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**Toward a Black God:
Robert F. Kennedy and Civil
Rights in the United States,
1960-1968.**

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Submitted in fulfillment of the requirements of the
degree of Ph.D, Department of Modern History,
University of St. Andrews.

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Tr D 632

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Abstract.

On June 6, 1968, Robert F. Kennedy was assassinated. Since then numerous works have been written on his life and career, some scholarly, others more like works of fiction. Most of these works were written by Kennedy's friends or members of his staff and portray a romanticised version of RFK. More recent works have tended to focus upon his feud with President Johnson, and his struggle to find a place for himself within the Democratic party, or upon his policies on the Vietnam conflict and his decision to run for the presidency in 1968. None, however, have focused in any depth upon Kennedy's involvement with the civil rights movement throughout the 1960s. This thesis provides the first detailed account of his actions in that area, starting in 1960 with his management of John F. Kennedy's presidential campaign, and running through his years as Attorney General and then Senator for New York.

Within a decade RFK went from being an unknown quantity to black voters, with little relevance to their daily lives, to being the only white politician who they trusted to continue the process of change that had started with the Montgomery Bus Boycott of 1956. Kennedy's knowledge of civil rights was limited when he took office as Attorney General in his brother's administration. This thesis charts the growth in his understanding of the issues, as well as his growth as a politician.

Acknowledgments.

My first introduction to Robert Kennedy came while writing an undergraduate thesis on John F. Kennedy's 1960 presidential campaign. The more research I undertook, the more I realised that at the heart of every important decision made in that campaign, was the candidate's brother, Robert. That view was strengthened while taking a document course on JFK's presidency. During his brother's presidency too, Robert was an integral part to almost every important decision, ranging from domestic affairs to foreign policy. Within the Kennedy literature, however, that trend is not always fully explored. Books on JFK's presidency talk about his decisions on issues, particularly civil rights, without addressing Robert's role in forming them. Furthermore, there is a relative dearth in the material on RFK. I set out, therefore, to redress the balance, intending to write a political biography of Kennedy. After a few months of research, however, I realised the enormity of the task and narrowed the thesis down to Kennedy's role in the civil rights movement .

I would like to take this opportunity to thank Mark White, whose classes on Twentieth Century America, and the Kennedy Years first sparked my interest in both John and Robert Kennedy.

I am indebted to a number of research organisations. The British Academy has funded the majority of my research. St. Andrews University awarded me the Robert T. Jones Fellowship, which enabled me to spend the first year of my research at the John F. Kennedy Library in Boston, as well as a Russell Trust award, which facilitated another month in America at a later date. The Carnegie Trust and the Royal Historical Society awarded generous amounts towards travel and research in America. I was also fortunate to receive two substantial grants from the John F. Kennedy Library: I appreciate the trustees' faith in my ability.

I am very grateful to all the staff of the Kennedy Library who made my long stay there both profitable and enjoyable, especially the research room staff: William Johnson, Maura Porter, Ron Whelan and June Payne. I am especially indebted to Maura, for her knowledge, time and friendship. She knows enough about the holdings to write several books.

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This thesis could not have been completed without the knowledge and support of my supervisor, Stephen Spackman. His powers of analysis, breadth of knowledge and attention to detail have enhanced my work greatly.

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All of my friends, both old and new, have contributed to this voyage of discovery. There are too many to mention them all by name, but I must thank Sharon, Rona, Jason, Carly, Lisa, and Angus, who have all helped me more than they will ever know. Thanks also to my students at St. Andrews, whose comments often sparked new lines of enquiry.

My family have provided unwavering support, especially Mum and Dad, who never doubted that I had the ability to finish my Ph.D, even when I did. I am also grateful

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Abbreviations

AFL-CIO	American Federation of Labor - Congress of Industrial Organizations.
CIA	Counter Intelligence Agency
CORE	Congress of Racial Equality.
FBI	Federal Bureau of Investigation
ICC	Interstate Commerce Commission
JFKL	John F. Kennedy Library.
JFKOHP	John F. Kennedy Oral History Project.
NAACP	National Association for the Advancement of Colored People.
MFDP	Mississippi Freedom Democratic Party
PCEEO	President's Committee on Equal Employment Opportunities.
PCJD	President's Committee on Juvenile Delinquency
POF	President's Office Files
RFKOHP	Robert F. Kennedy Oral History Project.
SCLC	Southern Christian Leadership Conference.
SDS	Students for a Democratic Society
SNCC	Student Non-violent Coordinating Committee.
UAW	United Auto Workers
WHCNF	White House Central Name File
WHCSF	White House Central Subject File

Introduction:
Suppose God Is Black?

Suppose God is Black. What if we go to heaven and we, all our lives,
have treated the Negro as an inferior, and God is there, and we look
up and he is not white? What then is our response?¹

Robert F. Kennedy.

In August 1966, Robert Kennedy wrote an article for *Look* magazine, entitled “Suppose God is Black?” The article was an embellishment of his remarks at the University of Natal, made during his tour of South Africa that June. To pose such a question at the beginning of the 1960s would have been completely alien to him: not because he would have been outraged by the statement but because he it would never have occurred to him. His knowledge of the problems that faced black Americans was limited at the start of the decade and Kennedy had little comprehension of what it was like to be black in the United States. By the end of his life, however, he had witnessed at first hand the poverty, despair and humiliation which faced a majority of blacks, as well as other ethnic groups. More importantly, as the quotation above shows, he had started to ask the right questions and it was this that led so many of the poor and dispossessed of America to regard him as their last hope among white politicians.

Kennedy’s death in 1968 was seen as a tragedy equalled only by the recent assassinations of his brother and Martin Luther King Jr. The Motown hit, *Abraham, Martin and John*, commemorated “Bobby’s” death as the last tragedy in a line of four, which began with Abraham Lincoln, and continued a century later with John F. Kennedy and Martin Luther King.² Jack Newfield summed up the despair caused by

¹ Robert F. Kennedy, ‘Suppose God is Black’, *Look*, 23 August 1966, 45.

² *Abraham, Martin and John*, written by Dick Haller and first performed by Dion, December 1968.

Kennedy's death. He maintained that the assassination proved that "things were not really getting better, that we shall *not* overcome ... And from this time forward, things would get worse: Our best political leaders were part of memory now, not hope."³ What was it that stirred people's hopes and dreams in Robert Kennedy? How did he become the champion of a cause that before 1960 he had never spent time thinking about? It is his journey of discovery that will be explored in this thesis.

It was a journey that fired the imaginations of many Americans, and provoked scorn from many more. Most of those who revered, or indeed hated, Robert Kennedy the politician were completely unaware of Robert Kennedy the man. This is, of course, true of many politicians, but in Kennedy's case, his peculiar position in American politics (brought about through his association with the memory of his slain brother) caused this tendency to be taken to extremes. Thus he came to mean different things to different people. He became the furthest extension of their own hopes and dreams, for themselves and for their country. Similarly, to his detractors, Kennedy came to represent the worst of their fears for American politics. Many saw him as arrogant, ruthless, and opportunistic; determined to exploit, for his own political advantage, the misery of thousands of desperate Americans. There is no middle ground for the memory of Robert Kennedy. Americans either loved or hated him, and even today, thirty years after his death, that still holds true.

Kennedy's historical image has been determined largely by the mystique surrounding his name. Most people do not, indeed cannot, see past the Kennedy myth. Thus Robert Kennedy has become, in death, larger than he ever was in life. He was not, and could not be, everything that people wished him to be, nor were his faults as great as his critics proclaimed. Just as RFK needed to learn which questions to ask, so historians must also start asking the right questions about Kennedy and his career. So

³ Jack Newfield, *Robert Kennedy: A Memoir*, (New York: Plume, 1969), 304.

far, much of the debate on Kennedy has been dominated by the preoccupations applied to histories of JFK. But there is so much more to both Kennedys than the popular beliefs about their lives allows. If we fail to move past the preoccupation with sexual scandals, as well as the Cold War mentality upon which many of the histories are based, then Robert Kennedy's historical image will remain a mere caricature of the real man.

Countless works are dedicated to the study of the Cold War, in which RFK's role is often a significant theme. Little, however, has been written on Kennedy's reaction to the civil rights movement. Given that by the end of his life RFK had devoted as much of his time to civil rights as he had to foreign policy, the gap in the literature is a considerable one. This gap is reflected in the response of many leading historians. Eric Foner, for example, was asked, after his lecture on "The Sixties and the Second Reconstruction", what significance Robert Kennedy's death had for black Americans. His response, "none whatsoever", was based upon a complete lack of understanding of the role Kennedy played in the lives of minority groups during the Sixties.⁴ His analysis is not surprising, however, given the dearth in the literature. This thesis fills that gap. Crucially, it gives a detailed account of RFK's reaction to, and involvement with, the civil rights movement. Analysis of Kennedy's activities in the field of civil rights is also important because it sheds light upon his character and beliefs. But it can offer more than just a personal profile. Just as Kennedy reflected the hopes and fears of the Sixties, his career may be used as a prism through which to project a profile of the decade.

