The News Media and the Disorders:
The Kerner Commission's Examination of Race Riots
and Civil Disturbances, 1967-68

A dissertation presented to
the faculty of
the Scripps College of Communication of Ohio University

In partial fulfillment
of the requirements for the degree
Doctor of Philosophy

Thomas J. Hrach
June 2008
This dissertation titled
The News Media and the Disorders:
The Kerner Commission's Examination of Race Riots
and Civil Disturbances, 1967-68

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Abstract

HRACH, THOMAS J., Ph.D., June 2008, Journalism

The News Media and the Disorders: The Kerner Commission's Examination of Race Riots and Civil Disturbances, 1967-68 (276 pp.)

Director of Dissertation: Patrick S. Washburn

The National Advisory Commission on Civil Disorders, known informally as the Kerner Commission, issued a 425-page report on March 1, 1968, that brought the attention of the nation to the issues of race and poverty. President Lyndon Johnson appointed the commission on July 27, 1967, after a summer of urban rioting in hopes of preventing future violence. One of the questions Johnson asked the commission to answer was: “What effect do the mass media have on the riots?” From that question, the commission developed Chapter Fifteen of the Kerner Report titled “The News Media and the Disorders.” Historians and journalists credit the news media chapter with inspiring improvement in how the press covered race and poverty and encouraging an increase in the number of blacks hired into the mainstream media. This dissertation examines how and why the commission developed its news media chapter. It analyzes why the news media were criticized for their coverage of rioting, who were the major influences on the development of the chapter, what research was used to come to the commission’s conclusions and how the chapter was put together.

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Acknowledgements

This dissertation project was made possible with the assistance and support of colleagues, friends and family. The project has its origins in the fall of 2005 as I started the Ph.D. Program at the E.W. Scripps School of Journalism at Ohio University, where the school supported me with a teaching associate position. While several faculty members were instrumental in the project, particular thanks goes to Dr. Patrick S. Washburn, who helped me develop the project and guided me as my dissertation committee chair, and Dr. Joseph Bernt, my advisor and a member of the dissertation committee. Outside the school of journalism, thanks goes to Dr. Chester Pach and Dr. David Mould for their work on my committee. Thanks also goes to the Lyndon Baines Johnson Foundation for its generous support that allowed me to travel to the LBJ Library in Austin, Texas, in December 2006 for research that became the foundation for this project. Also financial help for research came from Ohio University for trips taken to the Abraham Lincoln Presidential Library in Springfield, Illinois, in September 2007 and the Library of Congress in Washington D.C. in January 2008. Most significantly, thanks goes to Jennifer, my wife of seventeen years, whose tireless support made this work possible along with my girls Mandy, Sarah and Katie. For more on how this research project developed, see Appendix C.
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Chapter 1 – Introduction

A dramatic change in the “white press”

Readers of the New York Times awoke to an ominous front-page headline on the morning of May 6, 1964: “Anti-White Harlem Gang Reported to Number 400. Social Worker Says Its Members Are Trained in Crime and Fighting by Defectors From Black Muslims.” The article reported that a band of 400 black youths trained in “karate and judo fighting techniques” was planning a killing spree of white people. With little attribution and only two quoted sources, the 720-word article said a youth gang known as the Blood Brothers was planning an all-out attack on whites and the white police department. The article was a follow-up to one printed on the inside of the newspaper just three days earlier that first reported that the gang roamed Harlem with the intent to “maim and kill” and that they “usually attack without provocation.”

The sources for the articles were anonymous quotations from gang members along with information from an organization identified as Harlem Youth Opportunities Unlimited and police. But the articles offered no names of gang members. It named no one from Harlem Youth Opportunities. Police were cited as the source for the information that several members of the gang were suspected in the murders of four white people, but there was no police officer named as a source other than a deputy police commissioner who was quoted as declining to confirm the gang’s existence. The only other quotations in the May 6 article were from two unidentified youths who said police had mistreated them after being arrested, but neither confirmed the existence of the Blood Brothers gang or any plot to kill white people. Other than the police commissioner,
the only identified quotations in the May 3 article came from a minister who denounced all violence.²

While the articles were short on details and attribution, they were long on sensationalism and shock value. The existence of the Blood Brothers gang was immediately questioned by black organizations including the NAACP, which issued a statement demanding “an end to the slanderous lies being propagated concerning the Harlem Community by daily press exaggerations.” On the CBS Newsmakers program, NAACP Executive Director Roy Wilkins publicly criticized the account of the Blood Brothers gang.³

Editors at the New York Times, despite the flimsiness of the reporting and subsequent revelations that the story was bogus, never corrected the error other than running a follow-up article five days later on page 27 about the NAACP’s reaction. Black leaders blamed the articles for fanning the flames that led to rioting in Harlem in July of that year. The reporter on the story eventually resigned. Seth Mnookin reported in his book Hard News: The Scandals at the New York Times and Their Meaning for America that the story was acknowledged to be at best widely exaggerated or at worst totally made up.⁴

The Blood Brothers articles became a leading example of how the white media misunderstood the black community and exacerbated the black-white problem in the nation at that time. Kenneth B. Clark, a nationally known black psychologist and educator, used the articles as examples of the news media’s “thirst for sensation” when it came to racial issues and how the mainstream media refused to admit the error of their ways. Quoted in Quill in 1969, Clark said the New York Times was “big enough and solid
enough so it didn’t suffer deeply from this error. But it certainly was an embarrassing error to plaster on the front page.” He used the Blood Brothers articles as an example of how the mainstream media in the mid 1960s did not fully understand the issues surrounding the black community in America.5

Fast forward five years from the date of the Blood Brothers article, and the situation was much different. On November 13, 1969, a New York Times reporter completed a tasteful and well-sourced article, “Black is Beneficial, Say Negro Public School Principals as Their Ranks Grow in City.” The article included interviews with six black school principals in New York City, each of whom discussed in detail the challenges of breaking into a profession that just a few years earlier had been all white. The article tactfully examined the issues of how white students and teachers treated black principals, concluding that progress was being made toward racial harmony. It revealed that of the 900 schools in the city, just thirty-five had black principals and most of those were in the black and Puerto Rican areas of the city. It ended with a quotation from Nellie Duncan, the black principal at Public School 345 in East New York, saying the white teachers and black principals had come to an understanding that they needed to work together to improve education in the city.6

That kind of attention to the black community was not an isolated case that year. Two days later, the New York Times profiled a black bricklayer and discussed how the government was putting pressure on construction trade unions to accept more blacks. The article described the struggles that black union worker Ed Wilson had in finding a job after serving in the Army following World War II. The article reported, “Mr. Wilson’s employment history is a revealing case study of what often happens to Negroes, who seek
work in construction trades.” Wilson was portrayed as heroic in his efforts to become a member of the Laborers International Union, and it included a tasteful portrait photograph of the hourly worker. Both the principal and union worker stories offered a far different portrait of the black community than did the Blood Brothers story five years previously.

The change in the press in the late 1960s was evident not just in the New York Times. For example, the Detroit News was praised in 1969 for a six-part series that excerpted from Whitney M. Young Jr.’s new book Beyond Racism. The Detroit News started the series on page one and jumped it inside with two more wide columns, and it included excerpts from Young’s book that were described as “hard hitting, crisply written articles that all white America should be reading – and beginning to understand.” The same newspaper was praised for stories about the Detroit Urban League’s Twelfth Street Academy, a storefront school at the site of a former riot that focused on educating poor blacks. The article used outdated cultural terms such as “dig it,” and “the cat’s cool, man,” yet it indicated a genuine attempt by the reporter to relate to language that blacks in Detroit were using at the time. The article described young blacks going back to school and seeking an education, an obvious attempt to break the stereotype that all young black men were bent on violence.

The 1969 articles in the New York Times and the Detroit News were prime examples of a new era in how the mainstream press was reporting on the black community. It was not just anecdotal evidence of the change. Jake Highton, a researcher at Michigan’s Wayne State University in 1969, did an analysis of race-related articles in the Detroit newspapers and the New York Times. He determined a noticeable shift had
occurred in how the mainstream media covered blacks and treated racial issues in just a few years. Citing the increase of articles about blacks in mainstream professions and activities along with a greater emphasis on covering racial issues in urban areas, he concluded was that there was a dramatic change in what he called the “white press.”

News media faced a ‘crisis in credibility’

So, in between the Blood Brothers article in 1964 and the rash of quality journalism about the black community that came in 1969, a major shift had occurred in how the mainstream news media treated racial issues and covered blacks in urban America. The mainstream media started to recognize that race was a major issue in America, and they began to pay attention to black communities in America’s major cities. Blacks were being brought into the mainstream of coverage and into the mainstream of America. The reporting was more sensitive to race and problems blacks faced in urban America.

While there may have been many factors that brought about the change, the most often cited cause was the release of the National Advisory Commission on Civil Disorders report on March 1, 1968. The report was written at the request of President Lyndon Johnson after the major rioting in American cities in the summer of 1967. It became more commonly known as the Kerner Report, named after its chairman Illinois Governor Otto Kerner. While the 425-page report focused on many issues, it devoted the fifteenth of its seventeen chapters exclusively to the news media. The chapter criticized the mainstream press for its lack of substantive coverage of the black community. Woody Klein, a journalism professor and press secretary to New York City Mayor John Lindsay,
directly linked the change in attitude of the mainstream media toward the coverage of black community to the release of the report. He said in 1969, “After the Riot Commission broke the ice, the news media began to freely acknowledge the existence of racism in daily reporting and a willingness to do something about faulty, long standing journalistic practices.”

The Kerner Report’s criticism of the news media was credited with an increase in recruitment of blacks into mainstream news organizations. The commission reported that at the time less than 5 percent of the people employed in the news business in editorial positions were black, and less than 1 percent of the editors and supervisors were black with most of those working for black-owned publications. Ten years after the Kerner report, the American Society of Newspaper Editors set a goal to have all of its newspapers’ newsrooms reflect the racial make-up of their communities. By 1987, the society reported that 7.02 percent of the nation’s daily newspaper newsroom personnel were nonwhite, indicating progress was made in the recruitment of blacks into the nation’s major mainstream newspapers. The report was also credited by author Darryl Pinckney for creating “the Kerner generation, the journalists who grew up during the popular revival of black nationalism.”

Others weighed in as well that the 1968 Kerner Report spurred the change in the news media during what was an extremely tumultuous two years in American history. Johnson launched the commission during the summer of 1967 when black areas of Americans cities exploded in rioting, and the report came out in the same year that Martin Luther King was assassinated and the Black Power movement was at the height of its influence. Highton concluded the reasons for the change in the news media coverage
were the “Black Revolution, the riots, the Kerner Commission Report and an increasing social awareness by white editors.” He also noted the two daily Detroit newspapers had expanded their coverage of the black community and had recently assigned permanent reporters to cover urban and racial affairs, which was becoming more common in American newspapers. The times had changed for the mainstream press in America.

The impetus for the report came in the hot months of 1967, when American cities were devastated by a third consecutive summer of major urban rioting, the worst of which came in a two-week period in early July. One estimate was that 150 American cities reported disorders in black and Puerto Rican neighborhoods that summer. In response to the urban unrest, Johnson on July 27, 1967, established the Kerner Commission with the goal of answering three major questions: What happened?; why did it happen?; and what could be done to prevent it from happening again? The commission completed its task in slightly more than seven months. The initial report was issued on March 1, 1968, having met the goal of reporting back to the president prior to another summer of expected urban unrest.

The conclusions of the Kerner Commission were sweeping. The basic conclusion was, “Our nation is moving toward two societies, one black, one white – separate but unequal.” It was a serious indictment of white America, which the commission reported had created a situation that forced blacks into urban ghettos with poor services, a lack of educational opportunities and little chance of economic prosperity. The commission said the racial divide in America was deepening and continued urban unrest was inevitable if America did not change its ways. Also, the commission gave Johnson thirty-four pages of
recommendations that the commission members felt would stem the tide of urban violence.\textsuperscript{18}

As for the news media, they were singled out for special criticism. In Chapter Fifteen of the report titled “The News Media and the Disorders,” the commission set out to answer the question of what effect the mass media had on the urban riots. The answer was that they indirectly contributed greatly to the rioting because of their one-sided coverage. Although they had the potential to stem future urban rioting, the news media chose to do little about it. In the chapter’s introduction, the three conclusions were:

- First, that despite instances of sensationalism, inaccuracies, and distortions, newspapers, radio, and television, on the whole, made a real effort to give a balanced, factual account of the 1967 disorders.

- Second, despite this effort, the portrayal of the violence that occurred last summer failed to reflect accurately its scale and character. The overall effect was, we believe, an exaggeration of both mood and event.

- Third, and ultimately most important, we believe that the media have thus far failed to report adequately on the causes and consequences of civil disorders and underlying problems of race relations.\textsuperscript{19}

The commission interviewed government officials, law enforcement officers, news media representatives and citizens both black and white. It reviewed media coverage of riots, conducted a content analysis of the news media riot coverage and sponsored a conference with newspaper, magazine and broadcast executives from around the country. The commission members and the staff also read newspapers, listened to radio and watched television and formed their own impressions of the news media.\textsuperscript{20}

Even the three recommendations for improvement were laced with scathing criticism of the news media. The first was the recommendation that the news media needed to do a better job communicating with government, their staff and each other to
offer the public a more accurate picture of what happened during the riots. The news media needed to examine their own practices and be sensitive to race and poverty when reporting on urban violence. Second, the news media needed to communicate with the black communities and bring them into the mainstream of coverage. Many of the blacks interviewed about the media reported they had no ties to the local mainstream newspaper and television staffs, which had always ignored the black neighborhoods. When rioting began, the failure to communicate with the black community resulted in poor and slipshod reporting, which led to exaggerations and the notion that urban rioting was the result of a few disaffected troublemakers or a conspiracy. The final recommendation was for a private institute of urban communications that would recruit, train and place blacks into the news media. It could also assess news media performance and raise issues with the news media about how race and poverty were covered in the nation.21

The commission said the rioting was the inevitable outcome of years of neglect by the white establishment. The members of the news media were ignoring the concerns of the black communities in urban America. A ringing criticism concerned the lack of blacks in the news media. The commission noted that at the time there was only one black with a nationally syndicated newspaper column, and that there were few blacks in media positions that guided or shaped any kind of editorial policy. The commission noted that the news media had virtually no ties to the black community nor did they understand the motivations of the black militant leaders. The commission criticized the acts of tokenism attempted by the news media where one or two black reporters were added to otherwise all-white news staffs. It was a situation the commission said had to be changed
before there would be accurate reporting of race and urban issues in the American media.22

The commission focused its criticism on what it called the “daily mass circulation, mass audience media, which are aimed at the community as whole.” For the most part, the commission’s criticism centered on what was called the white press, which meant the mainstream newspapers along with local and broadcast network television. It did not include the black press in its criticism, yet black newspaper editors and reporters were part of the research completed by the commission. Black radio, however, was singled out as a medium that at times was an instrument of tension and trouble in communities.23

The criticism in the Kerner Report came at a time when the news media were under growing scrutiny about their role in society, which press historians have described as a “crisis in credibility.” There was a growing gap between the people and the press, and there also was a gap between government and the press. The Vietnam War was escalating, and the mainstream news media were often cited for failing to challenge the established order. Thus, the news media criticism in the Kerner Report came at a time when press criticism was steadily escalating.24

While the report had no direct connection with Vietnam, the war was a constant backdrop as the commission completed its research and reported to the nation. Urban riots were the nation’s greatest domestic crisis while Vietnam had become its greatest foreign crisis. Just as reporting on urban violence was criticized in 1967 and 1968 so was criticism of how the war was reported. The report came at a time when there was a marked change in public opinion of the war. Prior to the Tet Offensive of January 1968,
television news coverage of the war was mostly supportive of the effort and focused on the inevitability of an American victory. After January 1968, that coverage changed radically and focused on how America was on the defensive in Vietnam.25

The report came at a time when the American public was losing confidence in all institutions including the news media. A series of Harris surveys showed people were losing confidence in the military and in the executive branch of government over the Vietnam issue, and the media were not immune from that erosion of confidence. In 1966, surveys showed 29 percent of people said they had a “great deal of confidence” in the press and 25 percent said the same about television news. By 1972, those numbers had slipped to 18 percent for the press and 17 percent for television news.26

‘The indictment was extraordinary’

Prior to the release of the Kerner Report, the news media in America had a history of ignoring and sometimes even being hostile to criticism. The most well known previous attempt at such criticism came in 1947 when The Commission on the Freedom of the Press issued its report. Known as the Hutchins Commission after its chairman, Robert L. Hutchins, it offered stinging criticism of the nation’s newspapers. The Hutchins Report said the importance of the press to the people had increased yet the people who were able to express their opinions in the press had decreased. Also, the people who operated the nation’s press had not provided an adequate service for the people. Finally, the authors of the Hutchins Report said that those who operated the press had engaged in practices that society had condemned, and if the press did not change its ways society would attempt to regulate or control the press.27 The authors’ critique of the press stated the news media
were focusing on issues that had no relation to the lives of typical Americans, and the press was contributing to misunderstandings between people. The authors concluded, “this failure of the press is the greatest danger to its freedom.”

The Hutchins Report, however, was mostly ignored at the time, and in the late 1940s, some in the media even attacked it as a threat to the First Amendment. But it obviously struck a nerve based on some of the virulent criticism it received. The report was significant because it provided goals for the future of the news media, made press criticism socially acceptable and helped launch a respectable way to examine news media performance. It also arrived at an auspicious time in history as the power of the news media was increasing.

The Hutchins Report synthesized a relatively new idea called “the social responsibility theory of the press.” The theory had its roots in the Libertarian traditions of the news media, which were originally encapsulated in the First Amendment. The theory recognized freedom of the press, yet in exchange for that freedom the news media had certain obligations to society. The authors of *Four Theories of the Press* in 1956 described social responsibility theory this way: “Freedom carries concomitant obligations; and the press, which enjoys a privileged position under our government, is obliged to be responsible to society for carrying out certain essential functions of mass communication in contemporary society.” The theory that the press had to be socially responsible was one reflected in both the Kerner and Hutchins reports.

An indication that the Hutchins Report had merit was that two decades after it was released the news media were still discussing its criticism. The *Columbia Journalism Review* in the summer of 1967 revisited the Hutchins Report as a milestone in the history
of the press. The series began with an essay that said the report “served notice on journalism that its performance was no longer . . . a matter of internal concern.” The essay also credited the Hutchins Commission with initiating the debate about journalism’s role in society, an issue that would become paramount to the criticism in the Kerner Report.31

It was an irony of history that during the twentieth anniversary package of the Hutchins Report in C JR, the Kerner Commission was doing its study. It meant that the issue of press criticism and social responsibility was on the minds of the news media at that time. John Hebers, a reporter for the New York Times, remembered writing a front-page story on the announcement of the Kerner Commission in July, and its release in the winter of 1968 was much anticipated by the press. Unlike the release of the Hutchins Report twenty years earlier, the Kerner Report’s release was big news. It was so big, in fact, that newspapers competed to see who could get the first story about the report’s contents.32

The release of the Kerner Report was covered extensively by the news media. Reporters were given advance copies, and a decision by the Washington Post to break the embargo date rushed the initial reporting on its contents. Despite that, the report was on the front pages of newspapers and on television screens across the country. The initial stories about the report gave short shrift to the news media chapter, but the competition for the story about its contents was evidence that the news media considered the issuing of the report a major event, and it indicated they were reading the criticism.33

Despite the release of such a significant document, Johnson was cool to the Kerner Report, declining to receive it at a White House ceremony. He believed the report
made it look as if his administration had been delinquent in addressing the problems of racism and poverty in America, and he had serious concerns about the cost of implementing some of the proposals in the report. Although he did not say so publicly, he privately agreed with the report’s recommendations, telling a group of black editors and publishers in mid-March 1968 that it was the most important report since he became president in 1963. After the release of the report, he was urged by his aides to make a public statement. In a press conference on March 22, he told reporters that the commission had made many good recommendations though he did not specifically discuss the report’s news media criticism.34

Since the media criticism in the Kerner Report was not unexpected, some in the mainstream press downplayed it, saying it was something the press already knew. The issue of the press performing poorly in the coverage of urban riots was not a new subject. Three conferences had been conducted in 1967 focusing on the issue, each of which attracted national attention. *Editor and Publisher* in August 1968 reported the criticism in the Kerner Report was nothing really new, and the nation’s editors were already aware of the issues. The editor of the *Baltimore News American* was even harsher: “We are always ready to listen to intelligent comment and suggestion, but not to such windy absurdities.”35

Others in the media, however, recognized the historical significance of the Kerner Report’s news media criticism. A good example of that sentiment was an article, “An Extraordinary Indictment of the Press,” by Ben W. Gilbert, deputy managing editor of the *Washington Post*. In April 1968, he wrote, “The indictment was extraordinary. It is most unusual for any government agency – even a presidential commission – to take a
searching look at the press in the United States.” He recognized the language in the report as harsh, and he acknowledged that many in the news media would not take kindly to the stinging criticism. He concluded there would be those in the media who would dismiss the report, but he said everyone in the media should recognize that there was much to learn about racism in America and how it was covered in the press.  

The *CJR* credited the Kerner Report with an immediate impact on the quality of reporting about race in American cities. The editors said the report had either “inspired or coincided with a wave” of improved reporting on the issue and listed nine newspapers and broadcast stations that had recently completed reports about the racial divide in the nation. The editors, however, recognized that the good work was only a start and compared to the “years of indifference . . . this work deserves commendation.” But in an indication that press criticism was still a sensitive subject for the news media, the magazine took to task WJW-TV, a Detroit television station owned by the *Detroit News*, for its decision to demote a five-part series promoting racial understanding: “After the second segment, which contained criticism of the mass media racial coverage, the station announced that the series did not present the issue fairly and was not up to prime-time standards.” The series was relegated to a local UHF educational channel, and in its place WJW-TV broadcast reruns of “The Monkees.”

Even those outside the press fraternity noticed an immediate difference in the reporting of race issues in the news media. One year after the release of the Kerner Report, The Urban Coalition completed an assessment of the nation’s response to the report. It criticized the news media in 1967 for fanning the flames of racial violence for reporting that citizens in America’s cities were arming themselves with chemical spray
and armor for what one reporter called a “Second Civil War.” In 1968, however, the coalition noted a different tone in how rioting was covered after the King assassination, slightly more than a month after the release of the report. As an example, the coalition’s assessment noted in the wake of King’s death that a Washington, D.C., television station chose to air the pleas of a black city councilman urging citizens to stay in their homes rather than run film of rioters.38

The Kerner Report had a long-term impact on the news media as well. A 1990 study of four major newspapers (Atlanta Journal Constitution, Boston Globe, Chicago Tribune and New York Times) from 1950 to 1989 showed increased coverage of black Americans in mainstream news coverage. The sharpest increase in coverage coincided with the release of the report in the 1960s and continued through the 1980s. While there were likely other factors for the increase, such as the Civil Rights movement, the study’s author credited the report with explaining the problem and discussing the solution, which she said was a necessary prerequisite for a public consensus for change. It was the report that synthesized the need to bring blacks into the mainstream of news coverage and changed how black Americans were portrayed in the news media. The study said, “The change shows progress toward a goal urged by the Kerner Commission and many African-Americans both before and since the civil rights era.” The report helped spur the news media to show more fully to the nation the diversity of the black community. The study said, “Especially positive is the substantial portion of coverage each paper devoted to coverage of community activities of African-Americans.”39
‘Conversation is still ongoing on’

Despite its cool reception from Johnson and its mixed reviews from the news media, the Kerner Report was a pivotal document in the history of the press in America. The report’s news media criticism was still discussed forty years after its release. The Eisenhower Foundation, a non-profit association in Washington, D.C., dedicated to keeping alive the spirit of the Kerner Commission, issued an updated report in March 2008. As part of the updated report, the foundation revisited the news media criticism. The updated report recognized the marked progress made by the press in coverage of race and poverty in America immediately after the original report, but it found that the progress toward improvement had waned in recent decades and the coverage was still lacking.

Journalists continued to reference the Kerner Report’s news media criticism in recent years. In December 2006, *USA Today* columnist DeWayne Wickham recalled the media criticism, suggesting the media again are lax in the coverage of race and poverty issues.40 The Newark *Star Ledger*, in an article marking the fortieth anniversary of the riots in that city in July 2007, recalled the media criticism in the report, and the author suggested that it was time again for the same kind of critical analysis.41 The National Association of Black Journalists worked with the Maynard Institute in the summer of 2007 to examine how the mainstream media covered blacks in major American cities. The examination harkened to the original criticism in the report that everyday news from black communities was ignored.42

In academic circles, the Kerner Report continued to be discussed, and much of the discussion centered on the influence of the news media criticism. A 2004 dissertation by
Glen Feighery reported that the report “had a tangible and widespread influence on the news media. It prompted news organizations nationwide to accelerate minority hiring efforts.” The impact went beyond an increase in the hiring of minorities in newsrooms, however. It put significant pressure on the news media to do a better job of covering race issues in America. “On a larger scale, the Kerner Report took sensitive issues that had been discussed in professional spheres – conventions, symposia, and on the pages of trade journals – and made them national news. Pressures to reform the news media followed. The Kerner Report quickened a conversation among journalists about race, responsibility and ethics. That conversation is still going on.”

The commission had eleven members. They were: Kerner; Lindsay, vice chair; United Steelworkers of America President I.W. Abel; U.S. Senator (Massachusetts) Edward Brooke; U.S. Representative (California) James C. Corman; U.S. Senator (Oklahoma) Fred Harris; Atlanta Police Chief Herbert Jenkins; U.S. Representative (Ohio) William M. McCulloch; Kentucky Commerce Commissioner Katherine Graham Peden; Litton Industries CEO Charles B. “Tex” Thornton; and Wilkins. Those eleven people along with about 115 staff members and other consultants came together to produce the report. Not all of the staff participated in the writing of the news media section of the report, but each of the eleven commission members were part of the final approval process for Chapter Fifteen.

While much has been much written about the Kerner Report and its criticism of the news media, most has focused on the impact of the commission and how it affected the press in America. Much of the scholarship about the commission was focused after the report’s release, and much of it examined coverage of the black community and the
increase of blacks employed in the news media. The goal of this dissertation is to answer how and why the commission came to its conclusions and what documentation it used to reach those conclusions. The news media chapter of the report did not come from a single person or a single source. All who participated in the writing of the media chapter were influenced by the climate of the times, their experiences with the media and research conducted by the commission. Knowing how the commission came to its conclusions can help future scholars and critics develop effective critiques of the news media.

To determine how and why the commission came to its conclusions, this dissertation utilized primary source documents and interviews with people who worked with the Kerner Commission. The commission records are part of the National Archives and are stored at the Lyndon Baines Johnson Library in Austin, Texas. Records examined included documents about the commission’s news media conference in November 1967, papers from the firm hired to complete a content analysis of the news media and findings of the research conducted with members of the news media and the public. Also examined at the library were the records of the commission’s executive director and the office of information along with the records of other staff and commission members.

Other primary source documents were examined at the Abraham Lincoln Presidential Library in Springfield, Illinois, and at the Library of Congress in Washington, D.C. At the Lincoln Library, documents from Kerner’s time as head of the commission were examined. At the Library of Congress, documents from Wilkins’ time as a member of the commission were examined. As for interviews, this dissertation relied on interviews with commission member Harris; David Ginsburg, commission executive director; Alvin Spivak, commission director of information; Jack Rosenthal, a consultant
with the commission; Bruce Paisner, a law student hired to research the news media; and four others who were either reporting news at the time or were familiar with the commission. This dissertation used these documents and interviews along with previous scholarship to come to conclusions about how and why the commission arrived at its news media criticism.

A previous work that touched on that question was Michael Lipsky and David J. Olsen’s *Commission Politics: The Processing of Racial Crisis in America* in 1977. The book did not specifically focus on the news media chapter of the Kerner Report, but it included information about how the media chapter developed. Feighery described the book as a “behind the scenes look” at how the commission generated its key criticism that there was a lack of coverage of the black community. It also examined the impact of the rushed timetable for the commission, which was trying to get the report completed before the summer of 1968. Lipsky and Olsen related how the rushed timetable limited the commission’s ability to digest all of the quantitative data provided about the press and riot coverage in the summer of 1967.45

Lipsky and Olsen concluded that the Kerner Report’s effect on public policies in America toward blacks and urban poverty was minimal, and in most areas it had no long-term impact. Yet the authors recognized two notable exceptions. One was in the area of police response to rioting, which was credited with being vastly improved and reducing death and destruction in riots in subsequent years. The other exception was toward the news media. The authors concluded: “There is a general consensus among analysts of the media that riot coverage has improved. Also, greater attention is currently paid to
covering ‘everyday’ news of the black community.” While those changes may have happened anyway, the report is credited with hastening them.46

While Lipsky and Olsen offer a good start for research into the question of how the commission came to its conclusions about the news media, a much more thorough examination was needed to come to definitive answers. Other examinations of the Kerner Commission’s work focused on specific recommendations or examined overall how the commission operated. None examined specifically how Chapter Fifteen came to be written and how it developed. The process of writing the chapter was much more complex than previous researchers had shown, and it was a process worth examining.

Before examining how the commission came to write the news media chapter, it was important to recognize the tenor of the times. With violence breaking out in American cities and the public clamoring for answers, the news media were often blamed for causing the problem. Kerner agreed with that sentiment, and he shared it with the members of the news media. When such criticism came from Kerner, it was not so easily dismissed because he was well liked and respected by the press. Others on the commission had influence as well, most notably Lindsay, who was a noted publicity hound; Peden, whose family owned a local radio station in Kentucky; and Wilkins, who was a former newspaper editor and columnist.

To write the news media chapter, the Kerner Commission hired a consultant to do studies, interviews and recommendations on how it should be written. The key event that shaped the news media chapter was a conference of newspaper and television executives in November 1967 in Poughkeepsie, New York. Transcripts of that session portended many of the themes that eventually appeared in the media chapter, but because little was
written at the time about the conference, little has been known about its impact on the news media conclusions.

The news media chapter was carefully worded to diffuse potential criticism. Knowing that criticism of its report would come from press freedom advocates, the Kerner Commission members carefully danced around the charge that the government was threatening press freedom by telling the news media what to do. The media recognized the report would have an impact even before the final words were written, and some in the press reacted to the expected criticism even before the report was printed. Two news organizations, *Newsweek* and the *Detroit Free Press*, completed major examinations of race and poverty in America during the time period when the Kerner Commission members were meeting. The Kerner Report recognized both of them as examples for others to follow.

The news media did not ignore the Kerner Report as they did the Hutchins Report twenty years earlier because there was a legitimate concern that America was in crisis. The news media recognized that rioting was not just a threat to black Americans, but rather a threat to all Americans as it tore apart the fabric of the nation. The press relied on stability and security to do its job. It needed a stable nation of readers and viewers to continue to function. With the rioting threatening the entire framework around which the media operated, the report’s criticisms appeared to be the way to bring back stability to American life. It was one of the reasons that the report’s media criticisms were so influential.

The Kerner Report’s news media chapter was the result of many factors that converged at one time. The report was influential and had an impact on the media
because it came at a time when the press was questioning its own role and performance. The criticism put in black and white the things many members of the press knew were true but perhaps were reluctant to admit. The report was influential because it came from Kerner, who was well respected by the news media, liked by the media and someone who recognized the important role of the media in American society. The commission members and staff offered valuable insights into how to conduct research into the news media to avoid the charge that it was interfering with press freedoms. The chapter was thoroughly researched and mixed both qualitative and quantitative data to come to its conclusions. It was eloquently written, offered a healthy dose of praise and kept the scolding to a minimum. All those factors converged as the commission generated its influential news media chapter.

Before examining how the Kerner Commission members generated the media chapter, it was important to understand the climate in the summer of 1967. It was a time when the public demanded answers to why the rioting was happening. Fingers were pointed in all directions. Some of the blame was pointed at government, some at business and some at the news media. For much of white America, it was the news media that brought the images of violence into its living rooms. It was the media that showed pictures and ran stories about violence from the South and violence from the nation’s cities. For many, the perception was that the news media were stirring up the trouble and showing blacks that violence can solve problems. For many Americans even the peaceful civil rights leaders such as King were feeding on media-driven publicity and encouraging racial unrest. So, before examining how the commission came to its conclusions about the news media, one must understand why the news media were being blamed.
Notes

2 Ibid.
9 Sue Hoover, “12th Street’s storefront school: A place to learn enough to get off the streets,” Detroit News, Nov. 28, 1969.
14 Pinckney, “Professionals,” 44.
17 Ibid., 1.
18 Ibid., 229-263.
19 Ibid., 201.
20 Ibid.
21 Ibid., 208-213.
22 Ibid., 210-212.
23 Ibid., 207, 211.
28 Ibid., 68.
33 Ibid.

38 Urban America Inc. and The Urban Coalition, One Year Later: An assessment of the Nation’s Response to the Crisis Described by the National Advisory Commission on Civil Disorders (New York: Frederick A. Praeger, 1969), 67-70.
44 National Advisory Commission on Civil Disorders, Report of the National Advisory Commission on Civil Disorders, vi.
Chapter 2 – Blame the Messenger

Media contributing to the rioting?

The rioting that tore apart Los Angeles’ Watts neighborhood in the summer of 1965 started with a routine traffic stop. It was just after 7 p.m. on August 11, 1965, when a California Highway Patrol officer on a motorcycle pulled over an erratic driver near the intersection of Avalon and Imperial in the black section of Los Angeles known as Watts. As the white officer questioned the driver and his passenger, both of whom were black, a crowd gathered and began to throw rocks. Arguments ensued, and arrests were made. By 11 p.m. more people and officers were at the scene, but there was more arguing and milling around than anything else. Author Robert Conot described the scene as a “confused panorama.” Police were making arrests, and a nearby barbershop had its window broken by a rock aimed at officers, but at that point there was no riot.¹

Into this scene, news reporters arrived and were milling around conducting interviews and trying to understand what was happening. They got bits of unrelated information that led them to wonder whether there was any news to cover. “As the violence seemed to be mostly verbal in nature, some were wondering whether it wasn’t all a big flap about nothing,” wrote Conot in his chronology of the Watts riot, Rivers of Blood, Years of Darkness. As the reporters searched for news, Conot reported, Los Angeles Police Lt. Frank Beeson overheard a television cameraman who said, “Hey kid! Throw a rock! Throw one! . . . I haven’t seen you do anything yet.”²

On the following morning, Conot described a similar scene where one television reporter encouraged two ten-year-old black boys to stick their heads through a broken
window because it made interesting footage. Another cameraman encouraged youngsters to take off their shirts and put on bandanas so they looked “bare-chested, piratical and sinister.” As the rioting progressed into a second day, crowds were being drawn by reports on television. Every time they heard a store was being looted, crowds went to the store, and when a burning building was identified on television, rioters headed for it. Los Angeles Police Chief William Parker became exasperated with the news media coverage, saying, “I told them they were complicating our jobs, but who am I to interfere with the great freedom of the press!”

Those are just three examples in Conot’s book of how the news media encouraged and contributed to the violence. The Watts riot left thirty-four dead, injured hundreds and caused an estimated $35 million in property damage. While Watts was not the first riot in the 1960s, it was the nation’s most serious civil disorder in more than two decades. It was also the first riot where the media coverage of the rioting became part of the story. While the news media were never directly blamed for the Watts riots, it was clear from Conot’s book that they were culpable. The belief that the news media were contributing, and even encouraging, the violence in the 1960s was a common view. It was a view shared by the public, those in government and even by some in the media, although the media were loath to admit it publicly. The perception was the news media were sensationalizing the rioting, encouraging rioters to become more violent and helping spread the violence from city to city.

It was the Watts riot that touched off the initial rash of public criticism of the news media contributing to the violence, and after Watts the media were accused of exploiting riots for the sake of greater circulation and viewership. Some accused the news
media of playing up the violence, and some even suggested the media prolonged the violence in Los Angeles by its coverage. The emphasis on the violence and destruction in Watts, some said, increased the polarization between blacks and whites.\textsuperscript{5}

As would be expected, the view that the news media were contributing to the rioting was a sensitive issue for those in the press. They knew that many in the public and government believed the media were causing the rioting, or at the very least contributing to the problem. It was a concern expressed by President Lyndon Johnson when he met with the Kerner Commission members on July 29, 1967, just days after naming the commission when he asked the commission to answer the question, “What effect do the mass media have on the riots?” Johnson was a voracious consumer of news, and he acknowledged watching the televised accounts of the rioting in Detroit prior to making the decision to appoint the commission. The president, according to David Culbert, was “not just interested in the mass media, he was obsessed.” One of the best-known images of the Johnson presidency was him watching a bank of three television monitors all tuned to the evening news.\textsuperscript{7}

While Johnson did not specifically outline why he asked the commission to examine the news media, the request certainly fit with his view that the news media had immense power to influence people. In remarks to a group of editors and broadcasters in 1964, he said, “What is written in your papers and the way in which you conduct your business helps millions of Americans in hundreds of cities and towns in shaping the kind of world that we are going to live in.”\textsuperscript{8} In remarks upon signing the Public Broadcasting Act of 1967, he said, “Television is a young invention. But we have learned already that it has immense – even revolutionary – power to change our lives.”\textsuperscript{9} Although the
president or the public had no direct evidence to support the belief the news media were causing the riots, there was considerable anecdotal evidence, and media executives found themselves on the defensive whenever the violence occurred.

Not just television cameras were blamed for fanning the flames of racial violence. The public blamed newspapers as well for blowing minor incidents of violence out of proportion and treating every incident in black neighborhoods as another riot. One example was when a Los Angeles newspaper played up a minor incident and made it seem as if another Watts riot was underway. The incident happened in July 1967, two years after the major riot in Watts. Some youngsters began to throw rocks at firefighters. Police dispersed the crowd with little difficulty, and there were no injuries or damage. Yet the Los Angeles Herald-Examiner bannered the story on the front page with the headline “New Watts Violence” even though its competition, the Los Angeles Times, put the story inside under the headline “Crowd at Fire Grows Unruly.” The Los Angeles Times was not without criticism because that same summer it ran the headline “Rioting Erupts in Washington D.C.: Negroes Hurl Bottles, Rocks at Police near White House.” The news service story, however, did not support the drama because the incident was minor. It was just a few teenagers breaking windows and throwing stones more than a mile from the White House.

In the fall of 1967, the issue of whether the news media were to blame for worsening the riots was addressed by the Department of Justice in a report at a media conference at Columbia University. The report said in the opinion of some, “the media were the single most important factor in helping to build tensions in some communities.” While not all believed the media were culpable, the Justice Department report indicated
enough people believed the media were to blame that it was necessary for the press to address those concerns. The media could no longer hide behind the First Amendment and absolve themselves of all blame. The report said even if the media were not to blame, they certainly had the responsibility to work to prevent the reoccurrence of disorders. Thus, the Justice Department put the onus on the media to show restraint and accept responsibility for the crisis.

While there had been riots in cities in 1964, 1965 and 1966, the rioting in the summer of 1967 made the issue a national news story, not just a local one. In July 1967 there were major riots in Newark and in Detroit. In Newark, twenty-three people were killed and $10 million in property was destroyed. In Detroit, forty-three people were killed and an estimated $32 million in property was destroyed. By July of 1967, the media were labeling even minor incidents of inner-city violence as riots. Before the Detroit and Newark riots, violent outbreaks were contained and handled by local and state powers. They were also considered to be local news stories, not ones that affected the entire country. However, the Kerner Report noted that by 1966 the news media began keeping “tally sheets” of the disturbances and began to apply the word “riot” to acts of vandalism and minor disturbances.

