

**MIQDASH BETHEL COVENANT ASSEMBLY**

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**WITNESSES TO THE WOUND**

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*A Covenant Investigation into the Exploitation of the Zamar Carriers*

*100 Years of the Music Business on Trial*

**Report No. 8 of an Ongoing Series**

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# CHUCK BERRY

1926 – 2017

## *The Father of Rock and Roll*

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*Maybellene songwriting credit stolen and shared with two men who wrote nothing — received one-third of royalties for 31 years — turned away from his own gig because the organizers had not known Maybellene was recorded by a Black man — career derailed by Mann Act imprisonment — insists on cash in hand before stepping on any stage for the rest of his life*

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**NOTE: This report applies the Devarim 19:15 full-truth standard to both what was done to Berry and what Berry did. The covenant indictment is not diminished by his own conduct — but neither is his conduct excused by what the system did to him.**

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March 2026 · Kepha Arcemont, Elder and Founder

## SECTION ONE — THE GIFT: WHO YAHWEH MADE HIM

## Biography: The Man Who Invented Rock and Roll

**Charles Edward Anderson Berry was born October 18, 1926, in St. Louis, Missouri** — the third child of Henry and Martha Berry, a middle-class Black family in the north St. Louis neighborhood known as the Ville. His father was a contractor and Baptist deacon. His mother was a certified public school principal. He was not born in the Delta. He was not born in poverty. He was born into a family that valued education and had achieved middle-class stability in a segregated city. This is important context: the system that exploited Chuck Berry did not find a desperate man with nothing. It found a man who had built something and then took it from him anyway.

Berry taught himself guitar. He studied the blues of T-Bone Walker, the showmanship of guitar players he watched perform, the country music he heard on radio stations that were not aimed at Black audiences. He fused these influences into something that had not existed before: a guitar-driven, lyrically precise music that spoke directly to teenagers of both races. Jon Pareles of the New York Times described it as inventing *"rock as a music of teenage wishes fulfilled and good times."* Joe Perry of Aerosmith said: *"As a songwriter, Chuck Berry is like the Ernest Hemingway of rock & roll. He gets right to the point."*

In May 1955 he traveled to Chicago on the advice of Muddy Waters and met Leonard Chess of Chess Records. Chess signed him. ***Maybellene*** was recorded on May 21, 1955. It reached number one on the R&B chart and number five on the pop chart. It sold over a million copies by the end of 1955. From 1955 through 1960 he wrote and recorded ***Roll Over Beethoven, School Day, Rock and Roll Music, Sweet Little Sixteen, Johnny B. Goode, Brown Eyed Handsome Man***, and more. **These songs are the foundation of rock and roll.** The Beatles covered them. The Rolling Stones covered them. Bob Dylan cited Berry as a primary influence. Every rock guitarist since 1955 has learned from him. Rolling Stone magazine wrote of *Maybellene*: *"Rock & roll guitar starts here."*

◆ *Chuck Berry is in this series because of what was done to him — but I need to say first what he gave the world. He gave the world a grammar. A set of three chords, a guitar riff, a lyric approach, a showmanship vocabulary that every rock musician since has worked from. I play vintage Gibsons through vintage Marshalls playing blues-rock. That lineage runs directly through Chuck Berry. The music I carry was shaped by him. The duck walk. The double-stop riffs. The storytelling in compressed, perfect language. He is the Father of Rock and Roll not as a marketing title but as a documented musical fact. What the system did to him is what it always does: it found the gifted and extracted.*