The definition of civil rights used throughout this thesis is a broad one. This thesis evaluates Robert Kennedy's involvement with the attempt to secure legal equality

for black Americans, but it also encompasses his fight to ensure that once blacks had

⁴ Lecture by Eric Foner, "The Sixties and the Second Reconstruction", University of Massachusetts at Boston, March 1996. The question was asked by the author.

been granted those rights, they could use them to the full. Kennedy was concerned that minorities should have political rights, but he also knew that the struggle was more than just legal and political; it was also about economics, social standing, and identity. He realised, as black civil rights leaders also came to realise, that there was little use in enabling blacks to vote, or to use the same restaurants, transport, or restrooms as whites, if they could not afford to do so, or, just as importantly, if they did not have high enough self-esteem to enable them to take advantage of their legal rights. RFK was the first politician of his generation to act upon his belief that America would never be a land of equal opportunities if minority groups did not have the money - or the sense of self-esteem, or the sense of identity - necessary to breach the gap caused by slavery and segregation. Thus, the definition of civil rights in this thesis is Kennedy's own definition, and one that had become prevalent throughout the United States by the end of the 1960s.

Kennedy's response to the civil rights movement was part of his reaction to the demands of the democratic process. As soon as he became a politician, his job, at its most fundamental level, became how best to help improve the quality of life of all United States citizens. Thus he, like all politicians, had a responsibility to consider the economic, social and political welfare of his constituents, as well as more symbolic matters, like the identity and direction of the nation. RFK developed into a successful leader because he managed to combine his own political ambition with a sense of those larger issues.

Kennedy understood that the democratic process could only work if Americans participated in that process. He also knew that the most successful American politicians, such as Andrew Jackson, Abraham Lincoln and both Theodore and Franklin Roosevelt, had projected their own hopes and fears for the country in an effort to encourage voter participation. For people to participate, however, a level of personal

autonomy was assumed. The framers of the Constitution made sure that such autonomy would be guaranteed by two principles: equality before the law; and the possession of property. That meant, therefore, that the issue of civil rights should automatically be at the forefront of the attention of any nationally elected politician. Most politicians of Kennedy's era focused upon the first area, the equality of all America's citizens. Kennedy, once Attorney General, turned his attention to this area, as befitted his role. He was also aware, however, that although the requirement of owning property in order to vote was no longer applicable in a legal sense, its legacy remained. Many American citizens were frustrated in their attempt to live the 'American Dream', their circumstances preventing them from owning property. That, in turn, became a natural inhibitor to their participation in the political process. The dispossessed were either apathetic when it came to the political process, or distrustful of office holders, whom, they believed, did little to aid the poor. Either way, the poor became marginalised from politics. As Kennedy grew in knowledge and experience, he became aware that that trend was especially prevalent within black communities. As his career progressed, therefore, he became committed to programmes which increased the self-worth of marginalised individuals, so encouraging them to use their autonomy within the democratic system.

Robert Kennedy's historiography is divided, roughly speaking, into two antithetical categories. The first falls under the Camelot Mythology which was created after the assassination of JFK. The idea of Camelot - begun by the grieving Jacqueline Kennedy who told Theodore White that "Camelot" had been JFK's favourite musical - portrayed the President as a modern day Arthur and his cabinet as the knights of the New Frontier. Theodore Sorensen's *Kennedy*, and Arthur Schlesinger's *A Thousand Days*, were the first and most comprehensive of these accounts, which were, for the

most part, written by administration insiders.⁵ Many of the earliest books about Robert Kennedy depicted him in a similarly uncritical light. If his brother had been Arthur, then RFK was Lancelot, the young, faithful and powerful lieutenant. These books include William Shannon's *The Heir Apparent*, and Penn Kimball's *Bobby Kennedy and the New Politics*.⁶

Kennedy's death sparked a number of tributary volumes. The best known, and most comprehensive of these is Jack Newfield's, *Robert Kennedy: A Memoir*.⁷ Newfield portrayed Kennedy as a slain hero, likening him to the tragic Greek figure, Sisyphus. His grief at the Senator's death was transparent: "The stone was at the bottom of the hill and we were alone."⁸ A more balanced, though still partial, view of Kennedy's Senate career was provided by two of RFK's former aides; William vanden Heuvel and Milton Gwirtzman, in *On His Own*.⁹

The only full biography of Robert Kennedy's life was written by Arthur Schlesinger in 1978. Although *Robert Kennedy and His Times* was written in response to some of the critical works that had begun to appear in the Seventies, the

⁵ Theodore Sorensen, *Kennedy*, (New York: Harper and Row, 1965); Arthur M. Schlesinger Jr., *A Thousand Days: John F. Kennedy in the White House* (London: Andre Deutsch, 1965). See also Pierre Salinger, *With Kennedy*, (New York: Doubleday, 1966); Kenneth P. O'Donnell and David F. Powers, *"Johnny, We Hardly Knew Ye"*, (Boston: Little, Brown, 1972); Lawrence F. O'Brien, *No Final Victories: A Life in Politics from John F. Kennedy to Watergate*, (New York: Doubleday, 1974); Richard Goodwin, *Remembering America: A Voice From the Sixties*, (Boston: Little, Brown, 1988).

⁶ William Shannon, *The Heir Apparent*, (New York: Macmillan, 1967); Penn Kimball, *Bobby Kennedy and the New Politics*, (New Jersey: Prentice Hall, 1968). See also E. Thompson and Hortense Myers, *Robert F. Kennedy: The Brother Within*, (New York: Dell, 1962); Lester David and Irene David, *Bobby Kennedy: The Making of a Folk Hero*, (New York: Dodd, Mead, 1968)

⁷ Jack Newfield, *Robert Kennedy: A Memoir*, (New York: Plume, 1969). See also David Halberstam, *The Unfinished Odyssey of Robert Kennedy*, New York: Bantam, 1969 and Jules Witcover, *85 Days: The Last Campaign of Robert Kennedy*, (New York: William Morrow, 1969).

⁸ Jack Newfield, *Robert Kennedy*, 304.

⁹ Milton Gwirtzman and William vanden Heuvel, *On His Own: Robert F. Kennedy 1964-1968*, (New York: Doubleday, 1970).

work did little to move the debate over Kennedy forward. The book provides another insider account of RFK's life, albeit a more comprehensive and scholarly one than its predecessors. As an adviser to the Kennedy family both during and after JFK's presidency, and a friend to RFK, Schlesinger could not be expected to provide a balanced view of Kennedy. Evidence of his emotional attachment to the subject is clear from his conclusion, which, complementing Newfield's *Sisyphus*, confers a messianic status upon RFK. Recalling the scene at Kennedy's burial at Arlington cemetery, Schlesinger noted that, because of delays to the funeral train which had brought Kennedy's body from St. Patrick's in New York to Washington D.C., it was dark by the time the funeral party reached the cemetery:

Averell Harriman finally said to Stephen Smith, "Steve, do you know where you're going?" Smith said, "Well, I'm not sure." Then Smith said, "I distinctly heard a voice coming out of the coffin saying, 'Damn it. If you fellows put me down, I'll show you the way.'"¹⁰

Schlesinger's use of Smith's comment shows that, to him, Kennedy was "The Way" for American politics: His death was more significant than that of a friend or family member. Schlesinger saw it as a national tragedy. However, *Robert Kennedy and his Times* remains the best book to have been written on Kennedy to date. Schlesinger was granted exclusive use of RFK's personal papers by Ethel Kennedy, so his book gives a much more detailed account of Kennedy's life than any before or since.

These laudatory books were countered by a number of revisionist works, which aimed to demythologise Robert Kennedy. As is so often the case, these were every bit as unbalanced as the sentimental works they sought to overthrow. The most marked criticism of Kennedy came from Robert de Toledano's *The Man Who Would Be President*, which was more of a character assassination than an honest attempt to

¹⁰ Arthur Schlesinger, Jr., *Robert Kennedy and His Times*, (New York: Ballantine Books, 1978), 983.

redress the balance.¹¹ Jack Newfield described de Toledano's work as "a mugging ... A collage of every fact, innuendo, rumor and slander ... it makes [RFK] look like a one dimensional combination of the Boston strangler and Napoleon." While he wasn't without bias himself, Newfield's analysis of the book is accurate. Victor Lasky also wrote a critical biography, *Robert F. Kennedy; The Myth and the Man*.¹² His bias against the Kennedys is clear from two other books. The first, a mirror image of his book on RFK, entitled, *John F. Kennedy: The Man and the Myth*, the second, *It didn't start with Watergate*, where Lasky contended, unconvincingly, that the Kennedys precipitated the mentality which eventually led to Watergate. Interestingly, there is a clear link between the two men who were most critical of Robert Kennedy. Lasky and de Toledano had, in 1950, collaborated in the writing of *Seeds of Treason: The True Story of the Hiss-Chamber Tragedy*.¹³

RFK's career was reviewed in a number of critical assessments of JFK. Henry Fairlie, for example, wrote, in *The Kennedy Promise*, that RFK's achievements were slight, although he did admit that Kennedy's death was too recent to enable him to provide a detailed analysis.¹⁴ RFK's historiography was also affected by the discovery, during the 1975 Church committee investigations, that JFK had indulged in a number of extra-marital relationships. The committee, which published its findings in, *Alleged*

¹¹ Robert de Toledano, *The Man Who Would Be President*, (New York: Signet, 1967).