During the summer of 1967, the news media and the public recognized rioting as a national problem, and media in cities across the country began connecting every violent incident to the others. Like so many other issues that become nationalized, news media in every city began reporting on violent incidents as riots, even if prior to 1967 they would have hardly been reported at all. The public, like the media, were connecting all of the riots into one huge national story with the news media acting as a conduit. That
connection helped foster the mistaken notion that the rioting was part of some grand national conspiracy. The conspiracy theory would later become the first thing that the Kerner Commission would investigate and be one of the first things the commission reported as untrue.15

A reporter who covered the riots in Newark and Detroit said he saw rioting turn from a local story to a national story first with the Newark riot. Newark’s location across the Hudson River from New York City was a key reason it became a national story and rioting became a national concern, even though the rioting in Los Angeles two years earlier had been more deadly. “Because it was in Los Angeles, I don’t think the country took it particularly seriously. But Newark they really took seriously. It was an East Coast thing, right across the river from all the major news organizations. For the major news organizations, you put people on a subway, and they could go cover a riot. They could take the PATH [Rapid Transit System] across. It became a major national story,” said Van Gordon Sauter, who worked as a reporter for both the Chicago Daily News and the Detroit Free Press.16

Less than a week after the rioting ended in Newark, Detroit exploded into violence, and rioting captured the attention of news media around the country. Major newspapers, television networks and major magazines covered the Newark and Detroit riots and brought rioting to the attention of all of the nation’s citizens, even those who lived in places far from urban unrest. Time put the issues of rioting and black unrest on its cover three times in a four-week period in July and August 1967, and Newsweek put the issue on the cover twice in the same period. The issue also was on the cover of Life magazine on August 4, 1967, under the headline “Negro Revolt: The Flames Spread.”17
The nation was making a connection between all rioting events and suggesting there was a link between the saturation coverage of the news media and subsequent rioting.

Michael Hayden, editor of the *Detroit News* made the same connection at an Associated Press managing editors conference in November 1967. He was quoted in *Newsweek* as saying, “Everyone in Detroit, indeed the nation, sat before their TV sets and watched the rioting and looting in Newark and thought, ‘wouldn’t it be fun here.’”

Hayden recognized the print media’s culpability as well in spreading the rioting from city to city. He criticized wire service reporters for reporting unconfirmed information that set off chain reactions in newsrooms and television studios across the country. In the race to be the first with reports of violence, initial wire service reports were posted without a thorough check of their accuracy, leading to a misrepresentation of the news. While the charge was leveled at all news media, television news, however, bore the brunt of the criticism.

“Sure, we know this thing is dynamite”

In the 1960s, television became the dominant mass medium in the nation, and television news became the primary vehicle for people to consume news. The nightly television news broadcasters had become the most important and most influential molders of public opinion in the United States. In a 1966 cover story about the power and influence of television news, *Time* magazine cited a nationwide Elmo Roper poll showing 58 percent of the public said it received most of its news from television. The CBS and NBC nightly news broadcasts in 1966 alone, according to *Time*, were watched by 30 million Americans, which was more than 15 percent of the total population of the nation.
Thus, television news had become the medium that molded the nation’s opinions and perspectives.\textsuperscript{20}

When it came to race and violence, television played a large role in shaping the nation’s opinions. Black civil rights leaders recognized the power and influence of television, and they were willing to use the medium to promote their cause. Marches and demonstrations were staged with the specific purpose of gaining television coverage. \textit{Time} credited the televised photographs of Birmingham, Alabama, Police Chief Bull Connor’s dogs attacking blacks with helping to sway public opinion against segregation.\textsuperscript{21} Televised scenes of blacks being bullied, beaten and attacked by sneering whites became the images that galvanized public opinion and convinced the federal government to enforce desegregation.

Clarence Mitchell, who was the chief Washington representative for the NAACP, remarked even though newspapers were writing about the injustices of segregation, the American public did not respond until the national networks televised the injustices toward blacks in the South. “People who did not bother to read newspaper stories of civil rights violations saw such violations dramatically produced on the screens in their homes.” He said the televised scenes affected not only the indifferent northern whites but even the segregationist southern whites, whom Mitchell said saw themselves on television and had second thoughts about their actions.\textsuperscript{22} Television had an effect on newspaper coverage as well. Newspapers in the South that ignored or downplayed the demonstrations began to give them more attention after national news broadcasted the scenes.\textsuperscript{23}
Yet the network television cameras that helped get sympathy toward the plight of blacks in the South also helped sway opinion against blacks in the North. Racial violence in northern cities helped create a white backlash because scenes of blacks on television burning, looting and destroying inner cities galvanized public opinion against them. Those televised riot scenes helped perpetuate the myth that all riots were race wars and somehow part of a black and communist conspiracy. Massachusetts Institute of Technology political scientist Harold Isaacs described the influence of television on rioting: “What you saw was a black blur of a face, two shining eyes, flashing teeth – shouting ‘Black Power!’ That stirs up all too basic reactions in people.”

Even when television attempted to focus not on the violence and allow blacks to explain their grievances, the cameras tended to play up the extreme voices. Stokely Carmichael, who first enunciated the slogan “Black Power,” became the televised spokesman for all blacks. H. Rap Brown, another militant black leader whose phrase “Violence is as American as apple pie,” also was quoted and shown on television in the late 1960s. William B. Monroe Jr., former head of NBC’s Washington bureau, called television the instrument of the black revolutionary leaders. “Television was the chosen instrument – not because television set out to integrate the nation or even improve the South, but because when the Negroes got ready for their revolution, television was there.”

Even the moderate black leaders such as Mitchell believed television’s focus on militant black leaders led to more rioting and violence. “I believe that television has overemphasized the inflammatory and irresponsible statements of Negroes. It is my opinion that this has helped to spread such activity because those who seek coverage have
learned that the surest way to be on camera is to say or do something which is sensational and blood curdling,” he said. 26

Network news correspondents recognized good video meant getting their work noticed. The more striking the photographs, the better the chance that the footage made it into the thirty-minute evening news broadcasts. One CBS correspondent admitted to Time that there was a “look at the people riot syndrome.” He admitted getting the best rioting pictures meant a greater chance of getting noticed by the networks, and there was subtle encouragement to create the best footage possible.27 Television news was accused of being held hostage to its photographs because any important story had to have footage that created emotions in the viewers. Certainly, footage of blacks rioting in American cities fit that requirement. The more rioting a reporter could get on film, the better.

Time magazine lamented the tendency of rioters to play to the television cameras in a 1967 article that criticized the news judgment of the network news broadcasters. The article explained how the evening news broadcasts focused only on news that made dramatic pictures. Time continued:

On the domestic front, it is sometimes the newsmen who make the combat. The sight of a TV camera’s hot eye dollying in on a protest picket line can be the spark that ignites a riot. All too aware of this, the networks now instruct their film crews to travel in unmarked cars, dispense with floodlights, and keep their lenses capped until there is something to film. Still, it is often too obvious that demonstrators screaming slogans at the cops are also performing for the cameras. The networks, always fearful that they will be scooped by the competition, cover many insignificant demonstrations, lending the impression that if a man wants to appear on the 7 p.m. news all he has to do is get a sign and march around for a while.28

In the 1960s, television equipment was big and bulky so it was hard to miss. A television news crew would often carry 100 pounds of amplifiers, power packs,
recorders, lights and film, according to *Time*, which meant television reporters could not be inconspicuous, and just the presence of a camera tended to exaggerate a violent incident. Television executives were sensitive to the criticism, and they recognized the limitations of the medium as well as the fact that the presence of cameras at the very least altered a riot scene if not made it worse. Author William Small in his book *To Kill a Messenger: Television and the Real World*, reported that as early as 1963 television executives warned their staffs about the impact of the camera on a potentially violent crowd. While television news executives privately recognized they inadvertently were promoting violence, they were loath publicly to admit there was a connection.²⁹

CBS News, in an attempt to defend itself against charges that it focused only on militant black voices, counted the number of Carmichael and Brown appearances between March 1 and August 1 of 1967 in its broadcasts. The result was just nine. Network officials said moderate black leaders got more coverage even if the militant voices were noticed more by the public. Also television news executives attempted to defend themselves by saying the militant black leaders would have a following even if they were never quoted on television, but ignoring them would lead to charges that the television news broadcasts were deliberately not running important news that the nation needed to hear.³⁰

The issue reached Capitol Hill where Representative Durward G. Hall, a Republican from Missouri, threatened to prosecute television stations under federal anti-riot laws. In comments in the *Congressional Record* on July 28, 1967, he accused broadcasters of inciting riots by reporting on events “in a fashion no less detestable than the worst days of yellow journalism.” Saying television broadcasters who replayed
speeches by black militants were potentially violating the law, he dismissed any concern that prosecutions of television broadcasters would violate the freedom of the press.\textsuperscript{31}

Criticism of television at the time was a bipartisan issue. A call for a congressional investigation came from Democratic representatives Harley O. Staggers of West Virginia and Torbert H. Macdonald of Massachusetts, chairman of the House Communications Subcommittee. Shortly after the 1967 summer riots, the pair expressed interest in conducting hearings on the role of television in the disturbances. Specifically, Staggers wanted to investigate charges that television coverage of Carmichael and Brown at the start of the disturbances allowed the violence to grow into full-scale riots. Macdonald wanted hearings where the committee would explore voluntary guidelines for television reporters to follow when covering a riot.\textsuperscript{32} The hearings were never conducted after the news media balked at a probe they felt violated press freedom. The resistance to government interference was expressed by \textit{New York Times} television critic Jack Gould, who wrote, “Congress, one would hope, would not conduct an examination of a mirror because of the disquieting images that it beholds.”\textsuperscript{33}

Yet the issue did not go away. Members of congress again addressed it during the 1968 hearings of the National Advisory Commission on the Causes and Prevention of Violence. Senator Philip Hart, a Michigan Democrat, expressed the sentiment of many in congress that the presence of television cameras exacerbated a violent crowd and intensified rioting. At the hearing, he demanded that television news executives acknowledge their role in creating problems. “I would be more comfortable if I heard the television people say, ‘Sure, we know this thing is dynamite.’ – because it is – instead of saying, ‘Well we are not sure whether it affects this thing.’”\textsuperscript{33} The television news
executives resisted the notion that they were to blame for causing violence, agreeing only that the mass media had some effect on some people in some situations.34

The pressure on television to acknowledge its role in exacerbating violence became so intense that television news executives felt they had to act. They were under pressure to develop standards or codes that all would follow in the coverage of a violent event. CBS Newsman Eric Sevareid addressed the issue in August 1967 when he said television news has become a “universal whipping boy” on this issue. He admitted, “Right now an assumption is prevalent among many, including congressmen, that television causes city riots.” Sevareid said television had to resist the temptation to develop universal standards or procedures for riot coverage despite pressure from the public and congress. “It would almost certainly make things worse, because people would immediately distrust the news they do receive, and the rumor mongers would have a bigger and more fertile field than ever.”35 People such as Sevareid were concerned about the reaction from white Americans, many of whom felt threatened by rioting and were not willing to ignore the problem.

‘The newsman thought he was a hero. The black man thought he was a villain’

The reaction from white America to the rioting in the summer of 1967 was much different than the reaction from black America. That was evident in a Louis Harris nationwide survey of white and black citizens in the late summer of 1967. Whites tended to believe the riots were planned acts of aggression and blamed them on outside agitators, communists and militant black leaders. Blacks tended to believe the riots were spontaneous reactions and blamed them on oppression and police brutality.36 Whites
wanted to believe the rioting was part of a conspiracy, perhaps organized by communist forces, and the media played into that belief.

The mainstream media at the time gave considerable credence to the conspiracy theory about the riots, and many in government helped the media perpetuate the myth. In the fall of 1967, the Senate Internal Security Subcommittee, chaired by Senator James Eastland, a Democrat from Mississippi, began an investigation into the cause of the rioting. The conclusion of the committee was that there were communist-inspired elements stirring up trouble and becoming agitators for the violence. Eastland said on the floor of the Senate that his committee had substantial evidence that the Communist Party had infiltrated the black power movement. “This material shows that the agitation and the riots in the country are Communist-inspired. The disorder, agitation and riots are highly organized and are directed by the Communist Party,” he said. Representative Albert W. Watson, a Republican from South Carolina, agreed, “By now, it should be obvious. . . . Communists have been deeply involved in riots, which have plagued the nation’s cities.”

The mainstream media reported extensively on the government hearings that attempted to link the rioting to a communist conspiracy rather than to racism and poverty. There was a divide in how the public perceived the media coverage of the rioting as well. Black Americans viewed the media as oppressors, another one of the institutions bent on keeping blacks in their place. For white America, the media were the ones being manipulated. An example of the attitude among white citizens was a letter written in 1968 by Margaret M. Lahey of Urbana, Illinois. The letter, which was sent to Johnson
and Illinois politicians after the Kerner Report was issued, eventually made its way to Otto Kerner’s office in Springfield, Illinois. It read:

What is the press, the radio, the TV and government doing? - With every media harping on the subject, the Negroes will probably feel they have no choice – they are expected to riot this summer, and they’ll have to live up to expectations! And so the media won’t miss any of the dramatics, they must always report every detail – in this way passing on to other would-be rioters, possible new acts, methods and objects that can used for creating violence.  

While the attitude of white America was that the media were being duped by communists and black militants, for black America, the view was much more sinister. Black Americans believed the media were part of the white power structure bent on oppressing and keeping blacks on the bottom of society. The annual conference of the Freedom of Information Center at the University of Missouri in 1965 addressed the issue of how black Americans viewed the news media. The report issued after the conference said, “Many Negroes feel that the media tend to side with the white establishment, notably the police, in opposing the legitimate exercise of Negro rights.” At the conference, Ted Poston, a reporter for the New York Post, said many blacks viewed the police as a “hostile force and believe that newspapers work hand in hand with them.” The news media, which relied on the police for information were viewed as the hostile ally and became the vehicle for the police to continue their program of repression on blacks, according to Poston.  

Also, the conference report noted that news coverage of crimes involving minorities was often hostile rather than objective. Much of the reporting about rioting centered on the police beat, which the report said often attracted the least experienced reporters. Thus for blacks, one of the few times they ever saw themselves in the news
columns was in police news. The mainstream media never wrote about blacks unless it was in the context of crime. Blacks never got mentioned in news about civic affairs or business.\textsuperscript{40} The conference concluded that this had contributed to the hostility that black Americans felt toward the news media.

The conference report concluded there were ten overriding impressions that blacks had toward the news media. They were a rather damning list of grievances:

1. The news media do not fully and fairly report the civil rights movement in America.

2. Negative stories – violence and conflict – are given more space and headlines than positive achievements by Negroes.

3. The white press has perpetuated a bad image of the Negro.

4. The white press ‘creates’ Negro leaders in such cities as Chicago, New York, Philadelphia and Los Angeles.

5. Newspapers and radio and television stations are guilty of mere token integration in employment.

6. Statements and events in the civil rights struggle are not adequately analyzed or interpreted.

7. The news media lack trained specialists knowledgeable in Negro history to cover the emergence of the Negro in the United States.

8. The press generally goes along with the police in a dispute involving charges of police brutality or conflict between police and Negroes.

9. The Negro press, which is still a protest press, is generally underestimated and unknown by whites.

10. Press coverage of the Negro revolution has made more whites conscious of their Negro neighbors but has not brought any real understanding between the races.\textsuperscript{41}

To understand why blacks felt hostility toward the news media, one must understand that the news media often treated blacks as second-class citizens. In one
example, the *Detroit News* on August 2, 1967, offered a reward for information concerning the deaths of four riot victims, all of whom were white. The newspaper editors said they did not offer a reward concerning information for black victims because they thought all of the black slayings had already been solved. Detroit television station WWJ produced a special ninety-minute program on the rioting and used photographs of funerals of two white police officers but did not show any pictures of funerals of any black victims. A survey of Detroit citizens after the 1967 riots showed blacks were much more critical of how the newspapers and television had covered the rioting than were whites. The principal complaint among the blacks was that newspapers and television had failed to report that there was white participation in the rioting.42

The hostility of black Americans toward the news media expressed itself during the rioting as well. Conot described how the media became targets of the rioters, not just innocent bystanders caught in the crossfire. During the Watts riot, United Press International reporter Nicholas Beck was attacked outside a phone booth while attempting to gather information. In another more brazen attack on the news media, young rioters overtook an unoccupied station wagon owned by television station KNXT. The station wagon at the time was the most imposing symbol of the news media, according to Conot. Rioters looted and rocked the TV station wagon until it toppled on its side, and then a small pool of gasoline formed by the gas tank, and a young rioter set the car on fire. 43

About the incidents, Conot wrote, “The white reporters couldn’t understand it . . . [Black rioters] identify him with the white press, which, in their mind, ignores Negroes except when they commit crimes, slants what stories it does print, and systematically
works with the Whips [white power structure] to keep the lid clamped on. The newsman thought he was a hero. The black man thought he was a villain.”
44 Those were not the only examples of how blacks took out their frustrations on the media during rioting. In Detroit in 1967, television reporter Jack McCarthy was interviewing a rioter when a black youth smashed a bottle at his feet and then gave him and his crew three minutes to clear out. During a Harlem, New York, riot, an ABC news crew had to flee their station wagon when an angry crowd rushed them and set the car on fire. 45

Stan Chambers, a television reporter for KTLA in Los Angeles who covered the Watts riot, agreed that in some cases the rioters targeted news reporters. He said rioters attempted to break camera equipment and attacked people identified with the media. They were easy to identify because of the size of their camera equipment, he said. “You had fifty reporters at the height of that. Maybe 100. . . . You have all this equipment. You were there with mobile units that were pretty identifiable. They were targets,” Chambers said. At first reporters made no attempt to hide the fact that they were with the news media, but after several were targeted in attacks the reporters were more careful about being immediately identified. The reporters who took the greatest risks were the freelance photographers who often would go into areas that the working reporters declined to go. 46

The motivation of the rioters in attacking the news reporters, however, was less clear. Chambers said anyone in the area of the Watts riot that represented any kind of order or authority was targeted.

I don’t think any of them were doing it for a cause. They were doing it because this was an opportunity to burn a building down, an opportunity to loot the building and come out with clothes, shoes and things like that. This was a chance
to get rid of all that resentment they had in them for years. It was also a chance to follow the leaders, those who did it first [and] other people followed. It was for many, many reasons.

Whatever the motivation, Chambers confirmed the media were not just passive observers when it came to riots. Any reporter in a riot situation was just as likely to become a victim as anyone else. There was no respect for the independence of the news media by the rioters in Watts, he said.47

In the book *Rumors, Race and Riots*, Terry Ann Knopf examined the relationship between blacks and the media who covered the rioting in the 1960s. She determined the media coverage was harmful to blacks, and she concluded blacks had gotten a “raw deal” from the media. The poor coverage had perpetuated myths and rumors about blacks such as the mostly incorrect reports that blacks were setting traps for police and that black snipers were shooting at police. Those untruths were later used as justifications by the police to violently put down the rioting. Thus, the media had needlessly increased racial tensions and created a climate conducive to violence.48

**Black deejays played a ‘mystical, powerful role’**

The phrase most associated first with the Watts riot and then later with other riots was “Burn, baby! Burn!” It was a phrase used by rioters as they pillaged and burned down buildings on the first day of the Watts riot, and it also became the title of a 1966 book about the Watts riot. Its origins, however, had nothing to do with rioting, violence or the burning down of buildings. It started as the signature phrase of a black radio deejay known as Magnificent Montague. As the morning host of a soul music radio show on KGFC 1230 AM in Los Angeles in 1965, he brought a new style to the airwaves. He
would shout over the top of the music, and the phrase that he would most often shout was “Burn, baby! Burn!” In his autobiography, Montague explained the phrase was an expression of his delight in the music, and the young black people listening on their transistor radios would often shout it right back at him.49

The phrase took on an entire new meaning during the Watts riot. As Montague explained, he was in his Los Angeles home in August 1965 when he first heard the rioters on the television news shouting “Burn, baby! Burn!” He was as dumfounded as anyone that his signature phrase was being used to exhort the violence. “The phrase infected Los Angeles’ Negro lexicon like a virus, and to my horror, when Watts went up in flames that August, when people began setting buildings and cars afire on Imperial Highway and Avalon Boulevard and Main Street, they triumphantly screamed the most evident and analogous and hip thing at hand: Burn Baby!” Montague said.50

The phrase became so connected with the violence that Los Angeles Mayor Sam Yorty demanded Montague stop using it on the air.51 He became widely blamed by the white community for the rioting when the Los Angeles Times wrote a story on the fourth day of the rioting under the headline: “‘Burn, Baby, Burn’ Slogan Used as Firebugs Put Area to Torch.” He had not expected the white press to catch onto the slogan. “The article never mentioned me or the station or the fact that “Burn!” had nothing to do with rioting – which meant it fed into white people’s worst fears,” he said. The next day while on the air, he modified the phrase to “Have Mercy Los Angeles,” and he attempted to use his influence to calm the violence. Despite his efforts, the white owners of the radio station reduced his air time and eventually took him off completely.52
Other black deejays were blamed for inciting violence, even though many used their influence to calm situations rather than to inflame them. Georgie Woods, who worked at radio stations in Philadelphia and New York, and Martha Jean “The Queen” Steinberg, who worked at a radio station in Detroit, were credited with helping defuse the violence. In the summer of 1964, Woods was working at a Philadelphia radio station when he used his celebrity status to walk the streets and urge young blacks to stop rioting. At one point, he said he quelled a rumor that a pregnant woman had been shot by police by parading the black woman around in a convertible to show the community that it was not true. Even the police commissioner in Philadelphia summoned Woods to urge rioters to stop throwing rocks at police.53

In Detroit, black radio station WJLB cancelled its regular programming on the first day of the rioting in that city in 1967 in an attempt to calm the violence. Steinberg used her influence over the black community to plead for calm, and the Detroit News described her effort as a “one woman peace campaign.” The station also made time for black ministers and politicians to make statements about renouncing violence, and the station stayed on the air all night to play such messages. Without those types of efforts, it is possible the Detroit rioting would have been worse, said Sidney Fine, author of Violence in the Model City. 54 Yet most of the peacemaking during the rioting by black deejays went unknown by the public, who still blamed them for inciting violence.55

The stories of the black deejays during the rioting indicated the influence of black radio in American cities during the 1960s. While blacks were virtually ignored by the mainstream media, they did have a voice when it came to black radio, which broadcasted music, news and announcements to the black community. At the time, blacks had almost
no power base beyond their churches yet it was black deejays who played a “mystical, powerful social role,” Montague said. He said black deejays “enjoyed astonishingly strong, direct communication with a mass audience, a feeling of solidarity that was unprecedented in commercial broadcasting. We were de facto mayors and weekday preachers, masters of a private universe. We were the equivalent of movie stars, the sole link between listeners and the music.” Thus, black radio had an influence over the black community like no other mass medium had over any other single segment of the population.

Martin Luther King recognized the influence of black radio when he addressed the National Association of Radio and Television Announcers on September 28, 1967, in Atlanta. He praised black radio station employees for their contributions to the civil rights movements and their efforts at voter education and fundraising for charitable causes. He also recognized how the mainstream television and print media were not relevant to most blacks. “The masses of African-Americans who have been deprived of educational and economic opportunity are almost totally dependent on radio as their means of relating to society at large. They do not read newspapers, though they may occasionally thumb through Jet [a black magazine]. Television speaks not to their needs, but to the upper middle class America,” King said. He also decried how black radio announcers were blamed for inflaming the rioting yet never recognized for their efforts to calm the violence by bridging the gap between black and white.

Black radio station deejays came to realize their existence was being threatened if they did not work to calm violence instead of inadvertently provoking it. Larry Still, a black reporter who later became deputy director of information for the Kerner
Commission, suggested the commission should reach out to black radio deejays as key components to calming racial violence. He said the operators of black radio were feeling increasing pressure from the public to act in the public interest due to the perception that they were contributing to the violence. “The significance of Negro radio as a source of communication in the ghetto should not be overlooked, and at a later date I would suggest a definite contact be made with this group,” Still said in a memorandum to the commission.58

Still also noted that black radio recognized it had a role to play in calming rioting. “Negro radio is also becoming aware of its need for a more positive public service image (along with pressure from the FCC) and has begun to consider more new and public service programming geared to the improvement of the ghetto conditions instead of a steady diet of rock and roll music ‘used only to enhance the restlessness of the community,’” he said.59 Those in black radio recognized they either had to use their influence to calm the rioting or face being shut down by the government. They were being blamed, just like the newspapers and television, for being part of the problem and not part of the solution.

It was in this climate that the Kerner Commission began to do its work in the summer of 1967. The news media were being blamed by the public and by government officials for contributing to the violence and despite numerous examples of newspapers, television and radio acting responsibly during the rioting, it was the incidents of irresponsible behavior that were getting the attention. The perception of the public and government officials was that the news media were to blame. When Johnson posed the question, “What effect do the mass media have on the riots?” it was not a rhetorical one.
He expected an answer, and in the minds of many in the public and in government, the answer was the mass media had a great effect on the riots.

The eleven people who would answer that question had their own perceptions of the news media even before the Kerner Commission began to meet. No commission member had a greater effect on how that question was answered and how the news media would react to the answer than its chairman. Kerner was someone who believed that the news media had a role to play in causing the riots and encouraging the violence. Yet he was well liked and well respected by the media, and it was his perception of the news media that would shape the media chapter in the Kerner Report more than any other single commission member.
Notes

2 Ibid., 51.
3 Ibid., 116.
4 Ibid., 244.
8 Remarks to a Group of Editors and Broadcasters Attending a National Conference on Foreign Policy, April 21, 1964, Public Papers of the Presidents, Lyndon Johnson, www.presidency.ucsb.edu/lyndon_johnson, (accessed April 24, 2008).
11 “Survey: The news media and racial disorders - a preliminary report, a paper delivered at the Columbia University conference on mass media and race relations given on October 12 by the Office of Media Relations in the Community Relations Service of the Department of Justice,” *Columbia Journalism Review*, Fall 1967, 3.
14 Ibid., 4-5.
15 Interview, Van Gordon Sauter, April 26, 2007.
17 “Crisis Coverage,” 60.
20 Ibid.
22 Ibid., 45.
25 Ibid., 56.
28 Small, *To Kill a Messenger: Television News and The Real World*, 70.
29 “Crisis Coverage,” 65
32 Ibid., 11.
34 Ibid., 75-76.


Ibid., 7.

Ibid., 144.


Ibid., 59-61.


Interview, Stan Chambers, November 7, 2007.

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Ibid., 5.

Ibid., 130.

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Fine, *Violence in the Model City*, 184.


Ibid.
Chapter 3 – Kerner: A Well Liked, Respected Media Critic

‘We like the guy personally, no matter what he's done’

It was late January 1976, just more than three months before Otto Kerner died of cancer, when more than 500 people came together to honor the former Illinois governor at the request of Chicago’s news reporters. Billed as a “Newsmen’s Testimonial Dinner to Otto Kerner,” the event was a bit unusual. A Chicago Tribune columnist described it as something like “Bob Woodward and Carl Bernstein giving a dinner for Richard Nixon.” After all, the only reason that Kerner could attend was that he was let out of prison early due to his failing health. Just three years earlier, he had been convicted of bribery, conspiracy and perjury for his actions in a racetrack stock scandal while governor. Yet the news reporters who knew him felt compelled to honor the man.

Steve Schickel of WGN-TV said the dinner was a gesture for “a nice guy who must have gone through hell.” He and former WLS-TV newsman Hugh Hill got the idea for the dinner when they were covering the legislature in Springfield, Illinois. “A bunch of us guys got to talking about what a nice guy Kerner was and how cooperative he had been. . . . We like the guy personally, no matter what he’s done, and we thought it would be a shame if someone didn’t do something for him.” Schickel and the others who arranged the dinner recognized it probably crossed some ethical lines because of the press’ expected adversarial role with government officials. After all, the press had played a role in exposing some of the details of Kerner’s involvement in the racetrack stock scandal. Despite those concerns, the reporters organized the dinner and invited
politicians, journalists and lobbyists to recognize a man who was well liked and well respected by the news media.

The testimonial dinner was the denouement for a man who had a political biography worthy of a Greek tragedy. Here was a man from a prominent Chicago family with a reputation for impeccable honesty and integrity who experienced a methodical rise to prominence and was elected governor by age fifty-two. Then came a stunning national achievement when, as head of the National Advisory Commission on Civil Disorders, he was praised from coast to coast for the commission’s dead-on criticisms of white racism in America. News media hung on the Democrat’s every word for his insights and commitment to liberal causes and his thoughts on the racial divide in America, and the commission eventually came to bear his name as his signature achievement for the nation.

Kerner’s name entered the discussion as a candidate for Senator from Illinois and the Supreme Court. A presidential appointment followed to the U.S. Court of Appeals, the second highest court in the land. But then came the conspiracy, mail fraud, perjury and income tax trial that sent him to a three-year prison term in 1974 where he was released early only because he had cancer. Kerner died two years later at the age of sixty-seven, having fallen as far as a man of his position could.3

Yet the Kerner story was not a typical political fall from grace. He was no Nixon, the former president who harbored a secret inner insecurity that led eventually to the deceit that spawned Watergate. He was no Wayne Hays, the former Ohio House member who led a secret philandering life and was eventually disgraced when it was revealed he had hired his mistress for his congressional staff.4 He was no Harrison Williams, the
former New Jersey Senator who had a history of unbecoming behavior even before he secretly accepted bribes and was sent to prison for his actions in the FBI’s Abscam sting operation.\(^5\)

Rather, Kerner was a man highly respected throughout his career, loved by people and loved especially by the news media, even after his criminal conviction. A former United Press International reporter who later worked on the staff of the Kerner Commission said about him, “I loved the man. I just thought he was a magnificent, wonderful man. I was heartbroken when he was indicted, convicted and eventually died. . . . He had a heart of gold. . . . I will go to my grave convinced he was not a crook that deserved to be sent to prison.”\(^6\)

The relationship between Kerner and the news media was significant. He was well liked and respected by the news media, even if they at times did not agree with him. Because it was his commission that made such pointed criticism of the news media, the press took notice and for the most part did not dismiss the criticism as another attempt by a government official to extract revenge upon the news media. If it had been a commission headed by someone such as Nixon, whose disdain for the press was legendary, or even someone like Hays or Harrison, both of whom had their credibility questioned even before they were brought down by scandal, the news media criticism would not have been so well received.

It was no stretch to say because it was the well liked and respected Kerner who headed the commission the news media heeded the report’s criticism. In short, even though he was never a member of the news media but a politician almost his entire life, he had a great impact on the profession of journalism. He was well liked and respected by
the news media despite his biographers’ admission that he never received laudatory press treatment.

Throughout his political career, Kerner showed a keen sense of the importance of the news media on society and how they could be a positive force for change in America. In a 1962 interview with the Christian Science Monitor he hinted at a theme that would later be developed in the Kerner Report’s news media chapter: The press had a social responsibility to the public to report high quality news without bias. He was not someone who ignored his press clippings, and in fact he welcomed them. He said:

I’m not afraid to read what the newspapers say. As a matter of fact it gives me a pretty good insight. No, I haven’t cancelled my subscriptions, and I don’t think I will. . . . I think if newspapers are to report news there should be no politics or philosophy in reporting of news. Now if they wish to throw in their politics or their policies or their philosophies, the editorial page is a wonderful page in which to put these things. I feel in favor of freedom of the press – very definitely. I think it’s abused, but it’s still freedom of the press. And if the press [wants to abuse its freedom] that’s quite all right with me because I do feel that abuse catches up.7

The quotation represented Kerner’s insight into the role of the news media. It indicated that while he was a supporter of press freedom, he believed it could be abused. The quotation also recognized his belief in the power of the press. They were insights that served him well during the writing of the Kerner Report.

One example of how well respected Kerner was by the local print media was the praise he received from the editors of the Rockford Morning Star. In an editorial endorsing him for governor in 1960 the editors admitted they normally did not endorse Democrats. But they made an exception for him: “This declaration is not made lightly by a newspaper which has consistently supported Republican candidates over many decades.
. . . He has had an honorable career as a soldier, lawyer, jurist, humanitarian civic leader.”

A summation in 1967 of Kerner’s time as governor also got high praise from the Rockford Morning Star for his efforts to quell violence during riots in Chicago in 1966 and 1967. The editors loved him so much that they suggested President Lyndon Johnson name him to the U.S. Supreme Court after his term on the commission ended. The editors wrote, “Governor Kerner has served Illinois well. But we believe his judicial talent, deliberate manner, thoughtful philosophy and wealth of public service experience can serve our whole nation – not just Illinois – on the Supreme Court bench.”

A review of some of the press clippings in the national and local Illinois newspapers about Kerner during the 1960s and 1970s revealed he often was portrayed in nothing but laudatory terms. He seemed to always be getting positive press for his work as governor and for his work on the commission. After the Kerner Report was released, there was some news media criticism of him, but it was mild compared to the criticism that he received from other quarters. As a judge, he continued to be covered in positive terms, and even after his trial and conviction he still got good press coverage.

Kerner cultivated his relationship with the press, too. As governor of Illinois, he kept a personal relationship with members of the news media, writing them letters and responses to issues. It made good politics to keep the press in his good graces, and he realized good press was important to getting support for public policy issues. In a personal letter to the publisher of the Daily Gazette of Sterling, Illinois, in September 1967, he offered some insight into his thinking as the commission began to put together its report. In the letter, he outlined how he came to believe that the root cause of the civil
disorders was poverty and how the established black leaders of the time had lost touch with the young blacks rioting in American cities. He described how cynicism and distrust among young blacks had made “solving the problems extremely difficult.”

The letter to a small town newspaper publisher was a response to an earlier letter, but it was an interesting example of how he sought support from the news media for what would become one of the key and controversial findings of the Kerner Report.

Kerner’s good looks, speaking skills and general affability helped him cultivate a good relationship with the television news media as well. The networks were not shy about asking him to appear on air to discuss the report after it was issued. On March 3, 1968, Kerner and fellow commission members Fred Harris and Roy Wilkins appeared on the ABC program *Issues and Answers* hosted by Frank Reynolds. Kerner discussed the report at length and generally got friendly questions from the host, and after it was over, he received warm thanks from the producer of the program, Peggy Whedon, along with a transcript of the interview. She said, “It was an excellent program – the presentation you made was both interesting and informative, and our audience response has been very good.”

The fact that Kerner was so well liked and well respected by the news media comes as perhaps no big surprise. He fit the part of the straight-laced and straight-talking leader that he was and that the news media wanted him to play. The man was good looking on television and he made good copy too because he was approachable and quotable. He had a consistent knack for garnering good press coverage in any position he ever held, and he continued to get good press even after his conviction.
A ‘spectacular breakthrough’

On the day that Kerner stepped into the national spotlight, the Illinois governor was on a paddlewheel boat on the Mississippi River discussing local issues with the politicos in the western part of his state. It was a warm summer evening on July 27 1967, and at the time he was far removed from the death and destruction in Newark and Detroit. Johnson was about to go on television to announce he was naming a special commission to study the causes of the riots, and he needed volunteers in a hurry. Kerner’s boat made an unexpected stop in Andalusia, Illinois, so the governor could find a telephone to confirm to the president that he indeed would head the commission. It was a surreal scene. Here he was discussing local concerns with constituents from Rock Island and Moline yet on his mind was how he would address the greatest domestic crisis since the Civil War.12

Kerner’s biographers described him this way on that day:

Comfortably into his second term as governor, Kerner looked like a maturing matinee idol as he stepped off an excursion paddlewheeler called The Quad City Queen and onto the Andalusia levee. Fifty-eight years old and dressed impeccably in a dark business suit that was perhaps too formal for a pleasure cruise with fellow public officials, Kerner carried his five-foot, eight-inch frame in a perpetual military bearing that made him appear taller than he was. His naturally wavy dark brown hair swept backwards from a firm, confident face that television cameras treated favorably as that of any politician in the country. A national organization of press photographers [recently had] named him “most handsome governor.”13

Minutes later Johnson would go on television and tell the nation that it had just endured a week of violence and tragedy, and he had appointed a special commission to investigate the rioting and make recommendations to himself, congress, the nation’s governors and the mayors of the nation’s large cities. The commission would have access
to any information it needed, including all of the facts gathered by the FBI and its
director, J. Edgar Hoover. He vowed the FBI would continue to search for evidence of a
conspiracy, and he wanted the commission to examine that issue as well. To head the
commission, Johnson announced Kerner had agreed to serve as chairman. He then listed
the ten other members and went on to decry the violence and urge calm in American
cities. Kerner’s name was mentioned only once in the televised speech, and there was no
mention of what he was exactly supposed to do, how he was supposed to do it or how
long it was supposed to take.14

It was not until two days later that Kerner got his specific orders from Johnson on
what he wanted from the commission. In a White House meeting, the president outlined
the three basic questions that he wanted answered along with fourteen other specific
questions, the last of which was the question about the effect of the mass media on the
rioting. Also, Johnson asked for a profile of the riots along with short-term and long-term
recommendations. In his parting remarks directed to Kerner and Vice Chairman John
Lindsay, the president said, “So Mr. Chairman and Mr. Vice Chairman, let your search be
free. Let it be untrammeled by what has been called the ‘conventional wisdom.’ As best
you can, find the truth, the whole truth and express it in your report. I hope you will be
inspired by a sense of urgency, but also conscious of the danger that lies always in hasty
conclusions.”15 With that Kerner was thrust into national prominence, a role that he had
been groomed for since his earliest days as the son of a prominent Chicago political
family who married into another prominent Chicago political family.

Kerner’s father was attorney general of Illinois, and his son married the daughter
of Anton Cermak, the former Chicago mayor. Kerner was educated at Brown, Cambridge
and Northwestern and served in World War II, earning a bronze star. His pedigree for politics was impeccable, a word that would later be used often to describe his integrity. His name and his family connections virtually assured he would succeed in politics. He was appointed U.S. district attorney for northern Illinois in 1947 while still in his thirties and seven years later he was elected a judge in Cook County, the county where Chicago is located.

