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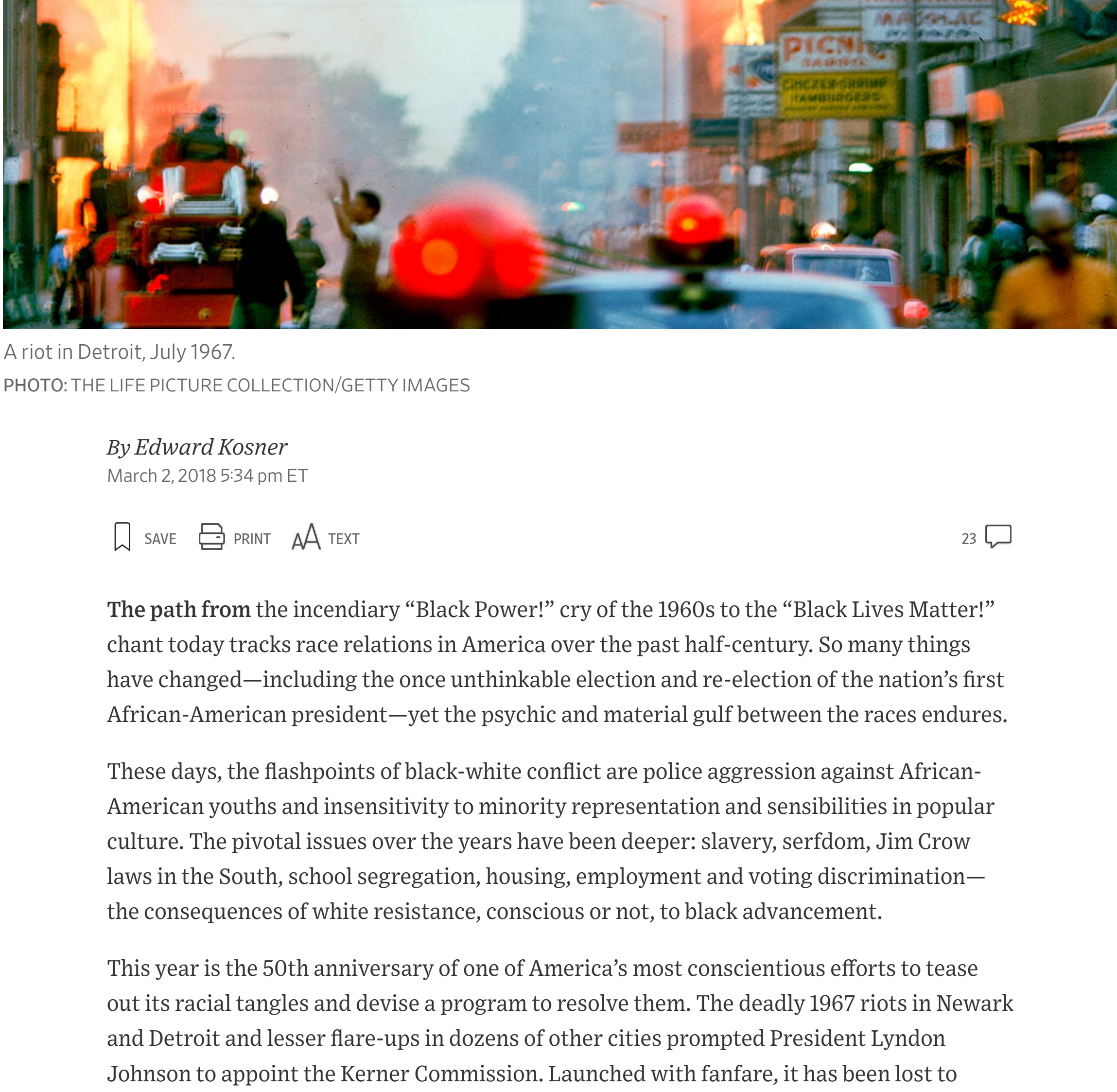
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# ‘Separate and Unequal’ Review: ‘Two Societies, One Black, One White’

A 1968 report on urban riots is a case study in the futility of leadership by blue-ribbon panel.



A riot in Detroit, July 1967.  
PHOTO: THE LIFE PICTURE COLLECTION/GETTY IMAGES

By Edward Kosner  
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The path from the incendiary “Black Power!” cry of the 1960s to the “Black Lives Matter!” chant today tracks race relations in America over the past half-century. So many things have changed—including the once unthinkable election and re-election of the nation’s first African-American president—yet the psychic and material gulf between the races endures.

These days, the flashpoints of black-white conflict are police aggression against African-American youths and insensitivity to minority representation and sensibilities in popular culture. The pivotal issues over the years have been deeper: slavery, serfdom, Jim Crow laws in the South, school segregation, housing, employment and voting discrimination—the consequences of white resistance, conscious or not, to black advancement.

