale was vice president of the firm). Unwittingly, the award had robbed the Board of one vote because its codes of ethics prohibited Ragsdale from supporting the project.

True to form, the Plan faced another snag when some Commissioners suggested that the Standard Knitting Mills site contained hazardous waste (KNS, 5-21-92). Until the site was tested as safe, the Commissioners would not approve funding of the architectural work approved by the Board. Proponents of the Plan contended that the hazardous waste scare was just another tactic to delay funding the projects, a fact that was incidental considering the proponents did not have enough votes to pass anything. With the loss of Ragsdale's vote, and another commissioner out with hip surgery, the cards seemed stacked against the Plan's proponents. On May 27, the Commissioners voted against funding the architectural work--at least not until the soil was tested for hazardous waste. In response, the architects said they could not test the soil until they had a design. Another stalemate. This was a condition that led Commissioner Rudy Dirl to comment:

Here we are, 30 years after *Brown v. Board of Education* and we are still deliberating whether we should have an integrated school system. It doesn't speak well for this community and I'm a little embarrassed about it (KNS, 5-27-92, A1).

Not only were the actors changing in the desegregation drama due to an election, but some of the actors were also experiencing change as well. For example, Earl Hoffmeister, the staunch supporter of the Plan, the proponent of closed/renovated/new constructed schools changed his views after the election. Appearing before the Commissioners, Hoffmeister confided to the group that neither Fulton nor Austin-East needed to be closed. He continued:

I'm for the school [magnet], but I'm not for stripping the rest of the schools around the county to make one magnet school work. I think the Board could win a lawsuit against the Commissioners, but there's not a court in the world that can force (the Commissioners) to fund it (KNS, 5-22-92, A1, A5).

Also contrary to his former stance, Hoffmeister greeted opponents of the Plan in his office with the disclaimer: "It's on record that I'm not for closing these schools. I don't have to believe in the plan, but I do have to go with it. I'm a team player" (KNS, 5-23-92).

The School Board Chair A. L. Lotts was furious with Hoffmeister and questioned his remarks to the Commissioners. In turn, Hoffmeister responded: "You talking to me? Where was the rest of the Board? You could have been at the meeting" (KNS, 5-28-92, A5). The meeting could be kindly described as 'heated' as other Board members took turns blaming each other for all of the obstacles to the Plan. Would the Plan's opponents win after all?

The Board did agree on one item: to bring desegregation consultant Armor back to Knoxville to explore options to the Plan. Although there wasn't a consensus, some members agreed with newly elected Chairman Steve Hill that legal action should be taken against the Commissioners. (Hill succeeded A. L. Lotts who did not run in the May 6 primary.)

As to the referendum proposed by Commissioner Cooper in February, the Commissioners had not given up on it being held. Two proponents of the Plan joined opponents to the plan in putting the issue on the next agenda. One of these, Cawood, said he did so out of respect for the veteran Commissioner McMillan, but he might change his mind and vote against

the referendum. The referendum was a waste of time contended the Plan proponents: "The voters had already spoken," contended the opponents of the referendum, "when they elected Allen Morgan rather than Leo Cooper as the new school Superintendent. Not only had Morgan beat Cooper, he carried seven of the nine districts, including Cooper's district. (Cooper, the Chairman of the Commissioners, opposed the desegregation plan.) "I think the people had no problem identifying where the School Board and Superintendent candidates stood and they chose accordingly," said Commissioner Bee DeSelm (KNS, 5-28, 1992, A5). The Commissioners rejected the referendum on June 1. The proposal was three short of the required ten votes needed, (KNS, 6-2-92, A4).

While the Board and Commissioners feuded, school officials were busy supplying OCR with information needed to investigate the second NAACP complaint. As before, Knox County was represented by John McCook. Several administrators were asked to provide information, e.g., one was asked to list courses offered at the middle schools and another was asked to provide student capacity and a description of overcrowding (Memorandum from John McCook, 5-6-92). McCook, in turn, received a letter from legal consultant Lindseth regarding the curricula at middle and high schools. The letter read:

If you compare Austin-East with every other school in District, it doesn't look good. We might be better off comparing it with just Central High. On the other hand, I recognize the advantage of comparing Vine with every other middle school and it would look funny if we compared Vine with all other middle school, but Austin-East with only Central. Perhaps we could compare Vine with only Bearden, but add an explanatory note about the foreign language offerings, and then compare Austin-East with only Central (Letter to Richard Beeler, Sarah Simpson, John McCook from Alfred Lindseth, 5-14-92).

Lindseth ended the letter with a profound question: "Why doesn't Vine have chorus? Every other middle school does." (Ibid.).

Armor, accompanied by legal consultant Lindseth, arrived in Knoxville on June 2 to conduct a special workshop on the desegregation Plan. Ten Commissioners attended the meeting (KNS, 6-3-92, A1, A5). Armor told the group that several options were available if the magnet school was not funded. He listed the following options:

1. Keep Austin-East open. Bus some Austin-East students to adjacent schools and bus some white students from Central, South Doyle, West, Gibbs, and Carter to Austin-East. Fulton would be closed.
2. Leave Fulton and Austin-East open and put the magnet high school at Austin-East.
3. Leave Fulton and Austin-East open with 9th and 10th grades at one school and 11th and 12th grades at the other school.

Both Lindseth and Armor warned the group that "nearly all (options) could lead to lawsuits and federal intervention . . . that a [lawsuit] takes time, money, and effort, and removes control of the schools. . . from local elected officials (Ibid.). Lindseth advised the Board that under the county's Home Rule charter, the Board could obtain a court injunction to force the Commissioners to fund the magnet high school. Although the Commissioners could deny funds for contracts over \$50,000, the Board could argue that the Commissioners used their authority 'as a pretext' to stop implementation of the Plan (Ibid., A5). A heated discussion followed the presentation, especially between Commissioner Rogero and the anti-Plan Commissioners (Ibid.).

In a follow-up memorandum, Armor listed two instead of three options, which simply included 1) keeping Fulton open, and 2) closing Fulton. Both options would require massive busing of black and white students to and from Austin-East High School (Letter to John McCook, Sarah Simpson and Alfred Lindseth from David Armor, 6-9-92).

Unfortunately, Commissioner Joe McMillan died after suffering a massive cerebral hemorrhage. McMillan had been one of the most vocal opponents of the Plan. His strong conviction was signified by his appearance at a Commissioner's meeting on a stretcher on July 15,

1991. After voting on the Capital Improvement Plan, he returned to the hospital (KJ, 7-15-92, A3). His death would be significant to the Plan because the opponents would no longer have the majority vote. At least until his son replaced him on the commission.

As of July, the deadlock between the Commissioners and School Board officials remained. To resolve the difference, the two agreed to meet with OCR in Atlanta on July 9. Opponents of the Plan hoped that OCR would convince all parties to forget the Plan. But Board member Sam Anderson carried with him 700 signatures supporting the Plan. According to Anderson, the opponents did not represent the majority of the black populace. He did. The signatures represented a silent majority of black families who felt that their children were receiving an inferior education at predominantly black schools (KNS, 7-9-92). Anderson also confirmed that he was never challenged by anyone in the black community over his stance. According to him, black people shook his hand, patted him on his back and said, "Keep up the good work!" (Interview, 5-6-97).

The meeting with OCR was disappointing to all parties attending. The transcript of this meeting revealed carefully worded responses by OCR Regional Director Archie Meyer and Chief Attorney and Acting Regional Director Barbara Shannon. The answers were responsive and noncommittal. For example, when asked, "If problems of staffing and transfers are remedied, can other aspects of the Plan be changed?" The OCR's representatives answered, "Can't answer." And, "Is it a violation for a community to have a school which is attended only by students in that community?" Again the representatives responded, "Can't answer." They did, however, tell the group that another plan in lieu of the current plan "would not be considered because both OCR and Knox School Districts agreed to the original plan and the implementation schedule in regard to the two original complaints" (Meeting with OCR, July 9, 1992, prepared by Linda and John Thaller, Fulton Concerned Citizens.)

Compared to the earlier month, August was relatively peaceful, a transition that allowed all parties to ponder their next move. The Board considered Attorney Courtney Pearre's and Alfred Lindseth's suggestion to sue the County Commissioners. It also asked Hoffmeister to press Mayor

Victor Ashe for permission to test the soil at the old Standard Mills Knitting site. He had refused earlier requests from Hoffmeister to meet with him. The August 12 meeting would be the last appearance before the Board by Hoffmeister, A. L. Lotts and two other Board members, Ron McPherson and John Cox. Three new Board members entered the picture--Harry Brooks (w), Tommy Prince (w), Anne Woodle, plus a new Superintendent Allen Morgan. Earlier, Steve Hill succeeded A. L. Lotts as Chairman of the Board and Sam Anderson succeeded Steve Hill as Vice Chairman.

Regardless of the actors in the drama, controversy continued to plague the desegregation process. State regulators investigated a possible conflict-of-interest involving Barber & McMurry Inc. Questions surrounded Commissioner Mike Ragsdale's vote on the \$42 million school consolidation and desegregation planning, and his connection to the firm awarded a contract to design and build the magnet high school (KNS, 9-10-92, A1, A5). Although Ragsdale recused himself from voting on the contract, the state Board of Architectural and Engineering Examiners was obligated to investigate any impropriety (Ibid.).

The controversy between the Commissioners and Board culminated in a lawsuit by the School Board against the County Commissioners. The lawsuit, *The Knox County Board of Education v. Knox County Commission*, was filed on behalf of Board member Margaret Maddox's sons (w), and Board member Steve Hills' daughter (w). In the class-action suit, the Board accused the Commission of discriminating against Knox County public schools and abusing its fiscal authority by refusing to fund the desegregation plan (KNS, 12-19-92, A1, A9).

Instead of a hearing, United State District Judge James Jarvis (w), handed down an eight-page order that chided Knox County's elected leaders (Ibid.). In a memorandum opinion, he wrote:

On the surface, this is an action brought under the federal civil rights statutes to further the noble purpose of perfecting the desegregation of the Knox County School. . . Lurking just beneath the surface, however, is the spectacle of the legislative arm of the Knox County government throttling

itself because of its inability or unwillingness to adopt a solution to a tough political question. This spectacle persists despite Tennessee law which, with respect to our schools, contemplates reasonable coordination and cooperation between the revenue-raising government agency, in this case the County Commission and the revenue-spending government agency, in this case the Board of Education (*Knox Board of Education v. Knox County Commission*, 1991, pp. 1, 2).

Judge Jarvis urged the two agencies to settle the issue outside of court, because:

If this dispute must be litigated in federal court, there will be no winners other than the attorneys--every minute spent litigating takes away funds that could be better spent improving the education of Knox County children (Ibid.).

Jarvis was also concerned about the "apparent ease" with which the accusation of discrimination is made" (Ibid., p. 5). A cynic, he continued, might accuse OCR of being discriminatory in some of its regulations, especially, through the "method with which OCR identifies a 'racially identifiable' school" (Ibid.). For example, in Knoxville a school is racially identifiable if it is 33% black, and can be targeted for closure or for busing of students. On the other hand, a 100% white school is not racially identifiable and falls outside of regulatory actions. "Such regulations," wrote Jarvis, "obviously have the effects of fostering desegregation plan which dismantles predominantly black inner-city schools while leaving untouched predominantly white schools" (Ibid., p. 6). Jarvis reasoned that the regulation didn't make OCR discriminatory any more than actions of politicians involved in desegregation planning. Rather, their opposition was more a concern for re-election than racial discrimination. He ended by acknowledging that "desegregation plans are often politically unpopular. Nevertheless, federal courts are not burial vaults for unpopular political issues" (Ibid., 6). With these words, Judge Jarvis reset the hearing for February 2, 1993.

The year ended as it began--with no funds for the magnet programs or magnet high school. Although the Commission's Education Committee voted on November 17 to fund \$3.5 million to fund several components of the EEOP, a few days later the full commission deferred to their attorney Eddie Pratt's advise to wait until the ruling on the pending lawsuit. (The magnet programs at Green, Sarah Moore Green and Beaumont Elementary Schools, and the expansion at Northwest and Bearden Middle Schools). The two black Commissioners, Rudy Dirl and Frank Bowden, hinted at that racism was the behind the non-funding issue. For example, Bowden accused the Commissioners of "being willing to fund everything but the inner city school work (KNS, 11-24-93, A1, A6). In defending his vote, Commissioner Mark Carwood (w), who supported the desegregation plan, explained that he voted against funding "because most people wanted to wait until after the lawsuit is over" (Ibid.).

The Plan faced another problem. Geological testing revealed contamination of the old Standard Mills site. The initial tests revealed groundwater contamination of the soil from leaking underground fuel tanks at the K-Trans or city bus company's lots. The tanks had been removed and the soil treated, but other contaminants made further testing necessary (KNS, 12-7-92, A1, A9).

1993: The Plan Revised

The Commissioners, having gained considerable yardage in the see-saw struggle, took steps toward a resolution with several proposals to the Board. One, it proposed to vote in 1994 to eliminate the \$50,000 requirement *as it applies to the School only*. It would, of course, retain all other powers regarding the appropriation of school funds. Two, the Plan would be revised to keep Fulton High School open. Third, Vine Middle School will remain open as a feeder school to Austin-East High School, and fourth, magnet programs would be available at Austin-East, Vine, Sarah Moore Greene, Beaumont, and Green that would ensure a diverse community. Fifth, Fulton would be renovated at \$14 million and Austin-East would be expanded to a cost of \$20 to \$25

million. The total exceeded the cost specified by the Plan. Finally, the Commissioners proposed to change the wording of the funding resolution to "appropriate the necessary funds" as opposed to the current restrictive phrase "intent to fund" (Letter to Courtney N. Pearre, Esq. from Robert F. Worthington, Michael B. Kinnard, Esq. Baker, Worthington, Crossley, Stanberry & Woolf, 1-6-93).

The Commissioners took another step toward reconciliation by asking the Board to form an eight-panel committee, four members from each agency. Half of the committee would be pro-plan and the other half, anti-plan. Proponents of the plan were Commissioners Madeline Rogero and Frank Bowden and Board Members Anne Woodle and Margaret Maddox. Opponents of the plan were Commissioners Billy Tindel (w) and Wanda Moody (w), and Board Members Tom Prince (w) and Paul Kelly (w). Although the Board complied with the Commissioners' request, Chairman Steve Hill was angered by the committee. "We presented a plan to the Commissioners on several occasions and we got no response," said Hill. Sam Anderson was also upset by the move, even refusing to serve on the committee. Anderson was fearful that the committee would, in a compromising mood, sacrifice the educational concerns of the black community (KNS, 1-15-93, A4).

At the first meeting, school officials presented six alternate maps as options to the current Plan. The Commissioners expressed interest in two of the six maps that left Fulton, Austin-East and Vine open. Notably, the plan did not include the controversial magnet high school (KNS, 2-13-93). The omission, however, did not mean that the Board had given up on the \$25 millions inner-city high school. Instead, explained Margaret Maddox, the School Board members merely wanted to demonstrate that leaving Austin-East and Fulton open was unrealistic. Primarily, she continued, because the cost would be prohibitive, at least \$30 millions compared to the \$25 million for the magnet high school (Ibid.). (This cost excluded the cost of specialized curricula for the school.) Besides, the school officials doubted if OCR would approve a plan that left Austin-East "racially identifiable" (Ibid.).

The actions and words of the Board-Commission Committee "thoroughly confused" Board member Steve Hill (KNS, 2-13-93). It seemed that while he was trying to convince the community to accept the Plan, the committee had another agenda. At a meeting at the Fountain City Town Hall, Hill assured the crowd that desegregation, although not pleasant, was necessary to avoid costly litigation. "This Plan," said Hill, "is a plan that can be defended in court. We're trying to go forward" (*The Shopper*, 1-16-93, p. 4). Nevertheless, the Board-Commission Committee continued to negotiate. Subsequently, the Board members sent the Commissioners larger maps of the Austin-East and Fulton school. The Board, in turn, asked the Commissioners if they were prepared to fund *any* alternate plans.

The CDAAC and the Coalition for Community Affairs announced another proposal, the "Comparable Community Plan for Equalizing Educational Opportunity." This plan, in essence, called for community schools, which would require reopening closed schools as well as rescinding orders for future school closure. Interestingly, neither group, one black and the other predominantly white, expressed concern about racially identifiable schools. Both groups were convinced that OCR was only interested in "quality and equality of education for all children. OCR does not have a problem with a school simply because it is 95% majority or minority" (KNS, 2-18-93, A4). At this point, OCR's interest was unclear. In light of recent developments, it [OCR] seemed to be unaware of what was occurring in Knox County.

But Judge Jarvis was interested. He re-entered the debate with a challenge to both agencies to resolve their differences, referring to both agencies as "hardheaded and childish" (KNS, 2-20-93). The Commissioners' attorney explained: "[I]t is difficult [to negotiate] because the state Sunshine Law requires they be open to the public . . . [the elected officials] don't feel they can be candid with each other while under public scrutiny" (Ibid.). The Commissioners' resilience paid off. Because of their pressure, the architectural firm, Barber & McCurry, withdrew from the controversial contract. The Board contracted with another firm, McCarty Holsaple McCarty, Inc. Board member Margaret Maddox added that the withdrawal was in no way a "reflection on the

confidence in the firm," but it was simply a "reflection which developed regarding the project" (Board of Education Meeting, 2-22-93).

In addition, the Board voted to withdraw, "without prejudice," its lawsuit against the Commissioners. Hence, Board Member Anne Woodle made a motion "that the Board reaffirm to Knox County Commissioners a request for funding for Beaumont, Greene and Sarah Moore Elementary Schools; Bearden and Northwest Middle Schools; and the magnet high school (Ibid.). The question lingered: Would the Commissioners yield or would the struggle continue?

The conflict with the Commissioners was only one of the many battles faced by the Board. By 1992, the Board had had approximately five discrimination complaints filed against it. The first one, filed in June 1989, precipitated the desegregation process; the second, filed in October 1989, alleged discrimination against white students at Karns High School; the third, filed in 1991, charged discrimination against the disabled; and the fourth filed in 1992 addressed the inequity in curriculum, facilities and supplies in predominantly black schools. The fifth complaint was another complaint regarding discrimination against the handicapped. If this was not enough, at least four additional discrimination complaints were filed in 1993. OCR had 135 days upon receipt of each complaint to respond and to complete its investigation.