In 1960, with the backing of Chicago Mayor Richard Daley and his supporters, Kerner defeated incumbent governor William Stratton. His first term was difficult because he was new to statewide politics, and he was dealing mostly with a Republican legislature. Also, he had to fight the perception he was a puppet for Daley and his Chicago machine. “That’s one of the things that . . . haunted Kerner all through his administration. That is, everyone who criticized him always hit him over the head with the fact he was doing Mayor Daley’s work for him, which was not true,” said Chris Vlahoplus, Kerner’s press secretary.16

By his second term, Kerner grew into the job. He was more comfortable working with the legislature, and he became more comfortable with the press, and he worked to shed the perception that he got the job only because of his name and family connections. The people who worked for him liked him, and he seemed to relish the task of keeping at bay the political pressures from Chicago so he could do the best for everyone in the state. Vlahoplus, a former UPI reporter who went to work for Kerner during his first term, described him during his time as governor as a dichotomy. “He had a pedigree juxtaposed with the rough and tumble of Chicago politics. He dressed like a banker. He was very
formal in a lot of ways. But when we campaigned and got into the Chicago wards, you could see that other side of him come out. He was at home in Chicago,” he said.17

As for his relationship with the press while governor, Vlahoplus said Kerner had a difficult time in his first term. He was viewed by the Springfield press corps as being unknowledgeable about state government, yet by the time he was running for re-election to a second term in 1964, things turned around for him. That year, he defeated progressive Republican Charles Percy, who would later go on to serve four terms in the Senate. “That was a tough campaign. Kerner won, and things got better. The longer he was there the better he got. He was good. In the ’64 campaign he got a lot of newspaper endorsements from downstate Illinois, which is historically Republican. He got some darn good endorsements. He worked hard. He traveled a lot downstate. He got to be well known. When he left office [as governor], he left on a high note,” said Vlahoplus.18

When Johnson called on Kerner to head the commission, he was riding high as a successful liberal Democratic governor of a state with a major city that had not been immune to the urban rioting. Chicago had urban unrest between 1963 and 1967 although it was not as severe as Newark or Detroit. So, in July 1967, it made sense to choose Kerner as head of the commission. He was a fellow Democrat, the only Democratic governor of a major industrial state at the time. He also was a former U.S attorney so dealing with criminals was nothing new to him. Finally, he was a liberal on civil rights issues and popular among black voters in Illinois, and it did not hurt that he was on good terms with Daley, who was an influential national figure in Democratic politics.19

Kerner also supported Johnson’s policy on Vietnam, and at the time political support for the war was eroding. He also had another interesting connection to Vietnam:
He had served with, and was a life-long friend of, General William Westmoreland, who at the time was commanding military operations in Vietnam. His biographers noted there were no signs that he would take the commission in any direction other than being a rubber stamp for Johnson’s policies so it made sense to name him as head of the commission.\textsuperscript{20}

The appointment in July 1967 launched Kerner into national prominence. A writer for the \textit{Chicago Sun Times} called his appointment a “spectacular breakthrough” that almost assured his position as a candidate for the U.S. Senate in the following year.\textsuperscript{21} In a profile in the \textit{New York Times} introducing him to the nation, he was described as having the background needed for the difficult task. “His experience as prosecutor and judge and his penchant for exhaustive study will be useful when he takes the reins tomorrow of the 11-member panel,” said the article. The writer simply assumed he was headed for big things when he wrote that Kerner had yet to announce whether he would seek a seat in the U.S. Senate or whether he would continue with a third term as governor.\textsuperscript{22}

The appointment also caused the \textit{Wall Street Journal} to ask, “Who’s That Heading the Riots Study?” in a headline for a piece that reporter Philip M. Boffey did on Kerner in August 1967. It introduced him to the nation and admitted, “Don’t be embarrassed if you’ve never heard of him.” Boffey used un-named sources to produce a profile of Kerner that made him seem to be a genuine good guy who was trim, tan and looking at least ten years younger than his age.\textsuperscript{23} While it would be no surprise that a reporter from his hometown paper would crow about one of its own being launched into the national spotlight, the comments in the \textit{Wall Street Journal} were high praise from a newspaper that certainly was at odds with much of his liberal philosophy.
As the commission was meeting in the late summer and fall of 1967 and into the winter of 1968, Kerner received considerable national press coverage. Articles about press conferences conducted by the commission regularly quoted him, and he was sought out as a spokesman on all issues concerning rioting and race. From the period of July 27, 1967, to the release of the report on March 1, 1968, he was mentioned thirty times in the *Washington Post* and fifty-one times in the *New York Times*. Much of the coverage was highly complimentary of him and the commission. For example, William S. White, a columnist for the *Washington Post*, said the commission under Kerner’s leadership “has got off to a start of splendid common sense.” He said the nation should be thankful to the commission and Kerner for the decision in August 1967 to urge an increase in the number of blacks in the National Guard, a decision that he said was “so calm and so perceptive as to bring a deeply re-assuring note in a time of great troubles.”

Kerner kept a close eye on what the news media were reporting about the commission and riots because he was well aware of the need to keep the media informed and the importance of the media in helping shape the nation’s attitudes about race and poverty. After *Newsweek* magazine published its special series “The Negro in America – What Must Be Done” in November 1967, he sent a letter to the magazine, which it printed on December 6. He praised the magazine saying, “*Newsweek*’s decision to involve itself deeply in the social ills that afflict us is heartening and revealing of the basic strength of America and its leadership.”
‘You deserve the gratitude of the nation’

When the report was issued, the national press for Kerner increased, and for the most part it was complimentary with some exceptions. The limited media criticism he received was tame compared to some of the complaints he received from his constituents and citizens around the nation who were appalled at the Kerner Report’s conclusions. The personal criticism that he received was harsh, the kind of criticism that would make some reconsider whether a career in politics would be worth the abuse.

A review of the correspondence sent to Kerner after the release of the report showed the kind of abuse he received. Much of it centered on the report’s central theme that blacks were rioting due to conditions imposed by white racism rather than an organized conspiracy. One anonymous citizen accused him of being a “top-notch nigger lover” and a member of the “mafia” for saying white America was the root cause of rioting in the cities. It accused him of being a traitor and a stooge for Chief Justice Earl Warren, Attorney General Ramsey Clark and the president.26

E.K. Fellerman of Yonkers, New York, also had unkind words for Kerner just four days after the release of the report. “You phony liberals make me vomit,” he wrote. “Everyone one of you live in a segregated neighborhood, and send your kids to private schools where they won’t be contaminated by the ‘minority groups,’ which is I believe the term you jerks use.” He also took issue with the Kerner Report’s criticism of police action during the rioting, which was a constant theme of the criticism. In a final shot, Fellerman took dead aim at Kerner himself. “It is pigs like you who will drive this country to embrace the likes of George Wallace.”27
Because the Kerner Report debunked the widely held idea that a communist conspiracy was behind the rioting, Kerner was accused of being unpatriotic as well. Frank J. Mayer of Nokomis, Florida, wrote him, “The Report of your Civil Disorders Commission reads as if it had been written in Moscow or Peking.”

Those kinds of vile personal attacks were kept mostly in private, but there were some examples where Kerner was publicly criticized after the issuing of the Kerner Report. The editors of the Times-Democrat, a newspaper that circulated in the Quad Cities area of Iowa and Illinois, accused him of playing politics with the report. Only a week after the report’s release, it was announced he had been nominated for the federal bench. The Times-Democrat editors saw that as a blatant political pay-off, claiming Kerner had agreed to the harsh language in the report only to get the federal appointment. The editors noted he had a successful run as governor, but this was clouding his exit from elected office. “One would think that a man who governed the third most prestigious state in the Union would have a higher regard for public service than to place personal position above state office. Whether the voters of Illinois will see through this Texas flimflam is for the November balloting to decide, but it doesn’t add any luster to Governor Kerner.”

Much of the news media criticism of Kerner was couched mostly as criticism of the entire report and directed at all its authors. They were criticized by conservative news organizations for the blame they placed on white society and the perceived exoneration of the black rioters. One example was an editorial in the Montgomery Advertiser titled “Whodunit? Whitey, Of Course.” The editors dubbed the report the “Honkey Report” because it said the commission members blamed white society for problems in the black community. “Since the ‘white press’ is one of the defendants in the indictments turned
out by the Honkey Committee, we’re prejudiced. But no more prejudiced than the
Commission was in merely tut-tutting rioters, looters and insurrectionists,” the editors
said. The commission members were accused of being beholden to black militants and
condoning lawlessness. 30

Despite that kind of criticism, there was some extremely high praise for Kerner,
especially from the leaders of the black community. Surely, he was moved by a telegram
from Martin Luther King just three days after the report’s release and exactly one month
before King was killed. The telegram, sent to Kerner’s office in the Illinois statehouse,
read:

You, as a member of the president’s commission on civil disorders deserve the
gratitude of the nation because you had both the wisdom to perceive the truth and
the courage to state it. The commission’s findings that America is a racist society
and that white racism is at the root cause of today’s urban disorders is an
important confession of a harsh truth. My only hope now is that white America
and our national government will heed your warnings and implement your
recommendations. By ignoring them we will sink inevitably into a nightmarish
racial doomsday. God grant that your excellent report will educate the nation and
lead to action before it is too late. 31

Praise came from others in prominent positions as well. A letter from Vermont
Governor Philip H. Hoff said Kerner and the commission members were owed a
“tremendous debt of gratitude” for the insightful language in the report. 32 He said he
hoped the Kerner Report would not fall on deaf ears, an ironic statement because that is
what happened when the report hit the Washington establishment.

Just days before the Kerner Report was issued, Kerner surprised many of his
supporters by announcing he would not seek another term as governor nor would he seek
a seat in the Senate. Then just days after the report was issued, Johnson announced he
would be nominated to the federal appeals court in Chicago. When that announcement was made, there was high praise for his time as governor. *Chicago Daily News* reporter Henry Hanson summed up his years in office by saying Kerner was gentlemanly and low key, not one to ever “blow his top.” His work habits were described as nothing short of Herculean: He got up at 4:30 a.m. every day and kept a “back-breaking routine of public appearances.” He did not plaster his name over public works projects as other politicians are prone to do, and he completed a quiet record of accomplishment, the article said. The decision not to run again was characterized as nothing short of magnanimous without the slightest hint that there were secret motivations for stepping down. Years later, suspicions would arise that his leaving was related to accusations of corruption, but the issue was not even hinted at in Hanson’s summation of Kerner’s governorship.33

‘Otto Kerner did many good things. They should not be forgotten.’

In February 1973, Kerner found himself in a courtroom, this time sitting at the defense table instead of the judge’s chair. On the day he took the stand in his own defense, he was described as being flushed with anger and pounding the witness stand as he defended himself against the charges of bribery, conspiracy, income tax evasion and perjury. In his defense, he got help from a member of the news media. One of the character witnesses that day was Jack Brickhouse, vice president and manager of sports for the WGN broadcasting company.34 The relationship between the two men was forged more than a decade earlier when Brickhouse interviewed Kerner at the 1960 Democratic National Convention.35 The Brickhouse appearance in the courtroom was another example of the close relationship between Kerner and the news media.
While it might have been expected the news media would have vilified Kerner after his conviction, the press coverage indicated otherwise. He continued to get friendly press coverage. In a profile piece just after his conviction on February 19, 1973, the New York Times profiled him again, and the tone hardly had changed from the first profile six years earlier. Again, the word “impeccable” was used to describe him along with the words “honesty” and “integrity.” He was praised for his continual politeness even after the guilty verdict was read, and his entire life story was recounted again with all the details about his dedication and straightforwardness repeated. The profile left a major question unanswered: Why would a man praised so highly be going to prison? In fact, the profile painted such a sympathetic portrait of him that it led readers to wonder if the reporter believed the conviction was true.

An opinion piece from the Scripps-Howard News Service reacting to the conviction criticized Kerner, but admitted, “He undoubtedly did not consciously start out to be dishonest.” It recounted his attributes as well but pointed out even the best of politicians could succumb to political corruption. The piece portrayed him not as a corrupt politician but rather a naive one.

The conviction did not sway the editors of the Chicago Defender to withdraw its support of Kerner. In an editorial just days after his conviction, the black newspaper called him Illinois’ best governor since John Peter Altgeld, who held the office in the late 1890s. Calling the conviction an “American Tragedy,” the editorial compared his career to that of a Greek tragedy, and the editors noted the Kerner Report was a classic document that awakened the nation to the sins of racism. In their defense of Kerner, the editors said, “The ex-Governor was caught in the web of a corrupt political system from
which he was unable to disentangle himself. He was a good Governor. We are sorry for
him.”38

The news media continued to give Kerner high praise even when he went to
prison. In an article in the New York Times that reported that he was going to a federal
detention center in Lexington, Kentucky, the newspaper recounted his accomplishments.
At the time he reported for prison to start his three-year sentence, he was sixty-five years
old and had developed an impressive political resume. In the article, John Dreiske, the
political editor of the Chicago Sun Times, was quoted, “At a time when political clay feet
are almost standard equipment, Otto Kerner has never been touched even by a whisper of
scandal or political hanky-panky.”39 That quotation was originally written toward the end
of Kerner’s first term in office, but it was recounted repeatedly in the New York Times.

The Chicago Defender never quit in its praise for Kerner, and the newspaper even
campaigned to get him released from prison. Citing the precedent that many of those
involved in Watergate were getting immunity in exchange for their testimony, the
newspaper questioned why he would not be given the same kind of treatment. In an
editorial, “Free Otto Kerner,” the editors noted his health was failing, and there was no
reason the parole board should have denied his request for an early release from prison.
“In view of the leniency shown to those super violators of the public trust, Richard Nixon
and Spiro Agnew and all their motley underlings, we say it is now time to free Otto
Kerner.”40

The connection between Kerner and Nixon was a theme running through many
newspaper articles after the conviction. Kerner went to prison believing the Nixon White
House was behind his conviction, and in an interview with the Chicago Sun-Times just
two months before his death, he blamed his troubles on the president. It was the first interview where Kerner revealed his thoughts on why he had been prosecuted. He told the newspaper he believed that “since the inception of the investigation, because of past accusations by Mr. Nixon with no proof, that I am one of his victims.”

Kerner and his family members believed the prosecution was in retaliation for his aid in assisting John Kennedy to carry Illinois in 1960 and then for his defense of the Kerner Report, which Nixon believed made whites the scapegoats for black violence. His biographers reported that a circumstantial case could be made that Nixon was behind his downfall. It was the same connection made by reporters Jack Anderson and Les Whitten in a December 1975 “Washington Merry-Go-Round” column. The reporters quoted sources that said U.S. attorneys appointed by Nixon were told to knock out of power as many Democratic governors as possible. Kerner was the prime example of a Democrat who was probed by a U.S. attorney, and the reporters cited five other Democratic governors who had been under scrutiny. Just one Republican governor was probed, and he was never convicted.

Kerner’s biographers noted if he had lived he most certainly would have had his conviction overturned. Citing a Supreme Court decision that voided the legal precedent used to convict him, the biographers noted other similar corruption convictions were eventually overturned, most notably a conviction involving Maryland Governor Marvin Mandel. Had he lived to see the conviction overturned, another trial would have been unlikely because of the Supreme Court decision. His family attempted to expunge his conviction, but in 1990 a court ruled such an action could only be pursued by the person who was convicted.
Kerner died on May 9, 1976, and while his obituary in the *New York Times* certainly mentioned the conviction in the lead paragraph, it was mentioned only in the context that he was fighting to clear his name when he died. As with much of the press coverage he received in his entire life, the obituary praised him. It treated the trial and conviction as an aberration in what otherwise had been a wonderful career. Consider this quotation from the obituary: “He had spent nearly eight years as Governor of Illinois administering the affairs of a state where political chicanery was as common as corn in its fields. But even his few enemies would never have suggested that the handsome, so-called impeccable Otto Kerner might be in any way involved in wrongdoing.”

Knowing he was about to die, Kerner’s family and his friends spent his last weeks campaigning to convince President Gerald Ford to pardon the former governor. Just eighteen months earlier Ford had pardoned Nixon, and in comparison any indiscretions by Kerner seemed minor. The pardon never came, but that did not stop the news media from continuing to push for his exoneration. In an editorial on the day after he died, the *Chicago Tribune* said a posthumous pardon was appropriate: “In the obvious sense, it will make no difference; no government can either punish or excuse him now. But a pardon might make a difference to this nation’s own concept of justice. . . . Otto Kerner did many good things. They should not be forgotten.”

So what is the truth about Kerner? Was he a corrupt politician who had a knack for hiding his flaws from the media for decades? Or was he a politician who became the victim of political intrigue and was wrongly convicted? One truth about him was that he was well liked and respected by the news media. It is one of the reasons the media criticism in the Kerner Report had such an impact. But it was not he alone. The other
commission members and the commission staff had their own thoughts about the news media, which also had an impact on the effectiveness of the media criticism.
Notes

2 Ibid.
6 Interview, Alvin Spivak, November 17, 2006.
8 “Kerner for High Court,” Rockford Morning Star, August 6, 1967.
9 Ibid.
12 Bill Barnhart and Gene Schlickman, Kerner: The Conflict of Intangible Rights (Urbana: The University of Illinois Press, 1999), 1
13 Ibid., 1-2.
15 Ibid., 296-297.
16 Interview, Chris Vlahoplus, November 16, 2007.
17 Ibid.
18 Ibid.
19 Barnhart and Schlickman, Kerner, 197.
20 Ibid.
26 Undated and anonymous letter, Otto Kerner Papers, box 1410, folder “correspondence,” Abraham Lincoln Presidential Library.
31 Telegram Martin Luther King Jr. to Otto Kerner, March 4, 1968, Otto Kerner Papers, box 1411, folder “correspondence,” Abraham Lincoln Presidential Library.
35 Barnhart and Schlickman, Kerner, 112.
42 Barnhart and Schlickman, Kerner, 307.
44 Barnhart and Schlickman, Kerner, 321-322.
Chapter 4 – Commission Members, Staff and the News Media

Lindsay: ‘I am the mayor, and you have the obligation to treat me with respect’

While the head of the Kerner Commission was well liked and respected by the news media, its vice chairman had a more complex relationship with the Fourth Estate. New York City Mayor John Lindsay’s relationship with the news media would best be described as love-hate. He enjoyed the limelight given him by the media and relished appearances on the Sunday morning network news programs and “The Tonight Show” with Johnny Carson. He also developed his own weekly half-hour television show, often invited members of the press to accompany him on trips through the city and named a former reporter as his press secretary. Yet he was also a mayor who complained about the press’s fascination with what he considered petty issues. He had a thin skin, and he bristled when the news media reported things he perceived as negative.

In the biography, *The Ungovernable City*, Vincent J. Cannato recounted an episode in March 1966 that symbolized Lindsay’s frustration with the news media. The mayor was returning to the city from Washington, D.C., when reporters stopped him at the airport, wanting answers about a controversy regarding the police department. He did not want to answer questions, and when he returned to his car a reporter stuck a microphone in the window and said, “Lindsay, you better answer our questions — or we’ll get you.” The mayor responded in a forceful but not mean spirited way, “I don’t have to talk to you – I am the mayor, and you have the obligation to treat me with respect.” On the next day, the *New York Daily News* printed an article about the incident under the headline, “Mayor Back, Angry, Silent.” Lindsay considered his response a
normal reaction to a rude reporter, but to his dismay, the “I am the mayor” comment would often be recounted in the press as an example of his arrogance.¹

As a young member of Congress in 1965, Lindsay was elected mayor with the slogan, “He is fresh, and everyone else is tired.” He was a liberal Republican, who blamed New York’s problems on the Democratic machine politics of the time, and he entered office with lots of promise. He was considered a rising star in the Republican Party during his first term. Yet facing a bloated city bureaucracy, public worker strikes and increasing crime, he floundered with unfulfilled expectations. In 1969 he lost a Republican primary for re-election and was forced to run as a third-party candidate. He won another four years as mayor, but his promise had waned significantly, and he later joined the Democratic Party. Many consider his time as mayor a failure. His press secretary, Woody Klein, a former reporter for the New York World Telegram and Sun, wrote about his disillusionment with his former boss in his book, Lindsay’s Promise: The Dream That Failed.”²

Lindsay’s troubles with the news media started early in 1965 when he was smarting from press criticism of how he handled a crippling transit strike in the city. Klein recounted how reporters covering City Hall prior to Lindsay were allowed to wander back to the mayor’s office to get information, a practice he found annoying. He ordered Klein to keep the press contained in one room of City Hall, saying, “They’re just a bunch of God damn animals. Why the hell should I have to put up with all their shenanigans anyway? I’m the mayor, and if I want them out of my office, out they go.” The decision irritated the reporters, who were already finding it difficult to get information out of the mayor.³
Three years later, Lindsay’s rocky relationship with the local media was outlined in *Editor and Publisher*. His press conferences were described as family feuds, and reporters said they found getting information from him a major chore. His troubles with the press were traced to the transit workers strike when he believed the press was misinforming the public about the issues. The decision to contain the press to just one room in City Hall remained a complaint. He also was accused of withdrawing from the news media and allowing his press secretary to answer all of the questions, another practice that irritated the City Hall reporters.4

Also in an attempt to manage the news out of city hall, Lindsay’s press conferences were arranged for the convenience of television cameras, which dismayed the print media. They described the mayor as more concerned about how he looked on television than how much substance he offered in his news conferences. The *Editor and Publisher* article concluded the mayor was getting better at tolerating the news media, but he had a long way to go. One staff member defended his boss: “He once had a low boiling point, but he’s learned to be tolerant. His patience has grown. He can now handle situations calmly that would have caused him to explode two or three years ago.”5

In July 1967 when Lindsay was named vice chair of the Kerner Commission, he was still riding high despite his run-ins with the local media. Nationally, he was getting a lot of good press as a rising star in the Republican Party. President Lyndon Johnson wanted the commission to be non-partisan so naming a Republican as vice chair made sense. He also was sufficiently liberal, sympathetic to the president’s Great Society programs and actively campaigned in black neighborhoods in 1965, receiving 40 percent of the black votes in the city. He was credited with helping keep down rioting in New
York City in the summer of 1967 and having a genuine empathy for those who were poor and of a minority race.  

Lindsay was one of the most active members of the Kerner Commission. He pushed the other members to go into the field and view the situation first hand. He was responsible for coming up with the statement at the beginning of the Kerner Report about how the nation was moving toward two societies, the most often quoted phrase in the report. He also is credited with using the language that blamed white America for creating the conditions that led to the rioting. Thus, much of the report’s heated and moralistic rhetoric can be traced to him. Fewer than two months before the issuing of the final report, he outlined what he felt was a lack of urgency in the report. He told the other members, “If we don’t believe it now in January, we’ll believe it next August,” which was an ominous reference to his expectation of more rioting in the coming summer.  

Unlike Kerner, Lindsay had a great desire to use the commission as a forum for his national ideas. For example, he pushed for the Kerner Report’s recommendations that there should be massive federal spending to improve conditions in the nation’s largest cities. His biographer described him as the de-facto leader of the commission. He was in many ways different from Kerner. More flamboyant, more dynamic and more likely to impose his will, he pushed the commission to be active and make a bold statement about the state of American cities.  

Lindsay also was more influential when it came to criticizing the news media in the Kerner Report. One Kerner Commission staff member said of his interest in the media chapter that, “He was more interested in the subject that’s all. He loved publicity so damn much, maybe that’s why he was so interested.” He was the commission member
most prone to court the media while the commission was investigating. While the other commission members had a rule that field trips to riot-torn cities would be made quietly, Lindsay violated that rule, and the first trip he made with another commission member was done only after his staff alerted the New York City press.\(^{10}\)

Making field trips to walk the streets of New York was one of Lindsay’s regular activities, and he would routinely make sure they were well publicized by the media. These were events where he wanted the press coverage because he was in control of the message. In one example in August 1967, he invited Jayne Brumley of *Newsweek* along for one of the walks through the Bronx. He got good press from the invitation. The story that appeared in the magazine on August 28, 1967, credited his walks with keeping rioting out of New York City that summer. The magazine described him this way, “Through it all, he gave every appearance of a man who is having the time of his life. He laughed. He joked. He truly seemed to love the crowds, the jostle. And he never condescended, never drew back.” The article credited him with establishing a good relationship with the black community in New York, and it was the kind of message he wanted the media to convey.\(^{11}\)

Lindsay realized the power of the news media to shape public opinion, and he recognized the power of the press, too. He knew for any public official to be successful, that person had to use the media. Klein recounted an episode in 1966 when he set up a meeting between Lindsay and the editors of the *New York Daily News* in an attempt to get the news media onto his side. Klein recalled that the mayor lamented how he felt he was living in a fishbowl with his every movement recounted in the newspapers so going to the newspaper editors on his terms seemed like a good idea. The *Daily News* had been
particularly critical of the mayor, and the session did not go well; he felt the media had no
right to question his actions as mayor. Not long after the visit, he ordered his office
subscription to the Daily News be dropped in disgust.\textsuperscript{12}

Lindsay was convinced the best way to reach the people was to go around the
print media. Klein convinced the mayor to participate in a weekly television program on
WCBS-TV, “With Mayor Lindsay,” starting in November 1967 on Sunday evenings. The
goal was to increase his visibility and reach the voters. Good looking and a good speaker,
he was a natural on television. He had a smooth style that played well in front of the
cameras, and he was always concerned with his image. He often would ask his aides how
a decision would be played in the newspapers or how something would be presented on
the evening news. Some journalists found this to be his greatest fault: the tendency to be
more concerned about appearance than reality.\textsuperscript{13}

Lindsay believed in the power of the news media, and he often sought new ways
to use alternative media to go directly to the people. As a commission member, he
expressed his concern that the Kerner Report would be a massive document that few in
the public would read. He recognized that some newspapers would print major sections
of it, but that most people would view it through the lens of the news media and it likely
would be misinterpreted. “I think we ought to consider ‘taking our case to the people.’
For example, the commission might include funds in its budget . . . for the creation of a
one hour movie on the report,” he suggested.\textsuperscript{14} The movie idea never came to fruition,
but it indicated some of the differing ideas Lindsay had about communicating with
people and, unlike Kerner, the need to bypass the news media in order to get the message
out.
While none of the commission members were in the news media, two of them had a connection to the profession. Roy Wilkins was an editor and reporter for two black newspapers early in his career. At the time the commission was named, he was the NAACP’s executive director and was writing a syndicated newspaper column. He was often quoted and interviewed by reporters and often appeared on television. Katherine Peden, the commission’s only female member, was the owner of a radio station in Kentucky. When she was named to the commission, she was serving as the Kentucky Commissioner of Commerce, but she had worked in management for radio stations in Kentucky for twenty years. Both Wilkins and Peden used their personal experience in the news media to become key contributors to how the Kerner Report’s media chapter was shaped.

Wilkins began his career in journalism as a reporter at the University of Minnesota, where he was a student and the first black reporter at the campus paper. He went into journalism after graduation because it “was the one profession that offered me a way out of the dead-end jobs that St. Paul had to offer.” After graduation, he joined the staff of a black newspaper in St. Paul, Minnesota, called The Appeal. He became editor at age twenty-one, and his goal was to return The Appeal to its roots as a crusader for justice for black Americans. In just his second editorial as editor, he wrote, “The editor will strive to make the paper a medium of information on questions of the day, as they affect race, and a stimulus to thought. As in the days of its founder and veteran editor, The Appeal still will cry out for justice and fair play for the colored Americans.”
By the age of twenty-two Wilkins had moved to Kansas City to become an editor at the *Kansas City Call*, a larger and more prestigious black weekly newspaper. In his autobiography, he noted the major white newspaper in town, the *Kansas City Star*, had a blind spot for any news about blacks. His only recollection of the white newspapers in Kansas City ever showing a photograph of a black man was when one of them helped rescue a group of white engineers from a sinking riverboat. “He was right there in the middle [of the photograph], there was no way to get him out,” Wilkins said. The lack of blacks in news columns and photographs in the mainstream media was one of the major criticisms leveled at the press in the Kerner Report.

At the age of thirty Wilkins went to work at the NAACP where he spent time writing and editing *The Crisis*, the official magazine of the NAACP, until he rose into the leadership ranks of the organization. As a member of the news media in his formative years, he credited his time spent in the newspaper business to opening up his eyes to injustices toward blacks around the country. One of the hallmarks of the black press at the time was that it fulfilled an advocacy as well as an informational role in the black community. Wilkins was described as the last national civil rights figure to emerge from the era when middle-class blacks merged their journalistic profession with the role of leader in the black community.

Nearly ten years after being named to head the NAACP, he was asked by the Register and Tribune syndicate to return to the newspaper business with a weekly column. He already had been writing an occasional column for the *Amsterdam News*, a black newspaper in New York City. “They kept after me and finally sold me on the idea that civil rights is a topic of the news of the day – and the decade – and that people all
over the country were interested, and perhaps I could help their understanding.”19 By
1966 the column was syndicated in 30 newspapers and was read in the White House. A
1967 column garnered a personal note from Johnson who said, “I enjoyed your column
on the State of the Union address. Some of the comments I heard seemed more concerned
with counting words, than with trying to understand the message it conveyed. . . . You
should know how much I appreciate your efforts to get that message across, Roy.”20

Thus, naming Wilkins to the Kerner Commission made a lot of sense. He had a
personal relationship with Johnson, and the commission needed a strong black leader.
The president wanted to avoid naming anyone with a militant or anti-establishment
background, and the sixty-five-year-old civil rights leader was a logical choice because
he was well respected by the white community even though he was criticized at the time
by many blacks. Militant blacks in the NAACP and black power advocates viewed him
as too soft and too non-confrontational to be effective. However, he was attractive to the
president because he took a pro law-and-order stance on the rioting, saying in July 1967
that he supported the use of federal troops to quell violence.21 As a commission member,
he was third in command, chairing the commission meetings when Kerner and Lindsay
were unavailable.

Throughout his life and as a commission member Wilkins was a vocal critic of the
news media, but he would often temper his criticism. He would avoid specific criticism
of news organizations or individuals in the news media and instead offered general
critiques. His critiques were often prefaced with praise. In April 1969, when he spoke to
the American Society of Newspaper Editors, he took that approach:
I cannot discount the conscientious commitment and the numerous constructive achievements by highly professional publishers, editors and staff men in the press and in the electronic media of radio and television. But a frank observation is that, on the whole, the media cannot be praised for their handling of the race story. There have been notable exceptions and certainly in the aggregate, the needs and issues have been brought to the attention of the public. But of perspective, there has been little. Again with striking and refreshing exceptions, any handy staff man handles racial news, but experts handle sports, theater, real estate, music, fashions, banking, finance etc.\(^2\)

Another example of Wilkins’ tempered media criticism came when he participated in the Kerner Commission’s news media conference in November 1967. In making the point that the news media needed to focus on the good things happening in the black community, he commended the Memphis *Commercial Appeal* for an article about a black boy who walked six miles to the library every day. The boy’s white neighbors were so moved that they bought the youngster a bicycle. About the article, Wilkins said, “This was not a riot story, not a conflict story. It was just a simple story of a boy who was so hungry for knowledge he walked to the library, three miles there and three miles back, every day.”\(^2\) Instead of pointing out examples of bad journalism, he preferred to point to examples of good journalism. In the Kerner Report, the media chapter would be sprinkled with examples of good journalism and compliments to the news media for a good effort, which was similar to the way he criticized the media.

Along with Lindsay and Wilkins, Peden was the commission member who took the most interest in the media chapter, and she had some specific criticism of television and radio news coverage of violence. It made sense, given her background in local radio and her experience as a public official. She started her professional career while still in her teens as program director at radio station WHOP in Hopkinsville, Kentucky, her hometown, and she rose to become general manager of the station before buying WNLV
in Nicholasville, Kentucky. She became a well-known businesswoman in the state, and she raised her profile nationally in 1961 when President John Kennedy named her to the President’s Commission on the Status of Women. In 1963, Kentucky Governor Ned Breathitt, a Democrat who also was a native of Hopkinsville, named her Kentucky Commissioner of Commerce, making her the first woman in the state to head a state agency.24

Peden’s appointment to the Kerner Commission at age forty-one heightened her national profile. She made no secret that her appointment to the commission in July 1967 helped her in her goal of seeking a seat in Congress in the following year. She was a loyal supporter of the president, and she met one of the president’s key criteria for an appointment to the commission: she was a supporter of the president’s policy on Vietnam. Also, she agreed with Johnson’s position that law and order must be restored to American cities, but yet she still believed the root cause of the rioting was poverty and racism.25

One former Kerner Commission staff member recalled that Peden was the commission member who most wanted to ensure the report was sufficiently critical of the news media. She was concerned the original draft of the media chapter was too kind, relying too much on a quantitative analysis of the media coverage to make what she thought was a lukewarm assessment. She was the one commission member who urged the others to be harsher on the news media when it deliberated about the direction of the chapter.26

Peden used the publicity she received as a Kerner Commission member to win the Democratic primary for senator from Kentucky in May 1968, becoming the first member
of the commission to face the voters in an election campaign. She was not shy about using her connection with the commission in her campaign. After the primary election win, only three months after the Kerner Report was issued, she said, “I stressed very, very strongly the commission report and ran as a member of the Commission, never failing to say that I knew the necessity for law and order in this country.” She said it was a validation of the report that she was able to win the primary election.27

While attending the Democratic National Convention in August 1968, Peden repeated the same critique of the news media. The convention was marred by violence, and she blamed the news media and particularly the presence of the television cameras for exacerbating that violence. “I have been trampled as a member of this convention by some of the press on the floor. Whether seated on the aisle or in the center, our delegations have been pushed, shoved and physically hurt by TV people,” she said. She also said if the news media had shown more restraint much of the violence outside the convention hall would have been avoided. “If there had been a self-imposed blackout of the hippies’ and yippies’ activities, the troubles we have experienced this week would have been appreciably less,” she told a reporter from the Washington Star. In the same interview, she mentioned the Kerner Report’s criticism of the news media, and she said if the news media did not show restraint in the future they could expect some kind of federal government action.28 It was a position that highlighted her belief in the social responsibility of the press.

If Peden was helped by her membership on the Kerner Commission to win the Kentucky Democratic primary in May 1968, it hurt her chances in the general election in November, where she lost to incumbent Republican Marlow Cook. She never went back
into politics, and her role as a member of the news media was limited after her time on the commission. She is remembered more for being a business leader and role model for women than for being in politics or in the media. A 2006 obituary article in the Lexington Herald-Leader credited her for being a “great force” for the economy of Kentucky and noted her accomplishments in bringing jobs to the state while heading the Kentucky commerce commission. Her role on the Kerner Commission was not mentioned, and her career in the news media was given only one sentence.29

**Backgrounds in politics, labor, law enforcement, business**

Of the eight other commission members, each brought a differing perspective on the news media depending upon whether his background was politics, labor, law enforcement or business. Of those eight, Edward Brooke was the best known, and he had years of experience in dealing with the news media. He became the first black elected to the U.S. Senate since Reconstruction when he won his seat in Massachusetts in 1966. When he was named to the Kerner Commission he was forty-seven years old and a star in the Republican Party, and he helped bring diversity as one of only two blacks on the commission. He was named to the commission even though he was critical of how Johnson had responded to the rioting. In August 1967 he urged the president to take immediate action to aid cities faced with rioting and not wait until the commission reported.30 However, he was absent during much of the commission’s deliberations not having attended the news media conference and then spending much of the early weeks of 1968 on an unrelated overseas trip to Africa.
The decision to name a group to study the riots was credited to the other Senator on the Kerner Commission, Fred Harris, who took to the floor of the Senate to urge Johnson and congress to name a group to study the issue. It made sense when the president agreed Harris would be one of its members because he had been the most vocal person about the need for a commission. The Oklahoma Democrat was the youngest member of the commission at age thirty-six, and his wife LaDonna was a member of a minority group as a woman of native American lineage. Even though he came from a rural state that was not affected by the rioting, his selection was a good political move because he was a member of the Permanent Subcommittee on Investigations, which conducted hearings on the riots while the commission was meeting in the fall of 1967. Those hearings were critical of the many social programs the president had supported. Also, he was described as a “Negroes’ Advocate,” by the New York Times who helped strengthen the report in order to shock white America into action. His selection to the commission helped solidify him as an up-and-coming member of the Senate even though in 1968 he was still the body’s second youngest member.

The two House members on the commission were James Corman and William McCulloch. A forty-six-year-old member of the House from California when he was named to the Kerner Commission, Corman was a former Los Angeles City Council member, and as a representative of the city where the Watts riot happened in 1965, he was a logical choice. He also was a liberal Democrat and a supporter of the president, and he was married to a liberal southerner from Atlanta, whose family had advocated for integration in the South in the 1950s. He believed the core cause of the rioting was segregation, rather than poverty. McCulloch, who was sixty-five when he was named to
the commission, was a veteran of twenty-one years in Congress. The Republican from Ohio was a long-term civil rights advocate who agreed with the president that a criminal conspiracy was behind the rioting.33

Representing labor on the commission was I.W. Abel, who was ending his second year as head of the United Steelworkers of America. The fifty-eight-year-old labor leader helped prevent a potentially crippling steelworkers strike in 1965 after agreeing to a compromise following negotiations with Johnson. A life-long proponent of the civil rights movement who believed the trade union movement should be allied with it, he connected the solution to the rioting to the ability to find work for the unemployed blacks in the cities.34

The remaining two Kerner Commission members were sixty-year-old Herbert Jenkins, the long-serving police chief in Atlanta, and fifty-four-year-old Charles B. “Tex” Thornton, chief executive officer of Litton Industries in Los Angeles. Jenkins, who represented law enforcement, was considered a progressive southern police chief and had won praise from Attorney General Ramsey Clark for how he handled race issues and violence in Atlanta. Thornton, who represented business, was the most conservative commission member even though he sided with Johnson when it came to the necessity of providing jobs, education and housing for the nation’s blacks.35

Key staff members with significant influence

While the appointed members were the public face of the Kerner Commission, it was staff and hired consultants who oversaw the research and wrote the rough drafts of the document. While not all staff members had a role in the media chapter, there were
seven people who influenced how the chapter developed. They were David Ginsburg, the executive director; Alvin Spivak, information director; Larry Still, the deputy information director; Jacob Rosenthal and Robert Conot, who were special consultants; and Abram Chayes, who was hired as a consultant to research and write the rough draft of the media chapter along with his assistant Bruce Paisner.

Johnson chose Ginsburg as the commission’s executive director, not allowing Kerner or any of the commission members to have influence on the decision. He was the consummate Washington insider, an attorney with the firm of Ginsburg and Feldman in Washington, D.C. He had a resume as a Washington lawyer going back to the Depression. He was frequently on the guest list at many Capitol Hill and White House events, and the president had previously chosen him for other government assignments. His choice reflected the opinion that the president wanted some control over how the Kerner Report was written.36

Ginsburg, however, was an independent person who was granted a free hand in pursuing a broad investigation. He approached the job carefully because of having to balance the interests of the president and the commission members, who represented a wide spectrum of political philosophies. He ultimately took the report into a middle ground that ended up angering and embarrassing the president. He was not black so he could not offer any personal experience regarding race relations in urban America, but he was Jewish so he had some knowledge of how a minority group felt oppressed by a majority. He earned the respect of the commission members by conducting the work of the commission without regard to partisan politics.37
Ginsburg was not a member of the media, but he was a Washington insider who had contacts with many media members. He recognized the importance of the press to reflect accurately what was happening in the country at the time. As a result, he believed the media chapter was “one of the best . . . in the entire report.” After the report was issued, Ginsburg revealed his thoughts on the importance of the media in assisting in ameliorating racism and poverty:

“The urban problem, the Negro problem, the poverty problem. . . . this is generally regarded as the most important domestic crisis today. But if one listens to television throughout the country one would never guess it. Somehow it’s not a matter of excitement. Unless the media dig into the problem and help educate the electorate to their responsibilities, then I find it very difficult to see how the crisis can be overcome.”

Ginsburg was the person most responsible for editing the prose in the Kerner Report. Much of the language in the report came from original drafts that he oversaw, even though he did not write the original draft of the media chapter. A profile of him described the most quoted line in the Kerner Report – “Our nation is moving toward two societies, one black, one white – separate and unequal” – this way: “For a government document the writing is uniquely vibrant; the single sentence personified the country's cultural and racial division, giving the national dialogue a reference point.” After his work on the Kerner Commission, he put his editing skills to work for Hubert Humphrey’s presidential campaign and the Democratic National Committee.

