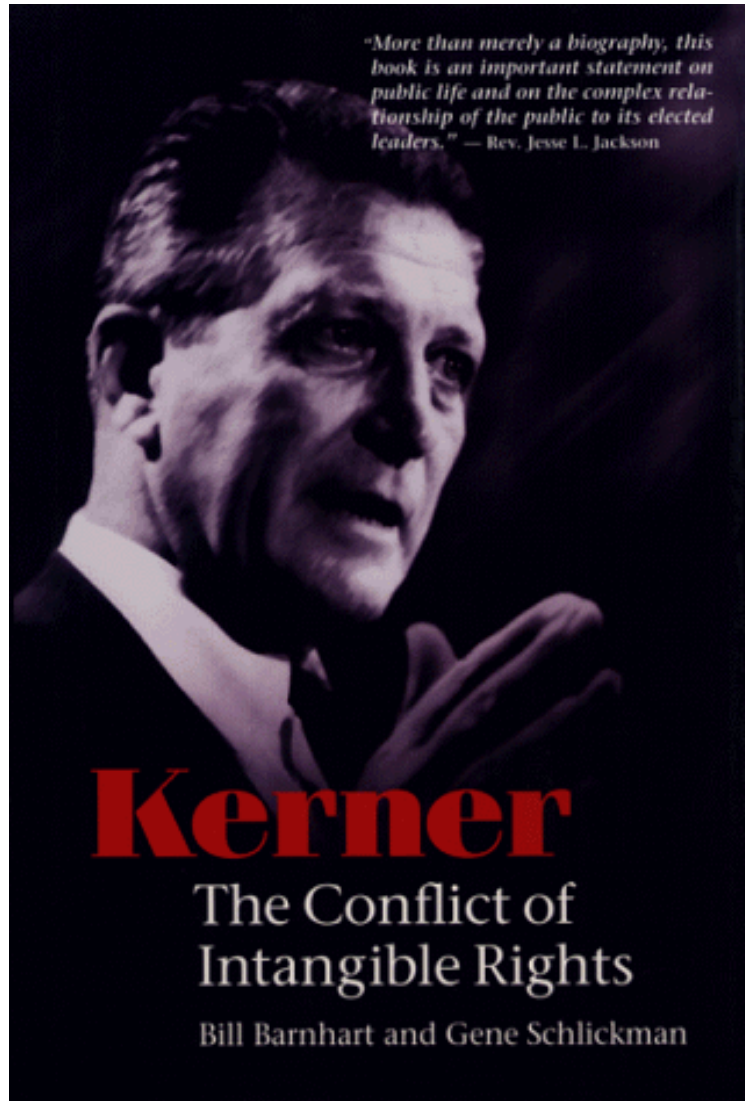


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Kerner: The Conflict of Intangible Rights

Bill Barnhart, Gene Schlickman
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Bill Barnhart, Gene Schlickman : Kerner: The Conflict of Intangible Rights before purchasing it in order to gage whether or not it would be worth my time, and all praised Kerner: The Conflict of Intangible Rights:

0 of 0 people found the following review helpful. I liked the part where Lyndon Johnson didn't like the Kerner ...By James R ZatopaThis book filled in a lot of gaps about governor Otto Kerner, including his World War II experience with Westmorland and his helping JFK win the U S presidency in Illinois. I liked the part where Lyndon Johnson didn't like the Kerner Commission report. The reason is in the book.0 of 0 people found the following review helpful. Required reading for critics of politiciansBy Robert KieckheferFascinating chapter of history -- very topical in light of

later prosecutions of political figures -- by a "good government" politico and top-notch journalist. Read this if you think all politicians are crooks!

6 of 6 people found the following review helpful. What Happened To Otto Kerner

By anton kerner

The warden stood to leave our brief family orientation. "I'll give you a moment to say goodbye", he said, stepping to his office door. When it shut my sister and I turned to our father. His soldier's face fell, vanquished and vulnerable; once sky-blue eyes clouded with sadness and bewilderment. As we left the prison, I said to my sister, "I just saw Dad die." She replied quietly, "I know."