While John McCook handled the OCR's complaints, the Board dealt with the Commissioners. By weakening its stance, the Board convinced the Commissioners to release, or provide \$3.6 millions to fund the three magnet-elementary school programs and the expansion of the two middle schools. The Commissioners who voted against funding were: Leo Cooper (w), Billy Walker, Fred Flenniken, Howard Pinkston, and Mike McMillan (KNS, 3-2-93, A1, A4). They explained their votes in the following terms:

- Howard Pinkston: "I don't think the people in my community (South Knoxville) are ready for magnet programs" (KNS, 3-2-93, A1, A4).
- Leo Cooper: "I am an advocate of community schools. I think every school should be a magnet school" (KNS, 3-2-93, A1, A4).

- Billy Walker : "There is absolutely no way outside children will go to those schools unless they are forced to. The East and the South and the inner city are the only ones who have been made to suffer . . . If they had been designed to affect every school in the county, it wouldn't have gotten to first base" (KNS. 3-2-93, A1, A4).

The funds, however, permitted the opening in the 1993-1994 school year of the Beaumont Honors Magnet Program. The other programs opened in 1994-1995. Because no funds were available to finance these projects, all new projects were be forwarded through the authorization of bond anticipation notes. There would also be a call for sales tax revenue to be used for the school construction fund (Letter to Commissioners from Kathy Hamilton, 3-1-93).

The greatest surprise of the year was not the withdrawal of the lawsuit nor the partial funding of the magnet programs. It was the announcement by Sam Anderson that he would consider "other options" to building a new magnet high school. Reasoning that the political fighting had stymied "everything . . . for two years," Anderson made the following suggestions:

- make Austin-East a magnet school and renovate Fulton High School and expand its boundaries
- convert Vine Middle School into a magnet school
- consolidate Maynard, West View, and parts of Lonsdale Elementary School rather than send students to Sequoyah Elementary as planned.
- send Ritta Elementary students to Holston Middle instead of Carter Middle School (after the fifth grade).
- adjust South Doyle Middle and Holston Middle Schools to include a larger section of minorities (KNS, 3-12-93, A1, A5).

Undoubtedly, Anderson was tired. An incident in the fall had added to his turmoil. A delay in closing Vine resulted in 100 students returning to Vine after being zoned to five different schools. The confusion left a bitter taste in Anderson's mouth (KNS, 8-93, A1).

Anderson's about-face brought "delight" from one opponent, and "cautiously excite[ment]" to Board Chairman Steve Hill. The City Council which had been a silent observer commended both agencies [the Board and Commission] for:

A]ttempting to move forward with the difficult and complex process of developing and implementing a desegregation plan in Knox County which will provide all students in Knox County with a high quality appropriately diversified education (To Knox County School Board, Knox County Commission from the Office of the City Council, 1993).

Evidently, Anderson's decision carried a lot of weight, or was a reflection of changed sentiment. Others quickly joined Anderson in promoting the revised plan. One was Commissioner Rogero, formerly a strong supporter of the Plan. In a news release, Rogero wrote:

It's time for the School Board to put their new plan on the table . . . I am ready to support and seek commission funding for a new plan for Fulton which provides an enhanced curriculum, increased enrollment, and complete building renovation and necessary expansion (News Release, 4-13-93).

Everyone was not pleased with the revised plan, specifically Frank Bowden, one of the black Commissioners. According to Bowden:

The proposal is not to desegregate this county. It's to maintain segregation. It's to save the Gibbs community. It's to save the Strawberry Plain community . . . to save the West . . . to save the North. It's still designed to perpetuate segregation and to keep certain schools as lily-white as possible (KNS, 4-28-93, A1, A7).

Bowden also opposed keeping Austin-East opened, because it would, in his opinion, limit the exposure of inner-city students:

[T]he kids you're getting in Austin-East come from the projects and lower-income areas. Will that continue to be the case? Will it continue to be just a

group of disenfranchised kids influencing another group of disfranchised kids. Where are your role models coming from? (Ibid.).

The change also angered the NAACP. The compromise, or revised plan, explained the NAACP's president, "does not in any kind of way, at all do anything to desegregate the school system. It doesn't equalize education. It doesn't desegregate. It's a hoax--a terrible hoax--they're playing on the community" (Ibid.). If Knox County didn't make certain concessions, the NAACP threatened to file another lawsuit. In a position paper, the NAACP called for the "immediate and total desegregation of the Knox County School District," by:

- revoking all transfers.
- redrawing school zones to adequately reflect the demography,
- eliminating all racially identifiable schools,
- building a state-of-the-art high and middle school in the black community.

In addition, the NAACP sent the Plan to the national NAACP office for review and advice. The Assistant Counsel of the NAACP in Baltimore, Maryland requested a meeting with the Board to "address the several factors attendant to a valid and successful desegregation" (Letter to Chairman Steve Hill from Pace J. McConkley, 6-15-93).

Legal consultant Alfred Lindseth wrote Law Director Richard Beeler that he was "somewhat concerned about the state of the desegregation plan in particularly as it related to the complaint currently pending before the OCR" (Letter to Beeler from Lindseth, Sutherland, Asbill & Brennan, 6-23-93). Therefore, Lindseth advised Beeler that they needed to 1) notify OCR of the revised desegregation plan, 2) explain to OCR why the Plan was revised, and 3) meet with NAACP to see if we can resolve their concerns (Ibid.). But, confessed Lindseth, they did not want to correspond with OCR until the revised plan was completed.

Following Lindseth's advise, the Law Director arranged a meeting with the NAACP to see if they could defuse its threat. However, little was accomplished at the meeting. For example, Superintendent Allen Morgan refused to make a commitment to the demands, stating instead, "We

still have the desegregation plan in place as the School Board voted it, and that is the plan we are proceeding with" (Ibid.). The Superintendent's words infuriated Commissioner Frank Bowden. In referring to the Austin-East, he reported:

The conditions at the library right now are absolutely deplorable. The school administrators have to have known about it, but apparently nobody did too much pushing, and consequently you've got a substandard library that has existed for years (Ibid.).

Even though Superintendent Morgan did not commit to immediate improvements at Austin-East High School, plans were being finalized for renovation of the school. This action was made possible when the Commissioners approved a contract with McCarty Holsapple MacCarty to renovate and expand Austin-East. It [the Commissioners] also authorized the Board to "proceed with preparation for property acquisition for the Austin-East expansion" (Resolution,93-5).

Prophetically, the *Knoxville News Sentinel's* editorial expressed skepticism at the commissioners' endorsement of the revised plan, and the promise of \$25 million to fund the plan (KNS, 5-28-93, A12). The editorial warned that the funding issue was not over. In a similar tone, Superintendent Morgan stressed the need for a commitment. "It would be like trying to build a house. You've got to know what you want in a house before you start building it," reported Morgan (Ibid.)

To all appearances, the Commissioners were sincere about funding. By resolution, they wanted to review "the current provision of the EEOP with regard to plans for changes in curricula, attendance zones and transportation policies" (Resolution, 93-5-138). The Commissioners continued to show good faith when it approved a resolution "declaring the intent to fund . . . the principal amount of \$25,000,000.00 and contracted with Charles Hobson Company for the construction of technical labs at Vine Middle School" (Resolution 93-5-109).

Nineteen ninety-three ended on a somewhat positive note. Sam Anderson became the first black chairman of the School Board. Under Anderson's guidance, the Board submitted a list of

capital improvements that totaled \$105 million. Almost one-third of this amount, \$39.6 millions, was targeted for the desegregation plan.

1994: The Year of "The End"?

The coming year, in contrast to the previous five years, was not as controversial but it was a momentous year, nonetheless. The School Board and Commissioners agreed on funding and the Board finalized a revised desegregation plan. The plan, amended and revised from the May 5, 1994 plan, was approved on June 1, 1994. In this plan, several schools scheduled to be closed would remain open; these included Austin-East and Fulton High Schools, Vine Middle School and Lonsdale Elementary School. The Plan, and the history of each change, is presented in its entirety because it is the best single available source for the complete chronology of events (Knox County EEOP, 1994):

1. Austin-East High School

On May 5, 1993, the Board voted to keep Austin-East open with its current attendance boundaries. Austin-East would be extensively renovated and expanded, and the magnet program originally proposed (or similar to it) for the new downtown high would be implemented at Austin-East instead. Carter, Gibbs, and South-Doyle high school boundaries would remain as they were configured when Holston High School was closed (i. e., current zones).

Since the Board voted, the Austin-East capacity has been reduced to 1100, and the total magnet size has been reduced to 600, half of the students would be black and half would be white. In addition, it has

been proposed that 10 percent of the black seats (e. g. 30) will be reserved for resident white students (or the actual number of resident whites, whichever is smaller). This means that, when the magnet is fully subscribed, the attendance zone could accommodate 800 resident students, of whom up to 270 would be enrolled in the magnet program. This is higher than the current enrollment (665) but about the same as the actual count of resident students (765).

In accepting applications for the magnet program, a fifty-fifty black-white ratio should be maintained, so that in the first year or two of the magnet programs the total number of students in the magnet may be less than 600. This fifty-fifty ratio is a change from the original plan, which called for a 25-75 black-white ratio (a similar change is proposed for Vine). The reason for this change is that these new proposed magnets will have a much higher proportion of black resident students attending (in comparison with the original magnets), and a fifty-fifty ratio will open more magnet seats to the black residents students

The renovation project is expected to take about two years. Assuming that the County Commission approves necessary funds, the magnet program would be implemented in Fall 1996.

2. Fulton High School

Fulton is also to remain open and to be extensively renovated. This renovation scheduled to be completed by Fall 1996.

3. Vine Middle School

The Board also voted to keep Vine Middle School open, to undertake renovation, and to implement the magnet plan that was originally to have

been located at Whittle Springs Middle School. The Vine attendance zones would be modified so that the portions zoned to South-Doyle, Carter, and Holston Middle Schools would be as per the April 1991 EEOP. The portion of the current Vine zone proposed for Whittle Springs, the portion proposed for Gresham (the Gresham finger), and the portion proposed for Bearden Middle School (the Bearden finger) would all be returned to the Vine attendance zone. The eastern boundary of Vine would therefore run approximately along Castle Street, but otherwise its boundaries would be the same as the current zone.

The projected capacity of the renovated Vine would be 600, with a magnet program sized at 400 students, half of whom would be black and half white. The rules for reserving seats for white residents and black transfers and the maintenance of a fifty-fifty ratio would be room for approximately 400 resident students, of whom 180 would be resident black magnet students. The resident student count in the new Vine zone is currently 422.

Students living in the portion of Vine zoned to South-Doyle Middle School are still attending Vine starting with Fall 1994, all rising 6th graders who live in this area will attend South Doyle Middle School.

The renovations will require approximately 18 months, so the magnet program is planned for implementation by Fall 1996.

4. Whittle Springs Middle School

Whittle Springs Middle School would retain the northern and western boundaries as per the 1991 plan, which includes the former Christenberry and Whittle Springs zones. The portion of the Gresham finger between I-4- and i-640 (the portion of the old Spring Hill Middle zone) would be assigned to Whittle Springs.

The eastern boundary of Whittle Springs Middle School would therefore be approximately along Washington Pike and Ault Road.

The capacity of Whittle Spring will be 650. Since the resident students count is somewhat less than 550, this capacity would be large enough to accommodate up to 100 M-to-M students.

5. Christenberry Elementary

The resident enrollment count based on the Fall 1993 membership report indicates that approximately 750 students live in the new Christenberry attendance zone as proposed in the April 1991 EEOP. Of this number, 670 are residents at the three schools that Christenberry is intended to replace--Brownlow, Lincoln Park, and Oakwood. It is noted that the actual enrollment of these three schools is about 620, indicating net transfer to other schools.

Since it is desired to keep the enrollment of Christenberry at 600 or so, it is necessary to reduce the resident zone by approximately 100 students. It is proposed to adjust the attendance zones of Christenberry so that about 50 students are zoned into Beaumont (from the current Oakwood zone) and about 50 students are returned to Sarah Moore Greene.

The new Christenberry Elementary School is scheduled to open in Fall 1996, at which time these zone adjustments will be made.

6. Lonsdale Elementary

Because of financial constraints, it has been proposed to leave Lonsdale open, thereby eliminating the expansion at Norwood and West Haven. The current enrollment of Lonsdale is 56 percent black, therefore, Lonsdale will remain a racially identifiable school.

7. Current Timetable

Because of delays in construction funding by the County Commission, many of the scheduled school closings, openings, boundary changes, and magnet programs in the original EEOP have been delayed. The following is a revised timetable for these delayed plan events, including those mentioned above.

Fall 1994: Green magnet program opens*

Fall 1995: Dogwood opens, replacing Flenniken, Giffin, and Anderson

Sarah Moore Greene (SMG) magnet program opens.

Zone change with SMG, Green and Eastport**

Easport closes; zoned to Green and Dogwood.

Fall 1996: Austin-East's renovation complete, magnet program opens

Fulton renovation complete.

Christenberry opens, replacing Brownlow, Lincoln Park and Oakwood

Zone change also with Beaumont and SMG

Vine renovation completed and magnet opens.

Belle Morris renovation complete, zone change with SMG

Sequoyah and West View renovation complete

Maynard closes, zoned to Sequoyah and West View

South Knox renovation complete, zone change with Green

Whittle Springs Middle renovation completed

Holston Middle renovation completed

*Unless stated schools are elementary schools.

** Zone change means students from one school will be zoned to designated school.

On October 4, 1994, OCR notified Superintendent Morgan that it was closing the complaint as of September 29, 1994. OCR found that:

The District is currently operating a full funded Equal Educational Opportunity Plan (Plan) which is designed to equalize facilities and curricula at the schools named in the complaint and other schools in the District. The Plan has been implemented in part, and will be fully implemented over the next 4 years. The complainant stated that the Plan when fully implemented, will resolve the allegations of the complaint (Letter to Superintendent Allen Morgan from Archie B. Meyer, Sr. Regional Civil Rights Director, Atlanta, Georgia, 9-29-94).

Neither community groups nor parents had given up on protesting the Plan, revised or otherwise. Parents from Gibbs High School were angry because the new Plan did not grant Gibbs a reprieve. This meant that the middle school students in the Gibbs' area would attend Holston Middle School, while Holston area high students attended Gibbs High School zone. Instead of coupling the two zones, parents with the support of Commissioners Billy Walker and Mike McMillan proposed building a new middle school for Gibbs and moving it further east, a move that would eliminate the cross busing between the two zones. Neither the parents, nor the two Commissioners, were able to convince the Board to change the Plan--again.

The CDAAC, similar to the Gibbs community, would not give up easily. Lillian Coleman (b) and Zimbadwee Matavou (b) presented to the Board a three part "Black Paper." In this paper, the group proposed an honor and performance art program at Austin-East and new construction at Eastport, Maynard and Lonsdale Elementary Schools. The group also suggested that acceptance in the magnet should not be based on academic criteria (Board of Education

Minutes, 2-2-94; 3-1-94). Another CDAAC member Dennie Littlejohn, speaking for the NAACP and the CDAAC, denounced the Plan as discriminatory in that it denied equal education to the majority of African-American students (Ibid., 3-2-94). (Dewey Roberts, the NAACP's president repudiated Littlejohn's statement that he represented the NAACP.)

Among the numerous suggestions for facilitating the Plan was one by Board Member Anne Woodle. Woodle asked the Board to mandate diversity training for all school personnel, including the Board members (Board of Education Minutes, 1-4-94; 10-5-94; 12-7-94). Woodle's motivation stemmed primarily from dissonance between white teachers and black students. This was noted in the increase of discipline problems that involved both parties whether it was white teachers who were transferred to predominantly black schools, or black students who were transferred to predominantly white schools. Dr. Jane Redmond, Director of Minority Students Affairs at the University of Tennessee, and a member of a volunteer community group, found that:

[S]ome of the teachers appear to be frustrated, because despite their experience and compassion, they have been placed in an inner-city school without having been prepared. They've been placed in that environment and the cultural differences and their world view clashes with that of their students" (KNS, 5-24-94).

Data from Cudahy's dissertation (1995) supports Redmond's observations. In interviews with 10 white teachers, Cudahy found the teachers resentful of the transfers as well as the students whom they taught. As a parent at one of the involved schools, I witnessed, and was subjected to the hostility of some of the white teachers. Efforts to alleviate tensions between culture, race and class were undertaken by Redmond and others at Vine.

1995: The Year of Revision

Nineteen ninety-five began with an unusual twist. Parents were now protesting the delay in desegregation implementation that was to those schools slated for renovations and construction. As in the past, the Commissioners once more deferred funding for the proposed projects (KNS, 1-25-95, A1). They [Commissioners] asked instead for a workshop to explain why the cost of school projects was exceeding initial estimates by 30% or more (Ibid.). For example, Dogwood Elementary School's 1993 bid cost \$56 per square foot, whereas, two years later, in 1995, the Christenberry project had escalated to \$75 per square foot.

The EEOP was in the awkward position of being underfunded based on unrealistic estimates. To solve this problem, Superintendent Morgan asked the Board to allow the Public Building Authority (PBA) to oversee construction, and to hire Kaatz, Binkley, Jones & Morris Architects as planning experts (KNS, 5-95). Morgan, his staff, PBA and the architects worked to revise a five-year building plan that would maintain the essence of the Plan--the magnet programs--yet provide renovation for overcrowding in the West and Northwest area. Alfred Lindseth, legal consultant, cautioned the Board that OCR would be alarmed if the magnet programs were delayed, but probably would not object to scaling back non-magnet work at the predominantly black schools (KNS, 9-95, A3).

On September 27, the Board approved the five-year school plan (KNS, 9-28-95, A1). On October 24, the Commissioners approved \$179.1 million for a five-year capital improvement plan which included school projects, parks, libraries, and roads (KNS, 10-24-95, A1, A3). Almost half of the capital, \$81.1 million, was earmarked for construction at twelve schools during the next five years (KNS, 9-28-95, A1). The schools included in the EEOP projects were scaled back to accommodate overcrowding in the West and Northwest areas. Although the two black Commissioners Rudy Dirl and Diane Jordan (b) protested the change, both voted for the new plan. Commissioner Madeline Rogero best expressed the mood of most Commissioners: "Nobody's

getting everything they wanted in this" (KNS, 10-1-95, B3). Rogero's district got the largest amount of funding, \$17.4 millions, for renovation at Fulton High School. It would, however, get less than originally planned for Whittle Springs Middle School, also in her district (Ibid.).