¹² Victor Lasky, *R.F.K. The Myth and the Man*, (New York: Trident, 1968); *J.F.K. The Man and the Myth*, (New York: Macmillan, 1963); *It Didn't Start With Watergate*, (New York: Dial Press, 1977). See also Nancy Gager Clinch, *The Kennedy Neurosis*, (New York: Grossett and Dunlop, 1973) and Garry Wills, *The Kennedy Imprisonment*, (Boston: Little, Brown, 1982). Gager Clinch's attempt to use psychoanalysis to analyse the leadership style of the Kennedy men is not convincing, but Wills provides an interesting, though critical account of the Kennedys.

¹³ Victor Lasky and Ralph de Toledano, *Seeds of Treason: The True Story of the Hiss-Chambers Tragedy*, (New York: Funk and Wagnalls Co., 1950).

¹⁴ Henry Fairlie, *The Kennedy Promise*, (London: Eyre Methuen, 1973). See also Lewis Paper, *The Promise and the Performance*, (New York: Crown, 1975) and Bruce Miroff, *Pragmatic Illusions*, (New York: David McKay, 1976).

Assassination Plots Involving Foreign Leaders, found that JFK had had a long term sexual relationship with Judith Campbell (Exner) who was known to have links to the Mafia.¹⁵ In the press coverage which ensued, the President's alleged affair with Marilyn Monroe was revealed. The story was then extended to include RFK, who, some speculated, had also had relations with the actress. Since then, much of the literature on the Kennedys has centered upon their sexual activities and whether or not their character affected their politics. Thomas Reeves' *A Question of Character*, is perhaps the best known of these works. In an extremely critical account of JFK's presidency (and RFK's role in it) Reeves poses the question of whether character should be a determinant in analysing a politician's public policies.¹⁶ His unrelenting criticism, however, is undermined by his reliance on unproven accusations and his somewhat selective use of sources. In his chapter on civil rights, for example, Reeves quotes RFK: "I don't think it [civil rights] was a matter that we were extra concerned about as we were growing up. There wasn't any great problem."¹⁷ Reeves uses the quote, with a number of others, to persuade the reader that the Kennedys did not care about the issue of civil rights, unless it would bring them votes. However, Kennedy's comment, "There wasn't any great problem", was part of his assertion that the family accepted blacks as equal instinctively, and that their discussions were focused upon poverty in America.¹⁸ Quoted in its proper context, therefore, Kennedy's remark has an entirely different meaning.

Most of the books written on Kennedy tell the historian more about the conflicting images of RFK over the last thirty years than of his actions during his life.

¹⁵ *Alleged Assassination Plots Involving Foreign Leaders: Interim Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities* (New York: Norton, 1976).

¹⁶ Thomas Reeves, *A Questions of Character*, (London: Arrow, 1992).

¹⁷ *Ibid*, 336.

¹⁸ See Edwin O. Guthman and Jeffrey Shulman, *Robert Kennedy In His Own Words*, (New York: Bantam, 1988), 66.

Few of the authors, whether apologists or revisionists, have managed to get past the image of Robert Kennedy to a deeper, more reasoned analysis. The seductive powers of the Kennedy image is clear from several recent works which merely reiterate the message of earlier works. On the twenty-fifth anniversary of Kennedy's death, Hans Gorey and Bill Epperidge brought out a tributary volume, *Robert Kennedy: The Last Campaign*.¹⁹ Despite the twenty-five year gap their work is an emotional restatement of previous adulatory publications. Similarly, Seymour Hersh's *The Dark Side of Camelot*, and C. David Heymann's *RFK: A Candid Biography of Robert F. Kennedy* repeat the accusations of sexual scandal which were first levied at the Kennedys during the late seventies and early eighties.²⁰ Their existence confirms little except the unlimited marketability of scurrilous accounts.

In the last three years more reasoned books have begun to enter the market which provide a more balanced account of Kennedy's life and career. These include the excellent *Mutual Contempt*, written by Jeff Shesol, which deals with the tense relationship between Robert Kennedy and President Johnson. James Hilty's work, *Robert Kennedy: Brother Protector*, is a fascinating and well written account of Robert Kennedy's relationship with JFK. Michael Knox Beran's *The Last Patrician*, provides an alternative, if one-dimensional, view of RFK.²¹ The specificity of these books, however, means that Kennedy's attitude towards civil rights has remained unexplored.

¹⁹ Hans Gorey and Bill Epperidge, *Robert Kennedy: The Last Campaign*, (New York: Harcourt Brace, 1993).

²⁰ Seymour Hersh, *The Dark Side of Camelot*, (Boston: Little, Brown, 1997) and C. David Heymann, *RFK: A Candid Biography of Robert F. Kennedy*, (London: Heinemann, 1998).

²¹ Jeff Shesol, *Mutual Contempt*, (New York: W.W. Norton, 1997); James Hilty, *Robert Kennedy: Brother Protector*, (Philadelphia: Temple University Press, 1997); Michael Knox Beran, *The Last Patrician: Robert Kennedy and the End of the American Aristocracy*, (New York: St. Martin's Press, 1998).

Kennedy's job as Attorney General covered numerous areas, and RFK's relationship with President Kennedy meant that he undertook additional responsibilities, becoming, for example, an important voice in foreign policy decisions. It is not surprising, therefore, that many of the books on Robert Kennedy focus closely upon his involvement in the Cuban Missile Crisis, and the evolution of his views on Vietnam, which led him to break with Lyndon Johnson in 1966, and declare his candidacy for Democratic presidential nominee against the President in 1968. The fact that so many of the books on RFK focus on Vietnam shows the American preoccupation with the war and its effects upon their society. That there has not been a corresponding interest in Kennedy's stance on civil rights is more surprising, given the continuing racial tension in the United States. The comparative lack of interest in civil rights compared to the national obsession with the Vietnam conflict is reflected in the extraordinary lack of memoirs, novels and films on the subject.

So far none of the books written on Kennedy, apart from Schlesinger's, and a book on the Justice Department by Victor Navasky, have focused in any depth on Kennedy's policies towards civil rights. Navasky's *Kennedy Justice* provides an interesting account of RFK's tenure as Attorney General as well as showing the prevailing contemporary view.²² Its date of publication, however, precluded the use of archival material and there is a clear need for an updated account. Schlesinger's report of the Attorney General years is full, though uncritical, and Hilty's coverage of civil rights in *Brother Protector*, though insightful, is limited because he covers RFK's role in all areas of the Kennedy administration.

This thesis, therefore, provides an analysis of Robert Kennedy's evolving attitude towards civil rights. I have concentrated primarily upon Kennedy's policies and actions, rather than basing the work on dubious character claims. Placed in an

²² Victor Navasky, *Kennedy Justice*, (New York: Atheneum, 1971).

objective, nineties context, this thesis also brings Kennedy himself to the foreground, in contrast to the many books which examine his relationship with others, for example JFK, LBJ or the liberal establishment.

The thesis is based on research undertaken at the John F. Kennedy Library, (JFKL) Boston, Massachusetts, where RFK's papers are held, personal interviews with former aides and friends of Kennedy, and Senate hearings held at the Library of Congress. As well as RFK's papers the Kennedy library is a repository of the papers of a number of his aides and colleagues, and hundreds of oral history interviews recorded for the JFK and RFK oral history projects. There are thousands of pages of documents available to historians of RFK at the Kennedy library. It is difficult, however, to chart Kennedy's daily activities and movements. Phone logs and diaries exist for the Attorney General years, although one complete year (1962) is missing, but there appear to have been no logs made during the Senate years, at least none that are known to the Kennedy library.

RFK's papers include his speeches, memos and briefings from his staff, as well as extensive collections of newspaper clippings. Unfortunately, the majority of RFK's personal papers remain closed, restricted by the family's deed of gift, or to avoid the embarrassment of persons mentioned in the collection who are still alive. For example, there are 160 boxes of Kennedy's personal correspondence which remain unavailable. When these are opened it is likely that many of Kennedy's private thoughts on a number of issues, including civil rights, will become clearer. The library also holds a copy of the Justice Department files which have recently been cleared for research use by the library's governing body, the National Archives and Records Administration. These remain closed, however, pending processing. Until these collections are opened, historians must rely upon cross-referencing the material available with other document collections and oral histories.

A further challenge to the historian of Robert Kennedy is the organisation of his papers. Unlike the Presidential papers at the Kennedy library, which are extremely well organised, RFK's papers have not been well processed. Some documents, for example, which deal with the Attorney General years, have been be filed in Kennedy's Senate files (see Chapter 3, n.74). As well as facing the problem of unopened or unprocessed material, therefore, the historian must conduct an exhaustive search of the entire collection in order to be sure that one particular angle has been covered.