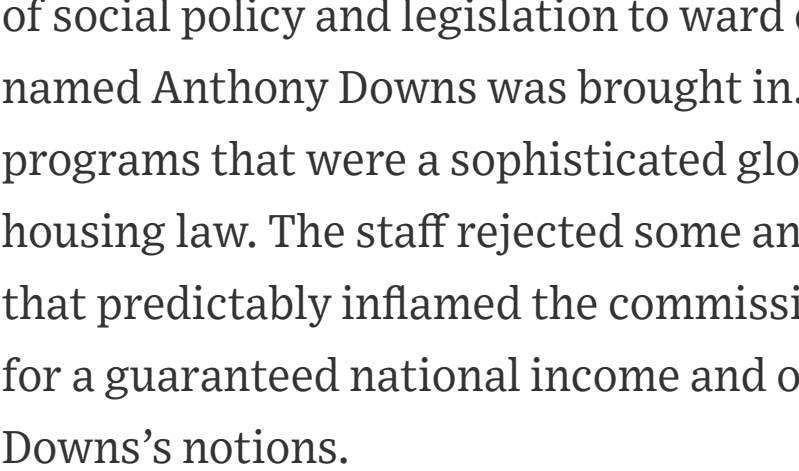
This year is the 50th anniversary of one of America’s most conscientious efforts to tease out its racial tangles and devise a program to resolve them. The deadly 1967 riots in Newark and Detroit and lesser flare-ups in dozens of other cities prompted President Lyndon Johnson to appoint the Kerner Commission. Launched with fanfare, it has been lost to memory. Now, in “Separate and Unequal,” Steven M. Gillon, a history professor at the University of Oklahoma, tells the fraught story of the commission, its recommendations and American race relations in the five decades since. His book is sophisticated, fair-minded—and a racing corrective to contemporary about racial reconciliation in America.

The experience of the Kerner Commission—formally, the National Advisory Commission on Civil Disorders—is a case study in the futility of leadership by blue-ribbon panel. In the midst of the Vietnam War, Johnson wanted to show concern and buy time to develop a response to the riots, a scary insurrection on the home front. He also wanted validation for his expensive and sputtering Great Society legislative program, half of his “guns and butter” strategy.

LBJ’s aim was to have a group whose names would command respect but also one that would be submissive to his will. He picked a reliable ally, Otto Kerner, the dapper Democratic governor of Illinois, as chairman. There were a couple of distinctly moderate African-Americans: Roy Wilkins, the head of the NAACP, and Edward Brooke of Massachusetts, a Republican who was the first black U.S. senator since Reconstruction. The vice chairman, John Lindsay, the charismatic young liberal GOP mayor of New York, held down the opposite end of the ideological seesaw from Charles (Tex) Thornton, the head of the Litton Industries conglomerate, a business icon of the time. Fred Harris, a 37-year-old Democratic senator from Oklahoma, was a member, along with two other congressmen, a big-city police chief, a labor leader and a Senate candidate from Kentucky, the sole woman. The key appointment was that of David Ginsburg, a politically savvy Washington lawyer, as executive director. His job was to corral the cats and get LBJ the report he wanted.

Johnson charged the riot panel to answer three basic questions: “What happened? Why did it happen? What can be done to prevent it from happening again?” As Mr. Gillon skillfully shows, the answer to the first question was easy; the second had to be finessed; and the third guaranteed that the commission’s report would be disdained by the president who created it and buried in history’s vault.

From the start, conflict between Lindsay and his ally Harris on one side and Tex Thornton on the other divided the panel. Lindsay, the WASPy sophisticate, argued that poverty and discrimination were the root causes of the rioting and that the commission’s job was to propose ambitious programs to address these historical wrongs. Thornton, a crusty self-made Westerner, thought the rioters were lawbreakers, not victims of white power, and wanted the Kerner report to reflect that view. LBJ himself was certain that black-power agitators like Stokely Carmichael and H. Rap Brown were part of a conspiracy masterminding the outbreaks, even though J. Edgar Hoover couldn’t confirm it.



(Original Caption) Members of the National Advisory Commission on Civil Disorders, which was investigating the riots which swept through many cities the previous summer, are shown during a meeting. Left to right are: Mayor John Lindsay of New York, Vice Chairman, (foreground), Governor Otto Kerner of Illinois, Chairman; David Ginsburg, committee staff; and Victor Palmieri, committee staff.  
PHOTO: BETTMANN ARCHIVE

SEPARATE AND UNEQUAL  
By Steven M. Gillon  
Basic, 374 pages, \$32

The president wasn’t shy about letting the commissioners know how he felt about their deliberations. At one point, Mr. Gillon reports, he warned the starchy Lindsay, “It’s a darn sight easier to slip on bullshit than it is to slip on gravel.” Another time he called Mr. Harris, who was something of a protégé, to remind him that he was “a Johnson man.” “I won’t forget,” pledged Mr. Harris. “If you do,” drawled the president, “I’ll take out my pocketknife and cut your peter off.”