**Born**

October 18, 1926 — St. Louis, Missouri

<b>Family</b>	Middle-class; father contractor and Baptist deacon; mother certified school principal
<b>Signed</b>	Chess Records, 1955 — on Muddy Waters' recommendation
<b>Maybellene (1955)</b>	#1 R&B, #5 pop, 1 million+ copies sold
<b>Core catalog</b>	Roll Over Beethoven (1956), Rock and Roll Music (1957), Johnny B. Goode (1958), Sweet Little Sixteen (1958)
<b>Songwriting credit theft</b>	Maybellene co-credited to Alan Freed and Russ Fratto at release — Berry received 1/3 of royalties for 31 years
<b>Credit restored</b>	1986 — 31 years after writing the song
<b>Cash payment policy</b>	After Maybellene: required full cash payment in hand before stepping on any stage
<b>Mann Act conviction</b>	Served 1.5 years, February 1962–October 1963 — career never fully recovered
<b>Death</b>	March 18, 2017 — St. Charles County, Missouri — age 90
<b>Recognition</b>	Rock and Roll Hall of Fame, inaugural class 1986. Grammy Lifetime Achievement 1984.

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**SECTION TWO — THE WOUND: WHAT WAS DONE TO HIM**

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## The Exploitation — Payola, Racial Exclusion, and Career Destruction

### Wound One: The Maybellene Songwriting Theft

**Chuck Berry wrote Maybellene alone.** This is documented in his own words, in the NPR account of the song's history, in the Wikipedia article on Maybellene, and in the Encyclopedia.com biography. He wrote it from memories of high school and a car chase he imagined. He adapted the melody from a country song called *Ida Red*. He rewrote the lyrics at Chess's direction. He performed it. He recorded it. **He wrote it.**

When the record was released and Berry got his hands on a copy, he discovered that **two men who had nothing to do with writing the song were listed as co-writers alongside him:** Alan Freed, the New York disc jockey who had agreed to promote the record heavily in exchange for a 25% writing credit and royalties; and Russ Fratto, who had loaned money to or was owed debts by Leonard Chess and received a 33% credit as payment for those debts. Chess had made these deals without telling Berry. **Berry received one-third of the royalties from his own song for 31 years.**

In Rolling Stone (1972), Berry told interviewer Patrick William Salvo directly: Freed *"didn't sit down with me at all and write anything. He got that money solely for doing us*

some favors in those days." NPR's account of the song documents Berry's own words: "I didn't even know that you could use lawyers to correct these things, you know, then, you know. So it goes on and on and on, but that happens to rookies, if you want to call a new musician a rookie."

This is the Broonzy pattern in its most specific form: **the new artist who does not know the legal mechanism by which his work can be protected from those who hold the infrastructure.** Berry learned. By 1986, after a court battle, he was finally restored as the sole credited composer of Maybellene. **Thirty-one years after he wrote it.** His response to what had been done to him shaped the rest of his performing career: he required full cash payment in hand before walking on any stage. He trusted no one with his compensation. He came into the venue office, counted the money, confirmed it was complete, and only then picked up the guitar. **The system made him into a man who trusted no one, because the first deal he ever signed taught him that trust would cost him two-thirds of his earnings.** He organized his entire career around not being robbed again.

## Wound Two: Turned Away from His Own Song

**The NPR account of Maybellene documents one of the most specific and vivid racial incidents in the entire series:** Berry arrived to play a scheduled concert one night in Knoxville, Tennessee. The show's organizers turned him away at the door. Their explanation, documented by NPR: "It's a country dance, and we had no idea that 'Maybellene' was recorded by a Negro man." Berry returned to his car. He sat in his car. He listened as a white replacement band played his music inside the venue he was not allowed to enter.

This incident is not a footnote. It is the entire architecture of the music industry's racial exploitation in a single scene. **The song is his. The royalties are already being stolen from it. The audiences want to hear it. And he is turned away from the building because the organizers had assumed that a song that good must have been recorded by a white man.** The assumption is the covenant charge. The system that produced that assumption — in which Black artists created the sound that white audiences consumed through white radio, white performance venues, and white distribution channels — is what this series documents. Chuck Berry sat in his car and listened to white musicians play his song through the wall of a club he was not permitted to enter.