The idea for the Kennedy library oral history project was Robert Kennedy's. The project began in 1964 with a grant from the Carnegie Corporation. Its aim was to capture the recollections of those associated with John Kennedy. The collection includes interviews with Congressmen, administration officials, state and local politicians, labor leaders, businessmen, civil rights leaders and foreign government officials. In 1968, after the assassination of Robert Kennedy, the project was extended to include interviews on his career.

The oral histories provide a wonderful source, as do personal interviews. Their use, however, is problematic for the historian. Many interviewees have their own agenda. Some may wish to uphold the Kennedy myth. Others, on the other hand, may project a false image in order to glorify their own role. Many of those who were interviewed for the oral history programme were friends of the Kennedys and thus may have tried to protect them from any negative assessments.

Interviews conducted now with former officials and friends must also be used with caution. Some can no longer remember the events of thirty years ago with any accuracy, while others remember with the benefit of hindsight which distorts the record. Many of those who gave oral histories in the sixties or seventies, when reinterviewed today, do repeat the same stories. This may, of course, be because they are repeating the truth, at least as they perceive it. However, it may just as easily be that

they have told an edited version of an event so often that they now believe it. Furthermore, those who are interviewed now are recounting stories of the sixties in the language of the nineties. Though variations in language between the decades may be small, they may sometimes be enough to distort.

RFK's oral history interviews, which he undertook for the JFK oral history project, provide a case in point. They are an extremely valuable source for a wide range of issues, especially civil rights, to which several hundred pages are devoted. However, there are a number of problems associated with the use of his interviews. They offer a very personal perspective and it is often difficult to tell with any certainty when Kennedy was prevaricating and when he was not. Some portions of the interviews are striking in the unguardedness of his response. This is especially true of those sections in which Kennedy characterised his political enemies, such as J. Edgar Hoover whom he regarded as "dangerous", and Lyndon Johnson who he described as a man who was "mean, bitter, vicious - an animal in many ways".²³ It seems that when a question caught a nerve, especially if it touched on his grief, RFK's response represented his true feelings, at least at that time. This was often the case with Kennedy. Once he was emotionally attached to a subject he seemed unable to treat it, or talk about it, in a cool, political manner.

RFK was, however, able to play the political game as well any politician, as long as he remained detached. That is evident from sections of his interview in which he was far more cautious in his assessment of his brother's administration. Kennedy's wish to protect his brother's presidency was paramount, both while JFK was alive and after his death. RFK's willingness to influence the history of the administration was, therefore, more marked than with those other members of the administration who gave interviews: his words, therefore, must be scrutinized with extreme care. I have cross-

²³ Guthman and Shulman, *His Own Words*, 134, 417.

referenced Kennedy's statements with other interviews and documents in order to build a fuller picture of his involvement in civil rights.

RFK's oral history was intended to provide a detailed account of JFK's approach to key issues, which brings a further challenge to the historian. As the interviews were directed at JFK's views, RFK makes few explicit references to his own views. Furthermore many of the questions which interest an historian of RFK were left unasked because they were not relevant. That is true of using any of the oral histories recorded for the JFK oral history programme to provide a history of RFK. In order to build a fuller account of RFK's work as Attorney General, however, it is necessary to use these oral histories. Most of the interviews recorded for RFK's own oral history programme deal in depth with his Senate career and his bid for the presidency, but few give a detailed analysis of his career at the Justice Department.

Most of the oral history interviewers were themselves friends of the Kennedys who had no wish to dig up unpleasant truths or offend the sensibilities of men and women who had so recently been bereaved. This was especially the case for RFK's oral history interviewers. He was questioned by four men: Anthony Lewis, the Pulitzer prize winning *New York Times* journalist; John Bartlow Martin, a journalist and writer, who served as JFK's Ambassador to the Dominican Republic from 1962 on; Arthur Schlesinger, Jr., the Pulitzer prize winning historian, who was both friend and advisor to the Kennedys; and John Stewart Francis, head of the JFK library oral history project.²⁴ As with all oral histories the account given is only as useful as the questions asked. Often, those asked of RFK were simply not of use to the present-day

historian. Perhaps it is simply that those questions that interested historians of the age,

²⁴ Anthony Lewis wrote two books, *Gideon's Trumpet*, and *Portrait of a Decade*, in which he studied the changes in race relations in America. John Bartlow Martin wrote a number of books including *The Deep South Says Never*, *Overtaken By Events*, *The Life of Adlai Stevenson*, and *U.S. Policy in the Caribbean*. Arthur Schlesinger as well as his works on JFK and RFK, wrote *The Age of Jackson*, *The Imperial Presidency*, and *The Cycles of American History*.

are not of interest to those of today. However, in the case of RFK's oral history, it is clear that those interviewing him also catered to his grief at his brother's death. Many questions were asked hesitantly or were modified before RFK replied, a frustration to today's readers. Kennedy's first interviews were conducted between February and May 1964 by John Bartlow Martin. Compared to the other three sets of interviews, which were conducted in December 1964 (Lewis), February 1965 (Schlesinger) and July 1967 (Stewart) Kennedy's emotions were obviously raw. It was in these first interviews that RFK was least cautious, his pain most evident.

The interviewers all had their own agendas, some more clear than others, and that also must be taken into consideration by the historian. Arthur Schlesinger, for example, asked many leading questions throughout his portion of the oral history. His need to be proved an important player for the history books is transparent. In the section on JFK's decision to appoint Dean Rusk as Secretary of State to his Cabinet, Schlesinger told RFK that President Kennedy had asked him about Adlai Stevenson and that he had discouraged him: "I didn't think that Stevenson would be interested in it or that he would be an appropriate man for it".²⁵ Anthony Lewis, on the other hand, had a very different agenda. As the *New York Times* correspondent assigned to cover the Justice Department, Lewis had been critical of Kennedy's appointment, and many of his decisions. By 1964, however, most journalists writing about RFK's tenure as Attorney General agreed that he had served with distinction. His judgement proved wrong, Lewis was anxious to impress upon Kennedy that his opinion had changed. His questions, therefore, were unprobing, and he tended to tiptoe around Kennedy. The timing of the interviews meant that RFK occupied the moral highground in any case, so Lewis was doubly hampered.

RFK's oral history was published by Edwin Guthman and Jeffrey Shulman in

²⁵ Guthman and Shulman, *His Own Words*, 6.

1988. Because of space constraints the interviews have been edited significantly. Checking the published version against the original transcripts held at the Kennedy library it is clear that most of the cuts were made merely to avoid repetition. Since RFK gave accounts to four different interviewers some overlaps were inevitable. However, on some occasions, the editors have cut sections which showed Kennedy's lack of knowledge of a certain event, or some indecision on his part as to how to answer the question. These cuts, I believe, do not represent a cynical attempt to show RFK only at his best: Guthman and Shulman did not see the use of such sections to those reading the book. Indeed, to those reading the book out of interest, the edited sections would not add much value. However, for those interested in producing a detailed account of RFK's career, those sections are vital. I have, therefore, used both versions of the oral histories side by side. Quotations are taken from the published version, unless specifically stated.

The timing of the publication was tailored to fit the Twentieth Anniversary of Kennedy's death. The foreword, written by Schlesinger, shows that his intention was that the book should be read as a political tract for the early 1990s. Introducing the argument which he had set forth in *The Cycles of American History*, Schlesinger reminded the readers that although private action and private enterprise summed up the decade of the 1980s, the time was ripe for change. Then, he speculated, the American electorate would re-embrace the ideals which Kennedy had championed:

Soon the dam will break, as it broke at the turn of the century, again in the 1930s, again in the 1960s. Sometime around the year 1990, if the rhythm holds, we can expect a breakthrough into a new and generous epoch in American life. When this time comes, the Kennedy ideals will no longer seem exotic. And the republic will remember, too, the conviction by which Robert Kennedy lived, the conviction that infused hope into the excluded and powerlessness in American society - the intense conviction that an individual can make a difference to the life of his times.²⁶

²⁶ *Ibid*, xvii.

Schlesinger, then, hoped to use the book to position himself within the Democratic Party to influence the rise of a liberal reform candidate.

Because of his communication style, Kennedy's views on the issues of his day are hard to trace. He did not communicate with ease: his speech was often stilted and awkward. He had little time for casual conversation, or meaningless social exchanges, and was likely to cut someone off mid-sentence if they bored him. With his staff and close friends he seemed, to the outside observer, to communicate with a minimal number of words. Furthermore, RFK rarely talked about his own views on a subject. His standard approach was to ask questions. He would ask different people their view on a specific issue, thus gathering a number of different perspectives. From these he would formulate his own opinion. It was rarely expressed, however, which is why it is so essential to study his actions.

The thesis is organised in two halves. The first deals with Kennedy's policies towards civil rights during the 1960 campaign and as Attorney General, and the second records his policies as Senator for New York. Given that several historians (most notably Newfield) have argued that his view on race relations changed as a direct result of his brother's death, the two part structure allows for this view to be tested. The first three chapters summarise the main civil rights events of Kennedy's Attorney Generalship, beginning with RFK's knowledge of the issue before 1960 and including the problems Kennedy faced during the first year of his brother's administration. Chapter Two deals with the administration's attempt to deal with civil rights through executive action, while Chapter Three looks at Kennedy's response to the university desegregation crises, the Birmingham campaign and the resultant civil rights legislation introduced by the administration.