Less than two years later, in the still, dark, early morning of May 9, 1976, my father, Otto Kerner - retired U.S. Army major general, former U.S. district attorney for the northern district of Illinois, former Cook County judge, former governor of Illinois, former chairman of the U.S. Commission on Civil Disorders, and former judge on the U.S. Court of Appeals - surrendered his last breath.

The next day, Illinois' poet laureate, Gwendolyn Brooks, penned the opening stanza of a remembrance entitled, Otto Kerner: He was a man extensive and extending/But we do not love largeness very long/We look with narrowing littleness on largeness. Brooks' husband, the late poet Henry Blakely, elaborated her insight with these closing lines of his poem, Of Otto Kerner:and his was the soldier's error/knowing/but not deeply believing/any who followed the flag/could be enemy/And so/he was flanked, taken/and then beheaded/the fate, sometimes, of princes/And I will be remembering/murders/and old kingdoms dead/because of great men killed.

Little has since been written about Otto Kerner, save occasional reference to his chairmanship of the 1968 Commission that produced the so-called "Kerner Report" and his incongruous 1973 federal conviction and imprisonment. Otto Kerner: The Conflict of Intangible Rights, the first biography of him by Chicago Tribune columnist Bill Barnhart and retired Republican Illinois legislator Gene Schlickman is a vital account of a man that Tom Wicker's dust jacket blurb aptly proclaims "an admirably dedicated public servant, later victimized by partisan prosecution." The Kerner Report's finding that "Our nation is moving toward two societies, one black, one white - separate and unequal" and that "white society is deeply implicated in the ghetto" was a landmark as well as a watershed for America's and Kerner's civil liberty. In January 1969, Richard Nixon - the nation's first critic of the Kerner Report - became president, and his campaign manager, John Mitchell, launched his masquerade as U.S. Department of Justice attorney general. Intangible civil rights of minorities advanced by Kerner were set on a collision course with a specious intangible rights theory invented by Mitchell's prosecutors to denigrate this most respected civil rights advocate. The authors correctly report that, after the U.S. Supreme Court overturned the government's theory, surviving defendants were granted reversals, while an otherwise timely appeal to reverse Kerner's conviction was denied because he had died. But they fail to report the broad pattern of government misconduct that made Kerner a target; not crime. Absent are incontrovertible proofs that Kerner was convicted by witnesses whom the government induced to lie, that the government's keystone bribery count named no briber or quid pro quo, that the government obstructed justice in hiding its campaign to ruin his reputation through prejudicial, pre-trial leaks to the media, and that original IRS notes were destroyed and recreated to frame the perjury allegation he steadfastly denied. Uncritically repeated is the government's cover story that the official investigation was inspired - within a year of Kerner's 1968 U.S. Senate confirmation to the U.S. Court of Appeals - by a tale that he was connected to the Mob. Neglected is the story that government agents on the case commonly joked that their code acronym, CRIMP, stood for Corrupt Republicans Investigating Marje's Pals, "Marje" referring to Marjorie Everett, a key witness suborned by the government to testify in Kerner's trial. Whatsmore, the authors miss the enormity of the injustice Kerner suffered when they dismiss strong evidence of the political inspiration behind his prosecution. They recount the famous November 1970 meeting where Nixon, Mitchell and cohorts plotted their racist 1972 re-election campaign strategy to split-off southern and northern white voters disgruntled by Democratic national civil rights and integration initiatives of the 1960s and repeat John Mitchell's boast there that Illinois Democrats wouldn't be so powerful after his grand jury got through in Chicago. Admitting that Mitchell's Washington, D.C. Justice Department officials had briefed Chicago prosecutors about Kerner only a month earlier in October 1970, they nevertheless doubt Mitchell's boast pertained to Kerner because no grand jury was then convened, overlooking Mitchell's Kerner grand jury seated in Chicago just a month after the 1970 holidays. To whom else was Mitchell referring, if not Kerner? Kerner's U.S. Appellate Court opinions in defense of civil liberty and his persistent advocacy of Kerner Report recommendations frustrated, embarrassed and enraged Nixon and Mitchell. He not only blocked their draconian approach to law and order; he criticized their impeding racial progress. In Nixon's Oval Office tapes released October 5, 1999, Mitchell is heard complaining about Kerner just two weeks before he called him in front of the June 1971 Grand Jury: "Now he's out talking about his Kerner Commission Report when he should be keeping his damn mouth shut as a judge." Long before my father's trial, my sister, Helena, and I sat alone with him at dinner in the Governor's Mansion. "I may not leave you much materially when I'm gone", he said, "but you will have something that will open more doors than all the money in the world: you will have a good name." When his good name was taken, he felt the door to public service shut forever. This book, despite its shortcomings, may prove him wrong about that. It renews hope that his legacy of good works may yet overwhelm the calumny of his enemies, remedy his injuries, exonerate, restore his name and thwart like future injustice. In this light, Otto Kerner: The Conflict of Intangible Rights reveals how we might more fully realize our great capacity for genuine nobility as human beings.