While Ginsburg had no experience as a member of the news media, he had staff members from news organizations. One was Spivak, who came to the commission directly from his post as White House correspondent for United Press International. He had covered the Johnson and Kennedy White Houses, and his claim to fame was that he
was a panelist at one of the Kennedy-Nixon debates in 1960. He also covered the Kennedy funeral in 1963. In July 1967, he said he was bored with covering the White House so he asked for and received a leave of absence from UPI to work for the Kerner Commission.41

Spivak’s role was to advise the commission on how to keep the press informed of what was happening. One commission goal was to regularly report to the public about its proceedings and its findings; Spivak said the commission members recognized their findings would be controversial so they wanted the public to be informed about how the commission did its work. He was a good choice for information director because he was well connected with members of the news media. “I didn’t know I wasn’t going back to reporting. They [the news media] sort of trusted me as me being one of them,” he said.42

About his role in influencing the media chapter, Spivak said, “I had a little bit of influence. I can’t say it was the key influence, but it was one of the influences that mattered.” Since neither commission members nor Ginsburg were news reporters, Spivak was valuable to the effort. He recognized the media had a role in exacerbating violence, but he also knew how the profession operated and the difficulties of being a news reporter. After his Kerner Commission work was finished, he intended to go back to UPI, but he found the pay was better in government work. He, like Ginsburg, went to work for Humphrey’s presidential campaign and then the Democratic National Committee.43

Assisting Spivak was another former newspaper reporter, who had experience in working in the mainstream press as well as the black press. Still, who was black, came to the commission from the U.S. Employment Service Commission, where he had worked as chief information officer. Prior to his government work he had worked at the Afro-
American chain of newspapers, and the Washington Star. He also worked as the White House correspondent for the Johnson Publishing Company and covered civil rights marches in the South for Jet magazine. Spivak said Still had a good knowledge of the black press and knew about the influence of black radio in urban America. While the media chapter did not address the black press, Spivak said Still’s knowledge of how the black press operated was valuable to the final report. He later taught journalism at Howard University.44

Rosenthal and Conot, who were listed as special consultants in the Kerner Report, both had experience in the newspaper business before they went to work for the commission. Their role was never explained in the report, but both had influence on the media chapter and their views were reflected in the chapter. Rosenthal had previously worked as a reporter and editor for the Portland Oregonian and the Portland Reporter along with being a correspondent for Life magazine and had previously worked for the federal government in the departments of justice and state. At the time he was hired to work for the Kerner Commission, he was a Kennedy Fellow at Harvard’s Institute of Politics.

Rosenthal did not write the original draft of the media chapter, but he is credited with re-writing it to make it more palatable to the commission members. After his time working for the commission, he went on to a career at the New York Times, first as an urban affairs reporter in 1969 and then as editorial page editor. He won the Pulitzer Prize for editorial writing in 1982. He later became an assistant managing editor and editor of the New York Times magazine and then the president of the New York Times Company Foundation.45
Conot came to the commission fresh from getting good reviews on his book about the Watts riot, *Rivers of Blood, Years of Darkness*. The book had just been released in the summer of 1967, a well-timed tome as the issue of rioting in American cities came to the forefront. Its exhaustive account of the Watts riot laid the blame squarely on the white community without excusing the actions of the black rioters. Jim Hoagland of the *Washington Post* called the book, “One of the most important and timely of the year.” He described the book this way, “It is a detailed map of the path upon which Sisyphus, in the form of American middle-class white society, has rolled its rock, the ills of the urban ghetto, to the top of the hill – only to see it tumble back at Watts, at Detroit and Newark.” Conot came to the commission having been a newspaper reporter and television scriptwriter before he became an author.

The person who directed most of the research and produced the original draft of the media chapter was Chayes. While his role in putting together the media chapter was mostly behind the scenes, it was Chayes whom Ginsburg credited with doing most of the work. Yet his role with the Kerner Commission was overshadowed in history by his extensive resume. His 2000 obituary in the *New York Times* mentioned his service to Kennedy during the Cuban Missile Crisis in 1962, his work negotiating with the Russians over the status of Berlin in 1961 and his expertise on international law. The obituary said nothing about his role in the Kerner Report even though his influence on the media chapter was extensive.

Chayes was one of the Harvard lawyers who came to Washington, D.C., to work for Kennedy in 1961. He spent four years as a legal advisor in the state department and was one of the people who shaped foreign policy under Kennedy. He left the state
department in 1965 to work for Ginsburg’s Washington law firm. Ginsburg and Chayes were friends, who originally met while both were getting law degrees at Harvard. Chayes stayed at Ginsburg’s firm for less than a year before he went back to Harvard to teach. It was while Chayes was at Harvard that Ginsburg hired him to do the research and put together the rough draft of the media chapter. Chayes later went on to a noted international legal career, where he made news around the world when he represented the leftist government in Nicaragua in 1980 and filed a lawsuit against against the former leaders of Yugoslavia in 1999.

While Chayes was not a member of the media, he had extensive research experience, and he had a cadre of law students willing to assist him with doing media research for the Kerner Commission. He got little public credit for his work, and he was not mentioned in the page of the report that listed the professional staff. Instead, he was mentioned only in the report’s section on “Consultants, Contractors and Advisors,” where he was listed with more than 200 other people. Yet Ginsburg said about Chayes’ role in the production of the media chapter that: “Abe was the dominant force, and we had many, many conversations about it because there were members of the press who preferred not to talk with us about it.”

Assisting Chayes was Paisner, a Harvard Law School student who was described by Chayes as “a first-rate student [who] has broad journalistic experience himself.” He had been editor of the Harvard Crimson and had worked for Life magazine. Chayes said, “I know him to be a good worker, discreet and intelligent, and of course he can write.” Paisner said he was not particularly happy in law school at that time, and he wanted to get back to writing and reporting so when Chayes asked him to help with the project in the
fall of 1967 it sounded like a good opportunity. Also, Paisner said he got paid to work with Chayes on the project. Paisner helped do some of the research into the news media and wrote the first draft of the news media chapter before it got turned over to Chayes for his contributions. Paisner graduated from law school in 1968, and he later became an executive with the Hearst Corporation.\textsuperscript{50}

As the commission began its investigation of “What effect do the mass media have on the riots?” the members and staff had to tread carefully to avoid antagonizing the news media. Ginsburg, Kerner and the commission members had to find a way to conduct their research into the media while still maintaining good relations with the press. The goal was to make a statement about the need for the news media to act more responsibly without antagonizing them. That was why hiring someone in academia like Chayes, who was not a commission member or a member of the news media, made sense to Ginsburg. The decision would insulate the commission members and the staff from criticism from the news media that their work was biased, politically motivated or not objective.
Notes

2 Ibid, ix-x.
4 Don Maley, “Mayor Lindsay Makes Peace with City Hall Press Corps,” *Editor and Publisher*, April 20, 1968, 17.
5 Ibid., 130.
6 Cannato, *The Ungovernable City*, 204.
7 Ibid., 207.
9 Cannato, *The Ungovernable City*, 204.
10 Interview, Alvin Spivak, November 17, 2006.
12 Klein, *Lindsay’s Promise*, 105.
13 Cannato, *The Ungovernable City*, 114.
16 Ibid., 48-49.
17 Ibid., 64-65.
26 Interview, Alvin Spivak, November 17, 2006; see also Notes of National Advisory Commission on Civil Disorders meeting, January 19, 1968, Otto Kerner Papers, box 1392, folder “Karyn McGrath – Minutes of meetings of A.C.C.D., Abraham Lincoln Presidential Library.
29 Kirby, “Peden was ‘Great Force’ for Ky. Economy.”
33 Barnhart and Schlickman, Kerner, 199.
35 Barnhart and Schlickman, Kerner, 198.
37 Lipsky and Olson, Commission Politics, 223.
41 Interview, Alvin Spivak, November 17, 2006.
42 Ibid.
43 Ibid.
50 Interview, Bruce Paisner, January 7, 2008.
Chapter 5 – Key Decisions Set Direction on Media Research

Keeping the press, public informed

As the Kerner Commission began its work in late July and August 1967 there was no shortage of free advice from the news media. One piece of advice that influenced how the commission would keep the press and the public informed – and ultimately influence the outcome of the report’s news media chapter – came from columnist Roscoe Drummond. The New York Herald Tribune and Christian Science Monitor writer warned the commission to avoid the mistakes made by its predecessor. The President’s Commission on the Assassination of President Kennedy, known as the Warren Commission, had made two key errors, according to Drummond. The Warren Commission did everything in secret while it met, and then after nine months of silence it turned over an 888-page report to the American public. “It reached sound conclusions. But it did a woefully inadequate job of education. Result: today nearly two-thirds of the American people do not accept its central findings,” he said.¹

To avoid the same mistake, Drummond offered the commission two suggestions. First, he said it should open the hearings to the public and televise them. If the public saw what the commission was doing and what witnesses were saying, it would go a long way toward helping the public accept the conclusions. Second, it should offer periodic reports so the conclusions could be digested slowly instead of dumping a massive report on the public at the end of its work. “Here is a time when the best investigation will be worthless if it doesn’t communicate,” he said.²
The issue of how to keep the public and the press informed was one of the first things that commission members discussed, and it set the tone for how the commission would later do research on the news media. At its first meeting on July 29 at the White House, the commission considered whether to hold public or private hearings. The group decided to remain flexible on this point, but the commission, however, agreed not to televisé hearings at any time. The members also agreed not to publicly discuss the issue of whether to open or close the hearings, or the decision not to televisé them, until they had more time to consider the matter.3 The initial hearings of the commission conducted on the first two days of August were closed and not televised for that reason.

Even though the press and the public were kept out of those initial hearings, Chairman Otto Kerner made a point to keep the public informed. At the first hearing, FBI Director J. Edgar Hoover testified that there was no evidence the riots were part of a conspiracy. After the hearing, Kerner conducted a press briefing at the White House summarizing Hoover’s testimony. He said Hoover presented the commission with summaries of fifty-two riot incidents in the past three years, and he outlined Hoover’s conclusion that they were not connected. He also outlined some procedural issues, discussed the initial timetable for completing the report and stated who would testify the next day. Executive Director David Ginsburg, who had been hired on the previous day, also talked with the press in the news briefing about how the commission had set up office space in Washington.4

On the second day of initial hearings, Ginsburg again conducted a news briefing at the White House to discuss Hoover’s testimony, and Kerner conducted his own briefing outlining the testimony of Sargent Shriver, director of the office of economic
opportunity, and Robert C. Weaver, secretary of housing and urban development. So, even though the initial decision was to shut out the press, and by proxy the public, from the hearings, Kerner ensured the news media and the public were informed about the non-conspiracy issue, which would become one of the commission’s major conclusions.

The issue of whether to open the hearings came up again when Drummond’s column became the discussion topic at a September 13 commission meeting. Whether to open the hearings to the public was part of a larger issue about how the commission would educate white Americans about the problems of race and poverty. Kerner believed education was a primary goal of the commission, saying, “My concern all the time about this commission has been that at the conclusion our greatest problem is going to be to educate the white, rather than the Negro.” The way to educate white America would be through the mainstream news media, and opening hearings as Drummond suggested would help accomplish that goal. Yet only Kerner and commission member Fred Harris favored even limited open hearings. Edward Brooke, Charles Thornton, Herbert Jenkins, James Corman, William McCulloch and Katherine Peden voted against the motion to have limited open hearings.

Alvin Spivak, the commission’s information director also urged open hearings. “When I did, I was just jumped on by the politicians. Ed Brooke said: ‘No, not on your life.’ They might have had good reasons. They might have felt it could have stirred up the pot again from a violence standpoint. They might have had all kinds of good reasons. I didn’t fight very hard,” he said. Instead, he offered a compromise that satisfied the commission members. The commission decided all hearings would be in secret, but then it would release edited transcripts of the testimony. The editing was done not to alter the

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substance of the testimony but instead for length and also with sensitivity to the personal
concerns of those who testified. That was how the commission operated, and Spivak was
put in charge of releasing hundreds of pages of testimony to the press and eventually the
public.\textsuperscript{7}

The commission heeded Drummond’s second piece of advice, even though no
compromise was necessary. The commission made interim recommendations four times
during the seven months that it met as well as made regular statements to the news media
about its progress. Thus, unlike the Warren Commission, the commission members did
their best to prepare the public for its conclusions. The members wanted to assure the
public that the riots were being investigated in a reputable way so their conclusions
would provide meaningful guidance.\textsuperscript{8}

The first interim recommendation was made on August 10, fewer than two weeks
after the initial commission meeting in the White House. It outlined the need to increase
the number of blacks in the National Guard, improve its riot control training and review
the qualifications for all of its officers. The news media, hungry for any information out
of the commission, offered considerable coverage on this first bit of news. The story
made the front page of the \textit{Washington Post} even though the recommendation was only
three paragraphs long. Ginsburg told the press and the public that the commission would
not wait until the report was complete to issue findings.\textsuperscript{9}

The decision to keep the press and the public informed about recommendations as
it met instead of waiting for a final report paid immediate dividends. The
recommendation about the National Guard gave the commission immediate good
publicity and let the public know it was not wasting any time. Columnist William S.
White of the *Washington Post* praised the commission, calling its first recommendation a “reassuring note.” He also praised the initial actions of the commission to keep the public informed, calling this “a hopeful omen for the future.” He continued, “The Commission’s conclusion here demonstrates a sensitive awareness of two great realities, one immediate and one practical and the other deep and long-term in meaning.”\(^{10}\)

Another early decision was to have commission members visit some of the riot-affected areas so they could see the situation. On those visits, the members agreed to go unannounced. They felt this would allow for the members to talk with residents candidly outside the glare of the media. “The commission had a solid rule. Do this privately. Don’t do it in public. . . . Don’t go for a publicity splurge,” Spivak said.\(^{11}\) On August 16 Lindsay and Ginsburg visited Newark while Kerner, Peden and Thornton visited Detroit and Roy Wilkins and I.W. Abel visited the East Harlem and Bedford-Stuyvesant sections of New York City. While the visits to Detroit and New York were kept out of the news media, the press covered the Lindsay visit to Newark. Spivak blamed Lindsay’s love of publicity for his mayoral staff’s decision to alert the news media about his tour.\(^{12}\)

The result for Lindsay was local media coverage of him touring the streets of Newark in a red convertible and shaking hands. A front-page photograph in the *New York Times* showed him smiling at a group of laughing black children. The other commission members, however, had no news coverage on their visits. The press criticized the commission for not publicizing in advance all of the visits, but Kerner defended the decision, saying they were un-announced to the news media because of their informal nature.\(^{13}\) On August 20, the commission members visited more cities. McCulloch went to Detroit, and Abel and Peden traveled to Cambridge, Maryland. On August 30, Lindsay
and Harris went to Cincinnati. Later others toured Milwaukee and Los Angeles. In total, commissioners went to eight cities in less than a month to see riot conditions.\textsuperscript{14}

In the first month after the commission was named, the members and staff were able to successfully keep news about their activities in the news media. After each of the city tours were completed, the commission members talked with local media about what they found, and this helped produce news at an early stage of the commission when the group was still hiring staff and getting organized. It also helped satisfy the news media’s desire for information and gave the appearance that the commission was going to be an active group with continual news to report throughout the process. It helped keep the commission in the public eye without having to prematurely reveal positions on key issues.\textsuperscript{15} Unlike the Warren Commission, the Kerner commission kept the news media, and by extension the public, informed about what it was doing. That ultimately helped when it came to the news media accepting criticism in the final report.

‘With an increasing sense of urgency’

One of the key issues that would shape the commission’s research and how the news media chapter would develop was the timetable for the report. All involved had a sense of urgency about getting it to President Lyndon Johnson in a timely way. That meant the commission could waste no time getting started. Kerner expressed his urgency in getting started on July 28, the day after the president’s televised speech, when he was at Chicago’s Ambassador Hotel speaking to the Hyde Park-Kenwood Community Association. This was prior to the first meeting of the commission, and at the luncheon
group he said he hoped to get the report completed by January 1, which would leave only five months to hire the staff, do the research and write the report.  

At the first commission meeting, Johnson gave the group a little more time. The executive order announcing the commission required that it produce an interim report by March 1, and a final report and recommendations within one year, which would mean late July 1968. The president asked that the initial report give short-term recommendations while the final report would offer long-term solutions to the problem. The decision to give the commission more time than Kerner originally envisioned reflected the president’s desire to put off any political solutions to the problems as long as he could. For him, it would help reduce the political exploitation of the issue, and it would hold off those in Congress who demanded an immediate solution. Yet even Kerner found this still an ambitious schedule when he said the March 1 date would be a difficult deadline to meet. “I hope the people will be patient with us,” he said.  

During the first month of commission meetings, the members agreed to advance the date of the interim report to December 15. The speeded-up schedule was made in hope of influencing Johnson’s State of the Union Address in early January and the congressional agenda for early 1968, thus affecting policies that would be in place by the summer. Another consideration of speeding up the interim report was to avoid the expected partisanship that would come with the 1968 presidential election. Waiting until March 1 for the interim report would be too late to have an impact on policies for another expected summer riot season.  

That initial speed-up of the interim report created a sense of urgency, but it did not change to a great degree the research on the news media. The initial plan for the news
media research called for it to take up to ten months, which indicated the news media
recommendations would be part of the final report rather than the December 15 interim
report. Yet the entire timetable was altered in early December when the commission
decided to scrap the idea of an interim report and make one report to the nation on March
1. Harris said the initial plan was to offer short-term solutions in the interim report and
then long-range solutions in the final report, but “we came to the conclusions that there
weren’t any short-run solutions, and we wouldn’t make two reports just one.”

Again, the reason for just one report sooner than originally planned was a sense of
urgency. A statement from the commission on December 10 said, “Our review of the
information we have amassed over more than four months convinces us that we cannot
delay until next summer in providing our findings of fact and recommendations. . . .
There is an urgent need for public awareness, and widespread action, much sooner than
that.” The statement conveyed the heightened sense of urgency when it said that the
information amassed as of that point had convinced the members of how imperative its
recommended solutions would be for the nation. “With an increasing sense of urgency,
the commission has moved its investigations and studies along at a quickened pace.”

The decision to make one report had an effect on how the media chapter
developed. The speeded-up timetable meant the commission members did not get much
time to review the news media research. A key piece, the content analysis of riot
coverage, was delivered late in the commission’s deliberations, and there was little time
to formulate recommendations based on that research.
Proposal made for media research

The news media research started in September 1967 when Ginsburg contacted his former law partner and Harvard Law School Professor Abram Chayes about being a consultant. A telephone conversation on September 16 between the two men resulted in a formal proposal from Chayes to Ginsburg about how to proceed in researching the question: “What effect do the mass media have on the riots?” On September 19, Chayes sent a letter and a memorandum dated the previous day to Ginsburg, summarizing the telephone conversation. Chayes reflected his friendship with Ginsburg by addressing the letter to “Dave” instead of a more formal greeting.23

It was obvious that the two men had been in contact earlier about working together because Chayes’ letter said he already had brought on research assistant, Bruce Paisner, and had done preliminary work on hiring a firm to complete a content analysis of news media riot coverage.24 Paisner recalled that Ginsburg brought in Chayes to do the news media research because of concerns the news media would not take kindly to the government researching the press:

According to Abe, David called him one day and said: ‘The only part that I am really worried about is the chapter on the news media in race relations. Because we all know what the news media are like in this country – all these First Amendment issues. Everybody is going to resist the idea of a government commission even looking into the news media. Therefore, I want that chapter handled by the one person above all others I trust in this world. And that’s you. I want you to do it.’ Abe said: ‘I’ve got a full-time job.’ David said: ‘Well, you can hire somebody to work on it with you.’25

That “somebody” ended up being Paisner.

Chayes’ September 18 memorandum became the blueprint for how the commission would proceed in its news media analysis. He laid out an ambitious agenda.
He emphasized how the research required “a large-scale research and investigative effort, with the depth, range and variety needed to provide a sturdy base,” and he set a goal of completing research by mid-December so it could be included in the interim report if the commission wanted it that soon. (This was before the commission decided against issuing an interim report.) He outlined how the media research should include newspapers, radio, TV, wire services and weekly and periodical publications, saying the goal was to get a complete picture of the news media’s performance as it related to riot reporting. He also proposed considering the impact of the reporting on white and black communities. He concluded the research would go beyond riot reporting and include an analysis of how the news media treated blacks in general, and he said he wanted to find out how the news media contributed to the “sense of alienation among Negroes.”

To accomplish his agenda, Chayes outlined seven elements that he believed were necessary. Because one of his concerns was how the news media would react to criticism, every effort was made to ensure the research was objective and factual. The first element was a content analysis of how the news media covered the past summer’s riots. He proposed analyzing every major riot from the summer and said a reputable social science research company should be hired that was familiar with the use of computers for analysis. Hiring such a company would insulate the commission from criticism that its work was “subjective and impressionistic.” Even though it would be costly because the use of computers in 1967 was extremely expensive, he said it would be worth it. The firm he suggested was Simulmatics Inc., which had offices in Cambridge, Massachusetts, and New York City.
The second element proposed by Chayes was as an attitudinal survey of blacks and whites about the rioting. The goal of the survey was to elicit responses about media performance. The questions were to center on how people first heard about the rioting – television, radio or the newspapers – and how they reacted when they heard the news. Was there a connection between the reporting and coverage of the rioting and the spread of riots to other cities? He warned the questions must be carefully worded to avoid the appearance that the researchers were leading the respondents to certain conclusions. He said the attitudinal survey would be another scientific and objective look at the news media and would insulate the commission from criticism that its work was subjective.28

Chayes proposed a third element that would work in tandem with what the commission was already doing. This was a survey of how the news media in each of the riot cities covered the violence. The commission already was sending teams of surveyors into riot cities to talk to citizens, and he suggested the teams should talk with the radio, television and newspaper reporters to get their thoughts on the coverage. He also suggested having discussions with local officials about how they believed the local media had handled the riot coverage. The goal was to find specific incidents of sensational and inaccurate reporting in each of the riot-torn cities, and surveys about the media were to be part of a larger report about how the rioting affected each of the cities.29

Chayes suggested the next element should be an examination of the codes of conduct that news media organizations used to cover rioting and racial violence. The U.S. Department of Justice’s Community Relations Service had been encouraging news organizations to develop such codes, which often outlined how news organizations would observe a short period of embargo before reporting the outbreak of rioting. They also
included guidelines for news reporters to follow in responding to riots. Chayes suggested gathering all these codes, finding out how they were working and interviewing citizens and journalists about their use. Many of the codes, he said, were similar so he speculated there probably was no need for the commission to develop its own code. He suggested the commission likely wanted only to highlight the successful codes and commend the news organizations for following them. He suggested since the Justice Department’s Community Relations Service was already developing its own suggested code the commission should work with it. 30

The fifth element suggested by Chayes was a review of specific incidents of news media misconduct during the rioting. This was a sensitive subject because it would cite incidents where the news media made obvious mistakes, and it would not be viewed kindly by the news media. Examples of those incidents would include times when the news media staged news events or invented incidents for the benefit of the television camera, as well as sensational reporting and the overplaying of minor violent incidents. Chayes predicted the city studies would turn up instances of such activity by the news media and suggested the job of investigating such incidents should be given to a member of the commission’s investigative staff. He said this would probably take all the time of one person for at least the next three months. 31

Chayes suggested the sixth element would be a review of all of the previous work that dealt with the news media’s role in society. He mentioned the Hutchins Commission’s 1947 report that was the start of serious criticism of the news media’s performance. He also mentioned the 1965 Governor’s Commission on the Los Angeles Riots, known as the McCone Commission because of its chairman John McCone.
California Governor Pat Brown established The McCone Commission after the 1965 Watts riot. The McCone Report took the news media to task for their poor job of reporting the Watts riot: “We urge all media to report equally the good and the bad – the accomplishments of Negroes as well as the failures; the assistance offered to Negroes by the public and private,” it said. The McCone Report concluded its section on the news media by urging the press to come up with its own codes and guidelines for covering riots.32

Chayes said many of the codes and guidelines that existed in the summer of 1967 were made after the criticism that the media received during the Watts riot. He also suggested there were other studies and conference reports that addressed similar issues. He suggested the researchers compile all previous literature, including the Hutchins and the McCone reports, for use in writing the media chapter.33

**A conference rather than hearings**

The final research element was the most important. Chayes wanted to give the news media a chance to respond to criticism but was concerned about putting them on the defensive. He said asking members of the news media to attend hearings, where they would testify and be peppered with questions from the commission, would only serve to have them “rally around the status quo.” (“Status quo” was underlined in his memorandum.) He did not want a repeat of what happened when Pennsylvania Senator Hugh Scott made public his criticism of how the television networks covered the past summer’s riots. At a news conference on August 1, the Republican revealed the contents of a letter he had sent to the Associated Press, United Press International, ABC, CBS,
NBC and the Mutual Broadcasting Company. It claimed the news media inadvertently contributed to rioting and urged them to draw up codes of conduct about how to report rioting. Also, Scott urged the news media to develop ways to balance the statements of black militants with appeals for law and order by moderate black leaders.34

The news media’s response to Scott’s suggestion was swift with many panning the idea of codes and saying the senator was off base. In one response, CBS News President Frank Stanton said he was disturbed by Scott’s comments because he felt this was asking the news media to suppress news. “It is the function of the press to report conditions as they are and solutions as they are advanced – and to stimulate discussion and criticism of such solutions,” he said.35 ABC executive James C. Haggerty responded in a similar way, saying television created an accurate portrait of black militants that exposed them so the public could decide on their veracity.36

So, instead of hearings, Chayes suggested a roundtable format that “should develop an atmosphere of confidence and personal relationship that will permit a useful give and take,” and would last at least two days at a location outside Washington. He proposed commission members should attend along with members of the news media who were in positions of authority. Also, he recommended public officials be invited to give their thoughts along with academics from some of the nation’s top universities. He suggested keeping the participation small, perhaps 25 to 30 people, and he proposed the conference would work best with presentations, which he called “think pieces,” about various media topics.37

Eleven days after Chayes proposed his seven elements of research, he outlined to the commission what he proposed to do and how much money he needed. On September
29, he proposed to plan and supervise all seven research elements. Five of the elements – the content analysis, the attitudinal survey, the city studies, the summary of codes and the list of specific incidents – would be sub-contracted to others, but he would still oversee the work. He would do the survey of previous literature, which he assigned to an assistant, and make arrangements for the news media conference. By that date, he already had done some work on the conference and announced it was scheduled for November 11 and 12.38

Chayes went a step further as well. Not only would he oversee all of the research into the news media, but also he proposed to prepare the first draft on the subject. He said he would combine all of the research into a single document for the commission to review said he would be open for questions and comments from the commission as he conducted the research and did the writing. He said he would spend all of his time for the next ten months working on the research and preparing the document. That timetable would be substantially compressed, but at the time Chayes thought the goal was to produce two reports – one in December and one in the next July. For the service, he proposed his fee to be $10,000, his assistant’s fee should be $100 a week, the fee for a research assistant would total $200, a fee of $200 for secretarial services and $50 a month for office overhead along with reimbursement for travel expenses. Ginsburg approved the proposal, which by late September 1967, was almost a month after Chayes had already started work.39

All seven elements proposed by Chayes were implemented in some way, and all paid dividends when it came to writing the media chapter. All seven also helped insulate the commission from criticism that it was doing a cursory job of looking into the issue.
The Simulmatics firm would perform the content analysis and present its findings to the commission. The attitudinal survey and city studies were combined, but both were performed and information was presented to the commission, and a review of news media codes was analyzed, and the commission members had access to that analysis. Specific incidents of news media conduct were outlined in the report, but the commission was careful not to place blame on any individual or news organization, just as Chayes suggested. The survey of previous literature also was presented to the commission.

The proposal to conduct a roundtable conference for the news media rather than have hearings was a critical decision. The goal was to do enough research to show the news media that the commission was offering serious criticism rather than a knee-jerk response similar to what Scott had proposed. If the news media were put on the defensive, which Chayes believed would happen with hearings, the commission’s recommendations might be ignored. The roundtable idea would develop into the news media conference conducted in November 1967, where key issues for the news media chapter would be developed. One major recommendation to emerge from the conference was increased media coverage of the black community during times when there was no rioting, another key recommendation in the Kerner Report. Thus, the research that was most useful in the writing of the chapter was the news media conference, which along with commission members’ perceptions, was the primary basis for the news media chapter.
Utilizing the work of others

Chayes was not alone when he launched his research into the effect the news media had on riots. Three conferences on that issue were conducted in 1967, two in October just as he and his staff were beginning their work. On May 3, the A. Philip Randolph Educational Fund conducted a one-day conference in New York on the role of the press during social crises. Attending were about thirty members of the news media and civil rights leaders. On October 12, the Anti-Defamation League of B’Nai B’rith and the Freedom of Information Center sponsored a conference on race and the news media, and four days later, the Columbia Graduate School of Journalism, the American Jewish Congress and the American Civil Liberties Union sponsored a conference at Columbia University called “Conference on Mass Media and Race Relations.”

Of the three, the Columbia conference on October 17-18 had the most influence on how the commission did its news media research. Larry Still, the commission’s deputy information director, attended the conference and wrote a detailed memorandum to his boss about its successes and failures. He said it was worthwhile because it got top-level newspaper, radio and television executives to begin thinking about the problems of reporting on the black community. “The White Press appeared to be taking a real hard look at the Black Ghettos for the first time,” he wrote. But he also concluded the conference was not well organized, and the discussion of the pertinent issues of how to resolve the problems was cut short.42

The Columbia conference attracted about 100 people, including media representatives, government officials, black leaders and community activists. Although it was to be a forum on race relations, it mostly centered on how the mainstream news
media failed to cover the black community. One of the major themes to emerge was that the news media needed to cover the black community on a regular basis, not just when there was violence. The news media needed trained and expert reporters covering the range of issues facing the black community, not just violence in the black community.43

In noting the Columbia conference’s shortcomings, Still urged the Kerner Commission to avoid the same pitfalls when it did its own conference. One problem with the Columbia conference was that moderators did not allow the participants to shape the discussion. The program was too structured, and it did not allow give and take among the participants. Also, certain participants had an agenda and focused on that rather than on the bigger questions about improving coverage of the black community. About one fifth of those who attended were either black or Puerto Rican, and Still said one problem was that minorities who participated were assumed to be experts on the role of the black press. That was a problem because there were no representatives of the black press in attendance, and he said much of the criticism leveled at the white press could also be leveled at the black press.44

Still’s memorandum about the Columbia conference outlined many of the same points that would later become part of the Kerner Report. The basic point was the news media did not understand the black community, and the black community did not understand the mainstream press. The recommendations that emerged from the Columbia conference were similar to the ones the commission would make in March 1968. The news media needed to treat the black community like any other community; it needed to recruit and train black reporters to help bring a black perspective to the coverage of all
issues; and it needed to do a better job of exposing the conditions that had led to the alienation of the black community.45

While there was a consensus about the recommendations at the Columbia conference, Still noted no one in the news media would make a commitment to bring about the needed changes. He said the news media representatives only agreed to continue talking and viewed the conference as simply an initial discussion of the problem. One reporter from the New York Times attended, but he made it clear that his employer did not want to endorse the conference goals or commit to them.

Another institution doing research on the same issue was the U.S. Department of Justice’s Community Relations Service. The department was investigating whether the news media contributed to the rioting, and it had put together a suggested code of conduct for the news media. The investigation set the tone for the Columbia conference when Benjamin Holman, assistant director of media relations for the service, accused the news media of failing to do their job: “I don’t think there will be law and order in this country until there is justice for black people.” He said whites believed blacks were better off than they really were because the mainstream news media had failed in its job to inform America about the injustices blacks faced every day. At the conference, he distributed the justice department’s 2,300-word preliminary report, “The News Media and Racial Disorders.”46

The justice department report was put together in an attempt to convince the news media that it had exacerbated urban violence, and it outlined some of the themes that would become part of the Kerner Report. In many ways, it became an initial blueprint for the commission to follow. The report dated October 12 was presented first at the
Columbia conference and then re-printed in the fall 1967 Columbia Journalism Review. The editors of the magazine said the justice department report had received widespread coverage in the media, but it had never been published in its entirety. The commission had the complete justice department report thanks to Spivak, who provided one for Ginsburg.

The justice department report covered five major issues and made some pointed recommendations. The first concerned the performance of the news media during the riots in the summer of 1967. The report outlined how the news media performed better in the summer of 1967 than it did in the summers of 1964 and 1965, when rioting first happened in a large scale way. Yet the report noted there were still news outlets that stressed sensational stories of violence and blew the events out of proportion, and it said there was not enough evidence to determine if the news media had improved overall since earlier summers.

The second issue concerned whether a news moratorium at the early stages of a riot helped lessen the severity. While the justice department report drew no definitive conclusions, it outlined the differing results in the Newark and Detroit riots. In Detroit, the news media observed a news moratorium from early Sunday morning, the first day of the rioting, until that afternoon. That helped stem violence on the first day, but it did nothing to curb violence on subsequent days. In Newark, no such news moratorium was observed, and reports of violence were reported on television and radio immediately. The report concluded a news moratorium of a few hours did no harm, and in some cases it helped defuse violent situations.
The third issue concerned the first reports of violence, which were always incomplete and often inaccurate. The justice department report concluded that in the summers of 1964 and 1965 first reports were aired with no regard about how they would be corrected later if they turned out to be inaccurate. In the summer of 1967, the news media did a better job of being cautious in initial reports to confirm information and to avoid exaggerating the scope of the violence. It also praised the news media for avoiding the printing of rumors, which often ended up being exaggerations, and for not using scare headlines to make minor incidents seem like major riots. Yet the report noted editors responsible for wire service reports in out-of-town newspapers failed to use the same restraint. Often, the out-of-town newspapers would overplay violent incidents with copy provided by the news services.\textsuperscript{51}

The fourth issue was how the police and the National Guard often treated the news media as a nuisance rather than an asset. The justice department report outlined how the authorities needed to better accommodate the news media in a riot situation because accurate information was a key tool in helping calm the violence. In Newark, the report outlined how police attacked the news media, and how the National Guard barred the news media from command areas, and it criticized state and city governments for failing to have plans to accommodate the news media. In Detroit, however, the media were accommodated, and there were examples of officials taking extra steps to assist news reporters. The report concluded, “Officials cannot sit back and condemn the news media, when they have done much to thwart legitimate journalistic endeavor – or very little to assist it.”\textsuperscript{52}
The final issue was a sensitive one for the news media because it was the most damning. It was the tendency, according to the justice department report, of the news media to treat riot coverage like a war report. The news media often were depicting the violence as a race war between black rioters and white police with the news media attached to police as part of a conquering army. That was an inaccurate depiction of the rioting, and it gave the public a false impression about the true causes of the violence. Again, the justice department report cited such coverage by the local media in the Newark riot, but it was more kind to the Detroit media in the coverage of their riot. The report urged the news media to avoid stereotyping riots as a war between the “good guy” white police against the “hordes of black snipers, bombers and looters.”

The justice department report made three major recommendations. First, news media ought to plan and prepare for rioting coverage in advance and train reporters to deal with such difficult assignments. Second, the news media should demand from police advance procedures for how accurate information would be conveyed. The final recommendation was for the news media to probe deeply into the causes of riots and the cause of the rift between blacks and whites in America: “The challenge to the news media is whether they can do more than chronicle the fears and discomforts of whites caused by Negroes. The media should attempt to convey to both black and white the underlying causes of the dilemma and what must be done to resolve it.”

By the end of October, Chayes had started his work as had other people. The next step was to bring news media members together to discuss the issues. Even though there had already been three different conferences on the subject and a major justice department report, Chayes and the commission members knew that in order for their
criticism to be heeded, the news media had to be brought in. The next step would be a major one for the commission: the conducting of its own news media conference. This ended up being the key piece of research into the news media.
Notes

2 Ibid.
7 Interview, Alvin Spivak, November 17, 2006.
8 Lipsky and Olson, Commission Politics, 120.
11 Interview, Alvin Spivak, November 17, 2007.
12 Ibid.
14 Lipsky and Olson, Commission Politics, 217-218.
15 Ibid., 128.
18 Reed, “Hoover Discerns No Plot in Riots.”
19 Lipsky and Olson, Commission Politics, 159.
20 Interview, Fred Harris, September 18, 2007.
22 Lipsky and Olson, Commission Politics, 180.
24 Ibid.
25 Interview, Bruce Paisner, January 7, 2008.
27 Ibid., 3-4.
28 Ibid., 4.
29 Ibid., 4-5.
30 Ibid., 5-6.
31 Ibid., 6.

Ibid., 1-4.

Lipsky and Olson, Commission Politics, 129.

Ibid., 180.


Ibid., 1.

Ibid., 2.

Ibid., 8.


Alvin Spivak to David Ginsburg, undated, Kerner Commission records, series 46 box 5, folder “mass media,” LBJ Library.


Ibid., 3-4.

Ibid., 4-5.

Ibid., 5.

Ibid.

Ibid.
Chapter 6 – News Media Conference Gets to Heart of the Matter

A group of high-powered media representatives

On the morning of November 12, 1967, at the news media conference sponsored by the Kerner Commission, Otto Kerner rose to address the participants. It was a Sunday, the “Lord’s Day” as he would later refer to it, two days after he greeted the other sixty-three people who participated by saying the event was “off the record.” It was an odd stipulation since close to half of those in attendance were reporters, editors or media executives dedicated to reporting the actions of government, not keeping them quiet. The participants, representing some of the most influential people in the newspaper, magazine and television industry, recognized this was no ordinary time. The nation’s cities had exploded in violence during the past three summers, and the public was demanding the federal government do something about it. No institution, not even the news media, was above criticism when it came to blame for why urban blacks were tearing apart American cities.

Before he made his Sunday morning remarks, Kerner had sat through a full day of roundtable discussions with the members of the media in hopes of finding some contrition, some soul searching or some sign that the media would in some small way admit they were part of the problem. He got none, so after going to bed early Saturday night and after eating his Sunday breakfast, he let the members of the news media have it: “I’ve come here, and I’ve heard that all’s right with the world,” he said. “The media have nothing to do with suggesting these things, and I believe this at your level, but I wonder whether you really know what’s going on at the grass roots level. I’ve enjoyed meeting
all of you, and frankly what I’ve heard here thus far, to me, I think belongs on the society pages of a nice tea-party story.\textsuperscript{1}

Kerner accused the news media of living in an ivory tower and being unaware of what was happening in the nation’s riot-torn cities. He wanted them to recognize they were partly to blame for the urban violence. “I know it’s the Lord’s Day, but all hell broke loose in Detroit on the Lord’s Day not too long ago,” he said, referring to the fact that the Detroit riot started on a Sunday morning. He warned the newsmen that they needed to help remove this “terrible cancer that we have growing” on American society,\textsuperscript{2} and he wanted them to admit they had to change the practices employed by their subordinates. The news media were, in his eyes, partially culpable for the violence and destruction raining down on American cities. It was the climactic moment in the conference.

The participants took notice. This was a crowd more familiar with criticizing those in powerful positions, not the other way around. These were the heads of television news networks, editors of the nation’s largest newspapers and some of the leading journalists of the time. This group had the power in its hands to make fundamental changes in the way that the news media operated. These were the people whom the commission had brought together in a bucolic setting in a corporate retreat center owned by IBM in Poughkeepsie, New York, knowing this was how to get the media’s attention. The conference was the key piece of news media research that the commission conducted.

Abram Chayes, the Harvard law school professor hired by the commission, proposed the conference as one of the original seven elements of the news media
research, and he made the arrangements and set up the conference. He set two goals for it, both of which were accomplished on the weekend of November 10-12. The first was to bring together news media representatives from television and print to discuss the issue of riot coverage and race relations in a relaxed, informal atmosphere. Since there were representatives from different cities in different parts of the country, the idea was to get them talking and coming to a consensus on how to improve media performance.³

The second goal was to have the news media representatives discuss issues with the commission members in an atmosphere “free of the suspicion and hostility that might otherwise surround this kind of investigation.” If the media were called before the commission during a typical hearing, the result would likely have been a defensive attitude on the media’s part. Having the event outside of Washington, D.C., also helped accomplish this goal. “In this way, we think a free and more candid exchange can take place. The commission and staff, for their part, will have a chance to appraise the outlook and problems of the media in race relations and riot coverage with the men who do the reporting and make the editorial decisions,” Chayes said.⁴

The commission agreed with Chayes’ original proposal to keep the number of participants to a minimum in order to foster a collegial atmosphere of discussion and consensus. The original goal was to keep the number to only forty people, but by the time commission members and staff were added the number topped sixty. Commission Executive Director David Ginsburg said those invited were selected “with the advice of several persons with expert knowledge of the media” and after consultation with Kerner. “We’ve managed to fit in a pretty good cross section of editorial viewpoint interests, geographic areas and publication sizes,” Ginsburg said about the invitation list.⁵
decision about who to invite would be something that Kerner would criticize during the
conference even though according to Ginsburg he approved the list.