After a discussion of the effect of JFK's assassination on his brother, Kennedy's record will continue in Chapter Four with an analysis of the Bedford-

Stuyvesant project he initiated. Chapter Five illustrates Kennedy's actions towards poverty among black families in the Mississippi Delta, while Chapter Six explains his reaction towards Cesar Chavez and the migrant farm labour problem in the United States.

While Kennedy's civil rights record as Attorney General has been covered, if not in depth, his record as Senator for New York has been glossed over by all those who have written about him to date. Jack Newfield devoted a chapter to Kennedy's work on the Bedford-Stuyvesant redevelopment programme. However, Newfield's analysis lacks depth, largely because it was based on his eyewitness account of Kennedy's first trip to Bedford-Stuyvesant. He provides little detail on the project itself, Kennedy's role within it, or its success. Schlesinger devoted only three pages to Bedford-Stuyvesant, despite the fact that Kennedy regarded it as a key concern. My thesis contributes a fuller, document based account of Kennedy's activities in the ghetto - as well as making extensive use of oral histories and my own interviews with many of those involved with the project.

Kennedy's interest in the problems of poverty in Mississippi and the migrant farm worker have hitherto been left largely uncovered. Schlesinger and Newfield devote only a couple of pages to each of these matters. Kennedy's interest in these problems should be charted for two reasons. First, as a member of the Senate Subcommittees on Poverty and Migrant Labor his work in these areas became an integral part of RFK's senate career. Second, an analysis of his activities in these areas, which came towards the end of his life, provides the perfect opportunity to measure the development of RFK's thinking on civil rights. The second half of the thesis emphasises Kennedy's thinking on poverty, both urban and rural, which he came to regard as the major problem facing ethnic Americans. His belief, as Senator for New York, that the fight against racial prejudice should focus upon economic

discrimination, shows that he was in the forefront of thinking on this issue. He had begun to talk about the need to face economic discrimination as early as 1964, while the mainstream of the civil rights movement did not take that position until late 1965. This issue, therefore, exhibits the way in which Kennedy both reflected and created the times in which he lived.

As one of the most important themes of his career between 1960 and 1968, it is time that more than a chapter or two is devoted to the account of his action in the area of civil rights. My thesis provides a more detailed and analytical approach than has previously been attempted to one of the most interesting segments of Kennedy's life. It does not provide all the answers, but it will, at the very least, ask many different questions. In doing so, I hope that it will serve to change the way in which study on Robert Kennedy is approached; away from the old issues of sexual pursuits, Hoffa and organised crime, towards a more nuanced account of his political activities.

Chapter One: An Attorney General's Education

In his 1964 oral history interview with Anthony Lewis, Robert Kennedy admitted that he and his family had little awareness of the specific problems of black relations in the United States. During family discussions (usually over mealtimes) the Kennedys were made aware that there were “people who were less fortunate and a lot of people who were hungry - this was during the 1930s - people who had a difficult time. White people and Negroes were all put in the same category. One had a social responsibility to try to do something about it”.¹ Kennedy did state, however, that although he knew it was “the worst thing in the world to say that some of your best friends are Negroes, but as I was growing up, I suppose two out of four of my best friends were Negroes ... there was never any thought about the fact that there was anything different.”²

There is no evidence to prove whether RFK was telling the truth. Those historians who provide a biographical account of his life do not go into detail about Kennedy's friends, or his views on race.³ Nor do any of Kennedy's friends validate his statement in their oral histories. RFK spent the majority of his youth away at

¹ Edwin O. Guthman and Jeffrey Shulman ed., *Robert Kennedy In his Own Words*, (New York: Bantam Books, 1988), 66.

² *Ibid.*

³ Only two historians have gone into any detail on Kennedy's upbringing. See Arthur Schlesinger Jr., *Robert Kennedy and His Times* (New York: Ballantine Books, 1978) and James W. Hilty, *Robert Kennedy: Brother Protector*, (Philadelphia: Temple University Press, 1997). None of the biographers of John F. Kennedy or of the Kennedy family in general discuss the family's views on civil rights either. See Nigel Hamilton, *J.F.K. Reckless Youth*, (London: Arrow Books, 1992), Thomas C. Reeves, *A Question of Character*, (London: Arrow Books, 1992), Doris Kearns Goodwin, *The Fitzgeralds and the Kennedys*, (New York: St Martin's, 1987) and Peter Collier and David Horowitz, *The Kennedys: An American Drama*, (New York: Warner, 1984).

expensive private schools, or at one of the family homes in Riverdale, New York; Bronxville, New York; Hyannis Port, (Cape Cod) Massachusetts; or Palm Beach, Florida. All of these locations were extremely exclusive, so it is unlikely that Kennedy would have come into contact with many black children. Like all the Kennedys, he had a nomadic childhood, moving between school and various homes, so RFK had little time to develop such friendships in any case. Perhaps the remark to Anthony Lewis was prompted by Kennedy's desire to show that although inexperienced in civil rights before becoming Attorney General, he had always been anti-discrimination.

Arthur Schlesinger Jr., argued that growing up in Massachusetts, a state with no sizable black population, there was no reason why the Kennedys would understand the particular problems of black America, but that their father's experience as an Irish-American in Brahmin Boston left the family with an understanding of, and hatred for, discrimination. Schlesinger's geographical argument perhaps makes some sense for JFK, but has little relevance to Robert, as the family moved to New York City, which had a large black population, before his second birthday. Schlesinger's theory that the Kennedys felt strongly about discrimination because of their ethnicity is even less convincing. In 1966 RFK explained to reporters that his father had felt very strongly about discrimination, having left Boston because of signs reading "No Irish Need Apply". His remark, however, was questioned by Michael Mooney, senior editor of the *Saturday Evening Post*. In a letter to Kennedy he disputed the validity of the statement. As he rightly pointed out, such signs had disappeared in Boston long before Joseph Kennedy moved his family away. Mooney also questioned whether it was lack of opportunity which forced Joseph to move his family in his own railway car.⁴ Clearly, the kind of discrimination he faced was social rather than economic or

⁴ Letter from Michael M. Mooney to RFK, 10 August, 1966. Robert F. Kennedy Senate Papers: Correspondence, box 8. JFKL. See also Schlesinger, *Robert Kennedy*, 6 and Hilty, *Brother Protector*, 21-22.

political.

Nor did the Kennedy brothers learn more about race relations in the United States during their higher education. During his years at university John Kennedy seemed most interested in foreign affairs; as President that concentration was always apparent. Robert, unlike his brother, was not particularly interested in studies, gaining average marks throughout his college years. His focus throughout school and college was on achieving sporting prowess. That concentration, added to the fact that Joseph Kennedy spent more time cultivating the political knowledge of his two eldest boys, Joe Jr., and John at the expense of his youngest children, meant that RFK had simply not studied or thought about the issue. There is certainly no evidence that he had read any of the theoretical books on the sociology of race relations, even such classic accounts as Gunnar Myrdal's *An American Dilemma*.⁵

While Kennedy was not knowledgeable about civil rights in theory or in practice, he did prove his belief in equality while at the University of Virginia Law School where he studied after graduating from Harvard. Kennedy was head of the Student Legal Forum and was responsible for inviting visitors to speak. He invited the black lawyer Ralph Bunche to address the forum. Bunche, who was Undersecretary-General of the United Nations at that time, asked whether the audience would be integrated as he refused to speak to segregated audiences as a matter of principle.⁶ RFK tried to gain the approval of his class for a desegregated audience, but the southerners among the class would not agree. The Student Legal Forum, however, agreed to Kennedy's stance and a statement signed by RFK was sent to the university president, Colgate Darden. The students registered their "strong conviction, reenforced [sic] by our belief in the issues presented by the last war in which most of us fought,

⁵ Gunnar Myrdal, *An American Dilemma*, (New York: Harper and Row, 1944).

⁶ Bunche had been awarded the Nobel Peace Prize the year before his invitation to speak at Virginia Law School in recognition of his efforts as mediator of the 1948 Arab-Israeli war. Hilty, *Brother Protector*, 53.

and by our belief in the principles to which this country is committed in the Bill of Rights and the United Nations Charter, that action which would result in the cancellation of Dr. Bunche's lecture appears to us morally indefensible."⁷ Up until that point, state law had been circumvented by allocating one section of the hall for blacks and then permitting people to sit where they chose. However, Kennedy refused to compromise and Darden, who was personally opposed to segregation, declared the purpose of the meeting to be educational, thereby allowing it to be desegregated.⁸ "It was the first time they had a Negro speak to a desegregated audience," Kennedy later commented, "certainly at the law school or the college ... and, I think, in that part of Virginia".⁹

Kennedy's reaction when personally faced with injustice was admirable, but his action did not translate into a broader based interest in the topic. Neither did RFK's early career do anything to improve his knowledge of civil rights. Having passed the New York bar exam, Kennedy was appointed assistant U.S. attorney for eastern New York. His remit was to investigate criminal income tax evasion cases. One such case led to the indictment of former commissioner of the Internal Revenue Service, Joseph Nunan.¹⁰ Three month later, however, RFK left the position to manage JFK's 1952 Senate campaign. Thereafter, he joined Senator Joseph McCarthy's Permanent

⁷ Schlesinger, *Robert Kennedy*, 86.