The NAACP, predictably, was disturbed by the scaled down budget for Austin-East High School and Vine Middle School. It [NAACP] immediately notified OCR of the Board actions. In a letter to the OCR, the NAACP reminded OCR that it [OCR] had closed the 1989 complaint (May 1995) on the "assumption that the Knox County School District would live up to the agreement (EEOP Plan) that it made with your office in 1991," but instead, the County "chang[ed] the funding schedule to accommodate school expansion in sections of county that are not directly affected by the EEOP agreement" (Letter to Archie Meyer, Director, OCR, from Dewey Roberts, NAACP president, and Sarah Moore Greene, Education Chair, August 23, 1995). After receiving the letter from the NAACP, OCR warned Superintendent Morgan "if the District fails to implement the Plan, OCR will have to open a complaint against the District and conduct a comparability investigation" (Letter to Allen Morgan, from Archie Meyer, OCR, 9-20-95). In closing, OCR requested that the District notify OCR, within 10 days, whether there had been any changes or modifications to the Plan (Ibid.).

Subsequently, the NAACP asked OCR to take the following actions: 1) to reopen the closed complaint (#04-92-1256), 2) to initiate a full compliance review of the Knox County Schools; and 3) to halt all funding projects until this issue was resolved (Two schools had been built in West Knoxville, A. L. Lotts Elementary and Karns Intermediate Schools since the plan was approved by OCR in 1991.) (Ibid., 10- 2-95).

Events that followed closely paralleled efforts in 1990. Correspondence flew between the Superintendent's office and OCR. First, the County asked for an extension to the designated 10 days so that the school officials could report on the upcoming meeting between the Commissioners and the Board (To Archie Meyers, OCR from John McCook, 10-3-95). Responding for the County, Law Director Richard Beeler assured OCR that although

[T]he District has approved adjustments to the Capital Expenditure Plan which necessarily reduces funding from the original estimation for Austin-East High School and Vine Middle School, they have maintained the integrity. . of the magnet programs (Letter to L. C. Fagin, Jr., OCR from Law Director Richard Beeler, 11-2-95).

In regard to the Population Projection Report forwarded to OCR, Beeler emphasized, "the extraordinary growth within Knox County, outside of the City of Knoxville" (Ibid.).

Events repeated themselves when OCR, as in 1990, informed the County that they would visit the District on December 20, 1997 for the "purpose of defining the scope of the investigation and narrowing the data request needs." The OCR representatives conducted a follow up on-site visit the week of January 16-19 (Letter from Archie Meyer, OCR to Allen Morgan, 12-15-95, 1-3).

Another interesting twist occurred in 1995. On July 2, Sam Anderson reported that the Board never "attempted to desegregate the schools." Rather, said Anderson, the District had less to do with racial issues than with creating a single school system out of two historically separate, unequal districts. Furthermore, OCR knew this." (KNS, 7-2-95, A1, A6). Anderson later repudiated the statement attributed to him by the *Knoxville News-Sentinel's* writer Jessie Mayshark. But Mayshark stood by his story. According to him, "Sam did tell me that!" (Telephone conversation with Mayshark, 7-3-95).

1996: The Year of Closure

The OCR representatives L. C. Fagan and Roger Mills visited Knox County on January 16, 1996. The purpose of the visit, as mentioned above, was to investigate the County's alleged "retreat" from the Plan. Superintendent Morgan, however, explained the visit as merely routine and added that he was confident that the revised plan would withstand federal scrutiny (KNS, 1-17-96,

A1, A3). He continued: "I welcome the review. I think that both the administration and the Board of Education are committed to providing equitable opportunities, and we have done that" (Ibid.).

Pursuant to the second visit, (scheduled the week of February 12-15), OCR requested certain information from Knox County. The information included 1) a copy of the Tennessee Code that requires the County Commissioners' approval for the Board of Education expenditures over \$50,000, and 2) an explanation of the function of the Public Building Authority and its relationship to the district. In addition, OCR asked if there "are there any schools constructed by the former county school district prior to the merger, that can be compared to Austin-East High and Vine Middle Schools?" John McCook responded that Bearden High could be compared to Austin-East and Whittle Springs Middle could be compared to Vine Middle School (Letter from L. C. Fagan, Jr. to John McCook, 1-23-96; Memorandum from John McCook, February 7, 1996).

John McCook quickly forwarded (January 24) the requested information, including a definition of Public Building Authority's (PBA) duties:

The PBA is a non-profit, public corporation and is chartered under the State of Tennessee. The purpose of the PBA is to provide the City of Knoxville and Knox County (including the various political subdivisions) with services related to the financing, designing, construction, and operation and maintenance of public buildings. An eleven member Board of Directors six of whom are appointed by Knox County and five who are appointed by the City of Knoxville governs it. Board members are not an elected official or an employee of either government. While the PBA has traditionally functioned in the capacity of "owner" under lease purchase agreements, the management services provided for the Knox County Capital Program is more restrictive. Knox County and Knox County Schools are the "owners" making policy decisions as to program, scope, budget and schedule. The role of PBA is to provide technical assistance and to implement policy as they

relate to construction matters (Letter to John McCook from Michael Edwards, PBA Administrator, 1-24-96).

In preparation for OCR's second visit, John McCook advised the Superintendent and administrative staff that "we have nothing to say to the press, and OCR will abide by the same policy. We may wish to say that they are here to visit based on the complaint, but I would not recommend trying to settle this via the media (Memorandum, 2-7-96). The representatives were to meet with the Commissioners, PBA, architects, principals, and school officials.

After seven years of negotiation, revision, and complaints, the desegregation efforts came to an abrupt halt. In a meeting with OCR, the NAACP and school officials informed OCR that the "issues raised in the complaint were mutually resolved" (Letter to Dewey Roberts, president of NAACP from Sadie M. Whitmore, OCR, 8-28-96). Although OCR commended the two parties for working together, it suggested that "efforts should be undertaken to eliminate racially identifiable schools at the earliest² practicable opportunity" (Ibid.).

To facilitate the agreement, the NAACP formed the "NAACP Commission on Inner-city Education" to study the inner-city school projects and their effect on the inner-city community. One year later, in 1997, the Commission found the magnet sub-school "will not in itself significantly promote equality of educational opportunities for all African-American youth at the school (magnetized)," therefore they made several suggestions, including but not exclusive of the following (Recommendations to Knox County Board of Education from the NAACP Commission on Inner-city Education, August 1997):

- expand the magnet school offerings to include seventy-five percent of all inner city students.
- provide the same curriculum at Austin-East High School that is offered at other schools throughout the system.

- offer college-level courses to students at Austin-East High School.
- form collaboration with relevant departments at the University of Tennessee that would help inner city school utilize the resources of colleges and universities.
- implement a site-base management program modeled after successful efforts in Miami and Milwaukee.
- establish an administrative Office of Cultural Diversity, to be staffed by an employee mutually agreed-upon by the Superintendent/School Board and this Commission.

The seven-year struggle to equalize education for black children in the inner city and to provide equal opportunities for black teachers resulted in major changes. Black teachers were placed throughout the system instead of being concentrated in predominantly black schools, and an equal number of white teachers was placed in predominantly black schools; several inadequate inner city schools were closed, two new schools were constructed, and several schools were slated for renovation; some black children were zoned to predominantly white schools; and most importantly, five magnet programs were established at five inner-city schools.

While protests had plagued the desegregation effort in 1997 the process was barely remembered by most participants. The only attendants to the process and its implementation were the NAACP, and a few others. The others included UNIQUE's member Jim Bussell who took drastic steps to avoid the rezoning of his child(ren). The Bussells gave guardianship to Jim's sister so their children could continue to attend West High School. Two other UNIQUE members moved to West Knoxville to prevent their daughters from attending Austin-East High School. The NAACP, which was concerned about the plight of black students in predominantly white environments, found that black students at these schools were suspended or expelled or suffered other disciplinary actions more often than their white counterparts. To combat the inequalities, the NAACP, with the aid of Board member Anne Woodle, tried to convince the Board to mandate diversity training throughout the system, a proposal that was not acted upon.

As to the magnet programs in the inner city, Beaumont Honors Program was an immediate success. The other magnet programs located in the predominantly black community were initially not successful in attracting large number of white students. For example, in the 1996-1997 school year, Vine Middle School had 49 white students enrolled in the magnet program, but in the 1997-1998 school year, there were 110 white students enrolled. A Knox County's brochure on magnet programs listed students as either African-Americans or Caucasians. Others ethnic students are listed in one of the two categories, but the categorizations are omitted.

The opening of each magnet program is summarized below (KNS, 3-8-93, A1, A10; KNS, 4-14-93, A4; KNS, 1-19-94, A1, A9; KNS, 11-3-94, A7; KNS, 3-17-96, A1, A3; KNS, 3-16-97, A1):

SCHOOLS	YEAR OPEN
Beaumont Honors Magnet	August 23, 1993
Green Magnet Math And Science Academy	August 22, 1994
Vine Middle Performing Arts And Science Magnet	August 19, 1996
Sarah Moore Greene Technology Academy	August 19, 1996
Austin-East Performing Arts and Science Magnet	August 15, 1997

The opening of two new schools are also listed;

Dogwood Elementary	January 1995
Christenberry Elementary	August 1996

As is often heard, "The more things change, the more they stay the same," and that is what happened in Knox County. While the number of black assistant principals increased and the

inner city schools received much-needed attention, other things did not change: the majority of black students remained in predominantly black schools

CHAPTER FIVE

Desegregation in Knoxville, Tennessee: Key Participants

A case study of desegregation includes the identification and description of factors that influence and differentiate the desegregation processes and its implementation (Crain, 1968, Kirby et al., 1973; England & Morgan, 1986). Kirby et al. (1973) broadly categorized the factors into political and background variables. Political variables refer to the decision-making process and the political actors who wielded varying amounts of power. The participants include school officials, mayors, a civic elite group, citizen groups, and civil rights organizations. Background variables are those characteristics that distinguish one school district or city from another, such as regional characteristics, size, forms of segregation (*de jure* or *de facto*), type of community (urban, suburban, or rural), socioeconomic status, percentage of minority students, and ethnicity of the community. The influence of these variables on Knox County's desegregation process is examined in this chapter.

Political Variables

Desegregation case studies have examined the role of participants to determine responsibility for planning and implementing desegregation mandates. Researchers agree that decision-making policies are determined by an informal power structure composed of a community elite group (businessmen, college presidents, professionals, the clergy and the media), as well as by the formal power structure composed of a Mayor, Superintendent, board of education and, in this case, County Commissioners. Researchers acknowledge the formal structure most

often represents the concerns and interests of the informal power structure (Kirby et al.; Springer, 1994).

The Informal Structure of Elite Groups

Nunnery and Kimbrough (1971) listed four basic types of local power structures that inform governmental agencies, including the politics of schools. These types are identified as (1) monopolistic, (2) multigroup and noncompetitive, (3) multigroup and competitive, and (4) democratic pluralism.

A monopolistic power structure is controlled by a few top businessmen, professionals, and politicians. In these systems, there is very little conflict and confrontation as this group makes major decisions for the community. The multigroup and noncompetitive structure is similar to the monopolistic power structure in that its members generally agree about educational policy. Unlike the monopolistic pattern, rival groups compete for economic advantages. They compete for such things as contracts for building schools and the school insurance policies, but they do not divide on fundamental school issues. While these first two types are rather closed systems, the third type. The multigroup and competitive structure is characterized by competition between a newer elite and established elite groups. This often occurs when a community is undergoing social and economic changes. Conflicts between the groups revolve around questions of zoning, planning, industrialism, and education. As with the other systems, general citizen participation is small.

The fourth type, democratic pluralism, is continually open to new persons and groups gaining positions of power. Leadership in this system varies based on the issue being considered. For instance, those involved in a waterfront development might be different from those involved in school desegregation (Spring, 1994, pp. 182-183).

A knowledge of the power structure and its members is critical to understanding the politics of schools. Determining both becomes problematic since the informal structure is maintained by informal associations such as telephone calls, luncheons, golf games, and other social events. Despite the difficulty of verifying these networks, political scientists recognize the power of the elite to influence the attitudes, opinions and values of the masses. They, however, disagree on how the elite accomplished this feat. Political scientist Dahl (1956) posits that the elite group gained control of the masses by eliciting a "false consensus"; but Merleman (1968) argued that the elite group mobilizes the biases of the masses and uses these biases as a power base. Dye and Zeigler (1972) found that elite groups not only manipulated the biases, but also withheld or manipulated information that prevented the masses from making informed decisions (Taylor, 1996, p. 27).

Desegregation case studies have investigated the influence of elite groups in desegregation efforts (Crain, 1968; Kirby, 1973; Jacobway and Colburn, 1982; Taylor, 1986; Taylor, 1996). In cities where the elite group assumed direct or indirect control over the situation, school desegregation occurred with a minimum of disruption. Atlanta, Dallas, Greensboro, and Birmingham exemplify cities with strong informal structures (Jacobway & Colburn, 1982). The interests of the elite groups centered around economic growth, not in preserving the Southern traditions of segregation. Former Little Rock News Editor Harry S. Ashmore wrote:

The fact is that the dominant economic interests in the New South--granting a few local exceptions--not only are not engaged in any calculated effort to keep the Negro in his place, but are providing a significant counterbalance for the incendiary activities of the Citizens Councils and the reborn Klans. It is not the bustling gentlemen at the local Chambers of Commerce or the State Industrial Development Commissions who are particularly concerned with race as a moral problem: on the contrary, they, as most of their fellow Southerners, wish the

matter of integration would quietly go away, and many of them privately share the views of the Councilmen and the Klux [Klans]. But they also recognized that sustained racial disorder would be fatal to their effort to lure new industries and new capital from the non-South, and the existing level of tension isn't doing their handsomely mounted promotional campaigns any good (*Epitaph for Dixie*, 1960, p. 131).

Atlanta's ascent to a metropolis is directly attributed to its policy toward desegregation. Because of the cooperation between an elite group and blacks, Atlanta achieved a peaceful, if limited, desegregation of its schools. Incidentally, desegregation expert Orfield (1991) accused the blacks of bargaining the welfare of poorer blacks for the economic growth of the city and/or for their own advantages. Nevertheless, growth occurred in Atlanta, and other Southern cities, where the elite group prepared the city for peaceful desegregation (Sarratt, 1971). On the other hand, in cities such as Little Rock, New Orleans, and Nashville, elite groups were silent until negative publicity forced them to take corrective measures. Daisy Bates wrote of Little Rock: "[F]ew White citizens came forward in support of law and order. . . . as the battle lines were gathered, they became silent" (Bates, 1962, p. 80).

Based on the data, the informal power structure in Knox County supported the desegregation plan, especially the downtown magnet high school concept. I was unable to confirm the names of members of the elite group, nor the extent of their power. Most people reported Jim Haslam (w) the wealthy owner of Pilot Oil as the leading member of Knox County's elite, but Haslam's name was not mentioned in the media, in meetings, or by any of those interviewed as an active participant. There was, however, no doubt that the elite supported the desegregation plan. Their approval was a victory for Superintendent Hoffmeister who stressed the economic advantages of a business-university connected downtown high school. In an effort to convince members of the elite group, he invited the desegregation consultant, Dr. David Armor, to address

the Downtown Organization and the University of Tennessee officials. In *Middlebrook v. Knox County School District* (1990), the consultant admitted that the meeting with the elite group preceded meetings with black organizations, and that blacks were not included on the University High School Steering Committee. He also admitted that the elimination of predominantly black schools would serve the interest of white management in that industrialists could locate to Knox County without concerns about the "nature of their schools or the nature of integration" (*Middlebrook*, pp. 3-23, 24, 37). Simply put, the approval of the elite group was essential, and the approval of the black community was considered secondary.

According to Nunnery's and Kimbrough's categorization, Knox City's informal elite structure conformed to a multigroup and competitive structure. MacDonald and Wheeler (1995) noted the battle between the older elite group that sought to preserve the Appalachian culture, and the newer elite group that advocated change, such as industrial development, downtown revitalization, and metropolitan government (McDonald & Wheeler, 1983, p. 8). Although the desegregation effort is not a clear-cut case of old versus new, an argument could be made that those against desegregation were anti-change; those who supported the desegregation plan were more progressive minded. The desegregation conflict also reflected a community undergoing change as indicated by debates about zoning, planning, industrialization, and education.

The Formal Structure of the Elite Groups

The Mayor

Researchers disagree about the most influential actor in the formal structure, but most agree that a Mayor's support is crucial to successful desegregation. The importance of the role is underlined by a Mayors' access to a citywide network for coordinating community support for

desegregation and community participation in desegregation programs (Crain, 1968; Kirby et al., 1973; Taylor, 1986). Additionally, a Mayor's knowledge of the community provides insights into neighborhood interests and social life that few others enjoy. A willingness to share information can lead to realistic and sensitive plans for school desegregation (Rossell, 1977). Mayors also have the police department at their disposal, giving the impression of authoritative control.

Despite their potential influence, Mayors have historically avoided desegregation issues, entering usually after violence has occurred (Taylor, 1986; Rodger and Bullock, 1976). Among the exceptions was a former Mayor of Knoxville, John Duncan, Sr. Whether fueled by humanistic concern or by a desire to protect Knoxville's racial image, the Mayor, during the early sixties, appealed to the white community to accept integration as a workable solution (Proudfoot, 1971). Conversely, the current Mayor, Victor Ashe, dissociated himself from the seven-year desegregation effort, stating, "I had nothing to do with the process" (Conversation with his secretary, 5-9-97). The Mayor was nonetheless involved. He denied the use of World's Fair grounds as a site for the Magnet University High School. According to Hoffmeister, "Ashe wanted to keep the World Fair site so he could sell T-shirts" (Interview, 4-15-98). Ashe, however, agreed to consider an abandoned factory as an alternate site.