The conference attracted some of the highest-powered people in the media. Present that weekend was Richard Salant, president of CBS News, one of the longest serving and most highly respected leaders in television news. His work with CBS included creating the first thirty-minute evening newscast, giving Walter Cronkite his anchor chair and initiating the start of “60 Minutes.” In November 1967, Salant had CBS News as the number one television news network, a title it would not relinquish for another twenty years. Also there was Elmer Lower, president of ABC News, who would be credited with hiring some of the top names in broadcast journalism including Peter Jennings, Frank Reynolds, Ted Koppel and Sam Donaldson. He would go on to become dean of the School of Journalism at the University of Missouri. The head of NBC news, Reuven Frank, was there as well.

Representing the print media were people such as Thomas Johnson of the New York Times, the first black reporter on a major daily to serve as a foreign correspondent. He was most noted for a series of articles that he wrote for the Times about black soldiers in Vietnam that garnered him a Pulitzer Prize nomination. There also was Thomas Griffith, senior editor at Time, who was called the most powerful editor ever at the magazine. In his thirty-year career, he became Henry Luce’s most trusted advisor and the liberal voice in the magazine. Also there was Ben W. Gilbert, who at the time was assistant managing editor at the Washington Post. He would later write 10 Blocks from the White House, a book about the Washington, D.C., riots in 1968.
Not to be outdone by their media counterparts, there was an impressive group of academics and government officials as well. Making one of the presentations was Ben Bagdikian, who at the time was with the Rand Corporation but who would become one of the nation’s leading media critics. He would write *The Media Monopoly*, a book that took a critical look at the consolidation of media power. Attending was Nicholas Johnson, the maverick FCC commissioner who would write *How to Talk Back to Your Television Set* and then, as a reward for his outspokenness, get his face on the cover of *Rolling Stone*. Roger Wilkins, who was director of the U.S. Justice Department’s Community Relations Service, attended as a representative for President Lyndon Johnson’s administration. Wilkins, who was the nephew of commission member Roy Wilkins, would later join the editorial staff of the *Washington Post* and help the newspaper win the Pulitzer Prize for its Watergate coverage.

Of the eleven commission members, seven attended the conference, including the four who had the most influence on the media chapter. They were Kerner, John Lindsay, Katherine Peden and Wilkins. The other three who attended were I.W. Abel, Herbert Jenkins and Charles Thornton. Chayes attended as well along with his research assistant, Bruce Paisner, information director Alvin Spivak and Ginsburg.¹⁰

At the conference, Chayes gave the participants some preliminary research on the news media, and the Simulmatics Corporation provided a preliminary content analysis of media coverage. Also, Robert Smith of *Newsday*, who had been hired to do the interviews with media representatives about how they covered rioting, presented his final report. Some information from the city studies on media misconduct was prepared for the conference participants, and a preliminary survey of the previous literature produced by
Harvard law school graduate student Marvin Milbauer was presented to the participants.\(^{11}\)

**Kerner sets the tone of frank, open discussion**

In his opening remarks on Friday evening, Kerner outlined to the group his expectations for the weekend. He said a transcript would be made of the conference but all comments would be off the record, meaning none of the media would be allowed to report directly on what happened. He said the commission felt “there can be freer and franker give and take under this format.” He also told the participants that the commission was open to all ideas, and the conference’s goal was to look for facts rather than pass judgments. “That is why we are here tonight and this weekend,” he said.\(^{12}\)

While there was an impressive group at the conference, not all members of the media were comfortable with the idea of a government agency calling on the news media to conduct an “off the record” conference. Spivak said the *New York Times* refused to participate but sent a reporter to snoop around anyway, which Spivak said he found particularly galling.\(^{13}\) There was no evidence that the reporter got much information because the only article that appeared in the *Times* about the conference was a four-paragraph brief on the final day of the event that stated the commission met with news media members, and the panel discussions were closed to the public.\(^{14}\)

*New York Times* reporter Johnson attended as a speaker, but he made it clear during the conference that he was representing only himself, not his employer. The management at the *Times* declined to participate because it felt “they were doing all right
and did not have to talk about it,” according to Times reporter Gene Roberts in a memorandum written by Spivak three weeks before the conference.\textsuperscript{15}

Some in the news media believed a conference sponsored and paid for by a government commission was a violation of the First Amendment. Paisner said it was not easy getting people from the news media to participate, and he said there was resistance to attending on constitutional grounds. “They were kind of outraged at the whole concept,” he said. Thus, it took some arm-twisting on the part of Chayes and Ginsburg and President Johnson just to get the news executives to attend. The commission convinced the participants to come by saying, “this was the greatest domestic crisis the country had faced since the Civil War, . . . and everyone had an obligation to help us understand what the issues seemed to be,” Paisner said.\textsuperscript{16}

Getting the Washington Post to participate was not easy either. The memorandum from Spivak suggested that Ginsburg should call Executive Editor Ben Bradlee or Publisher Katherine Graham to “get them in line,” which must have happened because Gilbert attended as the Post’s representative. The paper wrote nothing about the conference, and the only reference to it appeared more than four months later. Gilbert wrote a story for the Washington Post about the news media criticism but only after the entire report was released in March 1968, and he mentioned the conference only in the tenth paragraph of the article.\textsuperscript{17}

There was some limited coverage of the conference prior to the event, even though for the most part news about the conference and the participants was kept private. Three weeks before the start of the conference, the New York Times completed an article previewing the event, but it made no mention of that newspaper’s refusal to send a
representative. The article quoted Spivak as saying the goal of the conference was to “have newspapers and radio and television people sit around a table and go back and forth with each other while representatives of the commission observe.” It also outlined the agenda for the conference. Two weeks before the conference, Editor and Publisher previewed the event as well in an eleven-paragraph article based mostly on the invitations sent to media representatives. It also quoted Spivak outlining the purpose of the conference and assuring the public that “every effort is going to be made to see that no problems are raised in connection with the First Amendment.”

Several newspaper editorials appeared a few days before the start of the event, and they supported the idea of conducting the conference. One such editorial that appeared in the Lebanon, New Hampshire, Valley News encouraged the commission to come up with a solution to the difficult question of how to report the news of rioting without fanning the flames of violence. It concluded: “The question of how much coverage, and when to report it are sticky ones. And certainly the answers won’t please all sides. But they must be found if the news media are to do their proper task of reporting the news – and not making it.” The editorials said nothing about who would attend the conference or the precise issues that would be discussed.

Kerner and the commission staff were not oblivious to the fact that this was a sensitive issue for the news media, which is why the commission wanted it kept out of the news media reports. He realized as soon as he or the commission members began to be critical, the news media members would hide behind the First Amendment. So, in his opening remarks Friday evening, he went to great pains to point out that the “commission is well aware of the sanctity of the First Amendment, and the commission’s members
have neither the desire, intention or power to transgress against it. No one is suggesting government censorship or controls.”

Kerner told the group that the commission members were there to listen and gather facts, not to pass judgment on the conduct of the media although that was exactly what Kerner did on Sunday morning and what the commission did when it released its report five months later. Preserving the sanctity of the First Amendment was an issue for the media even prior to the start of the conference. Both the New York Times and Editor and Publisher articles previewing the conference noted the news media’s concerns that such a conference came close to infringing on press freedom.

In his opening remarks, however, Kerner made it clear there was legitimate reason to criticize the news media and its riot coverage. While avoiding specific instances, he cited the poor behavior of some members of the news media. He said some television reporters had staged riot scenes, coverage of riots in Detroit and Newark caused rioting to spread to other cities and serious questions had been raised about the riot coverage in the news media. He said the commission wanted to know if the news media coverage caused riots to spread, whether it was avoidable and what mistakes the news media made. He also wanted to know what the news media had done to improve and whether the news media could inform the public while avoiding adding fuel to the riot fires.

Jack Rosenthal, a consultant for the commission who attended the conference, said the key issue was how the government could convince the news media to show restraint in a nation with a free press. “The theory of this conference in Poughkeepsie was to explain to the assembled media barons just how incendiary the effect was and see if they couldn’t agree on some voluntary guidelines,” he said. Thus, the goal was to
convince the news media to make voluntary concessions rather than have the government impose mandates to bring about restraint.

The title for the Saturday sessions was “Media in the Riot City” and for the Sunday sessions it was “Effective Continuing Coverage of Urban and Racial News,” both of which did not give the participants much of an idea about what to expect. Yet the agenda for the weekend was much more detailed. On the first day, which was Friday, participants arrived in the evening and there was little substance other than Kerner’s opening remarks. A reception at the Poughkeepsie Golf and Country Club was followed by dinner at The Homestead, which was the name of the IBM corporate retreat center. The substantive work began on Saturday morning, and the format for the next two days was a series of roundtable discussions about pre-selected topics. Prior to the start of each session someone presented opening remarks or presented a paper on the assigned topic. After that, it was a free-for-all with members openly discussing the issues and at times diverging wildly from the stated topic.

The Saturday topics included suggestions on how to improve communication between media and law enforcement and whether the media should enact self-imposed restraints on riot reporting. Also tackled on Saturday were the issues of how to employ media personnel to cover a riot and the difficult decision of whether to report the actions of rioters, which glorified those involved and perhaps encouraged more rioting. The Sunday topics went to the bigger issues of why the mainstream media had been ignoring the black community for decades. The topics included how to effectively cover the black community, which raised the issue of the need to hire more black reporters, and whether the media had a role in helping to mediate the racial divide. Also on the agenda for
Sunday were the issues of why the mainstream media had trouble covering everyday issues in the black community and focused on the black community only when there was strife.  

Contentious issues discussed, debated

The initial roundtable discussions on Saturday were divided up with the broadcast representatives meeting separately from the print representatives. On Sunday, the broadcast and print groups met together, and that is when Kerner made his remarks about the previous session being more of a “tea-party.” He admitted he had not heard all of the discussion from Saturday, but he said he had heard enough to know the media were dancing around some of the key issues instead of addressing them head on.

The transcripts from Saturday indicated some of the participants felt defensive about their role. Joseph Shoquist, managing editor of the Milwaukee Journal, took offense at the criticism that the mainstream media were ignoring the black community. He said the increased coverage of the black community would mean more reporting about what he called the “bad Negro, because the bad Negro is part of the Negro story.” He said no matter what the media did, they were criticized from all sides: “Nobody ever thinks the press does quite right because most everybody has prejudice, and I say that in a well-meaning sense; but they have an emotional feeling about it, and we’re sort of caught in the middle on this thing, and I think that we can only do what we best know how to do and that is to report the truth.”

The issue of whether the news media should “play down” violence when reporting on riots rankled some participants. One of the issues outlined by Kerner on the
opening day indicated he wanted discussion to focus on restraint of the press in reporting violence and racial tension. In one of the Saturday sessions, Edward O. Guthman of the Los Angeles Times admitted that prior to the deadly Watts riot in the summer of 1965, his newspaper avoided writing about sensitive racial issues. “Our underlying philosophy was not to stir things up, and we were wrong. We recognized we were wrong. And I might point out, too, that when the violence first flared on August 11, 1965, [the date of the Watts riots] we played that down, and to a large extent, so did the other media, and it did not prevent much greater violence occurring the next night,” he said.27

Other media representatives also reacted negatively to the suggestion that the media play down violence at the request of authorities. That was a serious issue in several riot cities where the media were accused of stoking the violence by giving it maximum coverage. Time magazine’s Griffith said the media should never be told by government to play down stories or not to cover stories. He said the independence of the free press was at stake, and the public was not served when the media “play God.” He said the media had a duty to report what was happening: “I don’t believe in the kind of paper that just goes out after the good news, to accent the bad. This ‘accent the positive’ type of editing, and today’s chuckle on the front page, I find that kind of mentality as a sort of spurious boosterism, which the reader sniffs immediately.”28

Kerner’s opening remarks Sunday morning set the tone for what would be the most open discussions of the conference. By then, the participants were not mincing words. At one point, Bagdikian artfully made the case the mainstream media were failing to report on the conditions of black Americans for fear of upsetting their business owners, who had an interest in keeping blacks in the ghetto. Shoquist denied there was such
business pressure but admitted there were pressures from readers. He said every
newspaper editor who had tried to cover the black community had heard the complaint
that, “We’ve become a nigger newspaper,’ and that sort of thing.”29

Minutes later, a disagreement erupted between FCC Commissioner Johnson and
Harry Montgomery of the Associated Press over how much power the media had to shape
public opinion. Johnson said, “What I am saying is that the most powerful people in the
country today are . . . at this particular gathering, those of you who are making judgments
day by day . . . as to what tens of millions of Americans are going to watch on the
network news every evening and what millions of Americans are going to read in their
newspapers.” Montgomery took issue with that, saying, “Mr. Johnson. This isn’t a nation
of sheep.” Johnson retorted, “It’s a nation of informed [sic].”30

Other disagreements surfaced about the accusations that the mainstream media
were making only token efforts to hire blacks. New York Times Reporter Johnson
criticized the media’s claim that there were no qualified black journalists to hire and said
the media deliberately were trying to avoid diversifying their ranks. Salant denied it, and
said Johnson was oversimplifying the problem: “His last statement that nobody has said
this is what we want. This is what we want to do. This hasn’t happened. He’s wrong.”
Johnson retorted, “Could you tell me specifically where and when?” Salant replied, “No.
But it did happen.”31 That exchange later prompted Howard B. Woods, editor-in-chief of
the Chicago Defender, a black newspaper, to say blacks did not feel welcome in the
white media. He then made the offer to “any of you white newspapers who are looking
for white reporters, and you do not necessarily want any Negro reporters, you might send
them down to us in Chicago.”32
From Kerner’s perspective, it was the broadcast representatives who made a greater effort to answer the basic questions, and it was the print representatives who failed to admit error. At one point during the Sunday session, he said the broadcast representatives offered a “more frequent confession of error” while in the newspaper sessions it seemed all was “perfection.” It was why he said more was accomplished in the Sunday session when both groups met jointly and discussed issues because the competition between the print and broadcast media made the Sunday discussion more productive.33

The conference at times diverged into discussion of what seemed like minor issues but became important parts of the commission’s report. At one point, a disagreement ensued over whether the media should refrain from using the word “riot.” During that discussion, one participant argued with Richard Baker, dean of the Columbia School of Journalism, about the dictionary definition of the word “riot.” Baker retorted: “If a kid breaks a window, I would hardly think that it warrants being called as a riot.” The response was, “Webster says any, three or more people assembled for a common cause [and] revolts, it makes up a riot.”34 The media chapter criticized the media for exaggerating the scope and tenor of the violence, and one of the ways that happened was by media characterizing minor vandalism as a riot scene.

Curtis MacDougall, a journalism professor at Northwestern, said Kerner and the commission invited the wrong people. He said Kerner was right in being “disappointed and frustrated with this crowd,” and he suggested Kerner should conduct another conference and invite neighborhood, community, suburban and black newspapers to discuss the same issues because those are the media members who were making changes.
McDougall said that it was in those newspapers where the people were getting their news, but those newspapers were just following the major metropolitan papers in failing to cover the issues in the black community.35

During the conference, Kerner offered insight into why he had such harsh words of criticism for the media. He had a lot on his mind, and getting the Kerner Report finished was just one of his concerns. At one point during the Sunday session, he noted what must have been weighing on his mind. The nation had four straight summers of urban violence and his hometown of Chicago was not immune. He knew the next summer would certainly test his leadership abilities, especially since the Democratic National Convention would be conducted in Chicago. During the conference, Kerner told a story about a television interview that he had done the previous week in Granite City, Illinois, at the dedication of a new steel mill. He said he was asked nothing about the steel mill but a lot about how he was going to contain the expected disturbances at next summer’s Democratic convention. Kerner said: “Well, my blood pressure did go up a little bit more, and I tried to control myself and not use four letter words.” He said this was an instance where the media “at the grass roots level were suggesting violence in the future, really suggesting it and almost seeding it.”36 History would show the question was prophetic: The 1968 Democratic Convention in Chicago erupted in violence that led to more than 500 arrests and more than 200 injured.

At the end of Sunday, Kerner told the group that he believed his tirade at the start of the day had made the session more productive than the previous day. But he was not prepared to let the media professionals leave on anything close to a compliment. He summed up the conference, saying that bringing the two groups together on Sunday was a
good idea because it generated genuine discussion and disagreement. He told the
conferees not to forget that they had serious power over public opinion. In a parting shot,
he could not resist chiding the members one more time saying, “At this time I say I’m
sorry we made the mistake of [bringing] the top people instead of the people on the
bottom.”

Kerner’s final words to the group were thanks for spending the weekend, and he
concluded “if any thoughts occur to you after you leave, the books are not closed, and
we’d appreciate hearing from you.” But the truth was that the commission would hear
almost nothing from the group again. It meant that the criticism contained in the final
version of the report was mostly those ideas gathered from the weekend conference in
Poughkeepsie. So, when he gave his parting thanks to the group, that was virtually all the
commission would hear from the news media before writing the media chapter.

Conference became key piece of research

The conference was the centerpiece of the research and the most significant thing
that the commission did in preparation to writing the news media chapter, said Paisner.
Others agreed, saying the conference was historic as well. Even though such issues had
been discussed in the past, the conference was the first effort that resulted in bringing
together people who had the power to make significant changes. Paisner said he believed
the conference was the first time that news media executives understood the criticism
being leveled against them:

It was enormously successful. It was very cordial, very honest. Again, with the
benefit of forty years of hindsight, where these issues have now been discussed
over and over again, it’s a little hard to remember that before that conference, they
had hardly ever been discussed. People from black and Puerto Rican communities simply had never sat down around a conference table with important people from the journalistic establishments and talked about what bothered them. Even now I remember a sense of wonderment on the part of a lot of these journalists, media executives, too. It was [an attitude of]: “I never thought about it that way. I see what’s bothering you guys. I see your point.” 39

Another participant at the conference remembered how successful it had been.

Rosenthal said the conference began with media executives on the defensive, but after the first day of feeling as if they were being attacked, the news media executives recognized and acknowledged their role. “After a round of ritualistic denunciation of any government interference, then people got down to being sensible,” Rosenthal said. The major question discussed at the conference was should the government compel the media to act responsibly in covering the news. The most contentious issue was whether the news media should embargo and forgo the reporting of rioting for the sake of keeping order. “The question was: How could you in a country with a free press order the press not to cover the news? You can’t quarantine TV cameras. How did you control that? How do you keep the incendiary effect of that happening?,” Rosenthal said. 40

Michael Lipsky and David J. Olsen, the two authors who studied the operations of the commission, described the conference as “somewhat rancorous” because of the news media’s reluctance to admit it had a role in exacerbating the violence. Yet they agreed the major themes contained in the news media chapter emerged from the conference. 41

Another participant disagreed with the word “rancorous,” which he said overstated the news media executives’ objections to government interference, but he agreed it was significant. Spivak called the conference more of a “lively exchange.” He agreed there were disputes about the government’s role in telling the news media how to operate, but
he said overall the discussion was friendly. He said commission members and academics posed pointed questions to the news media executives, but it was done in the spirit of needing to come to some conclusions for the betterment of the nation.\textsuperscript{42}

A similar assessment came from Gilbert, who mentioned the conference in an article for the \textit{Bulletin of the American Society of Newspaper Editors} in January 1968. The article was one of the few pieces ever written about what happened at the conference. Noting that the commission had met with news media representatives the previous fall, he summed up the sentiment at the conference saying, “Government officials, riot commission members and representatives of private do-good organizations feel that we [the media] are doing a lousy job.” His other impression of the conference was that he was shocked by the confession of newspaper editors who said, “they couldn’t be depended upon to reach the Negro community.” He also mentioned that at the conference one black reporter told the commission that the worst thing the news media did to the black community was to ignore it.\textsuperscript{43}

The importance of the conference in shaping the news media chapter was not, however, reflected much in the Kerner Report. While the conference was mentioned at the start of the news media chapter as one of the pieces of research conducted by the commission, it received only two mentions later in the chapter. The first started with a quotation from an unidentified newspaper editor who attended the conference. The quotation made a powerful point that the news media members recognized their errors in reporting about riots. The unidentified newspaper editor said, “We used things in our leads and headlines I wish we could have back now, because they were wrong and bad mistakes.” The editor continued saying the newspaper used the terms “sniper kings” and
“nests of snipers” to describe the actions of rioters. Yet when reporters were able to get into the riot areas they found out that the shooting was not coming from rioters but police shooting indiscriminately often at each other, the editor said. It was a candid admission that the news media failed to accurately cover the rioting, and it came from the discussion at the news media conference.

The second mention about the conference in the media chapter concerned comments from the television executives about riot coverage. The media chapter mentioned that they recognized that they needed to edit film from riot coverage rather than let it air live to ensure that the scenes did not exacerbate violence. Also, the television executives mentioned specifically that they, too, had concerns about live helicopter coverage of the 1965 Watts riots, and decisions to cover rioting on live television were to be limited due to concerns that it exacerbated violence. But for the most part, readers of Chapter 15 did not recognize how significant the media conference was in shaping the themes in the report.

While there was no consensus on a code of conduct for the news media, the conference was successful in deriving the themes that would appear in the commission’s media chapter. It was a significant event even if the Kerner Report had never been written. The commission held the power over the American media that few would ever possess because it had gathered the top people in the media together in one place and forced them to discuss issues that the nation needed to discuss. The commission brought them together to answer the question of whether the media were partly to blame for the rioting that had torn apart American cities. After three days, Kerner and the commission
heard nothing to dissuade them in the belief that the media were partly to blame, and the
media members left the conference feeling the same way.

Forty years after the conference, there has been little substantive reporting of what
happened in Poughkeepsie on that weekend. But it is relevant today even though many of
those at the conference have died. The issues discussed in Poughkeepsie such as the
media coverage of race, violence and urban issues are still being debated and discussed as
was evidenced by the updated Kerner Report released in March 2008.

The success of the conference, however, was due to the other research the
commission had conducted as well. At the conference, a preliminary content analysis was
presented along with other major research. While the conference set the tone for the
general themes presented in the report, the other pieces of research provided the data
needed to bolster the points made in the chapter. The most controversial piece of research
was the content analysis, which was an exhaustive look at how the news media covered
the rioting. Despite its thoroughness, the content analysis was criticized, and it failed to
provide the answers that the authors of the media chapter were seeking. Yet the content
analysis was referred to prominently in the media chapter, much more so than the news
media conference.
Notes

1 Transcript of the News Media Seminar “Combined Television and Newspapers” 1st half – November 12, 1967, Kerner Commission records, Series 12, Box 1, LBJ Library, Austin, Texas, 4.
2 Ibid., 5.
4 Ibid.
6 See Appendix A for a list of conference participants.
11 Abram Chayes to David Ginsburg and Victor Palmieri, October 13, 1967, Kerner Commission records series 46, box 5, folder “Mass Media,” LBJ Library, 3; see also Abram Chayes to commission members, November 10, 1967, Otto Kerner Papers, box 1392, folder “official correspondence, Abraham Lincoln Presidential Library.”
13 Interview, Alvin Spivak, January 24, 2007.
15 Letter from Al Spivak to David Ginsburg, October 25, 1967, Kerner Commission records, Series 39, Box 3, folder “Correspondence,” LBJ Library.
16 Interview, Bruce Paisner, January 7, 2008.
20 Editorials, November 1967, Kerner Commission records, series 15, box 1, folder “Newspaper clippings related to commission,” LBJ Library.
22 “Newsmen to Meet with Riot Panel;” see also “National Riots Study Group Calls Media Meet.”
24 See Appendix B for the conference’s complete agenda.
26 Transcript of the News Media Seminar, November 11, 1967, Kerner Commission records, Series 12, Box 1, LBJ Library.
27 Transcript of the News Media Seminar, November 10, 1967, Kerner Commission records, series 12, box 1, LBJ Library.
28 Kerner Commission records, series 12, box 1, folder “Media Conference Transcript Poughkeepsie, New York,” LBJ Library.
29 Transcript of the News Media Seminar “Combined Television and Newspapers” 1st half – November 12, 1967, Kerner Commission records, Series 12, Box 1, LBJ Library, 46.
30 Ibid., 54.
31 Ibid., 22.
32 Ibid., 23.
33 Transcript of the News Media Seminar “Combined Television and Newspapers” 2nd half – November 12, 1967, Kerner Commission records, Series 12, Box 1, LBJ Library, 41.
34 Ibid., 8.
36 Ibid., 3-4.
37 Ibid., 43.
38 Ibid., 43.
39 Interview, Bruce Paisner, January 7, 2008.
42 Interview, Alvin Spivak, January 24, 2007.
Chapter 7 – Simulmatics Produces A Contradictory Analysis

A firm with military connections, computer savvy

The Simulmatics Corporation was in the news in 1967, but not for its analysis of riot coverage for the Kerner Commission. Instead, it was a leading firm doing research for the Pentagon, trying to figure out how to get the Vietnamese to become more like Americans and to cooperate with the United States instead of resisting. In 1966 the firm had completed a forty-page document, “Observations on the Psychodynamic Structures in Vietnamese Personality.” Company researchers completed interviews over a period of seven weeks with a Vietnamese student activist, a Buddhist monk, a Vietcong terrorist (who was interviewed while in prison) and one of Vietnam’s best-known intellectuals. The company concluded the Vietnamese viewed themselves as children who seldom thought about cause and effect and rarely viewed the world in terms of good or evil.1 The company’s research highlighted how Americans and Vietnamese had polar opposite views of the world, and it would be difficult to get Vietnamese to think more like Americans.

As a result of Simulmatics’ military research, the Pentagon proposed ways in the summer of 1967 to turn around the Vietnamese attitudes. One of the more ingenious proposals was to air drop radios in the Vietnamese countryside as part of the war effort. The radios were to be cheap and durable and tuned to a single channel, Radio Saigon. The idea was to reach illiterate Vietnamese, who presumably would be so intrigued that they would listen to the broadcasts night and day and then be convinced Americans were their friends. In a Washington Post article about the radio drop idea, it was reported
General William Westmoreland specifically asked Simulmatics to look into psychological warfare efforts for the Pentagon.\(^2\)

The company’s work for the Kerner Commission, however, did not get that kind of national media attention. But the company’s defense department work showed that it was well connected with the Lyndon Johnson administration, and the hiring of Simulmatics highlighted the connection between the military and the commission research. In her book, *The Romance of American Psychology*, Ellen Herman noted the commission used research developed for the military in the 1950s and 1960s that examined the psychology of crowds, revolutionaries and rioters. She noted there was a connection between the psychology of insurgents in foreign lands and urban rioters in America. The commission members believed the military had the most direct experience in dealing with issues such as rioting so it made sense that the commission hired Simulmatics because of its work in Vietnam. The firm was headed by Ithiel de Sola Pool of the Massachusetts Institute of Technology, a vocal figure in military behavioral science.\(^3\)

In the 1960s, Simulmatics, which was on the leading edge of social science research, was known for focusing on the development of sensitive and efficient methods of analyzing data with computers. For the Kerner Commission, the firm was hired to do a content analysis, which was a kind of research used to analyze the written or the spoken word. Researchers read copy or listened to broadcasts, converted what they read or heard into numbers and then put the numbers into a computer for analysis. The company also developed a way for computers to categorize and analyze words directly without requiring researchers to do the counting.\(^4\) At the time, the use of computers to do research
into public policy issues was new, and hiring a company that used computers for this new
type of research lent an air of credibility to the commission’s work.

Acting at the recommendation of Harvard law professor Abram Chayes, Kerner
Commission Executive Director David Ginsburg approved a $221,000 payment to
Simulmatics to complete the news media content analysis. The firm went to work in
September 1967 and completed a preliminary analysis by November 10, which was in
time for distribution at the news media conference on the weekend of November 11 and
was dated February 1, 1968, but commission staff had access to the results as early as
December. The final analysis, which was forty-eight pages and filled with facts and
charts, answered two questions for the commission: How did television newscasts and
newspaper reports present news coverage of the 1967 riots? and What reaction did
various audiences have to the media and what effect did these audiences believe the news
media had on the riots?

Those two basic questions drove the Simulmatics researchers as they examined
the news coverage. The goal was to use analytical data to determine if the news media
were to blame for causing rioting. To reach that goal, the researchers conducted a content
analysis of local television, network television and newspaper coverage of rioting in
fifteen cities for the summer of 1967. The researchers examined coverage in each of the
cities three days before the outbreak of violence and three days after the violence ended.
The fifteen cities were chosen after consulting commission researchers, who suggested
the firm limit the number of cities due to the time schedule. All of the cities chosen had
riots that past summer, all of them were in the East and many were in the New York City
metropolitan area, which was convenient for the researchers. The cities chosen were: Detroit, Milwaukee, Cincinnati, Dayton, Tampa, Rochester, New Haven and the New Jersey cities of Newark, Plainfield, Elizabeth, Jersey City, East Orange, Paterson, New Brunswick and Englewood.\(^5\)

In each city, the researchers examined each daily newspaper and all network and local television news coverage. The newspapers were collected at a company center in New York City, and the television footage was viewed either at the company center or in the television studio of the station. The researchers coded the content into twenty categories based on what the researchers read or viewed, and then all of the data was put onto punch cards. The cards were read and the data analyzed. The information derived from Detroit, Newark, Cincinnati and Tampa was further compared to come to conclusions about how the media coverage differed in those four cities because they had the most severe rioting that summer.\(^6\)

The content analysis helped answer the first question. To answer the second question, which was about how audiences reacted to the news media riot coverage, the researchers interviewed citizens of riot torn cities, most of whom were black. The researchers went out in three-person teams of two blacks and one white and interviewed people in seven cities – Atlanta, Tampa, Cincinnati, Detroit, Milwaukee, New Haven and Newark. Again, the company stated the cities were chosen to give a geographical and size balance, even though none of them were west of the Mississippi River. The goal was to do interviews in the black neighborhoods and find people hanging out in such places as restaurants, pool halls, grocery stores and street corners. Some were interviewed in their homes and churches as well.\(^7\)
The interviews were open ended. People were asked questions about the fairness of the media, what media did a good job covering news and whether the media helped spread rioting. Others were asked about the amount of media coverage of the rioting and whether they believed the media coverage reflected their version of the events. Some of those interviewed were teenagers, dropouts, the unemployed, church leaders, store owners, community activists and professionals such as doctors and lawyers. There was no set pattern for the interviews; people were simply encouraged to talk about the news media. In total, the researchers interviewed 567 blacks and 191 whites.8

For the most part, the content analysis showed: the coverage tended to be factual and relatively calm with the media not giving a disproportionate share of coverage to militant black leaders; the media tended to cover law enforcement much more than the grievances of people in the black communities; and overall the coverage was fair. While the content analysis did not absolve the media of all blame, it provided the commission with data to show that television and newspaper coverage of rioting was not the reason rioting spread between cities.9

The interview section of the analysis gave the commission a somewhat different conclusion. Even though the content analysis mostly absolved the news media, the interview section concluded blacks believed the news media exaggerated the violence and never told the true story of the cause of the rioting. The interviewees also believed the news media’s poor performance had prolonged and intensified the violence even though the content analysis offered a different conclusion.10 So, the analysis offered the commission lots of data for the media chapter even if it offered conflicting answers to the central question of whether the media were to blame.

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Content analysis gives media good marks

The content analysis was divided into two sections with the first being an analysis of local and national television coverage. The researchers examined 955 television sequences in the fifteen cities. (153 were from network broadcasts and 802 from local stations). The city with the most network television sequences of rioting was Newark, which is only about 10 miles from the New York City headquarters of the major networks. Of the 153 network television sequences, 77 were from Newark. The city’s proximity was an indication of why it received so much network coverage and why that city’s riot became the first one covered as a national news story. The city that had the most local television sequences of rioting was Detroit. Of the 802 local television sequences, 212 were from Detroit, which was a reflection of the intensity and duration of the rioting in that city, which lasted for five days.11

A sequence was defined as any unbroken span of film time devoted to rioting or racial news. In each sequence, all of the scenes were analyzed to determine who the actors were and what actions took place.12 Then, the actors were divided into one of twelve categories that included determining whether people were black or white, an adult or a teenager or child and a member of the police, the Army, the National Guard or a public official. The actions were divided into eight categories, which were specifically defined, and one of the criticisms of the report was the narrow definition of a “riot action” (footage of sniping, looting, setting fires or some other violent act). Film of someone being arrested for rioting was not called a “riot action,” and instead was classified as “control and containment.” That decision meant the analysis would lead to the conclusion that television did not show much rioting but a lot of control and
containment. The other kinds of actions were scenes of aftermath, interviews, people who were arrested, conciliation, peaceful demonstrations and people who were injured or killed.\textsuperscript{13}

The conclusion for television was that its riot coverage was mostly calm and factual rather than emotional or inflammatory; there were twice as many calm sequences as emotional ones. Another major conclusion was that television emphasized the aftermath of rioting rather than scenes of rioting. The report on the television analysis concluded, “Overall, both network and local television coverage suggests the operation of a conscious editorial policy of caution and restraint.” Of all of the footage examined by the researchers, 75 percent was devoted to the aftermath of the rioting or other normal activities. Just 4.8 percent showed riot actions, which led to the conclusion by the researchers that television did not show much violence.\textsuperscript{14}

Yet television was not totally without blame in the content analysis. The coverage tended to depict the violence as events addressed by law enforcement rather than as expressions of “underlying grievances and tensions.” The high number of television scenes of police, National Guard and Army troops demonstrated this. There were few scenes of blacks being oppressed or images that portrayed the reasons that blacks turned to violence. This contributed, the analysis said, to the public perception that the riots were battles between blacks and whites. While the analysis did not conclude television reporters attempted to convey the scenes as racial confrontations, the images left that impression with viewers. Using the categories for actors, the analysis concluded television viewers saw a three-way alignment of people: blacks against white law enforcement officials with other whites as innocent bystanders. This left the impression

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with viewers that the riots were a racial confrontation requiring public control rather than a response to years of oppression and poverty.\textsuperscript{15}

The analysis also examined the amount of television coverage on each day of the rioting. It noted the coverage always peaked on the day following the outbreak of violence, even if the violence worsened in later days, and as riots progressed, there was a sharp decline in coverage. The lone exception was Detroit, where coverage increased on subsequent days. This finding reflected the fact that in Detroit the news media held off reporting on the violence on the first day out of sensitivity to the criticism that the coverage only increased the violence. Also, it highlighted how the violence in Detroit was the most persistent and intense in any of the cities. Nevertheless, the finding that coverage decreased after the first day in all of the other cities indicated to the researchers that there was no link between the amount of television coverage of a riot and the scale of rioting. The finding gave strong credence to the fact that the television cameras did not make the rioting worse, and rioters were not simply responding to the coverage.\textsuperscript{16}

Another relevant finding of the television analysis was that black leaders considered moderate were more than twice as often featured during riot coverage as were radical black leaders. The researchers divided all of the black leaders into the categories of celebrity/public figure, moderate leader and radical leader. The results showed that moderate black leaders were featured 55 percent of the time as compared with celebrities and public figures 24 percent of the time and radical black leaders 21 percent of the time. This debunked the commonly held notion that television gave an inordinate amount of coverage to radical black leaders and thus helped give them a platform to encourage violence.\textsuperscript{17}
As for the newspaper analysis, the researchers collected papers from the fifteen cities and also included some out-of-town newspapers if they had heavy circulation in each city. The researchers examined 3,779 newspaper articles about rioting or related to rioting in the time period. The articles were examined to see where they appeared on the page and how much play rioting articles received compared to other news. Also, the articles’ sources were examined to see if they were local or wire service reports. Finally, the articles were examined to determine if there was a link made between rioting and the conditions that produced rioting. In other words, the researchers wanted to determine if the articles reported the underlying reasons for the rioting, which were such things as poverty, oppression and racism.18

Like the television analysis, the newspaper analysis concluded that the reporting was generally calm and factual instead of emotional or inflammatory. Of all of the articles, more than 16 percent focused on legislation being considered to control rioting and more than 15 percent focused on control and containment of rioting. While there were many articles that focused on riot actions, those stories were reported in a factual way and not written to inflame the situation. Also, there were many articles that dealt with racial news that had nothing to do with rioting. The report concluded, “Newspaper coverage of the disorders suggests the operation of a planful [sic] editorial policy of caution, restraint and balance.” In another compliment to the newspaper coverage, the analysis concluded that unlike television the newspapers gave less of an impression that the riots were a confrontation between blacks and whites.19

The researchers criticized the reporting, however, by concluding that the newspapers tended to characterize the riots as a national problem rather than a local one,
even when rioting was taking place in a newspaper’s hometown. That kind of characterization gave the public the impression that the rioting was part of a national conspiracy spreading from city to city. During riots in a particular city, the local newspapers tended to print many stories dealing with disorders or racial troubles that took place previously or stories dealing with rioting in other cities.

About 60 percent of the newspaper articles were from wire services, indicating an inordinate amount of out-of-town riot reporting. The researchers had assumed all of the stories about riots in a particular city would come from the local staff while stories about riots in other cities would come from wire service reports. In another finding, the researchers concluded an inordinate amount of space was reserved for riot stories from other cities rather than riot stories in the newspapers’ hometowns. This imbalance was one reason for the public perception that rioting was always more severe in other cities rather than in the public’s home city. Another reason for the perception that rioting was worse in other cities was that the newspaper analysis showed each city tended to give almost as much headline coverage or lead story coverage to riots in other cities than it did in its own city.

Another issue was whether the newspapers were inciting violence by making predictions about future rioting and consequently planting the seeds for further violence. The researchers examined a sample of all of the newspaper articles to determine whether the reporting predicted more violence. About two-thirds of the articles made predictions that the potential for more violence was high while less than one quarter of the stories predicted the potential was low. Also, the analysis examined articles for whether they were predicting improved or worsening race relations. Again, the results were the same.
Most of the articles predicted a worsening racial climate. While the finding did not show that newspaper coverage planted the seeds for future violence, it showed the newspaper coverage gave the public the perception that the situation would get worse rather than better. Thus, newspapers were not making an effort overall to ameliorate violence or offer hope to their readers. It supported the criticism that the news media were participating in promoting a “doom and gloom” attitude among the public.22

The final piece of newspaper analysis examined how the newspaper articles described the locations of rioting. The articles seldom noted the riot-torn neighborhoods were in a black area of a city. The finding was a confirmation that the newspaper coverage lacked the context that was needed to explain the root causes of the trouble to the public. Since the rioting was seldom identified as happening in the poverty-stricken areas of the cities, the perception was all blacks were rising up rather than just disaffected blacks who were segregated in poor parts of the cities.23

**Interviews tell a different story**

When Simulmatics researchers conducted the interview portion of the analysis, the goals were to find out how citizens of black neighborhoods communicated with each other and how they perceived the news media. If the news media were pleased with the conclusions of the content analysis section, those in the interview section were sobering. The interview section concluded black citizens did not pay attention to television and newspapers, and those who did had a negative opinion of them. They believed they were not telling the true story of life in poor black neighborhoods and were part of the power structure bent on oppressing people.
Of those interviewed, almost 80 percent said they initially heard about the rioting from others and not the news media, and those who heard about the rioting from the news media said they got their initial information from television and radio. One of the later criticisms of the analysis was that it ignored the impact that radio had on the black community. To highlight how the citizens mostly ignored newspapers, the researchers noted that in Newark’s central ward, an area of twenty-two blocks, only one newsstand was found. No newsstands were found in the black areas of Tampa or Atlanta. Thus, much of the criticism by blacks of the news media focused on television because they mostly ignored newspaper coverage. 24

Another sobering conclusion for the news media was that there was a consistent feeling among blacks that local and national media greatly exaggerated the extent of the rioting. Those interviewed believed the news media tended to focus only on issues that were negative to blacks, such as damage done by rioters, looting, the number of people arrested and the presence of guns and weapons. Meanwhile, the media ignored other issues that would have helped explain the causes of the violence. The interviewees also told the researchers that the news media were intentionally sensationalizing the rioting by quoting uninformed sources, whose goal was to widen misunderstanding between blacks and whites. 25

Issues that blacks said the news media ignored were reports of police brutality and deaths inflicted by law enforcement. Instead, the blacks said the news media reported only the deaths blamed on black rioters. Also, the interviewees said efforts by blacks to control the rioting and mediate disputes were ignored by the news media. Blacks also
said they believed the news media acted in conjunction with the authorities and accepted their statements on the causes of the riots.