◆ *I grew up in New Orleans. I know what it is to carry a gift that the world wants but is not sure it wants to receive from you. The Chitlin' Circuit existed because Black musicians could not perform in mainstream venues. The cover system existed because white performers could access mainstream radio and Black ones could not. Chuck Berry sat in a car in Knoxville and listened to his own song being played without him by musicians who were allowed inside the building. I think about that every time I set up a show. Every time I negotiate a performance contract. The system that put him in that car is still with us. It just wears different clothes.*

## Wound Three: The Career Destroyed by the Mann Act

**The Mann Act prosecution of Chuck Berry requires the full covenant honesty standard.** The facts are: Berry was charged in December 1959 with transporting a 14-year-old girl, Janice Escalanti, across state lines. He was convicted by an all-white, all-male jury. The first conviction was vacated by a federal appeals court because the presiding judge made racially prejudiced comments during the trial that poisoned the jury against him. He was retried, convicted again, and served one and a half years in federal prison from February 1962 to October 1963.

⚠ **COVENANT HONESTY STANDARD:** The covenant research standard requires stating plainly what is disputed and what is established in the Mann Act case. Established: Berry transported Escalanti across state lines; she was 14; he was convicted twice; the first conviction was vacated due to documented judicial racism; the appeal of the second conviction failed; he served 18 months. Disputed: Whether the transportation was for immoral purposes as charged; Berry maintained he hired her as a hostess and fired her for making advances toward him; Escalanti had a background that complicated her credibility as a witness; multiple sources note that white rock musicians of the era engaged in similar conduct without prosecution. The covenant does not excuse Berry's conduct with a minor. It does note that the Mann Act was used disproportionately against Black men, that the first trial was contaminated by documented judicial racism, and that the prosecution timing — at the peak of his career, during the civil rights era — carries the pattern of racial targeting documented in multiple scholarly sources.

What is unambiguous in the historical record: **the Mann Act prosecution destroyed Chuck Berry's career at its peak.** His output slowed. His popularity declined. His last single before imprisonment was **Come On** in 1961. After his release in 1963 he had some minor hits, but his days as a hitmaker and innovator were over. The Beatles were covering his songs and crediting him as the primary influence on their entire musical approach — but Berry himself was no longer a chart force in the country whose music he had defined. The PBS NewsHour account of Berry's career confirms: *"Berry's career never really recovered after his prison sentence."* The HISTORY.com account notes the first trial was contaminated by a judge's racial comments so egregious that a federal appeals court vacated the conviction. The second trial produced the same result with a different judge.

After his release, Berry developed a set of professional practices that were direct responses to the exploitation he had experienced. The cash-in-hand policy before every performance. The refusal to perform with house bands he had not rehearsed with — because the Chess Records experience had taught him that improvised, cheap production served the label's budget, not his artistry. **He became famous for being difficult.** What he became was a man who had been robbed by the system and organized his professional behavior around not being robbed again. The reputation for difficulty was the system's description of a man who had learned to protect himself from the system.

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### SECTION THREE — THE THREE WITNESSES (DEVARIM 19:15)

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## Corroboration of the Record

**WITNESS One:** NPR (*'The Story of Chuck Berry's Maybellene,'* documented by NPR Music): confirms Berry wrote Maybellene alone; confirms Alan Freed received 25% songwriting credit in exchange for airplay without contributing to the writing; confirms Russ Fratto received credit for debts Chess owed; confirms Berry received one-third of royalties from his own song; confirms the Knoxville incident where he was turned away because organizers had not known Maybellene was recorded by a Black man; confirms Berry's own words: 'I didn't even know that you could use lawyers to correct these things.' This is national public broadcasting editorial documentation.

**WITNESS Two:** Encyclopedia.com biography (sourcing Rolling Stone and Chess Records documentation): confirms the Maybellene payola arrangement was standard practice particularly for Black artists; confirms Berry was 'bilked out of two-thirds of his royalties from the song'; confirms his manager was simultaneously stealing from his live performance income; confirms the credit was not restored until 1986; confirms Berry's post-exploitation cash payment policy. Additionally: History.com confirms the first Mann Act conviction was vacated by a federal appeals court due to 'disparaging racial comments made by the judge in his original trial.'