The Superintendent

While the Mayor was largely silent, the superintendent led, orchestrated, and directed the desegregation process. At least, he attempted to do so. His actions were in sharp contrast to most Superintendents who avoid involvement in desegregation cases. Kirby (1973) attributed this reluctance to an educator's view that "race is not a legitimate variable for schoolmen" (p. 96). Instead, most superintendent (Kirby estimated sixty-five percent), abstain from political issues and maintain a standardized career pattern which stresses and rewards order, stability, professional

responsibility, and educational autonomy. To do otherwise would require a superintendent to go outside the normal confines of the role and to become a "politician." In the latter role, the superintendent serves as a liaison between the elite groups, the civil rights leaders, government officials, the school board and the funding agency (Ibid.). In addition, [s]he must elicit support for schools from the Mayor, the State Legislature, the newspaper, businesses, and the voters. To all appearances, superintendent Hoffmeister relished both roles, that of a politician and educator.

In earlier desegregation cases, superintendents risked political death if they actively participated in desegregation planning and implementing. An example of this type was Little Rock's former Superintendent Blossom. Blossom was the superintendent of schools in Little Rock, Arkansas during the infamous desegregation incident. He had come to Little Rock after successful desegregating Fayetteville, Arkansas' schools (Adams, 1994). Following the same strategy he had used in Fayetteville, Blossom attempted to promote peaceful desegregation in Little Rock by meeting with the businessmen, the Board of Education, the City Council, the Mayor, and the NAACP. In 1957, Blossom's failure made world news as violent mobs greeted nine black students at Central High School. As a result of his efforts, Blossom was fired by his Board and, figuratively run out of town. During the same period, Superintendent Johnson of Knoxville City School System faced no such problem. He, in conjunction with the board and Judge Robert Taylor, cooperatively delayed desegregation implementation for fifteen years. (This assertion is supported by newspaper accounts and court records of the 1959-1974 desegregation process.)

By contrast, Superintendent Hoffmeister vigorously supported the desegregation plan. He viewed any opposition to the desegregation plan as a personal affront. Sam Anderson was just one of many who experienced the Superintendent's ire. According to Anderson, Hoffmeister would storm into his office and "cuss him out," to which Anderson would reply, "Mr. Superintendent, if you are finished, then you may kiss my a--" (Interview, 5-6-97). In turn, Hoffmeister accused

Anderson of wanting to close Austin-East: "It was Sam's idea, because Sam was from out in the Gibbs area and did not care for Austin-East" (Interview, 4-15-97).

In addition to dealing with opposition within and outside the school system, Hoffmeister was also facing a major decision; should he run for a fourth term as superintendent or to run for another office. Whether he was motivated by political ambition or not, Hoffmeister retreated from his former position on desegregation after he announced his candidacy for state representative, and after the desegregation plan eliminated the proposed Magnet High School. In a newspaper article, he was quoted as saying: "I'm not for stripping the rest of the schools around the county to make one magnet school work . . . It's on the record that I'm not for closing these schools, I don't have to believe in the plan, but do have to go with it" (KNS, 5-22-92, A1, A5; KNS, 5-23-92, A1).

Ironically, only one of my interviewees spoke kindly of "Earl"--and that person was NAACP President Dewey Roberts. Although Roberts considered Hofmeister to be racist, he nevertheless stated the "he got things done." In Roberts' opinion, the process would have ended sooner if the Superintendent had remained in office (Interview, 4-21-97).

The School Board

Although other actors influence desegregation, researchers agree that school systems are largely controlled and directed by School Boards (Crain, 1968; Kirby et al., 1991). The Boards are established by each state and are given the responsibility to hire and fire teachers, to recommend school budgets, and to approve the curriculum (Cistone, 1975). Without the authority to increase funds, raise taxes, or issue bonds for school purposes, its actions are often restricted by the county legislative body, or the County Commissioners (Mauney, 1979).

Theoretically, schools are independent of politics, hence insulated from outside interference. In practice, they are deeply politicized. Over 50% of school board members, for

example, are also members of the ruling elite group (Spring, 1994). According to Zeigler and Jennings (1974), this linkage can be assessed as "lower socioeconomic groups, tend to be more involved in administrative detail than those from higher socioeconomic groups" (In Spring, 1994, p.186). Zeigler and Jennings (1974) also found less conflict between the Superintendent and higher-status board members than with lower-status members. This may be the case because lower-status board members are more interested in actual control of the educational system, whereas the higher-status members share the Superintendent's concerns about good educational programs (Ibid.).

Despite the educational intention of School Boards, they are often restricted in advancing goals if they are funded by another agency. This system of checks and balance becomes tenuous when School Boards are forced to design costly desegregation plans. As Chapter Four revealed, the County Commission's refusal to fund the plan was the major obstacle to desegregation implementation. Before discussing the particulars of this conflict, the role of one individual board member is instructive.

To all appearances, the most influential board member was Sam Anderson. Anderson, initially critical of the desegregation plan, realized that if he was to effect change for the predominantly black schools, then he must form alliances on the board. Once convinced, he became an active proponent, defending and explaining the plan at approximately 109 community meetings (Interview, 5-6-97). Respect from his peers was evidenced when Anderson became the board chair in 1993. He explained his rise from board member to board chair:

[I]f you get elected to the board, read the handbook, find out what your authority really is and where it is, and where it's not, so whenever you're out of bounds, you can do a hundred things right, but if you get out of bounds, they will knock your head off. I stay within the rules of the board, I don't try to administer the school system On the board, we have some board members who like

hiking, I've learned to hike; some play golf, I played golf; some that like to go out and have dinner after board meetings, I go out and have dinner; it didn't matter what the coalition was, I would do whatever--I let them dictate and I made a commitment that I was willing to do, by any means necessary, within the framework of the rules and regulations, what needed to be done (Interview, 5-6-97).

Anderson's success and influence were evidenced when he relinquished the magnet high school concept. Board members and Commissioners alike applauded his decision. Anderson, a black man, had walked the fine line between appeasing his predominantly black constituents and gaining the respect of the predominantly white society--a feat he attributed to "understanding the rules in which your game is being played" (Ibid.). But, Anderson, as with all humans, exhibited contradictions, as will be explored later.

Anderson's position was not the only anomaly on the Knox County Board of Education. This board, unlike other Boards, insisted on planning and implementing a desegregation plan without the support of the black community. According to the desegregation expert David Armor, this was the first time that a school board was the defendant in an anti-desegregation lawsuit rather than the reverse, an observation that's not entirely true as blacks have sought injunctions against desegregation in other cities (Source). Asked why the board persisted in their desegregation effort, the former board Chair A. L. "Pete" Lotts replied, "It was the right thing to do. The city schools were deteriorating. The complaint gave us an excuse to do the right thing" (Interview, 5-7-97).

But the Board was not operating totally on goodwill. The Office of Civil Rights (OCR) was subtly threatening a full-scale investigation of the school system. Its role is discussed more fully in this chapter

The School Officials

Desegregation literature does not address the roles of school staff other than that of Superintendents. It is assumed that the staff follows the dictates of Superintendents. This is officially true, but the staff can also influence the decision-making process. At least two Knox County school staff members were influential: the Assistant Superintendent Instruction, Sarah Simpson (w) and Knox County Compliance Officer Dr. John McCook (w). While McCook was often a media representative, Simpson, in her words was: "Just doing my job" (Interview, 6-13-97). Behind the scenes, both staff members were busy organizing, directing and advising the process. McCook arranged and attended all desegregation-related meetings, prepared all information sent to OCR, advised the task force sub-committees, and assisted the desegregation consultant in designing the plan.

Equally busy, Simpson selected and personally contacted the task force members, attended all desegregation related meetings, directed magnet school planning, and assisted the desegregation experts Drs. Armor and McCook in designing the plan. It is from Simpson that I learned that McCook and Armor often clashed while designing and refining the desegregation plan. McCook explained that the clashes stemmed from ideological difference. In his words, "What we disagreed upon very simply . . . was in essence closing many of the inner city schools . . . that by closing all these we left gaps within the community" (Interview, 4-29-97).

Although McCook's and Simpson's roles in the desegregation planning were similar, the community reactions to them were different. Whereas the Assistant Superintendent did not experience resentment or hostility from citizens, McCook was snubbed or accosted in public by angry citizens. But, according to McCook, he did not care, for "When everybody is mad at you, you know you are being fair" (Interview, 4-29-97).

The County Commissioners

The literature review did not reveal information on the role of County Commissioners in desegregation efforts. Vague references are made to the funding body, but the Commissioners in desegregation cases either cooperated with the school board or researchers considered them to be minor participants. This was not true in Knox County. As the revenue-raising government agency, the County Commission had the discretion to fund or to refuse a budget request from a revenue-spending government agency, in this case the Board of Education (*Knox County Board of Education v. Knox County Commission*, 1991, p. 2). The question, however, was whether the Commission could arbitrarily refuse funding for any reasons other than lack of funds. The court did not answer this question because the two agencies resolved their differences before the December 22, 1992 hearing (Board of Education, Chronology of Events, 1-25-94).

At the hearing, Judge Jarvis appeared to be angry with the Board and the Commissioners, suggesting that both were making a spectacle of themselves. The feud between the two agencies began when the School Board and Hoffmeister ignored the Commissioners' requests for inclusion in the planning process. Initially, the Commissioners complained: "We don't know what's going on. No one will talk to us" (KNS, 2-18-91, A7). Later, the Commissioners' complaints were ominous: "It going to be tough to support . . . if the school administration fails to respond to Commissioners (KJ, 5-21-91, A1, A9). The Commissioners' inclusion in the desegregation planning, however, would not have automatically guaranteed cooperation since areas of the city were against the plan. Perhaps Judge Jarvis was right, when he stated:

That one politician disagrees with another over the implementation of a particular plan does not by itself suggest discriminatory motives by either. More often it probably reflects their concern for re-election (*Knox County Board of Education versus Knox City County Commission*, 1992, p .6).

The Clergymen

One of the greatest contradictions during the civil rights era was the silence of the white clergy. As proponents of love, mercy, and charity, it would follow that clergymen would be central figures in issues that involved justice and equality. Instead white clergymen, Protestant, Catholic, or/and Jewish, with few exceptions, were silent. They often ignored or supported the rhetoric, resistance, and violence of segregationists in other settings (Sarratt, 1968).

In earlier desegregation struggles, the clergymen may have feared for their safety since white citizens harassed those who spoke against segregation, or for peaceful resolution. Some were beaten, shot, jailed, assaulted and/or had their homes bombed. For example, Reverend Donald W. Clark of Fort Worth had to be rescued by the Texas Rangers when he urged a mob to "take a Christian attitude." Reverend Paul Turner, in Clinton, Tennessee, was assaulted when he led six black children through the mob to Clinton High School. And in Mississippi, Reverend Duncan Gray, Jr. was abused and threatened when he appealed to the mob at the University of Mississippi to disband when James Meredith enrolled. Also in Little Rock, Reverend Ogden was fired when he joined black citizens in protesting mob actions and Governor Faubus' actions (Bates, 1962).

Manis (1987) attributed the silence of clergymen to a genuine identification with segregationists rather than from fear. Most Southerners and ministers, said Manis, believed in what Gunnar Myrdal called the "American creed" of equality, freedom, and justice, but they also believed in a "creed of segregation," a duality Myrdal labeled an "American dilemma" (Myrdal, 1948). Manis explained that Southerners legitimized their dual beliefs through selected biblical references. Both creeds posited that God had established America for white people and that He had instituted segregation as a means of protecting the selfsame chosen people. The "creed of segregation" expressed this belief:

Americans should establish their own racial policies based on God's Will. . .

Forced racial desegregation is un-Constitutional since it violates traditional American freedoms of self-determination and local autonomy. Racial integration cannot be American since segregation is pleasing to the Lord and America is a Christian nation (Pettigrew & Campbell, Interview by Manis, 1987).

Given this stance, and the churches' role in supporting slavery and later supporting Jim Crow laws, the silence of most white ministers was, and remains, understandable. A few white ministers, of course, have not been silent and have supported civil rights movements.

On the other hand, many Black ministers were leaders of the civil rights movement. They would later be challenged by more militant organizations, such as Student Nonviolent Coordinating Committee (SNICC), Congress of Racial Equality (CORE), and the Black Panthers. Even though they operated in a dangerous milieu, ministers organized and led marchers, filed desegregation lawsuits, and used their churches as organizational centers. Many were also presidents of local NAACP chapters. According to Sarah Moore Greene, a longtime local NAACP official, she recruited NAACP's members under the aegis of the black ministers. She recalled: "I would go from church to church registering people, and I would return on another Sunday with their membership cards" (Interview, 1995). Although black ministers led the movement, some black ministers, especially those who had a "day job" were as silent as the white ministers. A few even supported the segregated system (Branch, 1988; Sarratt, 1968)

The importance of ministers in the civil rights movement is further demonstrated in *Brown v. Board of Education*, Topeka (1954). Black ministers filed, or were instrumental in filing, three of the five lawsuits collectively known as *Brown*: Reverend Oliver Brown in *Brown v. Board of Education*, Topeka; Reverend Leslie Francis Giffin in *Giffin v. Price Edward Board of*

Supervisors; and Reverend Joseph A. Delaine initiated action that led to *Briggs v. Elliot* (Kluger, 1975).

The clergy in Knoxville followed the general edict of the South: white clergymen were silent and black clergymen were the leaders of the movement of the 1960s. Merrill Proudfoot (1990) a white professor who took part in the Knoxville's sit-ins, poignantly asked, "But isn't there in this city one white minister with an ordinary congregation who has sufficient conviction about the justice of our cause to risk offending some members of his congregation?" (Proudfoot, 1990). He described Bob West, a Unitarian minister, as the only white clergyman in Knoxville who openly supported blacks' demands for integration. He joined black ministers, black students, and a scattering of whites in the downtown sit-ins (Ibid.)

Things were different in 1989. Few if any black ministers supported the desegregation complaint. In fact, several black ministers joined white ministers in filing an injunction against implementation. Reverend Middlebrook explained his opposition:

The children from our community are totally displaced. They are totally taken out of their community and sent into a totally new culture. They are being sent into schools where the names have already been changed, where friends and acquaintances have already been made, and our children will be forced to come into that situation totally new and totally as outsiders. . . . What this plan does is to take all of the schools out of our community on the pretense that because it is white, it is better; because it is a white institution, it is right (*Middlebrook versus Knox City Board of Education*, 1990, pp. 2-71, 101).

As with Sam Anderson, Middlebrook expressed contradictory views in his testimony before the courts. I examine these contradictions, and others, in the next chapter.

The Community Groups

Researchers agreed that civil rights and labor organizations usually play minor roles in the decision-making process. Although desegregation cases are often instigated by civil rights organizations, research revealed that once the desegregation process began, they ceased to be major participants (Crain, 1968; England and Morgan, 1986). Similarly, organized white opposition, such as the White Citizen Council, was also negligible to the desegregation process (Roger and Bullock, 1976). Usually, the decision to integrate was made by the time the larger public becomes aware of it. Roger and Bullock explained: "The tardiness of organized opposition rendered it futile" (Ibid., p. 43). Most times opposition merely delayed the process with some form of desegregation eventually implemented. Kirby (1973) reached the same conclusion, finding, "White resistance seems to come after the fact. By the time citizens have rallied to protest a decision, the die is cast" (Ibid., p.135). Ironically, according to Kirby, the amount of actual integration is positively correlated to the amount of intensity directed against it. This was certainly the case in cities that experienced violence, such as Little Rock, Boston, and Nashville. After the violence subsided, the integration of schools continued as planned. In cities, such as Knoxville and Richmond, where calm prevailed, little desegregation occurred in the ensuing years.

Kirby (1973) also found that after the first demand for integration by civil rights groups, further activities proved useless in advancing their cause. This proved to be true in Knox County. The NAACP initiated the complaint, but then became a spectator in the desegregation process and its implementation. The NAACP also lost its momentum and its credibility by equivocating on every issue. (See Chapter Four.) Newly elected NAACP President Dewey Roberts, tried to reestablish the NAACP's credibility, but he was not able to regain its initial momentum.

While the desegregation experts were correct about the diminishing role of the civil rights groups, they were wrong about the influence of community protest. Contrary to the desegregation

literature, community organizations were effective in derailing Knox County's desegregation plan. Protests by various groups influenced officials who were already alienated from the desegregation process. Hence, the protest, in conjunction with "school politics," resulted in refusals to fund the desegregation plan.

The Media

The media, as part of the community elite, can be instrumental in easing the tension or in inciting resistance. Judge Frank Johnson, Jr., noted the media's role in inciting violence in Alabama:

[T]o a great extent I feel that the Alabama news media was responsible for the hysteria and passion that flared among the White people. Some were nothing but race-baiters. They were reactionary. . . . (In Sikora, 1992, pp. 319-320).

There are, however, cases where the media's stance was insignificant as seen by Harry Ashmore's integrationist stance in the *Arkansas Gazette*; violence still occurred in Little Rock. In Boston, both *The Globe* and *The Herald American* made a "strong commitment to the Mayor that although we would cover the totality of the news, there would be no inflammatory material, and unpleasant incidents would be written up judiciously." As in Little Rock, violence occurred (Metcalf, 1983, p. 203).

During Knoxville's first desegregation attempt, Winstead (1997) found bias in news reports of the events. According to Winstead (1997), the local newspapers, *Knoxville News Sentinel*, and the *Knoxville Journal* revealed bias in the wording of articles, and in the placement of articles and the photographs that accompanied the articles. These biases were absent during the more recent desegregation efforts. Both newspapers and other media appeared to be objective in their articles and reporting, but were not always accurate. The late Betty Ramsey recalled: "During

the initial stages of the desegregation efforts, reporters would cover only the early parts of meetings, and would then leave to televise, or to write articles" (Interview, 1994). After speaking to the media about this transgression, she said the practice was discontinued. A former graduate student confirmed the statement: "The mornings after I attended a board meeting, I would read the paper and wondered what meeting they had attended" (Conversation with Faye Hicks-Townes, 1996). Jim Bussell, on the other hand, found the media to be fair and accurate. In his view, newspaper coverage of UNIQUE's (United Neighborhood Interested in Quality Education) actions and words appeared to be accurate and representative in content.