Network television came under particular criticism by the black interviewees. They said it overplayed and exaggerated the violence while local television reports were more balanced and accurate. The researchers reported “a high degree of hostility toward television among ghetto residents – particularly Negro teenagers – based on what they feel is a pronounced discrepancy between what they saw happening in the riots and what television showed.” Thus, they said television left out major parts of the story when reporting about riots.26 Blacks interviewed, who were witnesses to the rioting, said they saw events never reflected on television, which included false arrests, mistreatment of people by police, use of excessive force (especially by the National Guard in Detroit), attempts by blacks to help the injured and assist law enforcement and the actions of white vigilantes. The interviewees also expressed resentment that other than law enforcement the news media were the only people allowed to roam the streets freely while blacks in neighborhoods were restricted from even attempting to calm the violence.

The blacks claimed the news media, and television in particular, deliberately distorted the pictures of rioting with biased reporting. The analysis said:

Television viewers in the riot areas believe that this medium especially exaggerated the situation. A distorted coverage was said to be broadcast by news commentary saying one thing while the screen projected an entirely different and opposing picture. This device was said to reinforce the anti-Negro slant of the news.27
The interviews with the 141 white citizens in the analysis provided a much different picture. The white citizens said the news media were comprehensive in their coverage. Newspaper, radio and television reports were fair and accurate, they said, and if there was information that the media did not report, it was done only out of concern for public safety. The whites reported preferring the local reports to the network news reports because the latter focused only on the violence and rioting, giving a negative impression of their city. They said the network news also reported rumors while local television did a better job reporting facts and withholding only the information that was not confirmed as true.

The final conclusion of the interview section centered on whether people believed the news media were a catalyst for rioting. While the content analysis came to a different conclusion, the interviews suggested there was a link. The blacks interviewed felt the news media prolonged and intensified the rioting. One black from Milwaukee was quoted as saying, “Watching the riots on television in other cities let us all know what we were going to do when it came here.” Another interviewee said, “When it got hot in this town last summer, the people on television were talking about riots and the kids in this town let go.” Even the blacks who did not directly blame the news media for causing the riots said they believed the news media had created a situation of fear and tension among the white community.28
Simulmatics work criticized

Criticism of Simulmatics’ analysis started even before the final results were given to the commission. The firm’s preliminary analysis, which was released prior to the news media conference, had outlined the general format for the final draft of the analysis. That preliminary analysis came under criticism just as the media chapter was being prepared for the commission. Alvin Spivak, the commission’s director of information, was to be in charge of overseeing Simulmatics’ work, but he felt that he was left out of the process. As a newspaper reporter, he had serious concerns about how the company did its work, which called into question its conclusions. He said because the content analysis was conducted by people outside the news media, it gave the commission an inaccurate picture of the news media coverage.29

Two days before Christmas 1967, Spivak outlined his concerns to Ginsburg. Reacting to the preliminary analysis, Spivak questioned how the researchers conducted the content analysis of the television coverage because they examined only the newsreel footage without taking into consideration the audio portions of the broadcasts. That was a concern because the pictures and the words went together when people watched the news, and deleting the audio gave an inaccurate picture of the television coverage. The researchers eventually addressed his concern about the lack of audio analysis of the television coverage in the final report.30

Another concern for Spivak was that researchers were using the wrong definitions in describing scenes of rioting. He expressed concern that televised scenes of a fire were not classified as a riot action unless someone in the scene was setting the fire. Furthermore, someone running from a fire or footage of a policeman shooting into a
building were not classified as riot actions. Those types of pictures were classified as control and containment scenes. Thus, he was concerned that the analysis used such narrow definitions of rioting that the results failed to reflect the true picture of coverage. He said if the televised narrative described a fire, someone running from a fire or a policeman shooting as the result of rioting, then the perception of the public was that it was a scene of rioting. His criticism explained why the content analysis concluded there were few scenes of rioting shown on television.

A final concern was that the content analysis focused only on television and newspapers. Spivak said Simulmatics was ignoring the impact of radio coverage of rioting, which previous studies had shown was one of the main ways that blacks got information. He said he hoped the final Simulmatics report also would examine radio, but that did not happen. It focused only on television and newspapers. Radio was mentioned only in the interview section of the analysis, which confirmed Spivak was correct. Radio was one of the two main ways that blacks got information during a riot.

Spivak said his concerns expressed to Ginsburg affected the final Simulmatics analysis. His concern resulted in him going to New York to meet with the researchers, where he observed as they completed the analysis. “I had a hell of a battle with them over it. I just felt they didn’t know what the hell they were doing,” he said. He said the commission examined the results of the firm’s analysis, but he encouraged it not to make conclusions based solely on the analysis. About Simulmatics, he said:

Their job was to provide statistics – here’s what was done and by whom. I felt they did not know who the “whom” were. They had some newspapers that didn’t exist anymore. Their depth of knowledge was very shallow, and I just felt they were not knowledgeable enough about what they were doing. Sure, some of what they did was useful. I can’t say it was totally useless.
Spivak said if the commission had solely used the content analysis’s conclusions, then the news media chapter would have been much less critical. The analysis’s conclusions basically absolved the news media from all blame in causing the riots. As a news reporter, he said he recognized the media were part of the problem, as did many in the business at the time. The news media needed to do a better job, and if the commission had taken the results of the content analysis at face value the media chapter would have been too kind to the news media. “I felt that report was not adequate. I felt it had errors in there. I felt some of the statistics could be deceptive,” he said. He was not the only person to question the analysis’s conclusions. Katherine Peden, a commission member, also doubted the results and encouraged the commission to not rely on the analysis to absolve the news media from blame. Spivak said she also had concerns the researchers were not members of the news media, and by using such strict definitions of riot actions the conclusions were not valid.33

As for the interview section of the Simulmatics analysis, Spivak was more complimentary. That section concluded many black citizens felt ignored and alienated by the news media, which was a conclusion that agreed with his own experience. But while the interview section was well done, and the results were fascinating, he said the findings were not much different than what the Kerner Commission’s own researchers had uncovered, and it did not add much to what the commission already knew by December 1967. He said some of the recollections of those interviewed about the riots were “usually fuzzy” and relied sometimes on comments made by children, who he said likely would not have much to say about the news media.34
As the information director, Spivak said it was his job to oversee the Simulmatics work, and he felt he had been left out of the process. In an unrelated concern, he said the commission staff was concerned about the amount of money spent on the Simulmatics contract, an amount that exceeded $200,000; and for that kind of money the results did not do much to help the news media research. Also, he was concerned Simulmatics was delaying in getting the results to the commission, which by late December had decided to issue its complete report in slightly more than two months.35

In the media chapter, however, the results of the Simulmatics analysis were extensively mentioned and used in the press criticism. Yet the name Simulmatics or the questions about its analysis were never mentioned. Readers of the media chapter noticed that information from the content analysis was often referenced, and it was often the basis of many of the media conclusions. The media chapter established the criticism was based on personal observations that the news media overplayed and sensationalized the rioting and then noted the content analysis was conducted to test that theory. The chapter stated the content analysis did not support the belief that the news media overplayed and sensationalized the rioting. It said, “They [the Simulmatics findings] make it clear that the imbalance between actual events and the portrayal of those events in the press and on the air cannot be attributed to solely to sensationalism in reporting and presentation.”36

The media chapter also summarized the methodology used by Simulmatics in detail with the goal of showing the public that it had done a thorough job of examining the news coverage. The chapter then outlined the content conclusions made about the television and the newspaper coverage of rioting. For television, the chapter came to the same conclusions as the Simulmatics report. Coverage was mostly factual and accurate
even if there were instances of the reporting of rumors and misinformation; coverage focused mostly on law enforcement, giving the false impression the riots were battles between whites and blacks; coverage decreased after the first day of violence, combating the idea that coverage intensified rioting; and coverage focused mostly on moderate black leaders, combating the criticism that the media gave an inordinate amount of access to radical black leaders.\textsuperscript{37}

The newspaper content conclusions in the media chapter also mirrored the results in the Simulmatics content analysis, concluding that on balance the papers were calm, factual and restrained. It outlined some of the statistics about how most of the articles examined gave sober accounts of the rioting and were not inflammatory. The content conclusions also concluded, just as the Simulmatics report did, that the newspapers tended to characterize rioting in national terms rather than in local terms. It also outlined how the newspaper editors tended to give prominence to riots outside their home cities rather than riots happening inside their home cities, a conclusion which was drawn directly from the Simulmatics report.\textsuperscript{38}

The interview section of the Simulmatics study was well represented in the media chapter as well. In a section about black reactions to the news media, the conclusions of the interview section were repeated as the conclusions of the commission. This conclusion was blacks believed the news media were hostile to their concerns, and the news media ignored the true cause of the riots. Other examples of black citizen complaints about the news media mentioned in the Simulmatics interviews also made it into the media chapter. Examples included the common complaint by blacks that the news media ignored examples of blacks who helped calm rioting and the failure of the
media to report false arrests by police. While the commission researchers also had other sources for these conclusions, the report basically mirrored the findings of the Simulmatics researchers.39

**Simulmatics analysis became a starting point**

Those involved with putting together the media chapter said the Simulmatics report played only a small role in determining the conclusions of the media chapter despite its prominent mentions in the chapter. Bruce Paisner, the Harvard Law School student who wrote the first draft of the media chapter, said there was discussion about how much weight to put on the content analysis conclusions. He said he recalled a discussion with Chayes about that very subject. Paisner said, “We said: What are we really to give more credence and weight to – these kind of quantitative even qualitative studies - or these actual people in the actual room talking about this subject? We obviously leaned toward the latter.”40

Spivak said the Simulmatics report was a starting point for drawing conclusions about the news media, but the commission members went far beyond what the analysis told them. He said if the commission members had just relied on the Simulmatics report, then the news media chapter would have ended up simply as a compliment of the news media’s performance. He felt the Simulmatics conclusions in the content analysis did not go far enough in examining the issues because the influence of radio was left out and the definitions of what constituted scenes of rioting were much too narrow. Thus, the content analysis did not present a clear picture because it lacked a focus on cause and effect.41
Spivak said the researchers did not understand that when a riot broke out, there would naturally be no reporters on the scene at that moment to cover the event. He said news work is always done as a report after the fact; even a television report is almost always a report after an event. It meant even though the content analysis showed few scenes of actual rioting by its definition, that did not lend itself to the conclusion that the coverage was on target, however he said the conclusions of the Simulmatics content analysis were correctly balanced with impressions from people who were in public office and in the news media.\textsuperscript{42}

Still, the Simulmatics analysis helped the media chapter because it provided a framework around which to criticize the news media. Knowing that the news media would react negatively to any criticism, the content analysis gave the chapter some scientific weight to draw conclusions that were well researched. It also provided a way for the commission to compliment the news media on its reporting while still calling into question some of its practices. Without the data from the content analysis, the media chapter would have been thin and based mostly on personal observations and impressions. So, despite the criticism of the analysis, it was an important piece of research and a significant part of the media chapter.

Other than the conference and the Simulmatics analysis, the commission conducted other research that made its way into the media chapter as well. While the others were not as influential, they confirmed what the commission already believed about the news media. The conference provided an overall impression and direction for the chapter, and the Simulmatics content analysis provided hard data to supplement some of those impressions. The other pieces of media research included interviews with
members of the news media, a review of some of the news media codes of conduct and a summary of previous literature on the subject. All three would supplement the research that had already been completed. Also, they would confirm that the direction of the media chapter would be one of constructive criticism rather than just one of exonerating or scolding the news media.
Notes

6 Ibid., 3.
7 Ibid., 42.
8 Ibid., 43.
11 Ibid., 5.
12 Ibid., 6.
13 Ibid., 7.
14 Ibid., 9-10.
15 Ibid., 10-11.
16 Ibid., 11.
17 Ibid., 22-23.
18 Ibid., 8-9.
19 Ibid., 29-30.
20 Ibid., 30.
21 Ibid., 33.
22 Ibid., 35-40.
23 Ibid., 40.
24 Ibid., 45.
25 Ibid., 46.
26 Ibid.
27 Ibid., 47.
28 Ibid., 48.
30 Ibid.
31 Ibid.
32 Interview, Alvin Spivak, November 17, 2006.
33 Ibid.
35 Interview, Alvin Spivak, November 17, 2006.
37 Ibid., 204-205.
38 Ibid., 205.
39 Ibid., 206-207.
40 Interview, Bruce Paisner, January 7, 2008.
41 Interview, Alvin Spivak, November 17, 2006.
42 Ibid.

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Chapter 8 – Codes, Media Impressions and a Survey of Literature

Should the news media play God?

When Jack Rosenthal was asked to consider whether the news media should adhere to codes of conduct and guidelines during the coverage of a riot, he responded: “Discussion of riot reporting codes should, sensibly, begin with a weary theological question: To what extent should newspaper editors play God – or even Patriot?” It was always a troublesome question, said the former reporter and consultant hired to help write the Kerner Report. He said it was the same question an editor would ask when he decided whether to report the details of a drunken prominent citizen or to report the details of the Bay of Pigs invasion preparations. The decisions made by editors about what to publish or broadcast many times required wisdom that could come only from divine inspiration. “The question is no less difficult when applied to the urban disorders of recent summers,” he said.¹

With that question began an examination of whether the Kerner Commission should establish a code for the news media when reporting urban riots. To continue that discussion, the commission had the Justice Department’s Community Relations Service examine news media codes and make a recommendation to the commission. The community relations service had been encouraging news organizations to develop such codes after dissension between the news media and local police during riots in the summer of 1967. The examination of codes was one of the original seven elements of news media research outlined by Abram Chayes, the Harvard law professor hired to oversee the media research for the commission.

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While Rosenthal got the discussion going about codes at the Kerner Commission’s news media conference, it was the Justice Department that did the research into the issue. Ben Holman, assistant director for media relations for the department’s community relations service, completed “An evaluation of News Media Codes and Guidelines.” It was dated December 1, 1967, just two weeks after the news media conference. His research, however, was available a few weeks earlier because it was discussed during presentations made by Rosenthal and Roger Wilkins, director of the department’s community relations service, at the news media conference in mid-November.

The Justice Department’s staff surveyed people in eleven cities where codes were in effect. The eleven cities were Buffalo; Chicago; Indianapolis; Jackson, Michigan; Kansas City, Missouri; Los Angeles; Omaha; Philadelphia; St. Louis; San Francisco; and Toledo. The staff interviewed members of the news media, law enforcement officials, city officials and community leaders to determine if codes were useful in helping ameliorate the effects of rioting. Some of the codes were formal agreements between public officials and the news media, while others were simply guidelines that the news media agreed to follow during a riot. None of the codes or guidelines in the eleven cities were binding on the media, no one faced sanctions from city officials for failing to observe them and in all cases the news media voluntarily agreed to them. The evaluation determined that local officials never attempted to take away the ability of the news media to make their own decisions on how to report on a riot.²

The evaluation noted that in all cities the news media viewed codes favorably, rather than as harmful or useless, and they had a positive impact on the news media and
the quality of their work. The evaluation determined that codes increased responsibility and helped improve the news media’s coverage of urban violence. The only city where there was even a hint that the codes were not helpful was in Los Angeles, where the consensus was that the code had little impact on the news media. While those interviewed said reporting on urban violence had improved in Los Angeles since the 1965 Watts riot, everyone agreed it was not due to the code being in effect. A code was not helpful in Los Angeles because two University of Southern California professors came up with it, and the local media never had a chance to participate in its development. The codes in the other cities were developed by the news media working with local officials.3

In all of the cities, those interviewed said codes served an educational function. Many in the news media said they were not aware of the pitfalls of covering urban violence, and welcomed a code to give them guidance. Codes also increased the sensitivity of news reporters to their role in helping ameliorate violence and avoiding racial confrontation. “Many respondents were firm in asserting that this alone was a factor which made the guidelines and codes a great benefit,” concluded the evaluation.4

In Toledo and Buffalo, Holman said the actions of the news media in covering violence was so good before the codes were adopted that they merely confirmed already established practices. In both of those cities, the news media had a good working relationship with local officials before there were instances of violence, and that relationship helped avoid problems and conflicts between the media and law enforcement when violence occurred. That was not to imply that the coverage was without criticism from the black community, but the good relations between the news media and city officials helped limit the criticism in the two cities.5
The most controversial part of all of the codes was whether the news media would adhere to a news moratorium when the initial reports of violence surfaced. In a moratorium, the news media voluntarily agreed not to report anything about an incident in its early stages, in order not to escalate further violence because initial reports of violence were often misleading, inaccurate and by their nature incomplete. The evaluation noted news moratoriums were controversial because it was anathema to the news media to withhold information from the public. However, news moratoriums, the evaluation said, were a misunderstood practice: They could effectively minimize violence without compromising the public’s right to know. Of the eleven cities examined, six had news moratoriums as part of their codes (Buffalo, Chicago, Indianapolis, Kansas City, Omaha and Toledo). In Chicago and Indianapolis, a news moratorium had been observed at the start of riots in those two cities, and officials reported they were effective in helping stem further violence.6

Holman’s evaluation took issue with critics of news moratoriums, saying they misunderstood the intent. The moratoriums for the most part affected only radio and television reports of violence and would affect newspapers only if an incident happened as a paper was going to press. Most of the news moratoriums required radio and television to refrain from reporting news about urban violence for about thirty minutes, giving local officials time to quell a violent situation without the fear that reports would attract more rioters to a scene. If it was a major case of urban violence, the news moratorium would do no harm because there was still plenty of time to report what happened. If it was only a minor incident, the moratorium helped avoid it becoming a riot. Holman praised the news media in Indianapolis for observing a news moratorium
during several weekend nights in what he described as “baiting incidents,” during which young white teenagers on downtown streets threw stones at passing black motorists in an attempt to initiate violence. The police were able to move in and disperse the youngsters before a news reporter arrived or any television cameras came to the scene. It was praised as an example of how a successful news moratorium helped avoid major violence.\(^7\)

The evaluation noted that in Chicago and Jackson some of the news media had said their cities’ codes were too restrictive, which caused news outlets in those two cities to develop their own. Ironically, the evaluation found that the news organizations ended up developing their own codes that were more restrictive than the one developed with city officials. Chicago was identified as a leader, having first established a code for news about racial tension in 1955. Called the “Chicago Plan,” it had expanded beyond the city limits by 1967 to other nearby communities. The plan called for the City News Bureau, which was a cooperative news gathering service for broadcast stations and newspapers in Chicago, to alert its members with an advisory about a violent situation while also issuing a “not for broadcast order.” The bureau then monitored the situation and decided when to lift the news moratorium. One radio station had objected to the plan and withdrew from the agreement, but then it wrote its own code that was more restrictive.\(^8\)

In Jackson, a code was adopted in July 1967 after the news media complained to city officials about the lack of information about violent incidents. The result was an agreement among the news media and city officials about the proper procedures to follow in reporting on racial violence. In exchange for more information, the news media agreed to ensure that minor violent incidents were not exaggerated. While there was no formal news moratorium agreement in Jackson, the news media informally agreed not to report
racial violence until it had been resolved. The only exception was if other media, including the Associated Press, reported on it first. One newspaper editor in Jackson said he disagreed with the established agreement with city officials, but in response issued a notice to all of his employees that basically required the same kind of restraint.9

Codes ‘seldom harmful, often useful’

The criticisms of news media codes were numerous because a reporter at the scene of an urban riot had a duty to report what was happening and not attempt to minimize the situation. The codes were criticized for forcing news reporters to become too timid in their reporting of violence. They tended to allow reporters to ignore what they saw and heard in a misguided attempt to get them to examine in more depth the actions of rioters. There also was a tendency of news reporters to rely on local authorities for information instead of allowing them to go to the scene of violence and report the story from the perpetrator’s point of view. Many journalists had reservations that local officials would hold up their end of an agreement to provide timely and accurate information in exchange for concessions, such as agreeing to a news moratorium. Also, a code for riot reporting could result in journalists making concessions to local authorities on other issues. All of those concerns were outlined in Holman’s evaluation of codes in the eleven cities.10

Despite those concerns, the evaluation and the people who presented information to the Kerner Commission about codes essentially said they were a good thing. Holman concluded: “This survey revealed little evidence of harmful or negative results from the use of guidelines or codes.” He said codes in many cases were constructive, even if they
were never implemented or put into place. “The mere process of consideration of guidelines and codes, even when rejected, can have a constructive effect both for the news media and the communities they serve,” he concluded. 11

A similar assessment came from Wilkins, who admitted to the commission that codes were of limited value but had their place and were constructive in some situations. He said the more critical issue was whether the news media were sensitive to the issues that black Americans faced in cities. If the news media lived in the black community and had contacts in it, the need for codes would be eliminated. But because the news media for the most part were oblivious to the concerns of blacks, he said codes were needed. He agreed the act of considering a code and working with the black community to develop one was an admission that the news media had a role in helping ameliorate violence. He said any guideline that helped foster understanding between the news media, city officials and the black community was positive.12

Rosenthal’s assessment for the commission on the need for codes, especially when it came to newspapers, was more upbeat. While the codes were fairly straightforward for television and radio, it was newspapers where such codes could be of the most benefit; yet it was in newspaper newsrooms where resistance to codes was the most intense. Rosenthal urged the commission and newspaper editors to consider the benefits that codes for riot reporting would bring. He said even though newspapers were not widely read in the black community, and were in the white community, they set the news agenda, and the newspaper reports were what ultimately shaped the decisions of radio and television reporters about how to cover violence.13
Newspaper codes, however, had to move well beyond limited agreements with local officials. Rosenthal urged the newspaper industry to set high standards for reporting on race and violence because it was white readers who needed to be educated about the problems in black communities. He said a code provided an equal playing field for all competitive media, forcing newspaper editors to consider in advance how sensitive issues of race were reported and often sparking reporting about the plight of black Americans even if there was no violence to report. One of the hallmarks of any code was the avoidance of rumor reporting, and Rosenthal said newspapers were the best source to dispel rumors. Yet to dispel rumors, they needed to understand the issues in black America and avoid simply reporting what rioters and public officials said. It required an in-depth analysis of the issues.14

When it came time to consider whether to recommend a code for the news media, the commission decided against it. That was in keeping with what Chayes had originally suggested in his memorandum to the commission in September when he outlined the media research. He said it was better for the Kerner Commission to encourage the development of codes at the local level and praise the communities that had successfully implemented them.15 The Kerner Report’s media chapter stated no code should be implemented unilaterally by government, and certainly not by the commission. Thus, instead of coming up with a national code of conduct for all news media, the commission members used the information from Holman’s evaluation to merely endorse the idea of codes.

The Kerner Commission members encouraged the news media, local officials and leaders in the black community to meet to consider codes. It was suggested every
community needed to come to an agreement about how the news media would be able to report on violent events and what the behavior of both police and reporters should be. The commission also suggested any agreement should include a brief moratorium on the reporting of news at the start of a disturbance.16

While the commission endorsed the idea of news moratoriums as part of a code, it warned that they should not be open ended. It noted the criticism of the Chicago code because it remained in effect until “the situation is under control,” which was too imprecise. The news moratorium at the start of the Detroit riot was an example of how it would work although the commission admitted it did not prevent further violence in that city. That conclusion, however, did not come from Holman’s evaluation because Detroit was not one of the eleven cities he examined. But other parts of his evaluation were included in the news media chapter including the part saying codes were “seldom harmful, often useful, but no panacea.” Also, the commission adopted some of Rosenthal’s and Wilkins’ ideas about how a code was only the start of addressing the issue: “To be of any use, [codes] must address themselves to the substance of the problems that plague relations between the press and officialdom during a disorder, but they are only one of several methods of improving those relations.” 17

The media chapter completed its endorsement of codes by saying that efficient, thorough and accurate reporting ultimately was the key. A discussion of a code in any city was a start about how to improve press coverage, but the success of ameliorating violence relied on the “intelligence, judgment and training of newsmen, police, and city officials together.”18
The definition of a riot is ‘a matter of a reporter’s discretion’

Gene Roberts, a reporter for the New York Times who covered riots in the 1960s, described racial violence as “part protest, part looting, part panty raid, part ‘getting what you can while the getting’s good,’ part political.” Was a riot a protest against oppression or was it mass lawlessness? A reporter covering riots in the 1960s had to answer that question, and the answer determined what kind of coverage he or she gave the violence. Too many reporters saw it as mass lawlessness rather than a protest. That was the major conclusion of Robert E. Smith, a member of the staff at Newsday who was hired by the Kerner Commission to survey news media personnel.19

Smith’s survey, titled “How the News Media Covered Negro Rioting and Why,” was completed in October 1967 and was available to the news media conference participants. He interviewed news media personnel in six cities about their thoughts on coverage of the rioting. The six cities were Detroit, Cincinnati, New Haven, Tampa, Phoenix and Newark. He chose those cities because they had typical racial violence, and each of them had different media attitudes toward the unrest. The word “attitude” was the key to Smith’s thirty-four-page survey because his goal was to analyze the approach that news reporters took toward covering the rioting. His thoughts on the attitude of the news media became a part of the Kerner Report’s media chapter.

The key finding in Smith’s survey was that the news media had an indifferent attitude toward blacks in their community. He said they did not understand why blacks had turned to violence because they paid little attention to the black community. In one example, the survey quoted Don Dunkle, a television news director at WLW in Cincinnati: “I didn’t interview any youth involved in the riots. Hell, I don’t know why he
threw that rock. He probably doesn’t know why he threw it.” Smith also interviewed a black minister in Cincinnati about the same riot, who said: “Anybody who doesn’t see what happened here as a rebellion is missing the point.” It was an example used in the survey to show how the news media were out of touch and made little attempt to understand the black community in their own city.

The Smith survey initially confirmed what other research had already found: there was little direct evidence that reporters on the scene of rioting exacerbated the course of violence. In his interviews, he was told the reporters arrived on the scene in most disturbances after the situation was already out of control, they rarely got close to the rioting and many did all their reporting from police stations and emergency command centers. Most of the news outlets did not have black reporters, and whites were fearful of going to the scene of violence so there was a basic misunderstanding about the cause of the riots.

The survey, however, did not absolve the news media from the charge that they exacerbated the violence. By ignoring the black community, the news media perpetuated the feelings of anger: “If Negroes who articulate feelings of all levels of Negro life received an airing, perhaps this would lessen the need for other means of communication – like tossing bricks.”

The survey offered the commission a valuable insight into one attitude of the news media that Smith described as the “we-they syndrome.” The “we” were the white editors, the white reporters and the white community. The news media reported, wrote and edited news from the white point of view for the white audience. The “they” were the black community, who did not participate in the reporting, writing or editing of the news,
even though much of the news of rioting was about the black community. Even the well-meaning news media allowed the “we-they syndrome” to creep into their copy, he said. It cared or knew little about the black community, and such an attitude alienated blacks from the news media.23

The Smith survey addressed the issue of rumor reporting as well. Examples happened in Tampa where a deputy sheriff died in the early stages of a disturbance in that city. The initial wire service and radio reports stated he died from a bullet wound although reporters had no official confirmation of the cause. It was later discovered, however, that he died of a heart attack. In Detroit, a radio reporter broadcast a rumor that rioting blacks were planning to invade the suburbs, which turned out not to be true, and in Cincinnati, several media outlets reported a rumor that white youths were arrested for possession of a bazooka, which turned out to be true except that the weapon was inoperable. Even so, Smith’s survey concluded the news media tried hard to avoid reporting rumors or speculation: “They succeeded to a remarkable degree, considering also the chaotic nature of the story.”24

Another criticism that emerged in Smith’s survey was how the news media detrimentally used speculation about future violence. One example was at the Tampa Times, which engaged in unwarranted speculation when it reported the death of a black youth by police was ruled justifiable homicide. Instead of simply reporting the facts, the newspaper said the ruling raised fears for racial violence in the city. While that may have been true, the ruling did not trigger any violence in Tampa on that day. The reporter said as an afternoon publication that it was important that the newspaper make an attempt to project future events, and he engaged in the speculation about future violence based on
“the mood of community.” Other stories in the *Tampa Times* also engaged in speculation by quoting people who were preparing for violence and getting ready to protect themselves from it.25

Smith determined the news media also were sensitive to the use of the word “riot,” which many reporters recognized had an effect on how the public viewed violence: as soon as an event was described as a “riot,” the news story became significant. Some in the news media told Smith that they refrained from using the word, and instead chose to call an incident “trouble” or a “disturbance.” There also was no consensus in the news media about the definition of a riot. Roberts said in the survey that a riot was “a matter of a reporter’s discretion,” and noted the dictionary definition of riot was any event that disturbed the peace by three or more people. Thus, any disturbance that merited press coverage was a riot. Smith found the news media were more willing to call an event in another city a riot than they were in their own city, no matter how many people were involved. 26

One aspect of Smith’s survey that was different from any of the commission’s other research was that it included information about the black news media. It extensively quoted Albert J. Dunmore, managing editor of a black newspaper in Detroit, the *Michigan Chronicle*. While his major conclusions focused on the white news media, his comparisons to the black media were valuable. He did not absolve the black newspapers and radio stations from blame either, concluding they also needed to change their attitude.

Black newspapers, Smith said, had no immediate effect on rioting because most were weeklies, not daily publications, but he concluded they set a tone for the violence.
He examined the front page of the *Michigan Chronicle* on the day before the Detroit riot and noticed the stories dealt with violence, protest and confrontation. As for black radio, Smith said his interviews showed most of the stations made no effort to independently report news and just used wire service reports on violence. He determined that most blacks got initial news about the riots from word of mouth, not the radio, but instead of focusing on issues that would help the black community, the radio stations mostly played music that “inspires pent-up people, anxious to break out of a rotten life.” One exception was WJLB in Detroit, the black radio station where Martha Jean “The Queen” Steinberg was credited with using her influence over the black community to plead for calm during the Detroit riot.27

Black reporters from some of the major news organizations told Smith that being black helped in covering a riot, but it was still a difficult assignment. Black reporters were able to get into riot-torn areas to get the rioters’ perspectives, but often they were harassed, searched and insulted by the authorities. Also, black reporters told Smith that they often were burdened with the perception that they would fail to get the story because they would sympathize with the black rioters. Pat Patterson, a black reporter for *Newsday*, told Smith that a good reporter should be able to tell a story regardless of his or her race, but he said black reporters often had more difficulty convincing an editor to report about issues of police brutality than a white reporter. The black reporters interviewed by Smith concluded a white reporter could cover a riot or any kind of news about blacks if he was smart and had an understanding of the black community. Therefore, hiring more black reporters would help, but it was certainly not the only solution.28
The survey ended with ten recommendations from Smith about how to improve the coverage of riots and black America, several of which made their way into the Kerner Report’s media chapter. The recommendations were:

1. No governmental codes are needed or desired.

2. Newspapers and television stations needed to eliminate their “white attitude” in story selection, language, perception and tone.

3. Negroes on the staff of a news organization mean much more than Negroes on the staff of a local bank or a local factory.

4. If federal money is to be spent, it could help best by endowing a Southern Negro college to train young people in journalism.

5. All news media should be urged to plan ahead for coverage of possible racial violence in cities.

6. Wire services should be as accurate as possible and as specific as possible in describing geographical area of the violence.

7. Newspapers, and where possible TV, ought to provide maps showing exactly where the trouble is and exactly what has not been damaged.

8. TV might pan a scene to show that the whole neighborhood is not in flames.

9. The media only inhibit communication when they throw around ‘red flag’ terms like police brutality, law and order, black power, decent Negroes, battle-armed, helmeted and nothing to do with civil rights.

10. The Negro revolution is one of the biggest stories of our times, and newsmen have to decide what it is all about and do their best to cover it in full.

While Smith was not identified in the Kerner Report, the recommendations from his survey were sprinkled throughout the media chapter. In the opening paragraphs, it outlined the five major pieces of research, and the media personnel interviews were the second item mentioned. Smith’s major conclusion that the news media were indifferent toward blacks was reflected throughout the media chapter, and the notion that there was a
“white attitude in the news media” was directly taken from his survey. The media chapter said, “The media report and write from the standpoint of a white man’s world. . . . The ‘white press’ [is] a press that repeatedly, if unconsciously, reflects the biases, the paternalism, the indifference of white America.”\(^{30}\) The other recommendations were reflected in the media chapter’s call for the hiring of more blacks, improved reporting of the black community and an increased sensitivity to issues of race.

Smith’s survey also served an important function in the news media chapter because it provided examples of when the news media had failed to accurately report on the riots. In the section of the news media chapter subtitled “Accuracy of the Coverage,” four examples of inaccurate reporting were mentioned, three of which came from Smith’s survey. These included the Tampa incident, where the newspaper repeatedly speculated about impending trouble, the bazooka incident in Cincinnati and the Detroit rumor report about blacks getting ready to invade suburbia. The fourth example was the incident where a headline over a wire story in the \textit{Los Angeles Times} inaccurately told readers there was violence near the White House when indeed it was minor and more than a mile away from the president’s residence.

\textbf{Coverage of race relations, riots a recurrent theme}

In the fall of 1967 there had been no shortage of articles about how the news media covered the riots of recent years. As one of the original seven elements of news media research, Chayes proposed doing a review of what was written for the commission members. That review completed by Harvard law school student Marvin Milbauer
focused mainly on print articles in the *Columbia Journalism Review*, which summarized most of what had been written about the subject. Even though Chayes had originally proposed that the commission examine all of the articles on the subject since the Hutchins Commission Report in 1947, the review ignored anything prior to 1965. Thus, the media chapter was devoid of any references to the Hutchins Commission or any of the previous articles that criticized the performance of the news media.

Despite the lack of references to these articles in the Kerner Report’s media chapter, the commission was aware of what appeared in *CJR* on the subject. In a preliminary review, the commission was briefed on several articles that were re-printed in *CJR* focusing on how the news media covered race and riots in 1965 and 1966 when the problem of race relations and riots was a recurrent theme in the magazine.

In *CJR*’s spring 1965 issue, the publication surveyed how newspapers had covered racial incidents in Selma and Marion, Alabama, comparing the differences between southern and northern newspapers. The *Birmingham News* offered complete and detailed coverage while the *Montgomery Advertiser* offered “cautious coverage, but they did not ignore the incidents, as southern newspapers have frequently done.” As for the northern newspapers, they offered “very vivid and detailed coverage,” and were “generally hostile to southern whites.” The southern newspapers were generally critical of the coverage of the northern newspapers, complaining about bias, distortion and sensationalism.31

As part of a special report on the difficulties of covering news about race, *CJR* in the fall of 1965 carried reviews of three articles on the subject, according to the review. The first appeared in *Pageant* and was about two reporters, one white and one black, who
covered the Watts riot in Los Angeles. The white reporter was Andrew Jaffe of the Associated Press, and the black reporter was Robert Richardson of the Los Angeles Times, who was a member of the advertising staff and was asked to cover the riot, becoming a member of the news staff afterwards. The article concluded; reporters could not just be bystanders during a riot because they inevitably become part of the story; and covering a riot is difficult and any reporter, white or black, was forced to report from only one perspective.32

The second article in the fall 1965 CJR was a reprint from the New Republic in September of that year. John Gregory Dunne critiqued the television coverage of the Watts riot, focusing on how television helped spread the riot by turning the incidents of violence into a major event. He suggested that television news needed to create drama to justify the coverage of an event, and the drama gave a false impression that the entire city was in open rebellion. He said even people many miles away watched the television coverage and felt they were part of rioting. He also critiqued the broadcasts from Watts that he said left little time for reasoned analysis of the situation. He said the language used during these broadcasts heightened tensions and failed to convey to the public the root cause of the riots.33

The third article in the fall 1965 CJR consisted of the impressions of a resident of Springfield, Massachusetts, about newspaper coverage of a small racial incident in his city in the same week as riots in the summer of 1965 in Watts and Chicago. It criticized the out-of-town newspapers and the wire services for using biased language, exaggeration and inaccuracies and failing to take editorial responsibility. The article particularly highlighted how a relatively minor incident got lumped together with violence in other
cities, giving the public the impression that it was much more serious than the reality. It noted language in newspaper and wire service reports that inflamed the situation with phrases such as “wild orgies of destruction” and a “mob roaring through the streets,” and the most damning critique was that newspaper editors took wire service copy and altered it to heighten racial tension. In one example, a United Press International report used the phrase “carloads of youths rolling through the streets,” but when it appeared in the *Boston Globe* it read, “carloads of Negroes.”

The review ended with a summary of related articles in the winter 1966 *CJR* on how the news media covered rioting. It summarized four articles, all of which said the news media were delinquent in its reporting about rioting. One article made the claim that newspapers created radical black leaders by giving them a voice and noted newspapers had resisted integrating their newsrooms. Another article made the point that the news media unconsciously reinforced white attitudes that blocked the progress of blacks, and a third noted how the news media reinforced stereotypes that blacks were lazy and shiftless. Finally, an article examined the charge that the black media, both newspapers and radio, inflamed the Watts riot. It mentioned the slogan of Magnificent Montague, “Burn, Baby! Burn!” but it concluded it was not used after the first day of the rioting and had no effect. The article concluded the black media were overall responsible, slow and careful in their reporting.

If the commission reviewed any other previous articles, it was not reflected in the chapter. The news media chapter was mostly devoid of any other sources of information other than its own news media research. None of the *CJR* articles were mentioned, and neither was the Hutchins Report, despite Chayes’ mentioning it in his initial seven
elements of news media research. The only outside piece of evidence that was mentioned in the media chapter was “Mass Media Use Patterns and Functions in the Negro Ghetto of Pittsburgh” by M. Thomas Allen. The commission used that study to supplement the interviews of black citizens by Simulmatics.

Allen was a student at West Virginia University when he interviewed about 100 black Pittsburgh residents in the poor sections of the city in June 1967 to determine if the mass media contributed to the blacks’ sense of isolation and frustration with mainstream American society. Few of the blacks interviewed read any newspaper, and while many listened to radio and watched television, they mostly used them as entertainment media and not to get news. He concluded the mass media did little to stabilize the black community and in many ways served as a means of racial discontent. Blacks saw commercials for products that they could not afford and watched programming where the actors lived lifestyles beyond the means of most blacks. Also, the black residents were not interested in news outside their community or in the wider world. He said the solution to this isolation and alienation was improved newspaper coverage that would relate to black citizens. “The current channels for printed news-information are unused by the ghetto resident, but more communication might be established if newspapers increased material in regular news columns that might be of interest primarily, if not completely, to Negro readers,” he wrote.  

Allen’s survey results were used in the news media chapter section that focused on black reactions to media coverage. The finding that up to 86 percent of blacks tuned into television broadcasts between the 5 to 7 p.m. hours came directly from his survey. That figure was supplemented in the news media chapter with Census Bureau figures.
showing 87.7 percent of black households in the country at that time owned a television set. His overall finding that blacks did not read newspapers to any degree other than for advertisements, features, comic strips or racing charts also was reflected in the news media chapter. Finally, the conclusion that blacks were heavy users of radio was a finding confirmed by his study as well.