**WITNESS Three:** PBS NewsHour (2017, music historian Alan Light, New York Times correspondent): confirms 'Chuck Berry's career never really recovered after his prison sentence'; confirms Berry 'went into a very defensive business posture' after Maybellene based on having 'seen the effects of illicit or at least questionable business practices'; confirms Berry 'insisted on full cash payment in his hand before he would go on a stage' as a direct response to the exploitation he had experienced. This is mainstream broadcast journalism corroborated by the New York Times editorial assessment.

Additional corroboration: Wikipedia (Chuck Berry article); Maybellene Wikipedia article citing Robert Christgau and John A. Jackson's documented research; HISTORY.com ('Chuck Berry is indicted on Mann Act charges'); Performing Songwriter magazine (detailed career chronology).

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### SECTION FOUR — THE COVENANT ANALYSIS: WHAT THE TORAH SAYS

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## The Torah Charges — Applied to Chuck Berry

### Charge One: Payola as Covenant Theft — Vayikra 19:11

***"You shall not steal; you shall not deal falsely; you shall not lie to one another."***

**— Vayikra (Leviticus) 19:11**

Leonard Chess assigned one-third of Berry's songwriting credit to Alan Freed and one-third to Russ Fratto without telling Berry. **Lo tignov** — you shall not steal. **Lo teshaqeru** — you shall not deal falsely. The payola system was the music industry's version of both: a covert arrangement in which credit and royalties were transferred from the artist who created the work to those who controlled the distribution infrastructure — without the artist's knowledge or informed consent. **Chess told Berry**

**none of this when Berry signed the contract.** The first royalty check was large enough that Berry did not immediately realize what had been taken. It was only later, when he understood that sharing writing credit meant sharing earnings, that the full scope of the theft became clear. The Torah's prohibition of false dealing is precise: it does not require malice to be a violation. The false dealing occurred. The credit was taken. Two-thirds of the royalties from the defining song of rock and roll flowed to men who wrote nothing of it for 31 years.

## Charge Two: Racial Partiality in the Venue System — Devarim 1:17

***"You shall not show partiality in judgment. You shall hear the small and the great alike. You shall not be intimidated by anyone, for the judgment is Elohim's."***

— Devarim (Deuteronomy) 1:17

Chuck Berry sat in his car in Knoxville and listened to white musicians play his song inside a venue he was not permitted to enter. The system that produced this outcome is the same system documented in every report in this series: **the commercial infrastructure of the American music industry was racially segregated in ways that systematically transferred commercial value from Black creators to white performers and white venue owners.** Berry's song crossed the racial line — it reached white audiences through white radio promotion (Alan Freed's, paid for by stealing Berry's royalties) — but Berry himself could not cross the venue door. Devarim's standard of equal judgment applies to every system that assigns different access to the same commercial space based on race. The venue organizers in Knoxville did not see themselves as violating a covenant. They were simply operating within the normal commercial infrastructure of their region. **The covenant does not require individual malice to enter an indictment. It requires documented unequal treatment. This is documented.**

## Charge Three: The Judge's Racial Prejudice — Shemot 23:6–8

***"You shall not pervert the justice due to your poor in his lawsuit. Keep far from a false charge, and do not kill the innocent and righteous, for I will not acquit the wicked. And you shall take no bribe, for a bribe blinds the clear-sighted and subverts the cause of those who are in the right."***

— Shemot (Exodus) 23:6-8

The federal appeals court that vacated Chuck Berry's first Mann Act conviction did so because the presiding judge made racially prejudiced comments that — in the court's own legal determination — poisoned the jury against Berry. **A United States federal court found that a judge had perverted justice through racial prejudice in the trial of Chuck Berry.** This is not an allegation. It is a legal finding by an appellate court. The Torah's command is explicit: ***lo tateh mishpat evyonkha*** — do not pervert the justice of the poor. Do not take a bribe that blinds the clear-sighted. The judge's racial prejudice was a bribe — not of money but of ideology — that blinded the court to the standard of

equal justice. The federal system acknowledged it. The federal system convicted Berry again anyway. The covenant names both the original perversion and the continuance of its effect.