Based on an examination of the *Knoxville News Sentinel* from 1989-1996, the *Sentinel* supported the desegregation plan and encouraged the Board of Education and the Commissioners to resolve their differences. On the other hand, the *Knoxville Journal*, while not opposing the desegregation plan, did not openly endorse the effort.

The Office of Civil Rights (OCR)

Researchers agree that federal coercion is instrumental in successful desegregation implementation. Sabatier and Mazmanian (1980) suggested that "incentives to promote compliance with policy decisions" are often required to implement desegregation policy (p. 540). The incentive is federal funding to the local and state educational funds (Rodgers and Bullock 1976a, p. 21). Beginning in the late 1960s, the Office of Civil Rights (OCR) and the Justice Department terminated Federal funds to 34 school districts and initiated final termination proceedings against 157 more (Rodgers and Bullock, 1972, p. 83). Although former President Nixon severely restricted the agency's power, the agency was authorized to conduct full-scale investigations of schools and could recommend withholding of funds to the Justice Department. Its primary goal, however, was to resolve desegregation issues through negotiation and pressure.

Using these tactics, OCR encouraged Knox County's immediate compliance. OCR would subsequently deny any intimidation or coercion on its part, but an examination of the May 29 task force meetings revealed overt threats of further federal intervention. In the words of Roger Mills:

[A]s I indicated to the Task Force before that we have targeted the Knox County School System for a full-scale compliance review by the Funds and Resources Committee. At this point, then we are basically dealing with a lot of complaints and we take the compliance reviews on a case by case basis. But we have schedules, of course the complaint came in, and we decided to work only on those issues that the complaint addresses . . . but the bottom line is that it would be desirable at least for the role of the committee to take to eliminate racially identifiable school. . . . a racially identifiable school is defined as one that varies more from the system-wide percent black by 20%, so the system has schools that would say be in excess of 13% plus 20% . . . There's some case law that says that a racially identifiable school per say is not unconstitutional, but we are not dealing with constitution here . . . (OCR Task Force, May 29, 1990, pp. 5, 9).

Mills also stated that the elimination of racially identifiable school] was:

[I]ndependent of Title VI regulation, of Title VI law. It's just really good for the economic and business health of the community to have a school system that is free of any negative aspects that might be related to racial relation or to issues like this school from that school, or white flight or differences from one school to another and so independent of whatever we look at or independent of what the Title VI regulations might say, it's simply a desirable goal to probably seek from an educational standpoint, a business standpoint (Ibid. p. 10).

The substance of Mill's warnings was reinforced by the City's Law Director and John McCook.

My research revealed that OCR was negotiating with several Knox County participants. Throughout the process, OCR conducted private conversations with the school staff, the NAACP, newspaper writers, private citizens, board members, community groups and congressional representatives. Based on my interviews, OCR may have delivered different messages to different people. Despite some doubt regarding its conduct, the OCR accomplished its goal: the complaint was resolved through negotiation.

Who were the most influential participants in the desegregation process and its implementation? I believe that the Superintendent, school board and Commissioners were equally influential in all stages of the process. Although I highlighted the role of board member Sam Anderson, it would be incorrect to assume that any one participant was the key player. Further, the game of politics is not necessarily visible in the media. It is played out in sessions behind closed doors. Politics requires that deals be made, and that plans be solidified before public input is received.

Background Variables

Although key actors are the important factors affecting desegregation and its implementation, researchers found successful desegregation depends on other factors as well (England & Morgan, 1986). In a case survey study of 52 school districts that had undergone desegregation efforts, England and Morgan found the following to be true:

- Greater change in segregation occurred in southern rather than northern districts.
- Federal coercion was the single most powerful force in producing racially balanced schools.
- County-wide schools moved further toward unitary school systems than noncounty-wide districts.

- Larger districts (based on enrollment) had less desegregation success than smaller districts (the second most potent influence) (Ibid. p. 93).
- Pairing and clustering in combination with rezoning yielded the greatest success not only in achieving racial balance but also in minimizing white flight (for the elementary level only) (p.119).

Their study also revealed that white flight would be relieved if white students were not assigned to predominantly black schools, and if black enrollment was lower than 35 percent in a given school.

Morgan's and England's study (1986) agreed with an earlier study by Gittel (1969) that found the size of the cities or districts to be an important factor in cities/districts undergoing desegregation. Gittel was more specific in relating the size of cities/districts to resistance to desegregation:

<u>Types of Desegregation</u>	<u>Population</u>
Peaceful desegregation	<250,000
Moderate disruption	250,000-500,000
Severe Disruption	500,000 or greater

There were, of course, exceptions to this conclusion, notably Dallas and Atlanta, large cities that began desegregating their schools without incident (Sarratt, 1969). It is recognized that these data may be dated, but my research indicated they are still useful predictors of successful desegregation.

Jacobway and Colburn (1982), while not disagreeing with Gittel or England and Morgan, suggested other factors affected successful desegregation. In a study of fourteen southern cities undergoing desegregation, they concluded that successful or unsuccessful desegregation occurs in cities that:

- Had good race relations prior to 1954, and experienced dramatic demographic and economic changes after WWII, Little Rock, Arkansas was an exception.

- Willingly to accede to change in order to stimulate economic growth.

Conversely, cities that underwent little or no population or economic growth in the postwar period experienced considerable racial turmoil during the civil right era. The stability appears to have created a tendency to hold firmly to the racial heritage of the past (For example, Memphis, Augusta, Louisville, and St. Augustine).

- Cities in which active civil rights organizations had been established prior to 1954 (p. 150)

Others attributed successful desegregation, or unsuccessful desegregation, to political ideology, such as states' rights versus federal governance (Gamson et al., 1982; Hochschild, 1984; Kilpatrick, 1969; Radin, 1977; Rodgers and Bullock, 1981; Strinchcombe and Taylor, 1980; Taylor, 1996). This perspective, devoid of racial content, focused on federal intervention into local politics. With respect to desegregation, white Americans, especially Southerners, questioned the qualifying legitimacy of the 1954 Supreme Court decision. According to Gramson, the public will obey a policy within "a legitimacy frame of reference" (In Taylor, 1996, p. 65). On the other hand, if the law is deemed illegitimate or an affront to what Gunnar Myrdal called "moral valuation," then resistance is justified (Hochschild, 1984, p.20).

This leaves the question of why Knoxville's first desegregation attempt was unsuccessful, and why a second attempt was necessary in 1989. Based on the criteria set forth by Jacobway and Colburn (1982), desegregation in Knox County should have been successful. Knox County satisfied the following criteria:

- It is a southern region.
- The percentage of the minority population is less than 35 percent.
- The city's population is less than 250,000.
- The city had relatively good race relations before the 1954 *Brown* decision.

But Knoxville's first desegregation attempt lacked the most influential factor, namely federal coercion (Morgan and England, 1986). In the second attempt (1989-1996), federal coercion was present and the implementation of a desegregation plan was realized.

CHAPTER SIX

Desegregation in Knoxville, Tennessee: Conflicts and Tensions

Interpreting the conflicts and tensions that accompanied the desegregation process is a tenuous process. My interpretations may be subjective despite efforts to report precisely what was told to me. I distinguished between tensions and conflicts by using the following definition: tensions refer to strained relationship between individuals or groups; conflicts refer to disagreements over ideology and interests. The lines between the two, admittedly, are blurred.

I divided conflicts into micro and macro interests. At the micro-level, conflicts are specific to the issues of local desegregation, such as the random-draw teacher lottery, the student transfer policy, funding of the magnet schools, rezoning of school districts, and the closing, renovation, merging or construction of schools. At the macro-level, conflicts involved general issues of desegregation including judicial rulings, implementation strategies and desegregation outcomes and impacts. These topics are constitutive of a national conversation, and are generalized across all desegregation cases. Because case studies are descriptive of a specific phenomenon and are not generalized to similar or other phenomenon, the macro-level issues are not discussed in detail.

Similar to micro-conflict, tensions in desegregation cases are generally, but not always, confined to the local level. This study revealed tensions between: black participants, the governing agencies, the School Board and the teachers association, the School Board and the OCR, and between community groups and the governing agency. These tensions, and others, were primarily revealed in the interviews.

Conflicts

Knox County's desegregation effort was enmeshed in conflict from the beginning. It began when the School Board and Superintendent devised plans to bring the school system into compliance with Title VI of the Civil Rights Bill. Their efforts were met with protests from community groups and later from the County Commissioners. In addition, the Board was left holding the proverbial bag when the OCR retreated from its initial position and accused the Board of pursuing its own initiatives. With little support, the Board proceeded with its plan to change the character of inner-city schools. The former School Board Chairman A. L. "Pete" Lotts explained why the Board persisted:

It was the right thing to do. When we [the County] took over the city schools they were deteriorating. The complaint gave us an excuse to do what was right (Interview, May 29, 1997).

A staff member offered a different perspective. The School Board pursued desegregation because:

[W]e were guilty! It's like being pregnant. It's not whether you are or not--you can't be a little, you are or you're not. We were guilty! (Interview, 4-29-97).

He realized this when the OCR investigators asked:

[O]ur people from personnel . . . "Do you take race into consideration when you were assigning people to schools?" and the answer was "Yes." It was over. I mean, it was over! Once that statement was made . . . as to what was going on and what we needed to do, and how we needed to deal with it. I went back in that day and said, "We're going to be guilty. There is no question. I would suggest to you that we limit it to the transfer issue, and we limit it to Singleton Provision because that's specifically what this complaint's about. I would suggest that we come up with a negotiated

agreement because absent that, we're going to have a full-fledged investigation of the total school system" (Ibid.).

A former Board member Gary Gordon disagreed with both assessments. According to him, the Board persisted because of economic interests. He related:

By pursuing a desegregation plan that implemented magnet programs or schools the business community would receive a tremendous boost economically. Ask Fox at the University of Tennessee about the 'velocity of money.' Ask him how many times seventeen million dollars would turn over and how much profit it would generate (Interview, 4-2-98)

In an effort to involve the community in the desegregation process, an Assistant Superintendent Sarah Simpson appointed task forces to develop plans for implementation. The first task force's goal was to develop guidelines for teacher transfers; the second task force's goal was to develop the desegregation plan (See Chapter Four for details.)

Teacher Transfers

The OCR found Knox County in violation of Title VI in the placement of black teachers within the system. In response, Knox County held a random drawing lottery wherein black and white teachers literally exchanged places. Twenty-six white teachers were transferred to predominantly black schools and twenty-six black teachers were transferred to predominantly white schools.

Although some teachers accepted the transfers with equanimity, many teachers, both white and black openly cried at the lottery. John McCook recalled that the lottery "tore my guts out," but the NAACP president found the white teachers' reactions to be "pathetic." He recalled he had never seen "[S]o many grown people crying and carrying on!"

To deal with the "change," Knox County provided workshops for the transferred teachers.

Assistant Superintendent Sarah Simpson explained:

We spent one summer after the random draw inviting those teachers that had been drawn, minority teachers who had been drawn into white schools and white teachers into minority schools . . . we worked with the teachers and tried to help them get ready for their new assignment. In the fall, I sent traveling teachers out to check with each of the teachers who had been randomly drawn to see how they were faring, to see if they needed any help, and polled them to see if we needed to do anything else with them the next summer. For the most part, the response was "We're okay." A few wanted a little extra help, but most said, "No, we're doing okay, we don't need another session" (Interview, 6-13-97).

The black teachers to whom I spoke reported that they did not encounter problems in their new schools. Although one black teacher said she missed, and preferred working with black children, her new school was "a piece of pie compared to [working] at Sarah Moore Green Elementary School" (Informal Conversations, 10/97). For many white teachers, the transfers presented a problem because they did not want to work with "those people" (Cudahy, 1996).

Transfer Policy

The OCR also found Knox County School System in violation of the Majority-to-Minority (M-to-M) transfer policy instituted in the 1970s as part of the first desegregation effort. This policy stated that a student who was in the majority could transfer to a school where [s]he would be in the minority--that is if the transfer did not increase the minority population beyond 50+1. The violation included the following:

[R]equiring annual re-registration and the revocation of a transfer for misbehavior, low attendance, or other "good cause," were never approved by the U.S. District Court when the Knox County District was under a court order. The policy, on its face as applied, has placed impermissible limitations of the student's right to transfer to schools in which the student's race is in the minority and conflicts with the District's duty under Title VI to operate a school system free of racial segregation (Letter to Superintendent from Regional Civil Rights Director, December 15, 1989, pp. 10, 11).

OCR also found the school system contributed to segregated schools by permitting white students to transfer out of predominantly black schools, and black students to transfer into predominantly black schools. White students were able to circumvent the transfer policy by appealing transfer denials to the Superintendent. According to the transfer official, Superintendent Hoffmeister would say, "Now, you know we can't let this little white girl go to **that** school!" He would then issue an administrative transfer against an official denial (A staff member confirmed this allegation.) Hence, OCR concluded that:

[T]he District's actions of allowing white students to transfer out and black students to transfer into these schools has increased the segregation of these schools and violates the Title VI regulation (Ibid.)

In 1990, the Board voted to revoke all transfers except those that contributed to integration. In addition, the desegregation plan replaced the 50+1 black enrollment in predominantly white schools with an arbitrarily derived quota of 19%. Hence, a predominantly white school with a black enrollment of 48% was reduced to 19% black enrollment. Although the desegregation expert said he made the decision to establish the 19% quota, Board member Sam Anderson said the quota was instituted at his suggestion (*Middlebrook*, 1991, p. 3-79). As to his motive, Anderson replied:

In the past, coaches would come and systematically recruited the students out of Austin-East, lowering the curriculum at Austin-East . . . My feelings were that during this plan my goal was to protect the integrity and the curriculum at Austin-East High School and [we] needed to get a stable population for the next four--until the new high school is built . . . (Ibid.).

Furthermore, explained Anderson, the M-to-M transfers were permitting some of the best athletics and students to leave Austin-East.

Two members of "United Neighborhood Interested in Quality Education" (UNIQUE), Jim Bussell and John McCay, were especially angry about the transfer policy. Under the new policy, their child[ren] would have to return to their base schools--Gibbs and Holston High School, respectively. Jim Bussell, a black man, considered the new policy unfair because:

[I]t created a problem with our group here--what it said is if you were a white family in a predominantly black school zone, by virtue of you having kids who are a minority in the school, they could not transfer out, even though the curriculum at that school is not on par with some of the others, your kids would still have to stay in that zone, but the black kids, by virtue of their being majority could transfer out, so what you are doing is telling white people is that you have to send your kids to an inferior school while the black people who consider it inferior could move their kids out. In my case, I live in a predominantly white neighborhood, my kids were zoned to Gibbs High School or Gibb's school zone. By virtue of them being in the minority out there, they couldn't transfer either, even though they were black, because they needed the black faces to help achieve racial balance in the Gibb zone. The problem with Gibb's zone, is that Gibb is a high school that has less than 500 kids in it, so they can not offer the comprehensive

curriculum that a West High School or Bearden High School has with 1200 kids. So my position is that I want to send my kids where they can get a quality program education. And you can't tell me that because my kids are black, they can't transfer without question (Interview, June 24, 1997).

John McCay, a white man, explained his objection to revoking transfers:

[W]e had a child in elementary school and when he got to middle school, we had him transferred to Bearden Middle School, and we did that because we felt that the schools [Springhill Middle and Holston High School] were deficient in several ways--the academic standards were low, and the curriculum offerings were exceptional low. . . (Interview, 7-11-98).

Paradoxically, he added: "A child should not be denied educational opportunity because of his or her race (Ibid.).

The men, through UNIQUE, fought hard to prevent changes in the transfer policy. According to Bussell, he, and two other members threaten to challenge the policy in court. The three took the Superintendent to lunch and privately informed him, "You can pass a transfer policy that meets all the goals, but all it takes is somebody to write OCR and complain about the inequities in the curriculum and facilities, and you're back to another fight, so why don't we fix the whole problem at the same time" (Interview, 6-24-97). Evidently, the threesome impressed the Superintendent because on July 12 he withdrew his approval of the transfer revocation. At the School Board meeting, the Superintendent told the Board that the revocation was "really illegal, unfair or ineffective" (Board Meeting, 7-12-90). One week earlier, the Superintendent had approved the policy revocation.

In spite of UNIQUE's objections, the Board revoked the transfer policy. This decision meant that their respective child[ren] could not attend Bearden High School. Consequently, the

Bussell's gave guardianship of their daughters to Bussell's sister so their daughters could attend West High School, and the other two members moved from East to West Knox County.

Rezoning: Closing, merging, renovating and constructing new schools

To desegregate the Knox County's schools, the task force decided the school zones would have to be redrawn. The present zones, drawn in the 1970s, did not accommodate a changed demographic. The new zones would require dilapidated schools, and schools with low enrollment to close. This meant some schools would merge (i.e., South Young and Doyle High Schools); some would be converted to another grade level (i. e., South Young to South Doyle Middle School); some schools would be closed (i. e., Austin-East and Fulton High Schools), and new schools would be constructed (i. e., University High School). The students from the closed schools would be dispersed to neighboring schools.

McCook and desegregation expert David Armor assumed the responsibility of drawing the new zone lines. A cooperative team that was, at times, heated. Basically, the two disagreed over the impact of closing certain schools. McCook described one argument:

My concern was the Rule community socioeconomically was, and is, the poorest community in Knox County. People tend to think Austin-East is, and that is not true. The Rule community--Lonsdale, Mechanicsville--has the lowest socioeconomic standing of any community within Knox County. Our concern was that if you take and split that community up into four or five sectors--while that community stands in and of itself, there's always going to be a valedictorian, there's always going to be the cheerleaders, there's always going to be the student government president. So even within that community, we're going to have our success stories and we're going to

have people who contribute and have leadership positions. In splitting it up, then what my concern was that you lose the identity and all of a sudden because it's a very small number of students, they are not as much assimilated as they are just there, and those opportunities would be lost . . . Dr. Armor's response to me was that he wasn't a sociologist and neither was I. We disagreed. And my response was, "Yeah, that's very true. I'm not a sociologist by training . . . but I know that you're gonna get on your horse and leave and we're going to be left with the results, with dealing with this over a long time period (Interview, 4-29-97).