⁸ Declaring that the meeting was for educational purposes allowed Darden to use the Supreme Court case *Sweatt v. Painter* (whereby The University of Texas Law School had, in 1950, been ordered to admit a black student) to back up his decision.

⁹ Guthman and Shulman, *His Own Words*, 68. His willingness to stand against individual cases of racism was demonstrated again in 1961. RFK challenged the prestigious Metropolitan Club, of which he was a member, to explain their refusal to allow blacks into the building even as guests for luncheon. When his first protest went unanswered he wrote again: "It is inconceivable to me, in this day and age, that the privileges of this Club which holds such a unique and peculiar position in the Nation's Capital would be denied to anyone merely because of his race. ... I cannot in good conscience remain a member and herewith submit my resignation". Schlesinger, *Robert Kennedy*, 311-12.

¹⁰ Hilty, *Brother Protector*, 66.

Investigations Sub-Committee, for which he investigated allegations that the owners of certain allied ships had traded with Communist China during the Second World War. He resigned six months later, disgusted with the techniques employed by McCarthy and his chief counsel, Roy Cohn.¹¹ Kennedy then worked for a brief time as counsel for former President Hoover's Commission on Reorganization of the Executive Branch, before rejoining the Permanent Investigations Sub-Committee, this time working for Senator McClellan, head of the Democratic minority on the committee. It was as chief counsel to McClellan that Kennedy became interested in the pursuit of organised crime in labour unions, which occupied his interest into his tenure as Attorney General. None of these posts exposed him to the issue of civil rights, and it took JFK's bid for the presidency to throw both Kennedys in at the deep end. Thus, the 1960 campaign began Robert Kennedy's education in an issue which would become, by the mid-sixties, one of his foremost concerns. He would continue to refine his ideas on civil rights until the day that he died.

The Kennedys may have preferred to look at the "overall picture" of problems in the United States, addressing the problems of poverty and inequality facing all Americans rather than just those of ethnic groups, but by 1960 civil rights as an issue had gathered enough momentum to force politicians to address the problem, or face

¹¹ For the best overviews of McCarthy's career, see Stanley Kutler, *The American Inquisition*, (New York: Hill and Wang, 1982); Richard Rovere, *Senator Joe McCarthy*, (New York: World, 1959); and David Oshinsky, *A Conspiracy So Immense: The World of Joe McCarthy*, (New York: Free Press, 1983). For a discussion of the roots of McCarthyism, see Athan Theoharis, *Seeds of Repression: Harry S. Truman and the Origins of McCarthyism*, (Chicago: Quadrangle Books, 1971); and Richard M. Freeland, *The Truman Doctrine and the Origins of McCarthyism*, (New York: Alfred A. Knopf, 1972).

losing black voters to the opposition.¹² From the late forties the cause of black equality had begun to inch its way forward. Many blacks who fought for the United States during the Second World War but faced segregation in army facilities, were impelled by the experience to fight for an end to discrimination. Slowly, a change in mentality was wrought, and several landmark decisions occurred in the progress of the civil rights movement. In 1947, the talented baseball player Jackie Robinson broke the colour barrier in Major League Baseball when he started at second base for the Brooklyn Dodgers on opening day.¹³ The controversy surrounding the decision to allow him to play was massive, and, given that baseball was the number one national pastime, could not be ignored. A second landmark was the decision passed down by the Supreme Court in *Brown v. the Board of Education of Topeka* in 1954. It was this decision which overturned the 1896 *Plessey v. Ferguson* separate but equal ruling. The Supreme Court ruled that segregation was, by definition, unequal, and that all schools, starting with Topeka, should desegregate. Hard on the heels of that success came the 1955 Montgomery Bus Boycott, which, started by Rosa Parks, and organised by the budding civil rights leader, Martin Luther King Jr., captured the interest of the nation. It was this event which thrust the civil rights movement to national prominence. By 1960, therefore, civil rights as an issue had received massive

¹² Since the presidential election of 1936 it had been reasonably safe to assume that black Americans would vote, as a block, for Democratic candidates, their loyalty assured by the New Deal coalition built by Franklin D. Roosevelt. Although Roosevelt had done nothing explicit to address inequality in America, his economic programmes had helped black Americans, and, along with his considerable charisma, that had endeared the President, and, by association, Democrats to them. See Nancy Weiss, *Farewell to the Party of Lincoln: Black Politics in the age of FDR*, (Princeton, New Jersey: Princeton University Press, 1983).

¹³ Matthew Eisenberg, "Baseball's Negro Leagues", *The Concord Review*, January 3, 1997, http://www.tcr.org/advpl_8.html, 8. Robinson was not the best player in the Negro Leagues. He was chosen by Branch Rickey, president of the Brooklyn Dodgers, because he was known to give his all when on the field, while maintaining orderly conduct off of it. Rickey knew that the non-drinking, non-smoking, army veteran would be the most acceptable black player for white fans and the media alike.

coverage throughout the United States¹⁴. It was no coincidence that that year both the Democrats and the Republicans passed strong civil rights planks at their respective party conventions. Both JFK and Richard Nixon were forced to tackle the issue head-on during the campaign; that process began the Kennedys education on the topic.

As campaign manager RFK became involved in the struggle to win the black vote during the general election. His dilemma was that many blacks, and liberals, perceived JFK as a favourite with Southern political leaders. That belief stemmed from the 1956 Democratic Convention where JFK's abortive bid to become vice-president on Adlai Stevenson's ticket had been supported by many Southern Senators and Governors. Black leaders, especially Roy Wilkins, leader of the National Association for the Advancement of Colored People (NAACP), were also concerned over JFK's stance on the 1957 Civil Rights bill. He had supported a southern move to refer the proposed bill to the Judiciary Committee chaired by Senator James Eastland of Mississippi. Nearly every supporter of the bill opposed this as Eastland would do everything in his power to keep the bill off the Senate floor. Although JFK voted for Title III, which would give the Attorney General powers to protect those civil rights guaranteed by the Constitution, he had also voted for the jury trial amendment which proposed that a jury trial be required before a defendant in a civil rights case could be sentenced to more than forty-five days in prison for contempt of court. The NAACP believed the amendment to be a concession to the South. Defendants would be tried by a jury of white Southerners and were, therefore, likely to go unpunished. John

¹⁴ For a detailed discussion of the civil rights movement see Taylor Branch, *Parting the Waters: America in the King Years, 1954-63*, (New York: Simon and Schuster, 1988); David Garrow, *Bearing the Cross: Martin Luther King, Jr., and the Southern Christian Leadership Conference*, (New York: William Morrow, 1986); Carl Brauer, *John F. Kennedy and the Second Reconstruction*, (New York: Columbia University Press, 1977); Juan Williams, *Eyes on the Prize: America's Civil Rights Years, 1954-1965*, (New York: Penguin, 1987); C. Vann Woodward, *The Strange Career of Jim Crow*, (New York: Oxford University Press, 1986 edition).

Kennedy assured NAACP leaders of his concern for civil rights, rationalising his actions through the need to follow Senate procedures. At the same time, however, he wrote to Southern leaders confirming that he had taken their advice on the vote.¹⁵ One colleague, recognising that JFK had voted with an eye on political considerations, commented “why not show a little less profile and a little more courage?”¹⁶ Added to the distrust many civil rights leaders felt about JFK, the Kennedys had to contend with Nixon’s popularity among black leaders. The Republican candidate had supported the strong plank recommended at the convention, and, furthermore, had a higher profile in America than JFK, because he was Vice-President.

Proof that the Kennedys did not yet fully recognise the growing importance and influence of the civil rights movement on American politics is shown by a conversation between JFK and Harry Belafonte before the Democratic Convention.¹⁷ The entertainer told the candidate that he must get to know Martin Luther King Jr. JFK asked Belafonte, “Why do you see him as important. ... What can he do?”¹⁸ Belafonte was surprised by JFK’s lack of knowledge. He tried to convey to the Democratic hopeful his belief that black voters would no longer be swayed by party but on the candidate’s position on civil rights issues. Belafonte apprised JFK, “Forget me, forget Jackie Robinson and everybody else we’ve been talking about. If you can join the cause of King, and be counseled by him, then you’ll have an alliance that will make the

¹⁵ Letters from JFK to Ruth Batson, J.P.Coleman, Luther Hodges and Marvin Griffin, August 1, 1957. John F. Kennedy Papers; Pre-Presidential Papers, Box 458. JFKL.

¹⁶James N. Giglio, *The Presidency of John F. Kennedy*, (Kansas: University Press of Kansas, 1991),13. The comment was a dig at JFK’s 1956 Pulitzer prize-winning publication, *Profiles in Courage*.