## Charge Four: The Cash-in-Hand Response as Covenant Survival

This report carries a charge not present in any previous report: **the covenant analysis of Berry's response to exploitation**. After Maybellene, after the Knoxville car, after 31 years of stolen royalties, Berry developed a policy of requiring full cash payment before stepping on any stage. He counted the money. He confirmed the amount. He only then picked up the guitar.

This policy is sometimes presented as evidence of Berry's difficult character. The covenant analysis is different: **this is a man exercising Mishlei 22:3 — the prudent sees danger and hides himself**. Having been robbed by contracts, by promoters, by label executives, by judicial racial prejudice — Berry created a system that removed as many opportunities for exploitation as possible. He was not difficult. He was wise in the specific way that the Torah honors: the one who has seen the trap and stops stepping in it.

***"The prudent sees danger and hides himself, but the simple go on and suffer for it."***

**— Mishlei (Proverbs) 22:3**

Chuck Berry saw the danger. He organized his professional life around avoiding it. The music industry called him difficult. The covenant calls him prudent. Both statements are true. And the second statement explains the first.

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## SECTION FIVE — THE LIVING WITNESS: KEPHA ARCEMONT, 2026

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## A Blues Guitarist Reads the Record

**The cash payment policy.** I want to talk about that specifically. Berry became famous in the 1970s and beyond for showing up to gigs without rehearsing with the backing band, for demanding cash before playing, for being unreliable as a touring act in ways that frustrated promoters. Critics used this as evidence that he had become a parody of himself.

*◆ I have been a working musician since I was fourteen years old. I have been a firefighter. I have led ministry. I know what it means to learn the hard way that the people in charge of the room you are working in have interests that are not aligned with yours. Chuck Berry's cash payment policy is the most rational professional response to a career of documented theft that I can imagine. He was robbed by the label on his very first hit. He was turned away from his own show. He spent 18 months in federal prison after a trial the appeals court found had been contaminated by judicial racial prejudice. When*

*he came out, he required cash in hand before performing. I would have done the same thing. The covenant calls it prudence. I call it survival.*

The Beatles — who covered more Chuck Berry songs than any other artist's catalog — became the best-selling artists in the history of the recording industry. John Lennon said: "If you tried to give rock and roll another name, you might have called it Chuck Berry." Keith Richards of the Rolling Stones said Berry invented the template every rock guitarist has worked from. **The artists who built empires on the foundation he laid were compensated proportionally to their commercial success. Berry was compensated at one-third of the royalties from his first hit for 31 years, turned away from his own performance in a Tennessee parking lot, and served 18 months in a federal prison whose appellate record documents racial contamination of his original trial.** The two realities — what he built and what he received for building it — are the covenant indictment.

◆ *John Lennon said if you tried to give rock and roll another name you might have called it Chuck Berry. That is not hyperbole. That is musicological fact. The music I play — the blues-rock tradition I carry through Peace of Blues and The Kepha Arcemont Experiment — runs directly through Chuck Berry. His guitar riffs are in my muscle memory. His lyric approach — compressed, storytelling, direct — shaped how I think about writing a song. When I play a show in New Orleans and someone hears a Chuck Berry influence in what I do, they are hearing a covenant lineage that runs from Yuval's kinnor in Bereishit through the Mississippi Delta through Chess Records in Chicago to me. He carried it faithfully. The system extracted two-thirds of the royalties from the first song he recorded and turned him away from his own performance in a parking lot in Tennessee. The covenant record holds both things.*

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## SECTION SIX — THE COVENANT VERDICT: THE JUDGMENT OF YAHWEH

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### Yahweh's Record on Chuck Berry

**The Devarim 19:15 standard requires the full truth, including the truth that is uncomfortable.** Chuck Berry committed offenses against women across his career — his Mann Act conviction, his 1987 assault conviction, his 1990 bathroom surveillance settlement. The covenant does not excuse any of these. They are on the record. They are part of who he was. **The covenant indictment of what the system did to him does not require sanitizing him.** It requires stating what was done to him separately from what he did — and holding both accounts honestly.