Despite their disagreement, the two men presented a comprehensive rezoning plan to the zoning task force committee. Although the plan brought strong protest from the affected communities, the Board of Education approved the plan (School Board Meeting, 1991)

Community dissenters claimed the plan would destroy "community schools." Dennie Littlejohn of the Committee for the Development of the African American Community (CDAAC) explained the groups' opposition to the plan:

The closing of Maynard, Eastport, Fairgarden—schools that had served us well--which may needed to change its particular mission from an elementary to a pre-school to intermediate school or whatever, but we did not need for them to close . . . Schools have to be part of a community and if white folks wanted to come to us, fine, if they don't, fine. We were trying to upgrade the quality of schools in our community, but we never fought to keep white people out of the schools, they have always been in our community--whether they're selling insurance or apples--it

[opposition] had nothing to do with integration (Interview, 4-23-97).

But County Commissioner Rogero asked:

What do neighborhood schools mean? To Farragut, it's this huge area where 1000 kids come in--that is a community school. In my district, it meant--at first people thought community schools meant Oakwood, Lincoln Park and Brownlow--each of those was all community schools--but the reality is now we have Christenberry which is a community school--all of those neighborhoods are not that far apart--all of the kids from that neighborhood come and play ball at that Christianberry ball field. That is still a community, but everybody describes community differently (Interview, April 22, 1997).

In principle, Rogero agreed that neighborhood or community schools are important, especially at the elementary school level, but she also understood that small schools (population of 150-200) are too expensive to operate. Rogero added:

Ideally . . . if you put the resources in and get the kids what they need and have a 200-person elementary school that would be wonderful, but we can't afford it. But, a 600--like Christenberry Elementary is now--600 or so--that is still a neighborhood school (Ibid.).

The most controversial issue in the desegregation plan was the proposed closing of Fulton and Austin-East High Schools and the building of a new state-of-the-art magnet school, a University High School, at the World's Fair site. According to McCook, he suggested the University High School at a School Board workshop in Gatlinburg in 1990 as a solution to inner city schooling. His reflection is reproduced at length:

I sat down, and I thought, let's take the inner city area and try to think what is it that people see as positive within the area. People see a lot of negatives. What is it that they see as positive? The only thing that I could come up with the University . . . Now if people see that as a positive force, you can use that as a draw . . . Since we had committed that we were going to use a voluntary type magnet-type program, then you're going to need something that is in fact going to be a very large draw perception. So then I came back in . . . dealt with where would you build the school that would tie it into the university? . . . If we were to take a portion of the World's Fair site where the U.S. Pavilion was, it is actually eyeball distance adjacent to the university campus. Now, if you were to build a school there, granted you couldn't have a football field, you couldn't have some of the other accouterment that typically people think of as schools, but if you were to build a football field there, a school there, and you linked it physically with a bridge, across Cumberland Avenue, to the campus, you could in fact do a cooperative arrangement with the university that would allow you to use TA's from the university, faculty members . . . I talked to at the time Superintendent . . . if we were to build this magnet brand new school at the World Fair's site and we called it University High . . . You make the linkage in terms of name, you make the linkage in terms of location even if the University's not interested in working with us, you still have the linkage of name and location, like that. The Superintendent thought about it and agreed that yeah, that has some possibilities, and then we actually went down and looked at the site and we talked about it . . . He [Superintendent] asked me to share that idea with a couple of Board members individually . . . I was told by one of the Board

members, "Share your idea." It caught on. It caught on with the Board, it caught on actually with the media (Interview, 4-30-97).

The University High School was warmly embraced by UNIQUE. From the beginning of the process, UNIQUE advocated a state-of-the-art school to accommodate East Knoxville (Board of Education Meeting, 2- 27-90). Jim Bussell recalled:

[S]pending that money, sixty to ninety million dollars capital improvement, renovating these dilapidated, run-down schools why don't we close schools, look at rezoning and build new state-of-the-art schools in are as where you will have comparable education countywide. When you got a comprehensive school on the east side of the county, then they wouldn't have to move their kids to the west side to get a good education . . . [Furthermore] if you keep building the state-of-the-art schools in West Knox County, you will never be able to have enough schools because people with families will consistently move to West Knoxville to where the better schools are. So you'll going to always find yourself behind and overcrowded there, but if you have comprehensive schools countywide where's no distinction between curriculum that you offer . . . it's better than what you have now (Interview, 6-24-97).

As part of the desegregation task force, Jim Bussell met with university representatives to discuss the University High School concept. He explained:

I thought that the new school, at the World's Fair site, was a tremendous idea, because--and I talked to the Dean about it--the College of Education and his staff, and said to them, "What a wonderful opportunity this would be for the student teachers to have a University High School. You could offer"--and they had talked about offering some of their full-time professors

to teach advance placement courses. Can you **imagine** what a draw that would be for the inner city kids! It was on the bus line, the bus would have run right in front of the school. We had Central, we had Fulton, and Austin-East, and Rule High School, those schools could have filtered right into that program . . . [H]e, the Dean, said that would be something that --because number one is--the University of Tennessee has desegregation goals for the school itself. So I think they saw it as a way of enhancing the University of Tennessee. If it can generate more minority students who are doing well on the ACT and SAT, it benefits the University of Tennessee. There's a void in respect to black educators, so having access to blacks, and having college professors maybe teaching a course may encourage some kids to go into education as a career versus business and other things (Ibid.).

Initially, County Commissioner Rogero supported the University High School even though it meant closing the high school in her district. She explained her support:

I thought that in the long run that our kids would get more support from school than if the schools were left separate, there were the poor kids from Fulton and Austin East--that once OCR died down we would be back to business as usual--that what we were afraid of, and if we had the state-of-the-art magnet high school with corporate involvement, and had a lot of money invested in it, and you were pulling other students as there would be more people who had a stake in this. And the power that be would have a greater stake in it, and our kids wouldn't be forgotten in the end, and it was sort of the best deal at the time for Fulton and Austin-East students, although there were always flaws because all of Austin-East would not benefit from it (Interview, 4-22-97)

It was these flaws that brought protest from the communities involved in the school closure. (Commissioner Rogero noted that the schools had not received this support before the complaint was filed). Protest against the plan, according to Rogero, "made strange bedfellows" as CDAAC coalesced with "some of the people from Bearden and some of the people from South Knoxville, people that I know who don't get excited about going to school with Austin-East students" (Ibid.).

In the same vein, a coalition of black and white clergymen protested the desegregation plan. Paradoxically, one of its spokesmen, Reverend Middlebrook, had a record of civil rights activities. Contending that the integration did not mean the elimination of predominantly black school, the minister filed an injunction against the desegregation plan, particularly the building of the new magnet school. As to the magnet high school, he asked:

What programs are you going to be able offer at this new school that you don't presently offer at Bearden and at Farragut already, that going to be an incentive for students to come from West Knoxville downtown? Second, the schools are already having trouble getting students from those schools to come downtown to participate in band function, the parades and all . . . Everything that we had downtown is now in West Knoxville. So why do they need to come to town? They're a world to themselves . . . Not even if you used the University. I mean, you've gotta remember that many of these are the children and the grandchildren of the University folks anyway. And they already have programs that the University is involved with, to some degree (Interview, 5-5-97)

Ironically, Superintendent Hoffmeister, who supported the University High, agreed with the opponents. Asked if he understood the opposition from the black community, he stated:

Yes, I don't blame them cause they were going to close Austin-East and I told them, "You'll not going to close Austin East," and Sam Anderson said, "Yeah, we can close Austin East," and I said "Sam, you can't close Austin East" . . and he said, "I know what I can do!" [Y]ou see, he went to Gibb school up there, he didn't go to Austin East, but he found out real fast that he couldn't close Austin-East (Interview, 4-15-97).

Although the record doesn't confirm this, Hoffmeister contended that he never wanted to close Austin East. He wanted, instead, to:

[H]ave a magnet school and not have athletic things there, let Austin-East go ahead and have their school and the magnet component, they could come over there [World Fair] and take anything they wanted and then about 1:00 close it and go back to your home school for athletic and things (Ibid.).

The location of the University High School was also contested. The NAACP and UNIQUE proposed that the magnet school be built in East Knoxville: the NAACP wanted the magnet school located on Cherry Street, somewhat equidistant from Austin-East and Fulton High Schools; and UNIQUE wanted the magnet school on the outer edge of the black community to encompass the Carter school zone. Nevertheless, the Superintendent and his staff, with the approval of the Board, agreed on the World Fair site. Its proximity to the University and its distance from the black community, they reasoned, would make this an ideal site. Hoffmeister also noted an additional advantage, the magnet high school would not be located in the black community, because, "White people are not going to send their children to a black school" (*Middlebrook*, 1992; Interview, 4-16-97).

At this point, another actor entered the controversy--the Mayor. Throughout the process the Mayor was noncommittal, refusing to become involved in the political fray. His position, however, became obvious when Hoffmeister tried to negotiate the World Fair site. The Major

simply refused to discuss the World Fair as a possible site for the University High School. The Superintendent responded to the snub with: "Ashe just wanted to keep the park to sell T-shirts." Consequently, the Superintendent and the Board had to explore alternative site for the school.

Because of the controversy, the Board of Education abandoned the University High School plan. Based on available data, it appeared that the Board members, especially Sam Anderson, had yielded to public pressure. But according to Anderson, all of the events of the past three and half years were part of a strategy. He recalled:

[T]he School Board proposed the University High School and what the Office of Civil Rights told me in private meetings, that you have to make the county aware, admitting publicly that they can afford to fix the schools. First off, in a community where there--where you have no political clout, practically none, you have to make a county admit publicly that we have money and resources to fix the schools, once they admit it, then you force the issue legally. Well, the county admitted it when they said--University High School--we can spend thirty million dollars on--we can combine these schools and have this University High School--their intention was to divide the black community, some wanted to keep historical black schools and some wanted to integrate schools, and you know, "divide and conquer." That was their issue, and it was very effective, but the Office of Civil Rights had told me in advance that if you do that, have a retreat, ask for way more than anybody would ever perceive that you would get, ask for a new school, the state-of-the-art, and you are willing for them to integrate it no matter what it cost you politically and then have a retreating point for the magnet schools. Don't ask for magnet schools in the front end because they will scale them so much that you will never be able to successfully implement them. There has

to be an interest--you have to put some upper-middle-class white schools in the schools to get the fund on a consistent basis. But it does not have to be a school that is predominantly white. But that has to be your retreating point because if that's your original point, they are going to scale you back from whatever you asked for. So we asked for a new high school and it was totally devastating to the community. They beat me for three and half years, just constantly, meeting after meeting, after meeting. But I was dealing with a consultant from the Office of Civil Rights, and he asked me, " [I]s your political future more important than getting done what you need to get done in the school system?" (Interview, 5-6-97)

Intrinsic to the Anderson's plan, was a coalition between "four bright Board members, five preferably, that need things too--and you can find it--they will have a project and make it a part of the total plan and you will get it done" (Ibid.). He elaborated on the politics of schooling:

An elected body is like a family--if you can communicate and maintain that trust going through hard times . . . and keep communication with people you have a relationship on the Board and never put them in a situation where they have to compromise districts, then you can live and that was the whole thing, as long as you never walk out of a meeting, never get frustrated, never publicly condemn the people that has the real power, and your coalition has to be--stay intact, never allow it to breakup, if you see it breaking up backoff for a while and shore up--it's like a war--you shore up your cave and you go back in again at full force, sometimes you have to back off and let people breathe (Ibid.).

According to Anderson, his strategy was successful: Austin-East remained open with an improved facility and curriculum.

Anderson's change of heart also affected the County Commissioners. The Commissioners who had supported the University High School plan, and who had fought hard for its funding suddenly found themselves without a cause. The leader of the war had abdicated. One of the proponents, Commissioner Rogero, changed her position because:

I am ready to support and seek Commission funding for a new plan for Fulton which provides an enhanced curriculum, increased enrollment and complete renovation and necessary expansion (News Release, 4-13-93).

Even though the School Board allowed Austin-East to remain open, controversy continued to plague the process. The Committee for the Development of African American Community (CDAAC), which previously had supported magnet schools, protested the magnet concept because "it created two classes of kids within the same school. So you have one kid getting a great education, and the one living next door who is not getting the one they need to get" (Interview 5-2-97). On what seemed to be an ambiguous position, Littlejohn explained that the CDAAC proposed, and supported, "magnet schools" inclusive of the entire school body, not "magnet programs" as established by the desegregation plan (Conversation, June 1997).

Bussell found the idea of keeping Austin-East open in *any* form to be ludicrous. "Why invest seventeen million dollars in an old school?" he asked. "Austin-East wasn't even a black school, it was the old white East High School. We have had hand-me-down schools in the 1990s!" He also found ludicrous, the strategy of investing millions of dollars in schools with a capacity of less than a 1000 students. For example:

You are only increasing the capacity of Fulton High School by 200 students, and if you divide 200 into sixteen million dollars, you can see how much you are spending per students. Now, any reasonable business person would not make that decision (Interview, June 1997).

As to the magnet program attracting white students, Bussell laughingly replied:

Why would a kid drive 20 miles to get something they're already getting? If you put a computer lab at Austin-East you're going to have another one comparable at Bearden and Farragut so those kids won't have to go there. This town, even though it didn't come out in this process, is still a very racist town, and here again, I ask the question: Austin-East is the only school, high school, in this community that has a fence around it. It doesn't have a fence around it to keep the kids in school. It has a fence around it to keep the community out of the school. They lock the doors when the bell rings and they got security guards there to keep the community out of the school. That's the only high school in the county that has a fence around it (Ibid.).

Unlike, UNIQUE and the CDAAC, the NAACP supported the magnet programs in the five inner city schools. (The NAACP also supported the downtown magnet high school.) In a letter to newly elected Superintendent Morgan, the NAACP expressed satisfaction with the decision (Letter to Superintendent Morgan from Dewey Roberts, NAACP President).

To ensure that Knox County honored their commitments to these programs, the NAACP formed a school committee to monitor progress. "The NAACP Commission on Inner City Education" met once a month, often with school officials, for updates on the implementation of the desegregation plan.

Tensions

As stated earlier, desegregation attempts are also characterized by tensions. Usually, the tensions are between white opponents and black proponents of desegregation. In the 1989 desegregation effort, the tensions transcended race as several black-white coalitions emerged to fight the desegregation plan. One coalition, the Knoxville Ministerial Association, filed a complaint

against the plan (*Middlebrook v. Knox County School System*), an action that stunned the desegregation consultant Dr. David Armor. He recalled: "I've never been involved in a case where blacks opposed desegregation, and the advocated desegregation. Normally, it's the reverse" (Interview, July 1, 1997).

Tensions Among Black Participants

On the surface, the tensions between black participants appeared to be a modern-day debate between accommodationists and radical reformers. In this debate, the accommodationists, strove to maintain the status quo, while the reformers advocated change to the status quo by challenging the social and political practices of the dominant society (Marable, 1985). This line of reason assumes the members of CDAAC and the black minister represented the accommodationists who formed alliances with white groups to maintain "community schools." This, of course, meant that black students would stay in their neighborhood schools posing no threat to the predominantly white schools. This also meant renovating and maintaining relatively inferior black schools, such as Austin-East High School and Vine Middle School.

Conversely, the reformers or integrationists in this case are represented by Jim Bussell's views that the black high school should have been closed altogether and the inner city students should be placed in integrated situations. Integrationists, such as Bussell, adhered to the earlier integrationists' stance that educational parity can only be achieved in middle-class white settings. Inherent in this stance is the view that black institutions are inferior to predominantly middle-class white institutions in facilities and curricula. Sam Anderson and the NAACP expressed similar views, but their stance did not always reflect this ideology.

The distinction among the groups is more complex than I initially theorized. According to Marable's (1985) and Scott's (1998) typologies of contemporary black leaders, the CDAAC members and the black minister conformed to several categories (See Chapter One for discussion of each category). Its members reflected Afrocentrist and multiculturalist perspectives in regard to preserving black institutions and culture. They also reflected Jesse Jackson's post multiculturalists' positions on racial coalitions around common interests and Farrakhan's position on racial coalitions with alleged racists. In addition to reflecting the views of the above, the CDAAC and the black minister's ideology also overlapped those of the integrationists because at various times they placed their children in out-of-zone schools that offered better curriculum and demanded higher standards.

The CDAAC and the black minister found the categorizations too complex. Their reasons for opposing the closing of the predominantly black high school were simple: First, they wanted to preserve what they saw as a cultural icon, and second, they believed that the black students would suffer psychological and academic damage in predominantly white schools.

Bussell, on the other hand, felt that the advantages clearly outweighed the disadvantages. He explained:

[T]here are some distinct advantages to having our black kids out there in these white schools because these white kids end up being supervisors and things down the road without any exposure to our culture, it makes it difficult anyway when these kids come out of high school and never been exposed--come out and go to predominantly white colleges and come out and have a white supervisor . . . My other point . . . is that when you get out to these suburbs schools you have advocates for those kids. You have

booster clubs. If the school need anything that the county can't fund, you have private citizens and private corporations willing to fund--the inner city schools have no advocates. The level of apathy in that community means these kids suffer . . . Our kids are missing out on so much! (Interview, 6-24-97).

Paradoxically, Sam Anderson, who claimed his support of the magnet high school was a ploy to keep Austin-East open, also agreed with Bussell, stating that:

[T]here is some merit to children, our children, understanding they can compete, and until they get with white children on a day to day basis, a lot of our children have a perceived inferiority, that white children are smarter. . . . there need to be at the elementary level a basic understanding that white kids--that there is a system out there designed to help white children to be successful, and that's the only advantage they have. If they make a mistake the system picks them up, but if we make a mistake the system tries to chastise us. Children need to learn that at a young age. I had to learn that, you had to learn that you have to be better, and that you have to have relationships that allow you to advance, and you can be the best person in the world, if you don't have somebody, somewhere that already have power, and influence helping you out, you're limited in how far you can advance . . . [Y]ou leave a crack and in everybody's mind there are some good black people out there and they are just like us. If you leave just a little bit of idea in people minds, then it always allow that relationship--it may be at Martin Marietta, that I'm the president at Martin Marietta and I'm looking for a Vice President and the government is telling me I need a Black and that is a relationship I built back in elementary school. I don't think the president of

Martin Marietta will be an Black in our life time, but I do think that vice presidents, finance officers, and chief engineers, and technical people can be and that is all about relationships . . . I always tell my wife, what value do you place on our child being able to play Little League baseball, or go to elementary school with Jim Haslam's, who owns Pilot Oil, son. That relationship may be of no benefit to us, but to him, thirty years down the line--"Why I remember you"--because his friend is going to inherit the Pilot Oil empire, those are the kinds of relationships you have to make for your children. It's about exposure. And our children need to deal with white people, and deal with that racism as young as possible and we need to force white children to deal with it. Deal with going home . . .and their parents calling them, blacks, certain names . . . it doesn't really matter what their parents say if I've got a good friend at school and that friend is a good friend, and we go all way through elementary school together, my parents can never poison me on that one person . . . I think schools are the only place you can do that. You can't force it in the church, you can't force it in leisure activities, but in school, you can force it, regardless of what happen there will be certain relationship that will be there for life . . . Interview, 6-23-97).