The commission spent millions over seven months—hiring dozens of social scientists and other experts and helpers, sending fact-finding teams to riot cities, holding hearings, crunching statistics, and endlessly drafting and redrafting elements of the report. Reconstructing the rioting was the easy part. But the portion dealing with the causes of the conflagrations crystallized the conflict between the Thornton law-and-order hawks and the Lindsay doves, proxies of a divided nation. Commissioners began threatening not to sign the final report or to issue a minority report—fatally undercutting the authority of the recommendations—unless

their views prevailed. Finally, the crafty Washington lawyer Ginsburg came up with a phrase to break the impasse: The commission would simply label “white racism” the root problem. It was a facile solution, but it couldn’t paper over the panel’s deep divisions when it dug into the details.

Youngish social scientists drafted the section on the reasons for the rioting. They wrote mostly reasoned analyses, including one arguing that the riots were invariably touched off by the police shooting black youth and another establishing that many of the rioters weren’t poor dropouts but ghetto dwellers with decent educations and good incomes. A firebrand wound up writing the concluding portion, a vehement attack on liberal pieties on race and a call to empower militant youths to solve the problems of the ghetto. He called the Great Society “tokenism” designed to “get the Negroes out of our hair. . . . White moderation is the stuff out of which black rebellion is made.” Cooler heads rewrote the offending pages, but the damage was done. Johnson got wind of what was going on and tried to kill the commission, which barely survived.

Worse was yet to come. The commission came to a standstill trying to agree on a program of social policy and legislation to ward off future riots. Finally, a Chicago urban expert named Anthony Downs was brought in. He came up with a grab bag of costly federal programs that were a sophisticated gloss on existing ideas, including a nondiscriminatory housing law. The staff rejected some and packaged the rest into a 70-page compendium that predictably inflamed the commission’s conservatives. Even so, Lindsay kept arguing for a guaranteed national income and other progressive nostrums that went far beyond Downs’s notions.

The panel finally agreed to a unanimous report only after a new top was grafted on. Its blunt summary sentence would be the only part of the report many people read and history remembered: “Our nation is moving toward two societies, one black, one white—separate and unequal.”

In the end, none of it mattered. Johnson wanted to deep-six his commission’s budget-busting prescriptions. And there was an ego problem: “To a great degree,” Mr. Gillon writes, “LBJ rejected the report because it hurt his feelings.” But before the report was even published on Feb. 29, 1968, the North Vietnamese launched the Tet Offensive overrunning South Vietnam. The spectacle shook public support for LBJ’s pursuit of the war. Then, less than two weeks after the report came out, Sen. Eugene McCarthy, the antiwar crusader from Minnesota, almost beat the sitting president in the New Hampshire Democratic primary. In a few days, Johnson’s nemesis, Robert F. Kennedy, jumped into the race. By the end of March, LBJ announced that he would not run for re-election and the Kerner report was old news. A few days later, the assassination of the Rev. Martin Luther King Jr. in Memphis, Tenn., ignited the worst black riots in American history.

Mr. Gillon concludes his book by casting a fresh eye on race relations in America in the half-century since the Kerner report. He traces the evolution of white resentment successfully exploited by Richard Nixon and George Wallace in 1968 and by Ronald Reagan in 1980 and ’84. Republicans ended Great Society-style social engineering. For all the growth of the black middle class—and the wealth and visibility of black celebrities—increasing income inequality has disproportionately affected the poor. As Daniel Patrick Moynihan had predicted in 1965, more young black women were giving birth out of wedlock and more black youths were behind bars. Even the ascension of Barack Obama did not fundamentally change the picture and—it can be argued—prompted a backlash that elected Donald Trump.

The author gives the last word to Dr. Kenneth B. Clark, the black CCNY psychologist whose work the Supreme Court cited in its 1954 school desegregation decision. Clark testified to the Kerner Commission that he’d read reports of similar riot investigations drafted in 1919, 1935, 1943 and 1965 and warned: “It is a kind of Alice in Wonderland—with the same moving picture re-shown over and over again, the same analysis, the same recommendations, and the same inaction.”

The Kerner Commission was a failure. Still, by many standards, the lives of African-Americans are better today than ever before, if still short of aspirations. The commission’s description of “two societies . . . separate and unequal” remains valid as well. “The arc of the moral universe” may “bend toward justice,” as King preached, but it does take its time.

—Mr. Kosner, the former editor of Newsweek, New York, Esquire and the New York Daily News, wrote about the Kerner Commission for Newsweek in 1968.

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