By the beginning of December 1967, the news media research had been completed. The exception was the final report from Simulmatics, which would not be fully completed until early February 1968, but its contents were known and available for use as the news media chapter was written. The next step was to put together in a single document the information from the news media conference, the Simulmatics report and the other research and reports. The task of digesting all of that information along with reflecting the wishes of the commission members would fall to twenty-five-year-old Harvard Law School student Bruce Paisner, hired to work on the project with Chayes. He was under pressure to produce the news media chapter by December because he was facing a deadline for another paper in January, he said. Thus, within just a few weeks in December, he put together the basic framework for what would end up as the Kerner Report’s Chapter 15 and be titled “The News Media and The Disorders.”
Notes


3 Ibid, 2-3.


5 Ibid.

6 Ibid.

7 Ibid; see also addendum “Indianapolis, Indiana,” 2.

8 Ibid.; see also addendum “Chicago Illinois.”

9 Ibid.; see also addendum “Jackson, Michigan.”

10 Ibid., 3.

11 Ibid.


14 Ibid.

15 Abram Chayes to David Ginsburg, September 18, 1967, 5-6, Kerner Commission records, series 46, box 5, folder “mass media,” LBJ Library.


17 Ibid., 210.

18 Ibid.


20 Ibid., 1.

21 Ibid., 4.

22 Ibid., 6.

23 Ibid., 9.

24 Ibid., 16.

25 Ibid., 17-18.

26 Ibid., 21.

27 Ibid., 25-27.

28 Ibid., 28-29.

29 Ibid., 34-35.

30 National Advisory Commission on Civil Disorders, Report of the National Advisory Commission on Civil Disorders, 203.


32 Ibid., 3.

33 Ibid., 4.

34 Ibid., 5.


37 Interview, Bruce Paisner, January 8, 2008.
Chapter 9 – Chapter is Written, Critiqued, Released and Analyzed

‘We were doing the Lord’s work’

Third-year Harvard Law School student Bruce Paisner considered working on the Kerner Report a rare opportunity for someone so young. He felt assisting his mentor Abram Chayes, and helping produce an important document was an honor, but he was under pressure as well because he had to put together the first draft of the news media chapter by the first weeks of 1968. “I was writing a paper, actually on labor relations problems in the newspaper publishing industry. And I really had to start working on that in January. So what Abe and I agreed was it all had to be front-loaded anyhow because they wanted to put the report out,” he said.¹

Paisner wrote the news media chapter’s basic framework and Chayes reviewed it in just a few weeks in December 1967. In that rushed timetable, the pair digested the news media research, weighed the evidence and produced a first draft. As Paisner recalled, the information from the Poughkeepsie, New York, news media conference became the chapter’s centerpiece. While he used the other research for statistical purposes and to provide examples, it was the conference suggestions and the commission members’ comments that carried the most weight. He and Chayes discussed how to balance the quantitative data from Simulmatics against the anecdotal evidence from the conference, and the decision was to give the conference information more weight.

Paisner attended the conference so he knew the context of the discussions, and he had access to the news media research data. He read newspapers and watched
television news footage, and he knew something about the subject, having been a
reporter for *Life* magazine where he had covered a number of civil rights stories. He
said the writing process was seamless because he had great respect for Chayes and the
direction his mentor gave him on the first draft.

An important theme of that first draft was ensuring the news media did not
dismiss the criticisms as an attempt by government to censor the press. The goal was
to keep the chapter positive, praise the news media and recognize their important role
in society while still offering pointed criticism. “There wasn’t much to be said for re-
hashing the unpleasant facts of the past because everyone would just tune out. The
most you could do was use some of those facts to point your way to a better, brighter
future. That was the theme. That was the approach,” Paisner said. The process went
like this: He wrote a portion, and Chayes edited it and sent it to Kerner Commission
Executive Director David Ginsburg, who then did some editing as well.²

Paisner said he considered the writing of the news media chapter’s first draft
to be holy work:

It’s fair to say both Abe and I kind of at one level felt we were doing the
Lord’s work. There was almost a missionary quality to it. The more we looked
at it, the more we came to say to ourselves, rightly or wrongly, that this is a
big part of the problem. If we really could get the news organizations in the
various ways we suggested to focus on and begin to solve the problem that
would make a real measurable contribution to race relations in this country.
That’s ultimately how I came to see it, but I was pretty young. I think it’s how
Abe came to see it, too.³

Ginsburg said he and Chayes talked constantly, often by telephone, about the
chapter and how the first draft was proceeding. He said the commission members
often mentioned to him certain points they wanted in the chapter, and then he passed
that information to Chayes, who also made points to Ginsburg about what he felt was necessary. “Abe deserves a lot of the credit for the chapter,” Ginsburg said. The benefit of having Chayes do the first draft of the news chapter was that he handled all of the digesting of the research, the weighing of the evidence and the putting of the words on paper. As executive director, Ginsburg had to oversee the writing of all of the other chapters, and he was confident that his friend Chayes had put in the time necessary to ensure that the news media chapter had the proper tone.4

While not the focus of the news media chapter, the commission recognized the black press had a role to play. The first draft of the news media chapter stated the black press played an important role in society, but the criticism levied in the report was aimed at “the white press.” It stated, “We concentrated on large daily newspapers and on television because this is where we believe there is [the] most room for improvement and the most hope for significant accomplishment.”5 Therefore, it was perhaps out of courtesy rather than the need for more research that the commission sponsored a luncheon with the nation’s black newspaper publishers on December 10 in Washington, D.C. The purpose was to get suggestions about what they thought should be included in the news media chapter.6 The commission held the lunch on the same day as the conference of black chief executives sponsored by Sengstacke Publications, which was the company that owned the black newspaper, the Chicago Defender.7 In the first draft and the final version of the news media chapter, there was mention of black radio but there was no criticism of black newspapers.

Chayes sent the first draft of the news media chapter to the commission for its consideration in early January. Alvin Spivak, the commission’s information director,
recalled the first draft relied too much on the Simulmatics data, and it was too kind to
the news media for his taste: “Basically, it accepted the idea of the quantitative study.
It did not get into the cause and effect factors that were so important.” He had
previously been critical of the Simulmatics study, and he preferred to see the news
media chapter not use so much of its data to make its criticism. He recalled that
commission members as well felt the original draft was too kind to the news media
and needed to have its criticism sharpened.\(^8\)

As with all parts of the report, commission members went over the news
media chapter line by line, making comments. Ginsburg said the entire commission
considered the news media chapter, and all members debated the wording in the
chapter. He recalled:

> All sorts of individual comments were made by various members and changes
> were brought in. But always changes [were made] to emphasize the need for
> the media to realize what had been happening. It was essential that this country
> understand this difficulty that the black community [faces]. There was no
> effort on the part of the commission to lessen the force of the chapter. And I think
> overall, the result was one of the best chapters in the entire report.\(^9\)

Spivak said Jack Rosenthal, a consultant with the commission, rewrote the
chapter to reflect better the wishes of the commission members. Yet Paisner disputed
the fact that the first draft needed any major re-write. He remembered the initial
comments from commission members were that “there was a sense we should do less
blaming about the past and more positive reinforcement about the future. I think
that’s the way to put it.”\(^{10}\) Rosenthal agreed he did much of the writing on the Kerner
Report. He said the routine was that Ginsburg and the commission staff would collect
information for him, and then it was his job to write it up for consideration by the
commission. He did re-writes on several chapters, but he did not recall how much re-writing he did on the news media chapter before it was presented to the commission. “I did a fair amount of [re-writing] for several chapters. So, I can’t plead originality, but I can plead English,” Rosenthal said.¹¹

Ginsburg confirmed that when the commission members reviewed the first draft there was the need to sharpen the criticism, but overall they did not have major objections to the way it was written. “The commission was pleased with the tone and the recommendations of the draft report,” he said, noting the commission members were in tune to what it would say because they had seen much of the research and many attended the news media conference. “There was no effort on the part of the commission to at any time lessen the direction and recommendations of the report’s Chapter Fifteen. The report itself spoke directly, firmly to the press,” he said.¹²

Commission member Fred Harris said the commission normally met in a room in the Capitol and went line by line over the drafts presented by the staff. As the deadline for completing the report neared in early 1968, he said the commission met many days in a row just reviewing the wording of the report, suggesting changes and making additions. The commission had access to the news media research, but many of the commission’s comments about the news media chapter were derived from witness comments at commission hearings. He said suggestions and additions on the news media chapter also were derived from citizens’ comments that he and the other commission members had gathered on their trips to the riot cities. “The staff would present to us a section of a proposed draft. Those were read aloud, and we argued over it, debated over it and voted on every single section of it. We read every word
aloud. It turned out to be really a commission-written report, which is a little unusual for these commissions I think. [But we always started] with a draft the staff people had given us,” he said.13

News media criticism sharpened, softened

The commission debated the first draft of the news media chapter at its meetings in mid-January. The draft was ready for the commission’s review by January 11 because commission member Katherine Peden commented at a meeting that day about how the news media chapter needed work: “The portion on the media is much too soft. We want a strong report, and here we turn our back on damaging results and effects of media in [regard] to riots.” She said she thought the chapter needed to be strong to send a message to the news media and commented she was disappointed in the news media conference representatives who said there was nothing that they could do to help ameliorate the violence.14

At a January 19 commission meeting, Ginsburg defended the tone of the first draft, noting that the Simulmatics study confirmed there was little to criticize, but the commission members and one staff member urged him to strengthen the criticism. Commission member Charles Thornton questioned the Simulmatics findings, and Peden expressed her belief that the news media were one of the top influences on the rioting. She encouraged the commission to document every criticism of the news media, saying the public would scrutinize it with great care. Commission member Roy Wilkins suggested the chapter should not focus on telling the news media what to report but rather point out what they are doing that was causing a problem.15
Bob Conot, a special consultant on the commission staff, recounted at the same meeting what he thought was the most egregious example of news media irresponsibility at the 1965 Watts riot. It was the incident recounted in his book in which television coverage of a meeting conducted to help cool tensions ended up inflaming the situation because the cameras focused only on the comments of one disaffected black teenager instead of the less incendiary comments of the majority of blacks. He said it was important that the news media chapter reflected criticism that the news media, even if they did it unintentionally and their coverage was accurate, exacerbated the rioting. “Since this summer, [the] public believes we’re on [the] verge of guerilla warfare as a result of media abuse,” he said. Ginsburg responded that the egregious examples of bad reporting were all from the 1965 Watts riots, and he believed the news media had made a concerted effort to improve in the past two years.16

Other discussion at the January 19 meeting came from commission member John Lindsay, who suggested the media coverage from the previous summer’s riots should not be criticized too harshly. He cited an example of how in New York he was able to convince the news media to act more responsibly during the rioting. Ginsburg also said the purpose of the chapter was to put the news media on notice that the public was watching carefully how riots were reported and not to point out the news media’s errors. Commission chairman Otto Kerner summed up the discussion saying: “No one of us says the news media can’t report the news. We’ve discussed the need to balance the news coverage.” Ginsburg said the section would be redone.17
With the intense interest in the commission report, the staff was in the delicate position of having to keep the public and the news media informed about its progress while still maintaining secrecy about the recommendations. In late January when the recommendations were coming together, Spivak was concerned the staff was leaking recommendations to the news media that could influence the direction of the final report, including the direction of the news media criticism. “I don’t know what more we can do to emphasize the need for security on the part of staff personnel and consultants,” he said in a memorandum to Ginsburg, asking him to remind the staff about the need for secrecy. He was reacting to a January 28 Washington Post article that accurately outlined several recommendations and included a summary of the news media criticisms. The source, identified as someone who had read the first draft, told the Post reporter that the news media chapter would criticize the “us-and-them attitude between the white news media and black citizens.” Spivak said he investigated how that information got out and determined someone told an editor at the Post at a cocktail party about the chapter’s contents. He reiterated the need for secrecy.

By February 3, Chayes sent a new version of the chapter to Ginsburg, saying he hoped it was satisfactory and suggested that it be re-typed. The new version closely mirrored the final product. As was the final draft of the news media chapter, the February 3 version began with an introduction that included conclusions and recommendations. It then contained the four sections that would appear in the final version. They were titled:

2. “A Recommendation to Improve Riot Coverage.”
3. “Reporting Racial Problems in the United States.”
4. “Institute of Urban Communications.”

All of the subsections under each section heading were the same in the February 3 version as in the final version. Despite the similarities, there were notable deletions and additions between the versions, which reflected a desire to soften the criticism in the final version. That softening came despite the original concerns from commission members at the January 19 meeting that the first draft was not harsh enough.

In the introduction, two things were added in the final version that were not in the February 3 version. The first addition was a paragraph that defended the First Amendment and stated the commission was not endorsing government controls of the news media. That sentiment did not appear in the introduction of the February 3 version. The second more significant addition was a new conclusion. The February 3 version drew just two conclusions: the news media failed to reflect the scale and character of rioting and that the news media failed to report adequately on race relations. Yet the final version added a conclusion that stated the news media “made a real effort to give a balanced, factual account of the 1967 disorders.”

The deletions from the February 3 version and the final version also reflected an attempt to soften the criticism. In the subsection “Accuracy of the Coverage,” four examples of news media exaggeration and rumor reporting were listed. In the February 3 version, the Tampa Times and the Los Angeles Times were mentioned for specific instances of exaggeration and rumor reporting, but in the final version the
names of the newspapers were removed. The *Tampa Times* was changed to “In Tampa, a newspaper,” and the *Los Angeles Times* was changed to a “West Coast newspaper.” In the subsection “Conduct of Press Representatives,” specific accusations of the news media fabricating news stories and practicing “shoddy journalism” were removed.\(^{22}\)

Also eliminated from the February 3 version was most of a passage that identified the “we-they syndrome,” which was the tendency of the news media to treat blacks as part of some other group rather than as American citizens. In that passage, the February 3 version listed three examples of how the news media engaged in such thinking. They were taken from the *Tampa Tribune*, the *Detroit News* and WHNC-TV in New Haven, Connecticut. Yet in the final version, those examples did not appear nor did the term “we-they syndrome.” Only one paragraph about that issue was included in the final report, and it had the least critical comments. A typed note inserted at the bottom of the February 3 version in that section stated, “Commissioners objected to bracketed section. We have revised somewhat and think it should stay.” It indicated Chayes thought it was a necessary criticism, but the commission members removed it in another example of how the final version was softened from the February 3 version.\(^{23}\)

**Report’s release – breaking the embargo**

The Kerner Report’s news media chapter was titled “The News Media and the Disorders,” and it was numbered as the fifteenth of seventeen chapters. The commission members met for two full days in the second week of February and then 201
three full days in the third week. In the final week, the commission met twice to complete the report. The news media interest in the report’s contents was high. “As the commission neared the end of its work, in February of 1968, there was a sense of excitement and anticipation about its forthcoming report, sharpened by rumors that liberals and conservatives on the commission were divided on what the report should say,” said *New York Times* reporter John Hebers.24

The plan for release called for Kerner and Ginsburg to present the report to the White House a few days before it would be released to the news media. Then, the news media were to receive advance copies and have two days to digest the findings and unveil the contents to the nation in the Sunday papers and television news programs on March 3. That schedule, however, was thrown off by the decision of the *Washington Post* to print the results in violation of an embargo agreement and by President Lyndon Johnson’s desire to distance himself from the report.

On February 25, seven days before the scheduled public release, the *Washington Post* and the *New York Times* cited unnamed sources within the commission to produce articles that outlined the major theme of the Kerner Report, which was that white racism was to blame for the riots. The articles signaled to the public that the news media were going to get some blame as well. The *Post* article, “Riot Report to Stress Racism,” was an accurate summary of the major points in the report, even though specific criticisms such as those in the news media chapter were not included. The only mention of the news media criticism in the *Post* article were that “there is expected to be criticism of . . . the news media for some of their riot coverage.”25 The *Times* had more of the recommendations, including those for the
news media. Without naming a source, its article said the news media were to be criticized in the report for failing “to communicate to the white audiences a sense of the degradation, misery and hopelessness of living in a slum.”

Two days later, Joseph Califano, Johnson’s special assistant, met with Kerner and Ginsburg for breakfast and received an advance copy of the report. That evening, he briefed the president and suggested he make a public statement as the report was released because it was expected to get wide national news media attention. They argued over whether to issue a response, and Johnson, who had gotten the gist of the report from the Post and the Times advance articles, did not even want to acknowledge the report, let alone issue a statement. It meant the initial news accounts of the report would come without comment from the president.

On the day before the news media were to get their advance copies and as Califano and Johnson continued to argue over whether to make a statement, Ginsburg called and said the Washington Post had gotten a copy and was planning to go with a story on the next day. “I accused the paper’s editor, Ben Bradlee, of breaking the embargo. Bradlee claimed someone had given the Post a copy with the cover page, where the embargo was printed, ripped off, so he had the right to go with the story. I told Ginsburg to let the Times and others go with it as well so the Post wouldn’t have an exclusive,” Califano said. Told of the stepped-up release schedule, the president refused to even accept the bound presidential copy. Califano said the president suspected someone on the commission leaked the report to the Post to force him to accept the findings, which only served to make Johnson angrier that the report failed
to acknowledge all of the previous work he had accomplished in aiding race relations and poverty in American cities.  

The news media, however, clamored for a response from Johnson, and the lack of it became a news story in and of itself. The president ended the controversy at a March 22 news conference when he answered a planted question about the report. “We thought the report was a very thorough one, very comprehensive, and made many good recommendations. We did not agree with all of the recommendations, as certain statements have indicated,” he said, noting the report had been sent to cabinet members, congress, governors and mayors. On the next day the news media reported the president had “praised” the report even though he committed himself to none of the recommendations. Califano said Johnson could have saved himself considerable grief if he had just made the same statement on the day the report was released, but he let his pride stand in the way of acknowledging the good work of the commission.

**News media reaction immediately positive**

The report’s release initially got major coverage, and the news media criticism was part of the overall reporting on the Kerner commission’s recommendations. The news media treated the report favorably, not ignoring or attempting to minimize the criticism aimed at it. Hebers said he had his advance copy of the report three days before the scheduled release and had made arrangements with sources to do interviews for a Sunday article. Because of the early release he was forced to write the initial article on the contents in just three hours, which left him little time to digest the voluminous report. “I did the best I could writing mostly from the commission’s
summary of the report. Other newspapers and broadcasters were in the same difficult situation, and it was from those hurriedly written accounts that the American people first learned of the report’s conclusions,” he said.30

Despite the rushed start to the coverage, articles about the report appeared on the front page of the *New York Times* for a full week after its release. On the first day of its release, it was the lead story and then coverage continued on three inside pages, where the entire summary was re-printed. The news media criticism and recommendations were mentioned in an eight-paragraph section of the main story. On the next day there were three front page articles reacting to the report’s contents along with an inside page profile of Harris, and the third day of coverage consisted of two front page articles and two articles inside with one specifically about the news media criticism. The article titled “News Media Found Lacking in Understanding of the Negro” led with the recommendation about establishing an urban communications institute and then recounted all of the major points.31 Coverage continued for the next week as public officials and black leaders reacted to the report’s contents.

The *Washington Post* gave the release of the report front page coverage for four straight days. On March 1, it made the report’s release the lead story on the front page, and then its reporters completed three sidebars on the inside along with a printing of the report’s summary section. Ben W. Gilbert, who had represented the newspaper at the news media conference three months before, wrote one of the sidebars, focusing on the news media criticism. In his piece entitled “Press, TV Coverage Faulted,” he summarized the news media chapter: “The Kerner Commission took a hard look at media coverage of the Nation’s racial troubles and
decided that an inadequate job was being done.” The article mentioned the news media conference and Kerner’s comments about how the commission was not intending to infringe on the First Amendment.32

All three major television networks pre-empted regular programming on March 3 to offer reporting and analysis of the report. In a move that seemed to show the immediate impact of the news media chapter, both NBC and CBS aired competing documentaries that examined the issues of race and poverty. The regular Sunday interview programs – NBC’s “Meet the Press,” CBS’s “Face the Nation,” and ABC’s “Issues and Answers” – focused on the issues outlined in the report. “It was an exceedingly rare demonstration of concentration of coverage by TV on a social issue,” wrote Jack Gould of the New York Times. In another remark that must have heartened the commission members, he said television was the ideal medium to tackle the issues of race and poverty because it could “visually show the conditions and moods that prompted the commission report’s tone of urgency.”33

NBC radio aired a special one-half hour report on March 2, and the “Today Show” interviewed commission members on its program on the morning of March 4.34 In another move that showed the news media were immediately responding positively, the Westinghouse Broadcasting Company on March 18 announced plans to pre-empt an entire evening of prime-time programming for a special three-and-one-half hour broadcast about race in America. The announcement of the project called, “One Nation, Indivisible,” was in response to the report’s call for the news media to improve its coverage of race relations.35
The weekly news magazines offered coverage as well. *Newsweek* discussed the news media criticism, and it crowed about how the report complimented the magazine for its special report, “The Negro American: What Must be Done,” which ran in the magazine in November 1967. The *Newsweek* editors noted the compliment and told people how to get reprints, noting many recommendations contained in the Kerner Report were the same ones outlined by the magazine in its series. An article about the news media criticism complimented Chayes for his work on the chapter, and it said the news media were already changing their ways. “For their part, editors by and large acknowledged the justice of the commission’s general conclusions,” *Newsweek* said. The article quoted the managing editor of the *Newark News* as an example of a newspaper that had taken the news media criticism to heart. “Now we’re trying hard to reflect the black community,” the editor said.

*Time* was not as upbeat about the report as *Newsweek*, yet its release received substantial coverage in the magazine. The magazine criticized the report for its litany of recommendations, which it said was a shotgun approach and would likely mean none of them would ever get accomplished. The specific news media criticism, however, was not addressed in the *Time* coverage, and the recommendations for the news media were not reported. The magazine, however, praised the report’s thoroughness and analysis, and it noted the news media played a role in exaggerating the extent of the violence in the past summer. Nevertheless, it was critical of the report’s overall approach, saying its “Armageddon tone was overly dramatic.”

News media trade publications offered coverage as well, specifically focusing on Chapter Fifteen. *Editor and Publisher*, which covered the print news media,
praised the report for its conclusions about the news media, even though the magazine
seemed to not directly respond to the criticism. In an editorial in the week after the
report’s release, the editors praised it: “’The Commission found in favor of full
coverage and not against it.’” They complimented it for being opposed to government
censorship, news moratoriums or attempts to interfere with the news media’s
coverage of riots. The editorial focused mostly on the report’s first conclusion, which
said overall the media tried to give a balanced and factual account of the disorders.40

*Editor and Publisher*, however, did not ignore the second and third
cconclusions completely, printing a three-page article that summarized the entire news
media chapter in that same issue. The article said the commission believed the news
media were a critical component of how the nation viewed the riots, and it noted the
commission devoted a chapter of about 10,000 words just to the news media. The
article quoted extensively from the report, basically summarizing the criticism with
no analysis or reaction, but it did not attempt to minimize or ignore any of it. If the
commission’s goal was to soften the criticism in order for it not to be ignored, the
strategy worked with the editors of *Editor and Publisher*.41

The Kerner Report continued to get coverage in *Editor and Publisher* for the
next six months. In one article, newspaper editors reacted to the suggestion that the
news media develop their own code of conduct and guidelines for riot reporting, and
the verdict for the most part was that editors were resistant to the idea. Another article
suggested the news media did not need the commission to tell them improvement was
needed because the nation’s newspapers had been making a concerted effort to report
about race and poverty and hire blacks even before the report was issued. Another
focused on how the commission praised the *Detroit Free Press* for its post-riot reporting about the root cases of violence in that city, the only news organization other than *Newsweek* to be singled out for praise in the report. In the same issue, the newspaper took out a full-page advertisement touting its mention.\(^{42}\)

In the television and radio industries’ trade publication *Broadcasting*, the coverage took a similar tone with the articles focusing mostly on the kind things the report said about television coverage without ignoring the criticism. “Television and radio received good marks on coverage of the riots in America’s cities,” said *Broadcasting* in a lengthy article about the report. It emphasized the Simulmatics data that showed few scenes of rioting and many more scenes of police officers controlling the violence, and it cited the content analysis data showing television gave more airtime to moderate black leaders than militant black leaders. Both of those results mitigated the two major criticisms of television at the time: it concentrated on showing scenes of violence and it gave militant blacks a chance to say whatever they wished. The criticism, however, was recounted toward the end of the article. It noted the report said some television news reporters acted irresponsibly by encouraging youths to throw rocks and impeding law enforcement.\(^ {43}\)

The Kerner Report immediately became a best seller, exceeding the initial sales of the Warren Commission Report more than three years earlier. Since the Government Printing Office told the commission that there would be a three-week delay in printing the report for the public, the commission signed an agreement with Bantam Books to immediately produce a paperback edition, which included an introduction by Tom Wicker of the *New York Times*. Initial plans by Bantam to
publish 250,000 copies on the day the report was released was a serious miscalculation so more were printed. In just eleven days after its release, the paperback edition had sold in excess of 740,000 copies and advance orders exceeded the copies available. Thus, the news media’s intense coverage of the report was validated by the demand from the public to read the entire document.

**Commission defends report, reiterates news media criticism**

After the Kerner report’s release, commission members went to the media to defend the findings particularly because many of the conclusions were controversial, including the news media criticism. Kerner never shied away from the conclusions even though he got criticism from both sides of the political spectrum. On the left, the report was criticized as an affirmation of the existing government policies, and from the right, it was criticized as an attempt to absolve the rioters and bankrupt the federal treasury. Despite the criticism, Kerner remained an advocate of the report in press conferences and speeches after its release and continued to speak out even after he was no longer governor and his days in elected political office were over. Often, he went beyond the carefully crafted wording of the report to speak out in harsher terms about the evils of racism.

It was that kind of tough talk that endeared Kerner to the news media. Even though he strayed beyond what Johnson wanted him to do in the report, the Illinois governor never seemed to lose favor with the president. Just seven days after the report was issued, Johnson nominated him for the federal judgeship, and in a show of loyalty, he continued to praise the president even after Johnson publicly ignored the
report and failed to even invite him to the White House to accept it. In an interview during his final week as governor in May 1968 after he already had been confirmed to the federal bench, he still did not disparage Johnson for his lack of enthusiasm for the report. When asked if Johnson had done all he could to implement the report’s recommendations, he defended the president. “Under the present circumstances, yes. I think if international situations were different, if our balance of payments were different than they are today, I think he would be even more aggressive. But he has to play a very, very delicate position,” he said. Therefore, he toed the Johnson line that there would be money to repair the racial divide after the nation prevented the spread of communism in Vietnam.

In the same interview, Kerner admitted he felt duty bound to become an advocate for the policies and programs suggested in the report, although he admitted he spent too much time doing that. When asked if he would consider re-convening the commission to examine the rioting in American cities after the Martin Luther King assassination on April 4 he said no. The report stood on its own, addressing the issues unequivocally, and another commission report would only serve to dilute the findings of the original report, he said. It was another indication of how strongly he felt about the report’s language. “People may argue about the conclusions we reached, which is perfectly proper. They may even argue about some of the recommendations we made, which is perfectly proper. But there can be no argument about the facts which is [sic] really the foundation of the entire report,” he said.

Kerner continued to defend the report’s findings even when doing so threatened his future in public office. At his Senate confirmation hearings for the
federal bench in late March 1968, he had an exchange with South Carolina Senator Strom Thurmond but did not back down from the conclusion that white racism caused the rioting and that there was no conspiracy behind the rioting. Formerly a Democrat, Thurmond had by 1968 broken with his party over the civil rights issue and joined the Republicans. He asked: “Why do you want to blame the white people, then, for this trouble?” Kerner defended the finding, saying white racism was not always intentional, but it was real, and it was pervasive. Thurmond continued to press him to disavow the report’s findings and support law and order, but he refused to bend and water down the conclusions despite the badgering.48

It was not just Kerner who defended the report after its release; both Wilkins and commission member James Corman repeated the news media criticism. In an interview with Edwin Newman that aired on March 17 on WNBC-TV in New York, Wilkins was asked about the news media’s tendency to only cover violent and militant black leaders. As was typical of Wilkins and was the tone of the news media chapter, he at first praised the news media, saying they had tried to do a good job of reporting on race and poverty. But he also repeated the criticism that the news media had ignored the root causes of riots and instead focused on the violence. “Now I think in the degree that the news media has fallen for this kind of business rather than the genuine conflict, they made an error. Because by and large, I think all things considered, they’ve done a good job in covering this Civil Rights struggle in the last few years,” he said.49

In the same interview, Wilkins praised the Kansas City Star, the mainstream newspaper in the city where he had worked as an editor on a black newspaper. He
recalled that the *Star* did not print a photograph of a black person until 1923, but by 1968, it had three black reporters and two black photographers. So, instead of criticizing the news media for its lack of action, he chose to point out an example of a newspaper doing a good job of hiring blacks, similar to the way the news media chapter highlighted examples of the news media doing a good job.\(^{50}\)

In remarks to the National Press Club in Washington, D.C., on April 2, Wilkins took a similar approach. He praised Wicker for writing an introduction that he felt was particularly well done to the paperback edition. He also took the chance to talk directly with the press about the news media criticism in the report, and he challenged them to do better. “The communications media, the press, radio and television, can help create [a] new attitude, [a] new will. Understanding is essential and understanding depends on education. The Commission report recognizes the vital role of the media in this explosive issue. It calls, as I and every other earnest Negro American now call, for skillful and dedicated education by the media,” he said.\(^{51}\) Again, he decided to praise the media members for the progress it had already made and then urged them to do even better.

Commission member Corman took a similar approach when he spoke to the National Academy of Television Arts and Sciences in Los Angeles in mid-March. He cited the news media chapter’s content analysis of television that showed far more scenes of controlling a riot than actual rioting, and he repeated the commission’s finding that television coverage did not cause more rioting although he encouraged television to do better. By broadening their coverage and including blacks in the everyday coverage of a community, he also encouraged television news outlets to
enhance the public understanding of race and poverty. “We are one nation and one people. . . . Let us see that on television,” he said.\(^52\)

Even though Johnson was cool to the Kerner Report and said little about it publicly in the weeks after its release, he addressed the issue of the news media riot coverage at the National Association of Broadcasters Convention in Chicago. In an April 1 speech, he reiterated themes outlined in Chapter Fifteen even though he never specifically mentioned the report. “All I mean to do, and what I am trying to do, is to remind you where there is great power, there must also be great responsibility. This is true for broadcasters, just as it is true for Presidents,” he told the audience. Much of the speech focused on the television coverage of Vietnam, but he also urged more responsible coverage of the riots and criticized television’s tendency to focus on conflict rather than solutions, another theme in Chapter Fifteen. “Certainly, it is more ‘dramatic’ to show policemen and rioters locked in combat than to show men trying to cooperate with one another. The face of hatred and bigotry comes through much more clearly – no matter what its color. The face of tolerance, I seem to find, is rarely ‘newsworthy,’” he said.\(^53\)

It would be three days after Johnson’s speech and just more than a month after the Kerner Report’s release when the news media would get its first opportunity to heed the commission’s criticism. The King assassination would set off a wave of rioting in American cities, all of which was covered by television, newspapers and radio. However, this time the coverage was more sensitive to the realization that the news media had a role to play in helping ameliorate violence, and news outlets, especially television and radio, were praised for their efforts to report accurately and
act responsibly to help calm the tensions. In the months after the King assassination, the news media also pursued a spate of in-depth news articles about race and poverty and stepped up efforts to recruit and retain black journalists.

Harris recognized a marked improvement in the news media immediately after the release of the report:

I know the Society of Newspaper Editors and others took that report very seriously and to heart. And there were organized efforts to increase the numbers of African Americans in the media in all levels. We thought that the real problem was that most people in America and most policy makers did not have any real understanding of the terrible twin conditions of racism and poverty that existed in these central cities that were the fundamental cause of the riots. Why didn’t they know it? Well one reason was that they never read much about it or saw much about it on television or never heard much about it on the radio. We didn’t think the media people hated black people. The problem was sort of indifference to the problems and a lack of understanding.

Harris recalled comments at a conference years after the report’s release by the editor of the Memphis Commercial Appeal about the King riots. The editor said at the time that the newspaper did not have any black reporter to send to cover the rioting, but just a few months after the report was issued that had all changed, and it had several black reporters. “I think that was true everywhere. And I think for the Kerner Report that would have been the most immediate and obvious result,” Harris said.
Notes

1 Interview, Bruce Paisner, January 8, 2008.
2 Ibid.
3 Ibid.
6 Merle McCurdy to David Ginsburg, December 8, 1967, Kerner Commission records series 39, box 3, folder “Publisher’s Luncheon,” LBJ Library.
8 Interview, Alvin Spivak, January 24, 2007.
10 Interview, Bruce Paisner, January 8, 2008.
13 Interview, Fred Harris, September 18, 2007.
16 Ibid.
17 Ibid.
22 Ibid.
23 Ibid.
28 Ibid., 262.
29 Ibid.
Madden, “Police Criticized in Newark Riots,” *New York Times*, March 3, 1968; Joseph A. Loftus,
1968.
35 “WBC Plans Night-Long Television Special on Racial Crisis,” *Broadcasting*, March 18,
1968, 62.
40 “News Media and Riots,” *Editor and Publisher*, March 9, 1968, 6.
41 Luther A. Huston, “Disorder Report Says Press Must Scrap its White Image,” *Editor and
Publisher*, March 9, 1968, 9.
42 See “Kerner Report Applauds New Reporatorial Effort,” *Editor and Publisher*, April 13,
1967, 26; “Riot Coverage Code? Editors Reply, No!” *Editor and Publisher*, April 20, 1968, 92-93; and
43 “Sober Look at Race Problem: President’s Commission Urges Media to Improve
44 Henry Raymont, “Riot Book Big Best Seller: Demand Exceeds 740,000 Copies Already in
45 Bill Barnhart and Gene Schlickman, *Kerner: The Conflict of Intangible Rights* (Urbana:
University of Illinois Press, 1999), 190.
46 Transcript of interview with Otto Kerner, undated, 5-7, Otto Kerner Papers, box 1408,
47 Ibid., 17.
48 Barnhart and Schlickman, *Kerner*, 221-222.
49 Transcript of WNBC-TV’s “Speaking Freely,” March 17, 1968, 12-13, Roy Wilkins papers,
50 Ibid., 33.
51 Remarks of Roy Wilkins to the National Press Club, April 2, 1968, Roy Wilkins papers,
53 Remarks in Chicago Before the National Association of Broadcasters, April 1, 1968, Public
Papers of the Presidents, Lyndon Johnson, www.presidency.ucsb.edu/lyndon_johnson, (accessed April
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55 Interview, Fred Harris, September 18, 2007.
56 Ibid.
Chapter 10 – Conclusion

Updated report treads on well-trod ground

When Hurricane Katrina came crashing ashore along the Gulf Coast in the late summer of 2005, the storm and its aftermath were reported across the country. Splashed across television screens and front pages were scenes of people struggling to survive, looting neighborhoods and living in poverty. The majority of those scenes, especially from New Orleans, were scenes of black Americans. A spate of news media coverage followed, looking at how poverty had made recovery more difficult, how the response was slowed because of latent racism and how the nation should have assisted these newly discovered impoverished people.

In some ways Hurricane Katrina was just as eye opening an experience for Americans in the 2000s as was the rioting in the 1960s. The hurricane exposed the twin evils of poverty and racism to the nation once more. And for the news media, Hurricane Katrina offered them the same opportunity to enlighten the nation to the causes of poverty and racism, as did the riots of the 1960s. “Once again, people said, ‘Oh my God, Oh my God.’ Unfortunately, that fifteen minutes of fame has faded again,” said Fred Harris, a Kerner Commission member and board chairman for the Milton S. Eisenhower Foundation, which in March 2008 issued its “Forty Year Update of the National Advisory Commission on Civil Disorders.” The updated report examined the same issues as the original Kerner Report, which he said had a role in improving news media coverage of racism and poverty forty years ago even if the improvement was short lived. “I think the
report itself opened people’s eyes, but that seemed to dull over the years so that for a lot of people the Katrina aftermath in New Orleans came as a hell of a shock,” he said.¹

The updated report noted that despite the initial progress made in the last forty years, the news media in the 2000s continued to ignore the poor and minority communities of the nation. Instead of examining the root causes of poverty and racism, the news media continued to offer superficial coverage of such issues unless a major calamity arose and even then that coverage was reflected from the white point of view. “Top heavy with white middle class men, television news departments and major newspapers today are obsessed with ratings and profits. The priorities of the Kerner Commission rarely come to the fore, and then only for a short while, as the coverage of Hurricane Katrina, New Orleans, and the Jena 6 have illustrated,” said the updated report.² (The Jena 6 referred to a case of violence between whites and blacks at a Louisiana high school in September 2007.)³

To initiate improved news media performance, the updated report highlighted many of the same concerns as the original. The updated report, however, couched the criticism as part of the need to make a major reform in the news media. It repeated the need to increase opportunities for minorities, noting the percentage of minority journalists in the nation had remained stagnant in recent years and actually declined in 2007.⁴ It noted that the media reform movement that began in the early 2000s needed to encourage alternative news media sources and online reporting of the poor and minority communities. It encouraged the break up of media monopolies that dominated the news media and encouraged the government to take steps to force the news media to diversify and increase minority ownership. It also encouraged the use of the World Wide Web as a
way for citizen journalists and others to report and cover poor and minority communities. Overall, it encouraged the news media to treat all of the citizens of the communities they covered more responsibly.\textsuperscript{5}

Following in the tradition of the original Kerner Commission, the Eisenhower Foundation conducted the National Media Forum on Poverty, Inequality and Race on December 12, 2006. At the forum, participants noted how Hurricane Katrina coverage was an example of the news media being praised for offering a balanced and factual account of the disaster but failing to cover the root causes of racism and poverty – just like the conclusions in the original report. At the forum, Elliott Currie, a professor of sociology at the University of California, said:

> Take the Katrina issue again. You had a vast amount of coverage of people floating in the canals in New Orleans and of people’s houses falling down. There was this sense of discovery as someone pointed out earlier this morning that, ‘Oh my gosh! We’ve discovered there are poor people down there.’ We all kind of congratulated ourselves about that discovery, but I didn’t read anything that said ‘Wait a minute, how come there’s all those poor people down there? Where did they come from? How can we have third-world conditions in a state of the United States, the world’s richest country?’

He said the news media were not offering coverage about the root causes of poverty and racism in New Orleans, similar to the way the news media were not covering the same issues during the riots of the 1960s.\textsuperscript{6}

What the original Kerner Report was able to do was to convince the news media that race and poverty were important topics for all of America and covering the black community was good business as well as good journalism. By the 2000s, the news media needed the same kind of convincing, said forum participants. Ray Suarez, senior correspondent for PBS’s “The News Hour,” noted the nation’s news media did not
believe the issues of race and poverty generated viewership or readership. He suggested covering such issues was bad for business. “We don’t want to tell them anything that makes them unhappy. . . . Too often the reporting doesn’t take the viewer, the listener, the reader to any place new, any place challenging, maybe uncomfortable. Instead, our reporting on race and class tends to tread on well-trod ground, reinforce ideas the audience already holds,” he said.  

What the Kerner Report was able to do was convince the news media that race and poverty were newsworthy topics and that the coverage of rioting was only one part of the story. In 2006, the news media forum speakers wrestled with the same issue: how to convince the news media that race and poverty were still newsworthy topics and merited coverage even when there was no hurricane. Many agreed that poverty was not news unless it was associated with a calamity. “What people mean by poverty is not news is not [that] we don’t want to write about poverty, what they mean is a persistent state is not news. If it is a persistent state, it cannot be reported as news,” said Jay Rosen, a journalism professor at New York University. The forum participants agreed that convincing the news media that poverty and race were newsworthy topics, which happened in 1968, was key in getting the nation to respond to those issues in the 2000s.