Sam Anderson, who initially opposed teacher transfers, also found the role of black teacher in predominantly white schools to be equally valuable. He related:

I say that it is more important sometimes to have black teachers in predominantly white, or--like my wife was at Hall and there were no black students--I told her she had a more important job at Hall than any teacher in the school system, because you are black American to those children, damn

the parents, if those children grow up loving you, then their door is always open to a relationship with another black person, but without you, all they see is the six o'clock news (Ibid.).

Both Anderson and Bussell expressed integrationist concerns about the economic advantages of integration, but Anderson acknowledged that:

[N]ot all kids--all black kids are not successful in an integrated situation, some children, especially if they are coming from a low income poorly educated parent or parents, more likely parent, need a little more nourishing that they are going to get from a white administrator, most of the time from white teachers (Interview, 5-6-97).

But according to Littlejohn, the issue is not about integration and its value, but about black parents having the same choice as middle white parents, that is to keep their children in their neighborhood. He admits, however that the "question is still--separate and unequal, or integration" (Interview, 5-2-97).

At times the ideological differences between the black participants extended beyond intellectual debate into personal invectives. For example, a CDAAC member requested the OCR Task Force Committee to remove a NAACP member from the committee. It was also apparent in one of the black columnist's criticism of the NAACP. In a 1991 column, Robert Booker wrote:

One of the more disappointing notes of this whole debacle was the stance of the local NAACP. Until [one of the members] testified in court, one could not determine where that organization stood on the issue. It grumbled, growled, sneered and threatened to show its fangs and claws, but offered no real clue on where it stood nor proposed any solution to the situation . . . The NAACP should know more than any other organization what it means to destroy any entity of the black community (*Knoxville Journal*, 8-29-91).

His assessment of the NAACP was accurate: the NAACP repeatedly shifted its position throughout the desegregation process. For example, the NAACP initially supported teacher transfers, but changed its stance when the black community protested the transfer (note: p. 20 in Chapter III). The NAACP also supported the downtown magnet high school, but later supported the magnet programs at Austin East. A CDAAC member commenting on the NAACP's position stated: "I have never been able to understand what the NAACP's position really was." He related an incident wherein he and NAACP president signed an agreement to be read at the March 7, 1994 School Board meeting. The CDAAC member recalled that the president of the NAACP "was going to read it, but he didn't show up, so I read the statement. Then [the NAACP president] talked to the press and said that wasn't true" (Interview, 4-23-97).

Ironically, a UNIQUE member had a similar experience with the CDAAC member. He reported:

I found myself pitted against [the CDAAC member]. It was amazing--you could talk to [this member], like you and I are talking now, and he would agree with you, but when he got around his sphere of friends, he would take an entirely different approach (Interview, 6-24-97).

The UNIQUE member also accused the CDAAC member of contradictory positions. He noted that in a 1990 news article, the CDAAC member supported magnet schools, and in a 1994 news article he opposed magnet programs. The contradictions, led the UNIQUE member to reply:

[His] views were very baffling to me, for I recall that he and the Committee for the Development of the African-American Community (CDAAC) have been the strongest advocates for inner-city magnet schools. As a member of the Knox County Schools Desegregation Task Force, [he] represented the views of the CDAAC by presenting a plan to establish magnet school

programs at Rule and Austin-East High Schools including, of all things, an emphasis on performing arts (*Knoxville News Sentinel*, 6-3-94).

Anderson's criticism of the CDAAC member (and another member) was more caustic. In his opinion, neither man cared about the academic atmosphere in the schools. Instead:

[They] had their own agenda, it was about minority contractors--they wanted to bring in these contractors from Atlanta and places like that to build schools here, but in my opinion a black man from Atlanta who brings in all the skilled workers from Atlanta is as bad as a white man from Knox County . . . the money leaves town (Interview, 5-5-98).

Tensions Between White and Black Participants

Tensions, however, were not only apparent between black participants. They existed between a black Board member and the white Superintendent. As reported in the previous section, Sam Anderson and Hoffmeister regularly exchanged words. Although the Superintendent's criticism of the Board member appeared nonracial, Anderson implicated race as an issue between the two. He recalled: "Hoffmeister didn't like me. He saw me as a nigger with a plan. Once he said to me, 'We'll close Austin East. I told him he could blow up the building for all I cared'" (Ibid.). The two, however, restricted their conflicts to private conversations, and not to the public arenas.

Tensions Among White Participants

This was not the case with the Superintendent and the Chair of the County Commissioners. Not only did they wage a media war, there also were several personal confrontations between the two. "It was so bad," reported Commissioner Cooper, "that I had to take

an attorney with me when meetings with Earl. He embarrassed me in every way he could" (Telephone Interview, 6-16-97). Cooper also claimed that the Board of Education Chair, A. L. Lotts, and Hoffmeister would call him at work and threaten to fire him if he did not change his stance. When Cooper, who was also the principal of a school, requested a vice-principal, Hoffmeister and Lotts responded that if he [the Commissioner] spent more time at school, and less time being a politician, then he would not need an assistant (Ibid.). Subsequently, they denied Cooper's request for a vice-principal. Cooper commented, "Earl is a vindictive person." (The Commissioner filed a lawsuit against the Superintendent and the School Board Chair for defamation of character.)

While Hoffmeister blamed a Board member for the controversy surrounding the desegregation conflict, Cooper, in turn, blamed the Superintendent. "It [the desegregation complaint] would have never occurred if the Superintendent had not been disrespectful to Sarah Moore Greene. That's how it got started." Cooper pointed to his long association and friendships with minorities as proof of his objectivity on the desegregation plan. Therefore, the similarity between his opposition and the CDAAC's opposition was not surprising, because the "minorities didn't want this, and the whites didn't want it either," said the Commissioner. "Besides," he continued, "the Board could not assure me that minority students would be able to attend the downtown magnet school" (Ibid.). Some, however, found the Commissioner's opposition to the desegregation plan to be less than humanitarian. In fact, the NAACP President found the Commissioner, and the Commissioners, as a group, to be "racists." Incidentally, Commissioner Rogero called the NAACP's president and challenged his accusation. She informed the NAACP's president that all of her nieces and nephews were legally black because her two sisters and one brother were married to blacks. This was, in her opinion, an indication of nonbias on her part.

The Superintendent and Commissioner's disagreement represented the tension between the Board of Education and the County Commissioners throughout this process. Although there

were factions in each group who supported and opposed the desegregation plan, the Commissioners, in general, resented the Board's exclusive attitude toward them. Eventually, the lines became more distinct as the Commissioners and Board of Education members formed new alliances. These divisions and community opposition delayed full implementation of the plan for six years.

Community Opposition

Community opposition to the desegregation plan began with the lateral transfer of black and white teachers. Opposition grew as the plan slowly evolved to include transfers revocations, and the merger and closure of certain schools. Emotions ran high as representatives from affected school districts protested the plan. One of the most memorable moments occurred at the January 27, 1992 County Commissioners meeting when Littlejohn of CDAAC refused to leave the podium in the allocated time. Littlejohn condemned the plan and its proponents of promoting "a new racism" by closing historically black institutions such as Austin-East High School. Security guards escorted Littlejohn from the podium amidst applause for his effort (Video, Knox County Board of Commissioners, 1-27-92.) Ironically, the audience was predominantly white. In addition to protesting at meetings, some irate citizens harassed school officials by telephone. Commissioner Rogero recalled "I checked my car every time I left home" (Interview, 4-22-97). Notably, the black and white communities equally shared the community protest.

The Commissioner described the coalitions between black and whites as "strange bedfellows" because she understood whites' opposition to be racially based. She recalled: "It [racism] was there. I knew the people. I knew what they were saying to me" (Interview, 4-22-97). Knox County Law Director confirmed the Commissioner's observation: "What was the point if it wasn't racism? I was shocked! There was pure unadulterated racism at meetings. I'm from Knoxville, but I was shocked!" (Interview, 5-13-97). Sam Anderson also found "It was hard!

Racism was hard" (Interview, 5-6-97). But Anderson explained that he had used racism to his advantage:

I played the "race card" a lot in the sense that if I know that the one thing you don't want is your daughter in the classroom with my son, well, I can get everything I want to out of you. As an elected official, I can press that issue without ever saying it. Oh yes, I'll vote the university high school, if I don't want it, that's not the issue . . . if you don't combine Fulton and Austin-East I will give you whatever the heck you want, and that is basically what they've done (Interview, 5-6-97).

Although the CDAAC did not focus on the race issue, Littlejohn said, "it was obviously race, because we were black . . . if it was 1950s, 60s it [racism] would be a lot clearer to see" (Interview, 4-23-97). To emphasize the significance of race, he pointed to "the teachers that would end up in our schools, who had been run off from Cedar Bluff, Farragut . . . and the [restricted] course offerings" at the predominantly black schools" (Ibid.).

Undoubtedly, race was a dominant factor in the Knox County's desegregation effort. Secondary data, however, did not reveal any overt acts of racism. The Board of Education seemed especially void of racial context. There was an incident where Steve Hill, a former Board Chair, implied racism motivated opposition to the plan, but overall racism was implicit and not explicitly expressed. Paradoxically, Littlejohn charged those who supported the desegregation plan to be racist (Ibid.).

Surprisingly, Anderson found classism (prejudice based on class) to be stronger than racism in Knox County. Since some middle-class blacks transferred their children out of predominantly black schools to predominantly white schools leaving predominantly black schools with almost exclusively lower-class black children, he explained:

You still got a mindset in the black community, middle-class black families, that they want their kids in an integrated situation . . . [T]he numbers are not at Vine and the numbers are not at Austin-East, and the numbers that are not there primarily are middle-class black families that have moved their children out of the district (*Middlebrook*, 1991, pp. 3-80, 3-92)

Whether a school is predominantly white or black, the quality of education is closely associated with middle-class white students. In *Middlebrook*, Anderson stated:

They [OCR] know from past experiences that quality education is only guaranteed when you involve middle- class white America . . . unless you got middle class white children, boys and girls in the school, to guaranteed that they're [black children] going to be looked after (p. 3-97).

The second sentiment was shared by the white plaintiffs in the *Middlebrook* lawsuit, and by a white mother in South Knox County. In an OCR complaint, the mother charged the Board with discrimination against poor people, in this case poor whites. She explained:

Many of our economically disadvantaged students at South-Young will not have the opportunity to participate in any after-school activity that would require transportation because their parents do not own vehicles. At South-Young they can use public transportation. This allows them to be able to participate in extra-curricular activities (KJ, 3-3-91, 4A).

The mother also accused the desegregation plan discriminated against the inner city, while the leaving the more affluent West area unaffected. Columnist Bob Booker agreed with the mother, stating:

Black children forced to go to schools in white areas and poor white children forced to go to school in well-to-do areas on long bus rides out of their neighborhoods is such a one-sided proposition. Those in charge say

they fear massive busing if their plan is not put into effect. Yet there will be massive busing of the child who can least afford to be bused . . . Obviously, the heritage of blacks and poor whites doesn't count too much with the Board of Education (*Knoxville Journal*, 8-29-91).

Conclusion

This chapter has illustrated several tenets of Africana Theory as they applied to the conflicts and tensions that characterized the desegregation process desegregation in Knoxville, Tennessee. It reveals internal and external tensions that exist in the black community as they demanded change in a traditional institution. It also shows the constancy by black and white initiatives to ameliorate inequities in America's society. The struggle to correct inequities was controversial as some participants debated the best method and other debated the necessity of drastic actions to correct perceived inequities. The debates and the agreement on a compromise, the magnet programs, confirmed the tenets of Africana Theory that institutional changes are incremental and disproportional to black demands

Nevertheless, this chapter has identified certain conflicts and tensions that characterized the desegregation process, to include racism, classism and politics. I have not addressed all of the conflicts that accompanied the process. For example, I have not discussed issues such as the controversy surrounding what OCR had mandated as well as the confusion over the definition of a 'racially identifiable' school. I have also omitted a detailed discussion of the contradictions found in the testimonies of witnesses in the *Middlebrook* lawsuit. Although I was unable to substantiate it, some informants suggested that the controversies were initiated by personal or business interests. The next

chapter summarizes the desegregation process and the conclusions drawn from this phenomenon.

CHAPTER SEVEN

Conclusions

The case study of desegregation in Knoxville, Tennessee (Knox County) had three goals: (a) to provide a full descriptive account of a school desegregation process and its implementation, (b) to identify the key participants and the influence each had on the decision-making process, and (c) to interpret the conflicts and tensions that accompanied the process. The study also applied *Africana Theory* as framework in which to examine the desegregation of American schools.

This study adds to the literature on desegregation with findings in three prime areas:

- It analyzes Knoxville/Knox County's desegregation struggle within the national context on desegregation, especially the first desegregation attempt *Goss v. Knoxville City School District* (1959-1974).
- It provides a linkage between the first and second desegregation efforts.
- It documents a new genre of desegregation cases that are facing or attempting a attempting a second desegregation effort (post-Civil Rights movement).

The study reconstructed events beginning in June 1989 when the Knoxville Chapter of the National Association for the Advancement of Colored People (NAACP) filed a discriminatory complaint with the Office of the Civil Rights (OCR), ending in December 1996 when the complaint was officially resolved. The details of the process were presented at length in order to document them and to emphasize the complexities of the desegregation process. An effort was made to control subjective judgements as I identified and examined the tensions and conflicts that accompanied the desegregation process.

As applied to this study, *Africana Theory* includes the following premises. See Chapter One for a detailed discussion of each tenet:

- The struggle for equal education by black Americans originated in slavery.

- The struggle for equal education has been defined by race and class, and has been hindered by racist and class-bias actions and practices.
- The struggle for equal education has been propelled by the intitatives of black and white Americans.
- The struggle for equal education by blacks has been resisted by the majority of white Americans.
- The struggle for equal education has been characterized by dualism by black and white Americans.
- The struggle for and the resistance to educational equity has been constant through time and space.
- The change in educational institutions has been incremental and disproportional to black demands.

This study focused on the second attempt (1989-1974) to desegregate Knoxville's or Knox County's schools. Both attempts to achieve desegregation confirmed the tenets of *Africana Theory*. The struggle for equal education in Knoxville began in slavery and was fueled by a desire for literacy and freedom. The initial struggle for equal education was almost exclusively defined by race. After the civil rights movement, the educational struggle was defined by both race and class. Actions by blacks to achieve equal education have been met by white resistance ranging from overt to covert racism and class-biased actions. Notably, black progress has been hampered by a small faction of blacks who accede to the demands of the white society. This action, characterized the concept of dualism, is not only expressed in the black community, it is also expressed in the dichotomy between democracy and the racialization of America. It is further expressed in the gap between a religious ideology of inclusion (Christianity) that supports and perpetuates racial and class discrimination.

On the other hand, the tensions produced by dualism has served to strengthen the black community and the United States as a whole. It is from these tensions that black creativity has

flowed, adding to a unique American culture. It is also from these tensions that America has been forced to amend and affirm the goal of "liberty and justice for all." Most importantly, the study confirms the constancy of black initiatives or agency through time, from slavery to the present. It is from the black Americans' struggles to obtain equality and justice that other minorities' rights have been generated. This study illustrates the mediation of institutional and social barriers due to black initiatives and white supporters of racial equality.

Recent Racial Developments

As the dissertation was completed, two reports on race in Knox County were published. The reports, released in July 1998, were *A Disparity Study* and the *Mayor's Commission On Police* or "The Bernstein Report." Both reports were commissioned by the city and resulted from complaints from blacks about inequality. *The Disparity Study* investigated the economic plight of blacks in Knoxville to determine if there is a pattern of discrimination against minorities and women by the city. *The Bernstein Report* examined the charges of police brutality against blacks to determine the need for of a Citizen's Review Board. After six months of hearings, study and deliberation, the Report from the *Mayor's Commission On Police* recommended the appointment of a seven-member Police Advisory and Review Commission.

The Disparity Study found a pattern of economic exclusion of minorities and women in the City's market area. The study recommended that the city take steps to remove barriers that impede the participation of minorities and women in contracting opportunities.

In addition to these reports *The Knoxville News-Sentinel* published a series of articles on race relations "The Racial Divide: Sitting at separate tables" (July 19-24 1998). The articles examined race relations in Knoxville and Knox County by encouraging black and white participants to express their views on the "racial divide." The articles revealed diverse perspectives on race. Although some whites acknowledged race as a problem, the majority of whites appeared

to be unconscious of its existence. In contrast, the majority of blacks indicated that race is an everyday concern. Whether the articles resulted in better understanding between the two groups cannot be determined. While they appeared after the study was completed, these sources served to confirm and underscore the findings of the study.

Findings

From the descriptive account of desegregation in Knoxville, Tennessee (Knox County), the study identified key participants in the process as well as the conflicts and tensions that accompanied the process. Each finding reflects the tenets of *Africana Theory*.

The Role of Key Participants

The study describes a challenge by a minority group to social and institutional inequalities. The NAACP sought to gain educational parity in the hiring, promotion and assignment of teachers and in a student transfer policy. The struggle by blacks to achieve educational parity was documented in the literature review, in the history of Knoxville's black community, and in the chronology of the 1989-1996 desegregation efforts.