¹⁷ Belafonte was one of the most involved of black show business figures in the civil rights movement, and a director of SCLC. Belafonte’s position was particularly important given his “cross-over” appeal to whites, to whom he represented the acceptable face of the civil rights movement.

¹⁸Quoted in Branch, *Parting the Waters*, 307.

difference.”¹⁹

RFK, recognising that his brother must improve relations with civil rights leaders, hired Harris Wofford to tackle the problem. Wofford was deeply involved with the civil rights movement. After a period of study in India, Wofford decided to pursue a law degree at Howard University. He was the first white to seek entry to that institution since the days when women suffragists had attended, unable to gain a degree from any other university. As a result of a book he and his wife wrote about Gandhi and non-violence and how the same methods could be adopted by those fighting for Civil Rights in America, Wofford established a relationship with Martin Luther King Jr, who was, at that time, developing his own ideas for non-violent resistance for civil rights protest in the South.²⁰

While Wofford was deeply immersed in the civil rights movement, it is significant that he was chosen as the advisor to the Kennedy campaign, rather than a black civil rights activist. Perhaps the Kennedys anticipated that campaign staff would more readily take advice from a white civil rights adviser, or perhaps they themselves could not conceive of taking advice from a black leader. More likely an explanation, however, is that the Kennedys simply did not know any black activists that they could ask. They did, on the other hand, know Wofford, who had written the odd speech for JFK since 1957. Wofford, in turn, introduced Louis Martin, a black publisher and media expert, to the campaign. Martin’s outspoken style endeared him to RFK, and the two remained close throughout the Attorney General years.

Robert discussed the presidential campaign with Wofford, telling him: “We’ve been dealing outside the field of the main Negro leadership and we have to start from

¹⁹ *Ibid.*

²⁰ Harris and Clare Wofford, *India Afire*, (1950).

scratch.”²¹ Wofford began by setting up a meeting between John and Martin Luther King, Jr. The leader of the Southern Christian Leadership Conference (SCLC) was better acquainted with Nixon than with JFK, but what he did know of the young Democratic aspirant was not positive. He had not been impressed by JFK’s stance on civil rights, especially the way he voted on the 1957 Civil Rights bill. Correspondingly King had “very little enthusiasm for Mr. Kennedy when he first announced his candidacy”. He saw him as an opportunist who “was so concerned about being President of the United States that he would compromise basic principles to become President”.²² Wofford arranged an initial meeting for June 23. King, meeting the candidate over breakfast, recalled that JFK did not have a sophisticated grasp of the problem but “was impressed with his concern and I was impressed with his willingness to learn more about civil rights.”²³ In this respect the presidential candidate and his brother were very alike. King thought that Kennedy had an intellectual commitment to the problem but not an emotional commitment. The civil rights leader found the ninety minute meeting constructive, admiring the forthright manner in which JFK discussed the black issue. He felt sure that “he [JFK] would do the right thing if he were elected President”.²⁴ The Kennedys’ hopes that King would endorse JFK were not realised however. King explained that the SCLC was a non-political organisation and therefore its leader must remain uncommitted to any political leaders.

In September, Wofford set up another meeting between the SCLC leader and Kennedy. Aware that JFK needed to make up ground with black voters, Wofford suggested that the two appear together to make a strong statement on civil rights. King,

²¹ Harris Wofford, *Of Kennedys and Kings*, (Pittsburgh: University of Pittsburgh Press, 1980), 47. Wofford was also counsel to the U.S. Commission on Civil Rights.

²² Garrow, *Bearing the Cross*, 139.

²³ Oral history interview of Martin Luther King, Jr., by Berl Bernhard, March 9, 1964, John F. Kennedy Library Oral History Project [hereafter JFKOHP], 1

²⁴ Garrow, *Bearing the Cross*, 139.

emphasising his need to remain non-partisan, refused, but was amenable to a joint meeting with Kennedy and Nixon. The Democratic candidate ignored this proposal, not wishing to provide Nixon with equal publicity. King then urged JFK to “do something dramatic to convince blacks of his commitment to civil rights”.²⁵ The meeting concluded, King decided that there was little difference between the two candidates. “I could find things in the background of both men that I didn’t particularly agree with”.²⁶ Although he would not endorse either candidate, by now his private convictions leaned marginally towards JFK, mostly because King deemed the Kennedy advisors, liberals such as Wofford and Chester Bowles, to be closer to the movement than Nixon’s advisors.

The perfect opportunity “to do something dramatic” arose when, on October 19, Martin Luther King was arrested for his part in a sit-in demonstration in Atlanta. On October 22, King was released but was immediately rearrested for violation of a parole agreement from a previous conviction for driving with an Alabama license whilst in Georgia. King was sentenced to six months hard labour at Reidsville state prison, a clear case of persecution as there was no legal precedent for such a harsh penalty. Judge Mitchell also denied the request of King’s lawyer who argued that in a misdemeanour case the judge was bound to release the defendant on bond while the case was being appealed.

Coretta Scott King, Dr. King’s wife, phoned Wofford and told him, “They’re going to kill him. I know they’re going to kill him.”²⁷ She pleaded with him to take action. Wofford phoned Sargent Shriver (brother-in-law to Robert and John), who was with JFK in Chicago at the time, and suggested that the candidate should take some sort of action. “The trouble with your beautiful, passionate Kennedys,” Wofford

²⁵ Wofford, *Kennedys and Kings*, 12.

²⁶ Garrow, *Bearing the Cross*, 142.

²⁷ Wofford, *Kennedys and Kings*, 11

complained to Shriver, “is that they never show their passion. They don’t understand symbolic action”.²⁸ Shriver persuaded JFK to telephone Coretta King, who recalled that the candidate said: “I want to express to you my concern about your husband. I know this must be very hard for you. I understand that you are expecting a baby, and I just want you to know that I was thinking about you and Dr. King. If there is anything I can do to help please feel free to call on me”.²⁹ In contrast, Nixon, whose advisers also recommended that he take the opportunity to make a strong stand on civil rights, refused to take action. His press secretary, Herb Klein, believed that it would be unsound election strategy. In Washington, Deputy Attorney General Lawrence E. Walsh deliberated on whether to take action in the courts. Instead, he prepared a statement for President Eisenhower to release. The President however, showing his usual reluctance to get involved with the civil rights issue, dismissed the suggestion.

It was at this stage of the campaign that RFK became deeply involved with the issue. In his oral history interview, Robert Kennedy stated: “I never discussed it with him [JFK] that I can remember, and I’m not sure that I knew about his telephone call at the time”.³⁰ According to Schlesinger and Wofford, however, his description of events is not accurate. On learning of JFK’s call to Coretta King, RFK exploded, furiously denouncing Wofford and his associates. “Do you know that three southern governors told us that if Jack supported Jimmy Hoffa, Nikita Khrushchev, or Martin Luther King, they would throw their states to Nixon? Do you know that this election may be razor close and you have probably lost it for us?”³¹ Clearly political expediency was uppermost in RFK’s mind at the time. The next day Kennedy appeared to have a change of heart. He phoned the judge who had sentenced King and asked for the

²⁸ *Ibid*, 18. Wofford probably came to regret his remark, since most of the action that the Kennedys took on civil rights for the first two and a half years was ‘symbolic’.

²⁹ Branch, *Parting the Waters*, 362.

³⁰ Guthman and Shulman, *His Own Words*, 69-70.

³¹ Wofford, *Kennedys and Kings*, 19

release of the civil rights leader. He told his aide, John Seigenthaler, “The more I thought about the injustice of it, the more I thought what a son of a bitch that judge was. . . .I wanted to make it clear that I opposed this. I felt it was disgraceful”.³²

Schlesinger contended that while the impropriety of RFK’s call was flagrant, it was, nonetheless, in character.³³ The historian believed that, as with his experience with Ralph Bunche while at the University of Virginia, RFK recognised specific abuses, which he found abhorrent, but had not yet assimilated these to support for the movement in general. This theory is, no doubt, partially true. However, in his interview with Anthony Lewis, Kennedy revealed that the idea to call the judge was not his own. RFK talked to Governor Vandiver of Georgia who said that if Kennedy “called the judge ... he thought that the judge would let Martin Luther King off, and that that would be helpful”.³⁴ Kennedy apparently told no one of the conversation, fearing that it would destroy the governor’s political career. Perhaps it also served RFK’s purpose to be seen as proactive in the field of civil rights, rather than reactive to the request of a state governor to help resolve the issue to everyone’s political satisfaction. To analyse the call in terms merely of political expediency would be a disservice to Kennedy. Throughout his career Robert Kennedy fought strongly for defendants’ right to bail.³⁵ His stance on civil liberties in this respect was considered strong. As Attorney General, he introduced the Criminal Justice Act of 1964 which

³² Schlesinger, *Robert Kennedy and His Times*, 235.

³³ The Canons of Professional Ethics of the American Bar Association state that “a lawyer should not communicate or argue privately with the Judge as to the merits of a pending case, and he deserves rebuke and denunciation for any device or attempt to gain from a Judge special personal consideration or favor”. Wofford, *Kennedys and Kings*, 22.

³⁴ Guthman and Shulman, *His Own Words*, 70.