The wrongs done to Chuck Berry are documented and corroborated:

**One:** Maybellene songwriting credit assigned to two men who wrote nothing, without Berry's knowledge — Berry received one-third of royalties from his own song for 31 years. Vayikra 19:11 — theft and false dealing. Established.

**Two:** Racial exclusion from venues — turned away from his own performance in Knoxville because organizers had not known Maybellene was recorded by a Black man. Devarim 1:17 — partiality in commercial access. Established.

**Three:** First Mann Act trial contaminated by judicial racial prejudice — conviction vacated by federal appeals court. Shemot 23:6–8 — perverted justice through racial bias. Established by federal appellate court ruling.

**Four:** Career at its peak destroyed by prosecution that followed documented judicial racial contamination. PBS NewsHour: 'Berry's career never fully recovered.' Established.

**YAHWEH'S COVENANT VERDICT ON THE TREATMENT OF CHUCK BERRY:**  
The Father of Rock and Roll — the man John Lennon said could have had the genre named after him — had his first song's royalties stolen by a label that assigned two-thirds of the writing credit to men who wrote nothing, without telling him. He was turned away from his own performance in a Tennessee parking lot. His first Mann Act conviction was vacated by a federal appeals court for documented judicial racial prejudice. His career was destroyed at its peak. He spent the rest of his professional life requiring cash in hand before playing because the system had taught him that this was the only protection available. Every one of these acts stands in violation of Vayikra 19:11, Devarim 1:17, and Shemot 23:6-8. The judgment of Yahweh is entered. It does not expire.

In 1986, the Rock and Roll Hall of Fame inducted Chuck Berry in its inaugural class. That same year, after a court battle, he was finally restored as the sole credited composer of Maybellene. **31 years after he wrote it.** The Hall and the courts came to the same conclusion in the same year: the man who created rock and roll deserved his own name on his own work. It had taken three decades. **Yahweh did not need 31 years to know the truth. The covenant record was established on the day Leonard Chess assigned two-thirds of Berry's royalties to men who had sat in no room with him when the song was born.**

*"A good man leaves an inheritance to his children's children, but the sinner's wealth is laid up for the righteous."*

— Mishlei (Proverbs) 13:22

**Chuck Berry's musical inheritance runs to every rock guitarist alive in 2026.** The inheritance that should have come to him from his own work was delayed 31 years, stolen in fractions, and extracted by a system that produced the most commercially successful music tradition in human history on the foundation he built. **The righteous are still playing his riffs. The covenant sees the full accounting.**

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#### SERIES NOTES

**Next in series:** Report No. 9 — Little Richard (1932–2020). The man who signed his first recording contract at 19 out of poverty, after his father's murder, to a label that owned his masters in perpetuity, and received a small fraction of what his music generated while his innovations defined an entire era.

**Series roster:** Reports 1–8 complete. Reports 9–16 pending: Little Richard, Ruth Brown, Sam Cooke, Mary Wells, James Brown, Curtis Mayfield, Sam Moore, and the hip-hop era to 2026.

**Research standard:** All charges require Devarim 19:15 minimum two to three independent authoritative sources. Where evidence of conduct by the artist is present, it is documented fully. The covenant demands the complete truth.

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***Selah.***

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*Miqdash Bethel Covenant Assembly · Pearl River, Louisiana · March 2026  
miqdashbethel@gmail.com · Doctrinal Authority: The Tanakh Alone*