The event described occurred against the backdrop of a changing racial, economic and political landscape. Change is dramatically illustrated in the contrast between the 1959 and 1989 desegregation efforts. In 1959-74, the conflicts were clearly delineated by race: the majority of blacks supported desegregation; and the majority of whites opposed it. In 1989-96, the boundaries were not as clear: opponents and proponents to the desegregation plan included both black and white citizens. The school system had been reconfigured and included some blacks in the formal power structure. To distinguish the key participants, their roles and influence in the desegregation

efforts, interviews were conducted with the participants and data pertinent to this process were examined.

The difficulty in identifying key participants and their testified not only to a complex political milieu, but also to a reconfiguration of race, class and institutional barriers since the sixties and seventies. Changes or the lack of changes have caused many blacks to reassess goals established prior to the civil right movement. For example, segregation had been viewed by the majority of blacks as creating educational and psychological barriers for black children, but in the 1989-96 desegregation effort, segregation was recast by some as a way to preserve the black culture. While blacks who opposed integration in the early years were generally categorized as "Uncle Toms," black opponents during the 1989-96 desegregation efforts were considered by many to be the "radicals." White resistance was also difficult to categorize. While white resistance was once simply classified as "racism," white opposition was confounded by the emergence of white and black coalitions in support of desegregation.

Within this context, the data confirmed that the School Board, the Superintendent of Education, the County Commissioners and various community members were influential participants. The most influential individual participants included the lone black School Board member, the Superintendent of Education and the Knox Chair of the County Commissioners. Each of these participants' influence could be seen in their ability to promote or derail the desegregation plan. For example, the Chair of the County Commission successfully fought implementation of a University Magnet High School that the Superintendent and the black Board Member had initially vigorously supported. The Chair's success was contingent on the lone black Board Member's agreement to abandon the magnet high school concept. Only then did the School Board and the County Commissioner reach a consensus on another plan. At this juncture, the Superintendent dissociated himself from the process and disavowed support for a desegregation plan.

The assumption as to who were the of 'most influential participants' was modified as the intricacies of politics were revealed. Another picture evolved that involved alliances around issues

and the accommodations made to seek the resolution of issues. Official resolutions, for example, are often developed behind doors at so-called "work sessions" without public input. Hence, the most articulate and visible participants are not necessarily the power brokers or decision-makers; members of the community's the informal power structure also play a role. The formal structure, the school officials, county commissioners, and others, serve as an interface with the public and the informal power structure. As elected officials, they are accountable to their constituents, but they also react to the business and economic interests of the informal power structure. The ability to resolve issues that appease constituents and the informal structure testify to the effectiveness of the formal structure. Therefore, while not totally in control, the Superintendent, the black Board member and the Chair of the County Commission were equally influential in the desegregation process. In this instance, the issue was complicated by an ongoing power struggle between two government agencies, the Board of Education and the County Commissioner.

Africana Theory views the political struggle between the governmental agencies as part of the institutional system that impedes equality and parity. Blacks, at one time, believed that their inclusion in the politically field would alleviate if not eliminate inequalities based on race. Even as the number of black politicians has increased, the conditions of inner-city schools worsen. Research has shown that black politicians, for various reasons, are, in essence "politicians." Hence, the lives of black inner-city children remain unchanged even under black leadership; the students remain poor and isolated.

Conflicts and Tensions

The interpretative account identified factors that contributed to the conflicts and tensions in the desegregation process. These included the tensions between school officials and the County Commissioners, between black participants, and between community groups and governmental agencies. The changing racial landscape also made interpretation of the conflicts and tensions

difficult. As desegregation has been historically defined by race, I sought to uncover documented instance of racism. Published material did not provide evidence of overt or covert racism, as was the case in Knoxville's earlier desegregation effort. Primary data, however, suggested covert and overt indications.

Racism

Interviews with participant confirmed *Africana Theory's* claim that race and racism, define every black experience, including the desegregation process. In the reconfigured racial landscape, racism existed in the 1989-96 desegregation process as encoded words, phases and actions with expressed altruistic goals. For example, phrases such as "neighborhood schools," and "community schools," were used by many whites to preserve predominantly white schools.

Many of the participants revealed that racism was behind most white objections to redrawing school zones that would place more blacks in predominantly white schools, as well as objections to the proposed closing, merging or building of schools to increase black enrollment. Racism was also found to be the reason why most white teachers objected to being transferred to predominantly black schools (Cudahy, 1996). Participants also accused key participants of being racist. Among those charged were the Superintendent of Education and various members of the County Commission including its Chair. Several participants confirmed that racism was overt in private conversations with their constituents and friends.

The charges of racism is, however, suspect in the light of alliances between those accused of being racists and black participants. It is important to note that the alliances were formed on the basis of common interests and not necessarily on the best interest of the students of the opposite race. For example, white parents who objected to the desegregation plan were not concerned about the education of black students, nor were black parents concerned about the education of white

students. Their unity stemmed total from self-interest or in most minds, racial-preservation. These alliances also conform to *Africana Theory* concerning change and are examined further below

Classism

Participants and the data also revealed class as an issue in the desegregation process.

Classism, (discrimination or prejudice based on class), similar to racism, has always been a part of the national tapestry, but it is largely overshadowed by the issue of race. Classism is not surprising given Marx's view of capitalism wherein the capitalist system thrives on the exploitation of the poor or the underclass. Whether this is true or not, poor people of all races receive an unequal share of public resources. In Knoxville the inequalities were seen in the facilities, curricula and extra-curricula activities in poor black and white schools. It is arguable that neither black nor white middle-class parents wanted their children to attend predominantly black inner-city schools. Their preference for predominantly white schools is based on a perceived difference in values, morals and attitudes. Scores from standardized test substantiate the differences: the majority of poor students score lower than the majority of middle-class students. The schools in poorer neighborhood are often inferior to schools in middle-class neighborhood, in respect to both tangibles and the intangibles that enrich the educational experience. The differences were emphasized when a desegregation consultant asked a Knox County official if there was a predominantly "school that could be compared to the predominantly black high school that would not make the County look bad" (Letter to School Officials from Desegregation Consultant; See Chapter Four).

The study revealed that the desegregation process, as portrayed by the press, was primarily a middle-class endeavor. Divergent perspectives were articulated and advocated by middle-class proponent, and community groups composed of middle-class individuals. Lower socioeconomic whites gave dispositions and a few testified in the *Middlebrook v. Knox County*

lawsuit, but the plaintiffs or/and their lawyers recruited these participants. In a rare move, a white mother in South Knox did not involve many in the less-affluent population. Otherwise, the desegregation process did not involve many in the less-affluent population. This finding affirms *Africana Theory* that issues of class permeate also conflicts the educational process. In effect, many people, black and white, seldom identify with one another's plight.

Dualism

The alliances between black middle-class and white middle-class men and women in the desegregation process initially suggested *Africana Theory's* concept of dualism as a factor. I also assumed that disagreements among the black middle-class were examples of dualism regarding the rights of blacks to, and methods of equal education. The dualism, however, arose more from the fluidity of philosophical lines than from economic or personal interest. Hence, black alliances with alleged racists were different from the early accommodationists who hoped to gain economic and political favors from whites by condemning integration. Their philosophy was reminiscent of DuBois' in that they wanted to preserve black schools. In an ironic twist, their stance was also similar to Jesse Jackson's political drive for a Rainbow Coalition. In this respect, the whites and blacks united against what they perceive as a mutual injustice. On the other hand, black leaders who supported the desegregation plan were similar to the reformers in the early part of the century, they steadfastly believed that integration of schools was the only solution to true equality. Similar to the opponents, the proponent of the desegregation plan also formed coalitions with white proponents. The rainbow coalitions, however, made the claim of dualism difficult as blacks in both groups seemed to be genuinely interested in the welfare of black students.

Based on the data, I concluded that black alliances with whites, especially alleged racists, can not be easily explained by *Africana Theory*. It can be argued that the opponents of desegregation in Knoxville undermined the progress of black students as predominantly black

schools are most often inferior to predominantly white schools in facilities and curriculum. Likewise, it could be argued that the proponents of desegregation undermined black progress because black students are often subjected to discrimination in predominantly white schools. Furthermore, they continue, black students, if they are to succeed, must abrogate their culture and assimilate into the predominant culture. As such, the concept of dualism is suspect. It depends not only on the definition of "progress," but on the readers' bias toward desegregation. Nonetheless, the study found ideological differences, not dualism, to be at the core of black disagreements as well as the underlining reason behind the alliances with whites around the issue of desegregation.

Ideological Differences

Principally, the debate among blacks centers around the validity of historical black institutions—whether to preserve or to dismantle them. Opponents of preserving black institutions claim that these institutions disadvantage black students because they are inferior, lacking adequate facilities and curricula. Opponents also charged that predominantly black institutional standards are lower than in white schools, hence the best black students at predominantly black schools cannot compete with their peers at predominantly white schools. Equally important, they contended, black students are handicapped by their isolation from the predominantly white society. Thus isolated, they lack the social as well as the academic skills needed to gain economic opportunities.

On the other hand, the proponents of predominantly black institutions argued that closing predominantly black schools and sending black students to predominantly white schools is psychologically and academically damaging to students. They argued that one-way busing of black students to white schools implies the inferiority of the students and their surroundings, while suggesting 'white' as being superior. In addition, they argued, white staff and administrators might resent the presence of the black students and discriminate against them. In a response to this

allegation in Knox County, the NAACP examined school records and found that black students were expelled and suspended from schools at a higher rate than white students for the same offenses.

Another issue pertinent to the ideological difference and the concept of dualism is whether desegregation is progressive or whether desegregation as designed serves to undermined black progress. Critics of desegregation point to the re-segregation of black students within predominantly white schools under the guise of ability grouping, tracking and special education. They also note the loss of black teachers and administration after desegregation occurred. This question makes categorizations based on dualism difficult. These examples are but two aspects of on-going debate regarding desegregation.

White Resistance

While black opposition to the desegregation plan is attributed to ideological differences, the data does not support this same reasoning for most white participants. Although concessions have been made on many fronts, white resistance to the demands of blacks has remained constant throughout America's history. The concessions gained after the civil rights movement were granted only after the threat of civil violence, and not simply because blacks demanded them. Even though official policies now affirm employment regardless of race, sex, religion or disability, unofficial practices still restrict admittance of blacks to institutions to some degree, except perhaps in the sport and entertainment fields. While white resistance is a constant, *Africana Theory* recognizes the contributions of whites who have risked personal and economic hardships to fight for justice. It is through such mediations that black voices were heard by the dominant society. Given this history, I realized that some of the white participants in the 1989-96 desegregation efforts were motivated by altruistic concerns in the desegregation process. This acknowledgment,

however, does not change the assertion that most of the white resistance was forged by race and class prejudice.

Politics

While race, class and ideology produced conflicts and tensions in the desegregation process the greatest problems resulted from the political fight between the County Commissioners and the School Board. The fight resulted from an ongoing power struggle between the funding agency, the County Commissioner, and the School Board. Some officials were also concerned about an upcoming election. Hence, their opposition likely reflected political expediency as well as their personal convictions.

Other tensions and conflicts resulted from confusion over what OCR mandated. The confusion may have resulted from OCR's conversations with various participants. For example, OCR warned school officials that that Knox County was scheduled for a full-scale compliance review. At the same time, it assured others, including a state legislator, that OCR was only interested in correcting specific inequalities.

As stated in the discussion of the key participants, *Africana Theory* attributes the political struggles in the desegregation process to institutional resistance to equality based on race and class. Gender is also a part of this struggle, but was not addressed because it was not central to this particular study. It should be noted that the inclusion of blacks in the informal power structure had not altered the inferior of black schools prior to the desegregation complaint in 1989.

The Approved Plan

The desegregation process concluded with the County Commissioner approving funds for the implementation of magnet programs within five inner-city schools. This solution avoided mass busing of black students to predominantly white schools and avoided the busing of white students

to predominantly black schools. Instead, the school district was rezoned to require black students to attend predominantly white schools. For example, the plan increased the percentage of black students at one high school from 2.4 percent to 22 percent. This plan also eliminated administrative transfers that allowed white students to transfer from predominantly black schools to predominantly white schools. Finally, the plan increased the number of black administrators and dispersed black teachers throughout the system.

Given these outcomes, the six-year desegregation effort in Knox County was to some degree "successful" since it culminated in the establishment of five magnet programs. The goal of the magnet programs is to draw middle-class white students to inner-city schools. Magnet programs and schools have been used as a partial solution to desegregation throughout the country. Controversy surrounds the effectiveness of these programs/schools in reducing or eliminating segregated schools, however. In Knox County, the question also arose as to why the first magnet program was placed in a predominantly white inner-city school that restricted the enrollment of blacks to 25 percentage. The programs in operation include a Performance Arts and Honors Program and others with emphasis on technology, and math and science, and are based on student interests. All of the magnet programs have almost reached the expected number of middle-class white students except the high school programs (there are two magnet programs at the predominantly black high school, a Performance Arts Program and a Math and Science Program). At this writing, 28 of the 58 students in the high school magnet programs are white (Knoxville News-Sentinel, 11-2-98, A1). Knox County administrators stated that they are hopeful that the concept will "take hold."

This study strongly suggests that magnet programs are a compromise for true desegregation. Of the 52,000 students enrolled in the school district, only a small percentage, 1.5 percent of the school population is enrolled in the magnet programs. While the magnet programs have facilitated desegregation efforts, they are merely a step rather than a major stride toward deeper integration. It can be argued that the number of such programs would need to be greatly

expanded to make a major difference. This fact is consistent with the tenet of *Africana Theory* that change is incremental and disproportional to the need. True desegregation is yet to be achieved.

Implications for Research

This study helps to fill a void in desegregation research that began in the late sixties and ended in the late seventies. Even though researchers have apparently lost interest in desegregation research, the need for desegregation research is stressed by the continuing efforts of many school districts to desegregate their schools. The following areas are suggested for further research:

- The role of federal government in funding research that support dismantling desegregation efforts. For example, Christine Rossell's (1989) study of white flight from desegregation is a rare piece of research.
- Independent gathering of statistical data on the desegregation cases to include, the number of OCR complaints filed per year, the number and methods of resolution of OCR complaints, the number of schools under court order to desegregate and the number of schools released from further desegregation efforts. This data have not been published by the government since the Carter administration.
- Independent assessments of "equalized segregated schools" as claimed by school districts that have been permitted, by the U.S. Supreme Court, to resegregate their schools (e. g., Norfolk, VA; Oklahoma City, OK; and DeKalb County, GA).
- Theoretical frameworks in which to examine the changing landscape in regard to institutions (e.g., shifting of formal power to black officials and politicians), and the reconfiguration of social practices to accommodate new forms of racism and classism.

- Studies on how segregated and poor schools can be sites for transformative action, given the fact that the teacher and administrative workforce are eighty-five percent white middle-class females.
- Studies of second- and third-generation discrimination against black students in formerly predominantly white schools. This would include the continuing use of tracking and the assignment of black students to special education programs, as well as the disproportional high suspension and expulsion rates of black students.

Implications for Practice

Other school districts undergoing or considering desegregation efforts will likely face similar conflicts and tensions that accompanied the process in Knox County. This study offers several suggestions to avoid these conflicts:

- To solidify plans before transferring students even if the plans must be delayed to avoid multi-transfers of students within one school year.
- Provide Diversity and Sensitivity Training to personnel at the "receiving" school.
- Provide Conflict Resolution Training to the transferred and residential students.
- Establish bi-racial teams (community volunteers) to monitor the transfer process at each "receiving" school.
- Mandate at least one minority counselor, or an administrator at each "receiving" school to negotiate potential racial tensions between minority students and the white personnel.
- Alternatives other than magnet programs need to be considered and should involve more inner city students.

Although this study is specific to the field of education, it also has relevance for policies in other areas. Schools are but one institution where racial issues must be confronted.

Another contribution of this study is the potential efficacy of *Africana Theory*. Although *Africana Theory* is derived from established concepts, the seven tenets were conceived as a framework to examine the lifeworlds of minorities. The mediation of institutional constraints, the assimilation and inclusion of blacks into mainstream America, and the contradictions that characterizes the journeys of blacks and whites are revealed in the application of this theory. These tenets also provide a framework for analyses of ethnic groups without the intrinsic negative connotations found in traditional social science theories.

Conclusion

Desegregation as a national goal is under attack from various sources (Orfield and Eaton, 1996). Research reveals that judicial retrenchment, initiated under Richard Nixon's administration, has America, "in essence, sleepwalking back to Plessy" (Ibid., p. 331). As a result of judicial decisions that have discouraged or dismantled desegregation efforts, many school districts have abandoned desegregation goals (Table A). These school districts, with the U. S. Supreme Court's permission, have opted to re-instituted segregated school systems. The U. S. Supreme Court's decisions to allow schools to re-segregate are based on the assumption that local officials will no longer discriminate and will provide equal educational opportunities for their minority students. This assumption has yet to be proven.

Desegregation is also under attack from a faction of black leaders. This group has rejected desegregation and integration as a viable and achievable goal because, in their view, it has not worked. They contend that blacks should concentrate on acquiring funds to improve high-poverty schools, rather than expending energy and finances for a lost cause. Improvements would include more qualified teachers, the retention of good teachers and improved facilities. This faction joins some integrationists in questioning the use of magnet schools to achieve desegregation. Magnet

schools, they argue, merely recreate segregation, in this case between the poorer residential students and an elite group of middle-class students

Ironically, the retreat from desegregation is occurring simultaneously with an increase in the minority population. Because of a growing Latino population, the Census Bureau predicts that in a third of a century more that one-half of school children will be non-white. These students, if present trends continue, will be poor and isolated from mainstream society (Holmes, 1996).

Desegregation efforts in Knoxville, Tennessee are part of the omnipresent American dilemma: How will America provide equal education to all children regardless of race, creed, religion, class or disability? Desegregation of white schools by the integration of black students was once viewed by many as the only plausible solution. Forty-five years after *Brown v. Board of Education* made this assumption legitimate, the majority of black students remains in segregated and often inferior schools.

Africana Theory purposes that change occurs incrementally over time as seen by the move from totally segregation in the first half of the century to partial integration in recent decades. Whether magnet programs are dynamic mediations of institutional barriers or a reconfiguration of the selfsame barriers is debated by many. Notwithstanding, *Africana Theory* predicts that the dilemma of equal education for poor black students in Knoxville is unresolved and must be revisited again and again. Desegregation remains an issue despite the second attempt to desegregate the Knox County school system between 1989 and 1996.

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