One of the questions raised at the forum was why the quality of news media coverage of race and poverty had declined for decades after improving in the years immediately after the Kerner Commission report. One reason, according to Kevin Merida, the Washington Post’s associate editor, was that the news media had changed dramatically in forty years. While there had been increased sophistication in news reporting, which was good because it gave reporters the opportunity to see the big picture
on issues, that sophistication often took reporters away from the basics of knocking on
doors, talking to people in poor neighborhoods and discovering how people lived in
minority areas. The news media, in its efforts to respond to increased demands for news
and information, had ignored some of the traditional sources of the news. “In the
newsroom, part of the culture is that the beats were relegated, [and] the old beats of race
and poverty either don’t exist anymore in most newsrooms or have been marginalized,”
he said. The goal was to encourage the news media not to ignore the bottom line of sound
reporting, which is to get to the root causes of issues, he said.9

The forum revived two ideas that the Kerner Report examined, one that was not
implemented and another that became one of the key recommendations. The first was
whether government should intervene in an effort to improve news media performance.
The Kerner Commission was a government-appointed group yet its members carefully
avoided giving the impression that they were threatening government sanctions on the
news media. It was one of the reasons the commission opted not to conduct hearings in
its efforts to investigate the news media. Yet congressional hearings were one of the ideas
proposed at the 2006 forum to get the news media’s attention to concerns that it was
ignoring race and poverty. It was noted the original commission did not exempt the
media from criticism simply on First Amendment grounds. “It would be seen as an attack
on the media, but that doesn’t mean you shouldn’t do it,” said the Post’s Merida. The
updated report called for increased government oversight on the media from the Federal
Communications Commission to break up media conglomerates yet it did not call for
congressional action.10
The second idea was for a formal program that would train journalists to be sensitive to issues of race and poverty and also monitor how the news media were performing in that area. Forum participants kicked around the idea of an academic institution operating such a program, which would be outside of government and sponsored by the news media. The idea had its roots in the final recommendation of the Kerner Report, which suggested the establishment of an Institute of Urban Communications. Forty years ago, the idea never was acted upon, and it was the one recommendation of the news media chapter that had little impact. Yet that idea was not even original to the Kerner Commission. The Hutchins Commission in 1947 had originally proposed “the establishment of a new and independent agency to appraise and report annually upon the performance of the press.” The idea of forming a new institute, however, was not part of the updated report even though forum participants said it was something that should be pursued.

Wise decisions made on news media chapter

At the National Media Forum on Poverty, Inequality and Race, Gregory Stanford of the Milwaukee Journal Sentinel said the Kerner Report marked a turning point for the nation’s news media. Prior to the report, an all-white newsroom that reported only on issues from the white point of view was the norm, and it was assumed it was the natural order of things, he said. But after the report, he said editors made significant changes. “The media section of the Kerner Report jibes with my own mission as a journalist. The report ripped the news media for rarely looking at the black community and then with white men’s eyes. My mission has been to supply another set of eyes,” he said. His own
mission as a journalist was to report to the community on the significant events that shaped people’s lives and that included all people, not just the white community. He said forty years ago, “The news media pleaded guilty to the Kerner Commission indictment. The rioting itself had hammered home the point. It caught the media flat footed.” In short, he agreed with many media scholars that the report led to significant news media improvement.¹⁵

It was not just journalists who recognized that progress. While much of the Kerner Report was never implemented, the chapter on the mass media had an impact, according to Michael Lipsky’s and David J. Olsen’s *Commission Politics: The Processing of Racial Crisis in America* in 1977:

There is little evidence that public policy toward American minorities would be much different today if the Kerner Commission had never been created. Only in two areas is the picture more positive. First, the commission’s assistance in police administrators and National Guard officials in planning procedures for handling civil disorders has been widely credited with minimizing loss of life during the riots of April 1968. The commission’s focus on media coverage and media employment of blacks has been similarly influential. There is a general consensus among analysts of the media that riot coverage has improved. Also, greater attention is currently paid to covering “everyday” news of the black community, and there is greater emphasis on hiring blacks as reporters. These developments might have occurred anyway, but there is some consensus that the Kerner Commission played a significant role in hastening them.¹⁶

While Stanford and the other forum participants believed the progress toward improved coverage of race and poverty had waned, they agreed the Kerner Report was a catalyst for progress for at least a few years. Stanford said the news media in subsequent decades failed to ask critical questions of those in power and government. They accepted the status quo and failed to do their job, which is to question those in authority about why racism and poverty continued to exist, he said.¹⁷
The Kerner Report encouraged the news media as well as all Americans to look critically at why race and poverty existed. In Chapter Fifteen, the commission asked the news media to examine their own practices and recognize they had a role to play in helping America understand why blacks were rioting. It offered concrete examples and concrete solutions to address the issues. The people involved in producing the report made many wise decisions when it came to producing the news media chapter.

The first of those wise decisions was to name Otto Kerner as chairman, which was a fortuitous choice made by President Lyndon Johnson. Naming Kerner to head the commission was done mostly for political reasons, and it had little to do with how he was viewed by the news media. Yet it was a good decision because he was well liked and well respected by the news media. Some, including fellow commission member Harris, have dismissed him as a passive leader who exerted little influence on the commission during its deliberations. Yet he nonetheless became the public face of the report. The report became his, and he was the person who was most closely associated with it. Throughout his time as governor and then in the first years as a federal judge, he was respected by the news media so the report’s news media criticisms carried weight. Despite his conviction and prison sentence in his final years, he remained well respected by the news media as evidenced by the newsmen’s testimonial dinner conducted just before his death.

Another fortuitous circumstance was the naming of the other commission members and the wise selection of the staff. While none of the commission members were in the news media, Roy Wilkins and Katherine Peden had experience in the profession. John Lindsay may have had a prickly relationship with the news media, but never was there a hint that he had open disdain for the profession. The naming of David
Ginsburg as executive director was important as well because he brought Harvard Law Professor Abram Chayes into the news media research. Chayes was the person who made the critical suggestions about how the news media research would proceed, and he always had an eye on avoiding the pitfalls of his predecessors on the Hutchins Commission.

Other staff members had a background with the news media, and of particular note was Alvin Spivak, the United Press International White House reporter and the commission information director, who had a good working relationship with the press corps. One of his primary goals was to closely monitor news reports about the commission and alert it to what was being written and broadcast. He said that was totally aside from the job of writing the report, but it was important that the commission stay attuned to the news media. “There were all sorts of things being written and all sorts of things being said. And these commissioners were no fools,” he said. The commission recognized that getting the news media to buy into the report would be critical to getting the public to understand not only the news media chapter but also the overall conclusions.

Another wise decision was to conduct the news media conference in lieu of formal hearings or some other method of research. As Chayes noted in his initial suggestion for the conference, the idea was to get media representatives in a relaxed atmosphere that avoided confrontation. The conference succeeded because it offered the news media representatives a chance to give their views without feeling that they were under scrutiny or under attack. Kerner established the proper tone for the weekend when he stated the commission members were there to listen and not to pass judgment, and he immediately put the attendees at ease with his comments about respecting the First Amendment. Despite his comments at the start of the second day, the conference allowed
the news media to feel as if they could be self-critical without fear of the commission or some government agency penalizing them for admitting their wrongs. As for the attendees, it was another wise decision by Chayes to keep the group small and invite top people, those who could make changes.

The way that the commission conducted its research also was a wise move, and that credit again went to Chayes. Instead of drawing superficial impressions of news media coverage, the commission used some of the latest social science approaches to gather facts and data. Even though the Simulmatics content analysis was criticized, it lent legitimacy to the findings. It showed the news media that the commission based its conclusions on scientific data when indeed much of the criticism of the news media at the time was based only on anecdotal evidence. The decision to have people in the news media assist with the research and to have them interview those in the news media was another wise decision. Robert Smith’s “How the News Media Covered Negro Rioting and Why” became the basis for many of the examples and criticisms in the news media chapter. Many of these criticisms and examples of media misdeeds in the covering of riots came from members of the news media themselves. These were problems and errors that the news media members acknowledged. The research also wisely did not include much from government investigators with the exception of the Justice Department’s evaluation of news media codes of conduct. Using research from outside government ensured the news media criticism would not be perceived as an attack by government on the free press.

Ultimately, the commission’s best decision was couching the news media criticism with a healthy dose of praise and a limited amount of scolding. The addition of
the first conclusion late in the writing of the news media chapter turned out to be a significant change. The first conclusion said the news media overall made a real effort to give a fair and balanced account. That conclusion allowed the news media to say the commission had validated their work. As evidenced by the coverage in *Editor and Publisher*, it gave the news media something positive to discuss instead of focusing on the criticism. But anyone who analyzed that first conclusion would determine it was essentially meaningless. All it really said was that the news media tried hard to do a good job, which is like getting an A for effort but still failing an examination. Yet that statement was trumpeted by the news media as an endorsement that it was doing a good job overall.

That was evidenced during a panel discussion at the National Association of Broadcasters convention in Chicago in late March 1968 when executives cited the Kerner Report as evidence that television news was “good and valuable.” NBC’s Reuven Frank specifically noted the report praised the efforts television was making to cover riots and urban issues. On a report about the panel, *Broadcasting* said, “[Frank] noted that a more scientific approach was taken by the President’s Commission on Civil Disorders and the Justice Department, which concluded that television didn’t cause the riots.”

Other significant decisions were made in the writing of the chapter when it was decided to add an admonition that the commission respected press freedom and was not endorsing government sanctions. The commission correctly recognized that previous attempts at news media criticism were always buttressed by the accusation that they were attacks on the First Amendment. By expressing that sentiment early in the chapter, that line of attack was immediately eliminated.
The news media chapter also avoided direct criticism of any individual or news media organization. That was a wise move because any person or organization singly criticized would have reacted negatively to the chapter. Thus, the chapter offered specific examples of media mistakes and misdeeds, but none were identified by a person or by a news organization. The only news organizations that were named were the *Detroit Free Press* and *Newsweek*, both of which were praised as “brilliant exceptions” to the criticism that the news media failed to report on the basic reasons for the rioting.\(^{21}\)

To show how significant the news media considered the report, both of those news organizations used the citation to promote their own work – *Newsweek* in an attempt to sell reprints of its “The Negro in America: What Must be Done” series and the *Detroit Free Press* in advertisements for the newspaper.\(^{22}\) The mention likely did nothing to hurt the *Free Press*’ chances at a Pulitzer Prize, which it was awarded three months after the report’s release when it was recognized for its riot coverage and the “accurate investigation into the underlying causes of the tragedy.” *Newsweek* parlayed the mention into a 1968 National Magazine Award where it was recognized for the “development of a new form of editorial analysis and advocacy in its major effort to present America’s racial problems.”\(^{23}\)

**Nothing all that new, yet it ‘led the way’**

The Kerner Report’s news media conclusions were not a shock or a surprise to the public or those in the business of reporting. In fact, they were nothing new or nothing that had not been discussed or written in the past. The conclusion that the news media were making a good effort to cover rioting was well established, and even media critics
admitted the effort was noteworthy; the conclusion that the news media had exaggerated the mood of the events was something that even those in the news media recognized, as evidenced by their comments at the news media conference; and the conclusion that the news media had failed to report on the causes and consequences of the rioting was an admission that news media members expressed in the interviews conducted as part of the research. “[The] Report came as no great shock to most editors who were familiar with the growing concern over the Negro revolution,” said Editor and Publisher.  

As evidence of how the Kerner Report’s conclusions were nothing the news media did not already know, William F. Noall, a journalism professor at the University of Maryland, surveyed editors in cities where there had been riots in the summer of 1967. His goal for the survey, which was conducted after the report’s release and reported in August 1968, was to find out if the news media had implemented the commission’s recommendations. It showed that of the thirty editors who responded to his questionnaire, twenty-five said “their newspapers had been following the commission’s advice long before the report was published.” The editors said they already recognized the need to hire more black reporters and the need to include black communities in everyday coverage, and they defended their newspapers, saying they knew there was a problem and were taking action well before the commission reported. Arizona Daily Star Editor William R. Matthews told Noall, “The Kerner Commission’s report has brought no particular change” in his newspaper’s policies.  

The only area where the news media chapter told the public something relatively new was the finding that coverage of rioting did not have a direct effect on spreading the violence. As the report said, “Our criticisms, important as they are, do not lead us to
conclude that the media are a cause of riots, any more than they are the cause of other phenomena which they report.” That statement clearly told the public that the news media should not be directly blamed for causing rioting. As for the news media, that was a welcome statement of something they already believed. The decision to clearly state that there was no direct connection was another wise move by the commission because it helped give weight to the other criticisms.

The decision to clearly state there was no direct link between coverage and rioting was especially helpful when it came to television news executives accepting the criticism. The report gave television solid ammunition to defend itself. Three months after the commission reported, Vice President Hubert Humphrey repeated the charge that television coverage “served as a catalyst to promote even more trouble.” Yet television executives were able to point to statements in the Kerner Report that absolved them of direct responsibility. Frank of NBC, Richard Salant of CBS and Elmer Lower of ABC were quoted in Broadcasting as dismissing the charge and citing as proof quotes from the report’s Chapter Fifteen. All three were present at the news media conference the previous November, and all said they had already made changes prior to the release of the report.27

In his history of network news, Frank identified the year of the Kerner Report’s release as the point when news executives began to change their ways. “It was 1968, I think, when news professionals began to show signs of a new paranoia, convinced by the polls that the public did not love them anymore,” he said. Even though Frank was critical of the commission’s call for the news media to act more socially responsible, he nonetheless recognized the commission had affected change even though the news
executives already knew of the problems. “In 1968, news managers took to justifying themselves in print, wearing out the tired image of the messenger killed for his news, a shard from an American past when classical allusion was part of daily language, even in newspapers,” he said.28

Television responded to the report in a big way with several special reports about the issues of black America throughout 1968. CBS launched a seven part commercial free series “Of Black America” that summer.29 WCBS-TV in New York broadcast an educational series about black history that fall titled “The Americans from Africa – A Survey of Their History.”30 WNAC-TV in Boston broadcasted a thirteen-week series that summer called “Journey out of Africa,” which was an historical look at black America by the city’s black community.31 An executive from WABC-TV in New York and the Associated Press initiated a program along with the Ford Foundation to set up an eight-week summer course at the University of South Carolina to interest blacks into broadcast news.32

The recommendations were nothing really new either. A procedure for better communication between the news media and local authorities when violence erupted had already been recognized, as shown by the codes of conduct and guidelines for riot reporting in several cities. A process for the news media to bring the black community into the mainstream of news coverage was recognized not only by the black community but many news organizations as well. That was evidenced by the Washington Post’s Ben W. Gilbert, who said after the news media conference that his newspaper was doing just that. “It is my feeling that any newspaper which ignores the concerns of a substantial
group of their city’s residents will get what it deserves and be ignored by them,” he said in a letter to the commission in December 1967.33

The recommendation that the news media needed to step up their efforts to hire more black reporters, editors and news executives was nothing that had not been written about in the previous few months. The Wall Street Journal’s Ed Cony said in December 1967, “We would like to step up our efforts to attract Negro reporters. If anyone has any ideas as to how we might do a better job in locating prospective Negro applicants, we’d be much obliged to hear about them.”34 Harris agreed that the recommendation that the news media needed to hire more blacks was not a new issue. “The media already were aware that their reporting and editorializing capacity was limited by a lack of diversity. . . The Kerner Commission felt that the media could do a better job of reporting and explaining the situation in America in regard to race if they had more diversity among their employees,” Harris said.35

Even the idea of forming an urban communications institute was not new, having its roots in the Hutchins Commission. The Association for Education in Journalism brought up the idea several times in the late 1960s, specifically by University of Iowa School of Journalism professor James Markham. He suggested a public commission would help build understanding of the news media, establish ethical standards and periodically make appraisals of news media performance.36 An urban communications institute would have had basically the same goals with the added duty of recruiting, training and placing black journalists.

The urban communications institute recommendation was rejected by the news media and such a project was never undertaken. The news media felt there already were
sufficient professional organizations as well as schools of journalism that would undertake the goals of recruiting, training and placing minority journalists along with reviewing media performance. The goal that the institute would serve as a kind of news service specializing in race and poverty issues was a good idea, but the news media organizations felt that they could do this better than some outside institute. Many of the proposed institute’s functions were already provided elsewhere or were taken up by institutions already in place with many news organizations either donating to or instituting programs that would accomplish the stated goals. Thus, even though such an institute was never established, its goals were incorporated by the news media, and they were goals and programs that they already knew needed to be done.37

Newspaper editors were leery of formalizing an urban communications institute out of fear that they would lose some control of the profession. Newspaper editors interviewed about the idea said the nation’s universities and journalism schools were already fulfilling such a function, even though several admitted academia could be doing a better job of it. “Present journalism schools and special courses, such as those offered at Northwestern University, should be adequate to do the job proposed by the Riot Committee. Indeed, they are already doing the job,” said Don Shoemaker, editor of the Miami Herald. Others suggested that universities take the lead on the institute idea with the news media providing financial support.38 It was an idea that although never implemented impacted the profession.
A handbook for the news media to follow

So why was the news media criticism influential when the chapter brought little new to the table? Bruce Paisner, the Harvard law student who wrote the first draft of the news media chapter, said the chapter was studied in many newsrooms across the country and it got people talking openly about the issues instead of just in academic circles.

“Regardless of whether organizations thought it was wise for us to be doing the chapter in general or the Poughkeepsie [news conference] in particular, there’s no question that it was read and studied and gradually acted on in newsrooms,” he said. It became a handbook for news media representatives to follow when faced with the difficult decisions about how to report on race and poverty and how to become more inclusive in their news reports. “I think we led the way. It’s like a lot of things in life. Somebody else might have led the way, and there might have been other factors, and there were all those kinds of things. But I think we kind of galvanized it,” he said.39

Jack Rosenthal, a consultant on the commission, said the key to the chapter’s significance was how it conveyed a sense of urgency about issues, even though they were issues that had been discussed previously. The Kerner Report conveyed to the nation the seriousness of the problem, and the chapter conveyed the urgent need for the news media to help with the solution. In such a crisis, every institution in society needed to act, including the news media. Along with a sense of urgency, he agreed the commission made some wise decisions in the chapter that helped make it influential. “They were smart to have the conference, and they were doubly smart to push for a voluntary code on the part of the press, knowing you were never going to have anything mandatory,”
Rosenthal said. He noted there was a “righteous amount of grumbling among the media people,” but most recognized the urgency of making changes in their performance.\textsuperscript{40}

Ginsburg, said the chapter did a good job of dramatizing the problem for the press. It was not too broad in its criticisms while it avoided singling out specific people or news organizations for rebuke and instead of scolding, it offered criticism in measured statements backed up by research and specific areas of concern. It did not offer anything that new – it simply stated the issues succinctly in one easy-to-read chapter. He said despite criticism by some in the news media about the chapter, “On the whole the press did not tear it down or attack it.” He said he and the commission members were pleased with how the news media reacted, and he credited that with the thoroughness of how the chapter was put together.\textsuperscript{41}

Spivak said many news media members were not satisfied with how the riots were covered at that time, so when the Kerner Report came out, the criticism was nothing that many in the business had not already considered. The reason that the press at the time was sensitive to criticism was that many felt people outside the business did not know the difficulties in covering a riot. By interviewing reporters and bringing the news media to the conference, the commission was able to give the news media a chance to discuss how difficult riot coverage was. Thus, he said the chapter came out just right because it recognized the difficulties of covering a riot while still pointing out problems. If the commission had just used the Simulmatics report as a basis for research, it would have ignored the difficulties that reporters faced in covering a riot, he said. The chapter also offered concrete suggestions, not mandates, for improvement. “One of the missions of the Kerner Commission wasn’t just to tell you how bad the riots were. Everyone knew
how bad the riots were, but [it was] to say what are you going to do to prevent them later on,” he said.42

Writing two years after the Kerner Report’s release, University of Illinois journalism professor and Pulitzer Prize-winning journalist Gene Graham admitted the news media had a long way to go but tremendous progress had been made in a short period. Even though the news media recommendations were not extraordinarily new or shockingly surprising, an honest judgment had to conclude that they were significant, he said. In a tragic way, the timing of the report – just a month before the Martin Luther King’s assassination – was fortuitous. The assassination gave the news media a sense of urgency about the issues, and it provided them with an immediate chance to put the recommendations for improved coverage into effect. “Few criticisms, few charges of distortion or inaccuracy or sensationalism, few claims of exaggerated mood or scale followed the King riots. No one so much as suggested that the rioters were performing their antics for the ever-faithful TV cameras,” he said.43

There were many more indications that the news media reacted positively to the Kerner Report after the King assassination. In Washington, D.C., where six people were killed in rioting, Mayor Walter Washington said, “I am appreciative that the press, radio and TV has reported accurately and reported well and fast.” In Chicago, newspaper and television outlets were praised for spurring campaigns to provide food, clothing and housing for riot victims. Black radio stations in the city were praised for “stifling rumors and maintaining calm in Negro sections.” In Detroit, Mayor Jerome Cavanagh contacted the publishers of the Detroit News and the Detroit Free Press, whose employees were on strike at the time, and said it was clear the city desperately needed its newspapers to
combat “explosive rumors and speculation.” Quill noted that reporters for the Associated Press and UPI performed valiantly and “forgot personal danger and long hours in telling a story which had fast-moving ramifications.” The coverage stressed the need to remedy the conditions that led to the violence.44

The Kerner Report’s release and then the King assassination touched off what Graham called a “spate of media treatments of black history, black culture, biography, art fashions etc. etc.”45 It also touched off a great deal of white soul searching in the news media, and the issue became not how to better cover a riot but rather how to cover the news to avoid one. That helped convince the news media that coverage of blacks and the root causes of racism and poverty were the key elements to keeping the nation from slipping into further violence. The news media recognized there was a sense of urgency in dealing with the issues, and the report offered at least some solution to a problem that seemed to be only getting worse after King’s death. It was in that crisis atmosphere that the news media responded to the criticism.46

The Kerner Report led the way because it broadened the responsibility of the news media. Glen Feighery in a 2004 dissertation, said prior to the report, the news media already recognized there was a responsibility to avoid sensationalism, stereotyping and bias in reporting about issues involving blacks. After the report, however, the news media recognized that reporting accurately on such events was not enough. There needed to be reporting about solutions and the big issues of social change in the nation. “It also included listening to what African Americans were saying – and then trying to do those things. Tell the story of the ghetto, probe the causes of urban violence and help solve the
linger<e>ing civic problems,” he wrote.47 What led the way was the criticism that the news media had to be part of the solution, not just an institution that recorded the events.

The idea that the news media needed to be part of the solution was evidenced by how many professionals began talking about the Kerner Report and what it meant for the future of the profession. Richard Leonard, editor of the Milwaukee Journal, encouraged his fellow newspaper editors in the spring of 1968 to recognize that rioting and urban unrest threatened the very existence of newspapers. He made the point that for newspapers to survive the American city needed to survive, which meant the news media must have a role in preserving cities and preventing the decline and destruction in the central core of the nation’s largest communities. He encouraged others in his profession to recognize that blacks were key constituents in the nation’s cities, and newspapers had to reflect their needs and desires. “Stated more simply, the role of the press in the urban crisis is to do all within its power to save – and improve – our cities,” he said. The economic future of the newspaper business was being threatened, and the news media had to recognize it was in their own best self-interest to help be part of the solution.48

Report succeeded where its predecessor failed

The Kerner Report was an immediate catalyst for news media changes while previous attempts, most notably the Hutchins Commission, for the most part were not. The reception that the Hutchins Report received in 1947 was much different than that of the Kerner Commission in 1968. The Hutchins Report was highly criticized by the news media, some of whom even called it a “swear word” and others who said it was “harshly received.” It took almost thirty years before its recommendations were put into practice

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because the news media in the 1940s would not admit there were problems in the newspaper industry.  

The Hutchins Commission made mistakes that its predecessor of twenty years later wisely did not. It was criticized for its definition of the “press,” which was too broad because newspaper editors contended they were different than movies or radio. It contained no members of the news media on its commission nor politicians nor anyone outside of academia. Critics derided it for its failure to do any systematic research and for its basis in subjective opinions from the members. It also did not list specific instances of news media failures nor did it cite examples of quality news coverage. It did not map out any specific plan to cure the ills it found, and it ignored the difficult question of how the press should internally monitor itself. In general, the critics said it was too ambiguous. Those were mistakes avoided by the Kerner Commission.

Why the Kerner Report became a catalyst for change while the Hutchins Commission did not also can be explained by the tenor of the times. In 1947, newspapers along with radio to some degree dominated the news media. Television would not enter the mainstream of the news media until 1952, a change that would ultimately diminish newspapers’ influence. As the dominant form of news media, newspapers were highly profitable operations. The flourishing of newspapers in the immediate postwar years was best illustrated by the fact that six New York newspapers boasted a daily circulation of more than six million. The New York Daily News alone reached its peak daily circulation of 2.4 million in 1947, the same year that the Hutchins Commission issued its report, a number that would decline significantly in the following twenty years.
Also, the nation was just moving out of World War II, where the newspaper industry felt it had done its part in the war effort. Coverage of the war by American newspapers and radio was considered by most observers to be the best and fullest the world had ever seen.52 One of the reasons the Hutchins Commission was so harshly criticized in the news media was that news media representatives were proud of the role they had played in the war effort, and they felt they deserved something better than criticism that focused on their shortcomings rather than their accomplishments.53

Yet in the late 1960s, the public and government’s attitude toward the media had changed. This was the era when the news media were going through a crisis of credibility. Instead of being viewed as one of the institutions that helped to bring America together as it had done in World War II, it had become an institution blamed for tearing the nation apart. The public and the government blamed the news media for causing and spreading the riots, and some American citizens, blacks in particular, believed that the news media were an oppressor, not a liberator. The news media were under attack in the late 1960s, which was the climate in which the Kerner Commission injected its criticism. It was a much different climate in the late 1940s than it had been in the late 1960s.

The news media for the most part welcomed the criticism in the Kerner Report and recognized their own shortcomings. Instead of deriding the criticism as government interference, the news media used the criticism to scrutinize its own practices and procedures. A typical response came from Frank Hawkins, editor of the *Pittsburgh Post-Gazette* who said, “On the whole, the commission’s findings and recommendations with reference to the press strike me as pertinent and well-motivated, if in spots rather
impractical or un-necessary. Certainly our performance, not only in the handling riots but
in general, can stand improvement."

So, in examining how and why the Kerner Commission came to its conclusions, it
first must be noted that the climate was ripe for changes in the news media. The public
and government were clamoring for change, and the news media chapter offered a
blueprint for it. The commission members recognized the need for the change, and they
reflected that need in the news media chapter. The criticism was derived not from any
single person, but from a group of people, all of whom had some experience with the
news media. All of them were influenced by the climate of the times and recognized that
the news media faced a crisis in credibility.

This dissertation outlined how the news media chapter developed with its origins
in Johnson’s charge that the commission should investigate whether the mass media
affected the riots. The commission carefully began its research, recognizing the influence
and power that the news media would have over how the public would perceive its report.
So, while researching the news media was part of the commission’s charge, it also
recognized that alienating and shutting out the media would be a grievous error. Thus,
keeping the news media informed and part of the process was one of the main concerns
throughout the research, which also helped to give Chapter Fifteen its influence over the
press.

The news media research also was for the most part conducted not by the
commission members or its staff, but by an outside consultant. It was Chayes who
recognized why past attempts at media criticism had failed, and he ensured the research
followed a course that would increase the likelihood that the news media would not
dismiss the criticism. That was one of the overriding factors in the decision to conduct the news media conference and to hire an outside firm to do the content analysis. It also drove the decision to hire other research consultants, all of which gave the news media chapter the weight of hard data along with a dose of specific examples.

The news media chapter also was written in a style that was clear and concise, no minor feat for a document with multiple authors. It was eloquently written in a way that related the major themes without an abundance of words, unlike the Hutchins Commission, which was written in an academic and pedantic way. The authors of the chapter accomplished this by hiring a research assistant who recognized the issues and had his own experience as a member of the news media to write the first draft. As the commission considered the draft, the members wisely added some praise while avoiding singling out any individuals for blame. There certainly may have been compromises made between those who wanted to be harsher on the news media and those who wanted to soften the criticism, but the end result was perfectly in the middle.

The final passage from the news media chapter reflected the commission’s desire to criticize the news media yet recognize the work it had done while encouraging them to do better. It also was the most eloquent passage of the entire chapter, and it offered clear and concise encouragement for future action. It read:

Along with the country as a whole, the press has too long basked in a white world, looking out of it, if at all, with white men’s eyes and a white perspective. That is no longer good enough. The painful process of readjustment that is required of the American news media must begin now. They must make a reality of integration – in both their product and personnel. They must insist on the highest standards of accuracy – not only reporting single events with care and skepticism, but placing each event into meaningful perspective. They must report the travail of our cities with compassion and in depth. In all of this, the Commission asks for fair and
courageous journalism – commitment and coverage that are worthy of one of the crucial domestic stories in American history.\textsuperscript{55}

With those words, the Kerner Commission effected a change in the history of the news media in America.
Notes

1 Interview, Fred Harris, September 18, 2007.
5 Ibid. 27-36.
13 “Top of the Week: The Roots of Riot,” Newsweek, March 11, 1968, 3; See also, advertisement Editor and Publisher, April 13, 1968, 1.
14 See advertisement, Quill, June 1968, 39.
18 “HHH Sounds Off on Riot News: Vice President Charges TV Acts as Catalyst in Spreading Disorders,” Broadcasting, July 1, 1968, 45.

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41 Interview, David Ginsburg, December 12, 2007.
42 Interview, Alvin Spivak, November 17, 2006.
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Appendix A: National Advisory Commission on Civil Disorders

Media Conference Attendees

**Kerner Commission members**
I.W. Abel, president United Steelworkers of America
Herbert Jenkins, chief of police Atlanta
Otto Kerner, chairman, Illinois governor
John Lindsay, vice-chairman, New York City mayor
Katherine Graham Peden, Kentucky commissioner of commerce
Charles B. Thornton, Litton Industries chief executive officer
Roy Wilkins, NAACP executive director
Note: The four other Kerner Commission members did not attend. They were U.S. Senator Fred Harris, Oklahoma; U.S. Sen. Edward Brooke, Massachusetts; U.S. Rep. James Corman, California; and U.S. Rep. William McCulloch, Ohio.

**Other government officials**
Nicholas Johnson, a member of the Federal Communication Commission
Henry Geller, general counsel for the FCC
Quinn Tamm, executive director of the International Association of Police Chiefs.
Chris Vlahoplus, Kerner’s press secretary.
David Garth, TV consultant to Lindsay
William Smith, Thornton’s press secretary
Steven Weiner, Corman’s assistant

**Print representatives**
Thomas Griffith, *Time-Life*
Harry T. Montgomery, The Associated Press
Neal Shine, *The Detroit Free Press*
Roger Tatarian, United Press International
Howard B. Woods, editor in chief *The Chicago Defender*
Ben Gilbert, assistant managing editor, *The Washington Post*
Joseph Shoquist, managing editor *The Milwaukee Journal*
Karl Fleming, LA bureau chief, *Newsweek*
Joseph Strickland, *The Detroit News*
Robert Levey, *The Boston Globe*
Sylvan Meyer, *The Gainesville (Georgia) Times*
Robert Smith, *Newsday*
Edward O. Guthman, *The Los Angeles Times* (also a conference speaker)
Thomas Johnson, *The New York Times* (also a conference speaker)

**Broadcast representatives**
Richard Salant, president CBS News Division in New York
Dan Bloom, CBS News in Chicago
Ike Pappas, CBS in Chicago
William McAndrew, NBC in New York
Reuven Frank, NBC in New York
Elmer Lower, president ABC News
Thomas Jarrell, ABC in Atlanta
Stanhope Gould, CBS in New York (also a conference speaker)
Fred Freed, NBC in New York
William Matney, NBC in Chicago
Edward Morgan, director Public Broadcasting Laboratories In DC
John Esther, TV news director WISN TV in Milwaukee
Jay Crouse, news director WHAS TV in Louisville, Kentucky
William Monroe, NBC in DC, (also a conference speaker)

Speakers
Richard T. Baker, Columbia School of Journalism (chairman of the newspaper roundtable sessions)
Burke Marshall, general counsel and VP for IBM (chairman of the TV roundtable sessions)
Kurt Lang, State University of New York at Stony Brook
John Spiegel, Limberg Center of the Study of Violence at Brandeis University
Roger Wilkins, community relations service for U.S. Department of Justice
Jack Rosenthal, Kennedy Fellow at the Kennedy School of Government
Pen Kimball, Columbia School of Journalism
Curtis MacDougall, professor of journalism at Northwestern
Ben Bagdikian, The Rand Corporation
Alexander J. Allen, associate national director of The Urban League

Kerner Commission staff and others
David Ginsburg, executive director
David Chambers, special assistant to Ginsburg
Alvin Spivak, director of information
Lawrence Still, assistant director of information
Merle McCurdy, general counsel
James Booker
Henry Talliaferro
Roberta Lesh, secretary to Spivak
Abram Chayes
Bruce Paisner
Jackie Hole, secretary to Chayes.

Source: Agenda for the Poughkeepsie Media Conference, Nov. 10-12, Kerner Commission records, series 12, box 1, folder “Commission on Civil Disorders: Complete Record of Materials at Poughkeepsie Conference, Nov. 10-12, 1967,” LBJ Library.
Appendix B: National Advisory Commission on Civil Disorders

Media Conference Agenda and Topics

Friday, November 10

4 - 6:30 p.m. Conference participants arrive at The Homestead.
6:00 Limousines available for transportation to reception.
8:30 Dinner and conversation with the Commission at The Homestead

Saturday, November 11 – Media in the Riot City

9:30 a.m. – 12:30 p.m.
Television Roundtable (Chairman Burke Marshall)
I. Problems of liaison and communication between media personnel and police, city government, and ghetto leaders. (Speaker: John Spiegel)
II. Opportunities for and problems of self-imposed restraints. (Speaker: Roger Wilkins)

Newspaper and Periodical Roundtable (Chairman: Richard T. Baker)
I. Problems of liaison and communication between media personnel and police, city government, and ghetto leaders. (Speaker: Kurt Lang)
II. Opportunities for and problems of self-imposed restraints on the reporting and displaying of news. (Speaker: Jack Rosenthal)

12:30 – 1:30 p.m. Lunch

1:30 – 4:30 p.m.
Television Roundtable (Chairman: Burke Marshall)
I. The media in action during a riot: deploying the forces. (Speaker: Stanhope Gould)
II. Making editorial judgments about coverage. (Speaker: William Monroe)

Newspaper Roundtable (Chairman: Richard T. Baker)
I. The media in action during a riot: deploying the forces. (Speaker: Pen Kimball)
II. Making editorial judgments about coverage. (Speaker: Ed Guthman)

5:30 p.m. Reception and dinner at the Altamonte Inn at Millbrook.
Sunday, November 12 – Effective Continuing Coverage of Urban and Racial News

9:45 a.m. – 12:15 p.m.

Roundtable I (Chairman: Burke Marshall)
A constructive role for the Press in race relations.
   1. Hiring, training and using Negro reporters. (Speaker: Thomas Johnson)
   2. The problems of a positive role for the media. (Speaker: Ben Bagdikian)

12:15 – 1:30 p.m. Lunch

1:30 – 4 p.m.
Roundtable II (Chairman Richard T. Baker)
Getting into the ghetto and getting the news out.
   1. The ghetto as part of the city (Speaker: A.J. Allen)
   2. Coverage by the media of Negro news (Speaker: Curtis MacDougall)

Source: Agenda for the Poughkeepsie Media Conference, Nov. 10-12, Kerner Commission records, series 12, box 1, folder “Commission on Civil Disorders: Complete Record of Materials at Poughkeepsie Conference, Nov. 10-12, 1967,” LBJ Library.
Appendix C: Note on Sources

This research project was initiated from an idea generated in Dr. Patrick S. Washburn’s Historical Research in Journalism class at the E.W. Scripps School of Journalism at Ohio University in the winter of 2006. The original idea was an examination of newspaper coverage of riots in two Cleveland neighborhoods in the summers of 1966 and 1968. Washburn noted the timing of the Cleveland riots was interesting because the first preceded the Kerner Report while the second followed it. The resulting project titled “Hough 1966 and Glenville 1968: How Cleveland newspapers covered rioting before and after the Kerner Commission” noted differences in how the newspapers covered the two events. From that project, the research expanded to an examination of the Kerner Commission itself and how it developed its news media criticism.

A major part of the project came in December 2006 during a week-long research trip to the LBJ Library and Museum in Austin, Texas, where original documents from the Kerner Commission are stored. Thanks to assistance from LBJ Library Archivist Allen Fisher, documents relating to the news media research were examined. The most significant of those documents included transcripts from the commission’s Poughkeepsie, New York, news media conference; a copy of the Simulmatics content analysis; Robert Smith’s news media survey; the Justice Department’s review of codes and guidelines; and the February 3, 1968, version of the news media chapter.

Those documents outlined a basic framework for the research, and the next step was to gather information about the commission members and those who worked with the commission to develop the chapter. A research trip in September 2007 to the
Abraham Lincoln Presidential Library in Springfield, Illinois, to examine documents about Otto Kerner proved fruitful thanks to assistance from Manuscripts Manager Cheryl Schnirring. Those documents provided a portrait of Kerner, and they aided in establishing the connection between the Illinois governor and the news media. A similar research trip in January 2008 to the Library of Congress to examine documents from Roy Wilkins’s papers offered similar insight.

While the documents provided a framework, the picture of how the Kerner Commission examined the news media was aided greatly by conducting interviews. The first interview was with Alvin Spivak, the commission’s information director, and it was conducted in November 2006. Spivak’s name appeared in the Kerner Report, and he was briefly mentioned in Lipsky and Olsen’s *Commission Politics*. The JFK Library as part of an oral history project interviewed Spivak, and in that interview he mentioned he was living in Florida, which led to finding his telephone number. Spivak provided names of others who were involved. It was Spivak who suggested pursuing interviews with Jack Rosenthal, a consultant with the commission, and David Ginsburg, the commission’s executive director. The suggestion to interview Bruce Paisner, the Harvard law student who assisted Abram Chayes, was made by Rosenthal who provided the contact information. Fred Harris, one of the two living commission members, was interviewed first in September 2007 and then in March 2008. He provided perspective on what the Kerner Report meant to the nation in the forty years since its writing.

The final element of research included articles in newspapers and magazines, and this research was aided greatly by the resources available at Ohio University’s Alden Library. Library databases that catalogued articles from the *New York Times* and
Washington Post were invaluable in providing easy access to the daily reporting about riots and the Kerner Commission. Also, the Alden Library’s Mahn Center for Archives and Special Collections provided access to the Scripps-Howard Washington Bureau archive, where more background news articles were examined.

The project proposal was completed in the fall of 2006, which was then developed into Chapter One. The chapter on the news media conference was developed into a paper for Dr. David Mould’s Seminar in Media Historical Research class in winter 2007. The paper “Media in the Riot City: How the November 1967 Kerner Commission Media Conference Blamed the Messenger” was presented at the AEJMC Convention in the summer 2007, and it was then developed into Chapter Five. The remaining chapters were written in the months of October 2007 to May 2008. It was aided by Dr. Washburn’s editing along with the insightful comments made during the dissertation defense on April 21, 2008, by committee members Dr. Joseph Bernt, Dr. Mould and Dr. Chester Pach.