This first biography of Otto Kerner traces the heritage of a major figure in Illinois politics and explains his precipitous descent from public hero to public enemy. As a Cook County judge, Kerner reformed Illinois adoption procedure; as a two-term Democratic governor he promoted economic development, education, mental health services, and equal access to jobs and housing; as a federal appeals court judge he bucked the law-and-order tide and defended the rights of the accused. Kerner achieved national fame as chair of the National Commission of Civil Disorders (the Kerner Commission), which remains a milestone in America's struggle for racial harmony. An eloquent prophet of the grave consequences of racism in America's cities, Kerner articulated the commission's principal finding that 'our nation is moving toward two societies, one black, one white - separate and unequal'. Kerner's achievements, however, were eclipsed by his conviction on federal charges of mail fraud, bribery, perjury, and income tax evasion tied to his dealings in stock of an Illinois racetrack operator. Arguing that Kerner's incarceration related less to his misdeeds than to the zeal of federal investigators in attacking corruption in Illinois, Bill Barnhart and Gene Schlickman reveal how the prosecution of the popular ex-governor deepened the penetration of the federal government into state and local politics and coarsened public attitudes toward public service. This broad-based study sets Kerner's life against a background of pivotal events and issues in American politics over six decades. An absorbing biography of a prominent and arguably tragic public figure, "Kerner" presents a cautionary tale on the strengths and weaknesses of the American political character and the capriciousness of political acclaim and denigration.

"Few Illinois governors had more promise than Otto Kerner - or had a more tragic end. This fine biography shows why Kerner mattered and how his legacy lives on." - Steve Neal, Chicago Sun Times "An excellent, thoroughly documented look at a complex man/politician and at the complex kingdoms of Chicago and Illinois politics." - Choice "Ultimately, Kerner is both a convincing defense of a maligned public figure and an illuminating tale of the messy, often haphazard workings of U.S. politics." - Jane Manners, Brill's Content "The first and long-needed biography of one of the most unusual politician's in the state's history. In their well-written book, the authors offer not only a sympathetic telling of the rise and fall of one man, but a richly detailed story of Kerner's era and its ethnic politics, gangsters, reformers, patronage, elections, smoke-filled rooms, Democratic machine and intricacies of state politics... To Barnhart and Schlickman, Kerner's life is a cautionary tale that warns what can happen to one who enters public life but seeks to remain above the fray. The lesson to be learned? Never go into politics unless you love being a politician." - James L. Swanson, Chicago Tribune Books "An entertaining and informative book, worth the time of anyone interested in local history or politics." - Jack Leyhane, Summary Judgements "[Barnhart and Schlickman's] fine, easy prose with attention to the details - especially the political details - has produced a gripping story intertwining the prominent political figures in Illinois and the United States over the past 70 years. It is a classic human drama told with unusual integrity and balance." - Chicago Daily Law Bulletin "Fills a great void... The new biography digs deeply into the wellspring that fed Kerner's work on the [Kerner] commission and his 40-year career in public service... [This volume] is a good place to learn how we might more fully realize our great capacity for genuine nobility as human beings." - Anton Cermak Kerner, Chicago Tribune "Fortunately, at long last, [the authors] have provided us with the reasons why Kerner's accomplishments as a soldier, United States attorney, governor, chair of the [Kerner Commission], and as a judge on the Seventh Circuit Court of Appeals have been overshadowed by his conviction on income tax evasion, bribery, mail fraud, and perjury... The authors have performed a valuable service in restoring Kerner's reputation and in asking students of Illinois history to recognize Otto Kerner's contribution to the state and nation's history." - David J. Maurer, Journal of Illinois History