³⁵ Kennedy did not necessarily view the issue of bail as a race issue, but it was his involvement in matters such as this that led him to a deeper understanding of black America. In researching the Criminal Justice Bill, for example, Kennedy realised just how many black Americans failed to post bail because of their economic circumstances. That knowledge was one step towards his belief that the fight against economic discrimination was vital.

provided funds for indigent defendants so allowing them to pay for counsel. It also recommended that every possible defendant be released without bail. Nevertheless, most, if not all, of Kennedy's decisions as campaign manager relied on his judgment of what action would best advance his brother's candidacy.

King was released and whilst he still refused to endorse JFK, Martin Luther King Sr. had no such qualms:

I had expected to vote against Senator Kennedy because of his religion. But now he can be my president, Catholic, or whatever he is. It took courage to call my daughter-in-law- at a time like this. He has the moral courage to stand up for what he knows is right. I've got all my votes and I've got a suitcase and I'm going to take them up there and dump them in his lap.³⁶

JFK's staff made full use of that statement as well as King's own statement that he was "deeply indebted to Senator Kennedy" and a later speech in which he praised Kennedy for exhibiting "moral courage of a high order".³⁷ A flyer was prepared entitled "No comment Nixon versus a Candidate with a Heart, Senator Kennedy: The Case of Martin Luther King". Hundreds of these were distributed in black precincts before the election. Undeniably, this made a big impact on the black vote, while, owing to timing and lack of press coverage, it did not have a negative influence on southern whites.³⁸ The affair was, therefore, an important factor in JFK's narrow victory over Nixon that November.

On winning the 1960 election John Kennedy had roughly two months in which to select his new cabinet. On the whole he was praised for his appointments, but his

³⁶ Ralph G. Martin, *A Hero For Our Time*, (New York: Macmillan Publishing Co., 1983), 229.

³⁷ Garrow, *Bearing the Cross*, 148.

³⁸ JFK made the call thirteen days before the election. It was treated as a minor story by the press, which prevented a white backlash. Harris Wofford managed to keep the story out of black publications, such as *Jet*, fearing that it would then be spread to the press in general. The pamphlets were distributed mostly at black churches throughout the North and South, ensuring that the story was given maximum black attention, with minimum white awareness.

choice of RFK as his Attorney General provoked strong criticism. Robert did not want the position, feeling it would create too many problems for the President: "I thought, first, it was going to be so difficult - civil rights - and secondly, that if my brother were going to run again in 1964, to have an Attorney General who can't hide in a plane and has the same last name as the President of the United States would just be fatal. Because we'd be doing nothing but getting into fights ...".³⁹ No doubt the campaign had shown RFK that civil rights would be an important issue during his brother's administration. Despite his apparent apprehension, however, it is difficult to determine whether RFK had been aware of the extent of the problems he would face. Given that civil rights later became their preoccupation, it is possible that RFK was projecting his feelings at the time of his interview onto the discussion. Certainly, Kennedy's interview shows his worry at the way his actions as Attorney General had begun to be seen as synonymous with those of the President. RFK told Anthony Lewis that for the first two years his actions on behalf of civil rights in the South were viewed as separate from JFK's. By 1963, however, "instead of talking about Robert Kennedy, they started talking about the 'Kennedy brothers'".⁴⁰ RFK was so alarmed by the situation that by September 1963 he and the President had begun to talk about his resignation as Attorney General, perhaps to manage JFK's 1964 campaign.

Joe Kennedy cut through both John and Robert's concerns in 1960. He was adamant that Robert should be part of the Kennedy cabinet. "My father kept saying that in the first place the President is going to have a lot of problems; and second,

³⁹ Guthman and Shulman, *His Own Words*, 73. RFK was referring to Attorney General Bill Rogers, who had campaigned with Nixon in 1960. When they flew into South Carolina, however, Rogers stayed in the plane, because of his unpopularity in the state. Apparently it was because of civil rights that JFK's first choice for the position, Abraham Ribicoff, turned down JFK's offer of the position; "he didn't think a Jew should be putting Negro children in white protestant schools in the South ... at the instruction of a Catholic." *Ibid*, 74.

⁴⁰ *Ibid*, 75.

considering the relationship that is going to exist between the two of you, you can't be working for somebody else because it is going to make it so difficult for the somebody else ... so you've got to be cabinet."⁴¹ Like Robert, JFK had reservations, fearing a backlash from the press accusing him of nepotism. He came around to his father's way of thinking, telling John Seigenthaler, "I need to know that when problems arise I'm going to have somebody who's going to tell me the unvarnished truth, no matter what ... and Bobby will do that".⁴² He refused to listen to Robert's objections and the appointment was announced. The press reaction was predictable, with tales of an attempt to found a "Kennedy dynasty". The *New York Times*, which would remain throughout the early 1960s one of Robert Kennedy's strongest critics, wrote, "If Robert Kennedy was one of the outstanding lawyers of the country, a preeminent legal philosopher, a noted prosecutor or legal officer at Federal or State level, the situation would have been different. But his experience ... is surely insufficient to warrant his present appointment".⁴³ The reaction was not wholly adverse, however, and few Senators resisted the appointment.

Kennedy was aware that his lack of experience was a major issue, and so chose staff who redressed the balance. The job of Deputy Attorney General was given to Byron "Whizzer" White. A graduate of Yale Law School who had clerked for a Chief Justice, White had also been a crew member on PT 109, the Patrol boat that JFK had commanded during the Second World War. White had remained close with JFK and had worked in the campaign, as head of the citizens for Kennedy-Johnson committee. According to Schlesinger, he was regarded as a man of "solid legal proficiency".⁴⁴ The position of Solicitor General, third-in-command at the Justice department, was given

⁴¹ Quoted in Schlesinger, *Robert Kennedy*, 247.

⁴² Quoted in *Ibid*, 250.

⁴³ *New York Times*, December 29, 1960. Kennedy later faced a similar criticism when he ran for Senator for New York in 1964.

⁴⁴ Schlesinger, *Robert Kennedy*, 255.

to Archibald Cox of Harvard Law School. Apart from Cox, the rest of the department was staffed by graduates of Yale Law School, or non-Ivy League schools. Nicholas DeB. Katzenbach, previously Professor at Chicago Law School, headed the Office of Legal Council until he became Deputy Attorney General on White's acceptance to the Supreme Court. Ramsey Clark, son of former Attorney General Thomas Clark, became head of the Lands Division.⁴⁵ The remaining Assistant Attorney General positions were taken by William Orrick, head of the Civil Division; Lee Loevinger, head of Anti-Trust; Herbert J. Miller, head of the Criminal Division; Louis Oberdorfer, head of the Tax division; and, most importantly to civil rights issues, Burke Marshall, head of the Civil Rights Division. Kennedy's personal staff was composed of Angie Novello (personal secretary), John Seigenthaler (administrative assistant), and Pulitzer prize-winning journalist, Edwin Guthman (press-secretary).⁴⁶ Joseph Dolan, who later became RFK's administrative assistant, was brought to the Justice Department by Byron White, as his deputy.

Most of these men had considerable input into the civil rights question as Kennedy valued their judgment on all problems, not just those concerning their own department. Hence, during the Freedom Rides, or the desegregation crises, for example, any of the Assistant Attorney Generals could find themselves bound for the trouble-spot to help out. However, it was Burke Marshall who had day-to-day contact with civil rights groups and issues. Kennedy made the appointment on the recommendation of Byron White. Civil rights activists had wanted Harris Wofford to head the Civil Rights Division, but Kennedy felt Wofford was "very emotionally involved in all of these matters and was rather in some areas a slight madman".⁴⁷

⁴⁵ Katzenbach and Clark respectively became Attorney General under Lyndon Johnson.

⁴⁶ Guthman had helped Kennedy expose labour racketeers, such as James Hoffa. It was for his coverage of that issue that he won the Pulitzer prize.

⁴⁷ Guthman and Shulman, *His Own Words*, 78.

Kennedy believed that if head of the Civil Rights Division, Wofford would be “dealing not from fact but ... from emotion,” he “wasn’t going to give what was in the interest of President Kenned..” RFK “wanted advice and ideas from somebody who ... had the same interests and motivation that I did”.⁴⁸ These comments are telling. They show that Kennedy’s primary motivation was to protect the President, and that he believed that Wofford would put the interests of civil rights activists above what the Kennedys perceived as the good of the country, or, more importantly, JFK’s administration. Knowing of Wofford’s deep commitment to the cause Kennedy was unwilling to appoint him head of the Civil Rights Division.

The fact that RFK wanted to appoint someone who would take a dispassionate approach towards civil rights suggests that he intended to regard the issue in the same way. Although this might have tempered RFK’s commitment to the cause, as Attorney General he had to deal with political realities including the fact that Southern politicians would have objected strongly to Wofford. Byron White was clearly on the same wavelength. He believed it was important that the job be given to someone who would not try to use the law as a social instrument but who would “do the job in a technically proficient way that would be defensible in a court - that Southerners would not think of as a vendetta, but as an even-handed application of the law”.⁴⁹

White, therefore, proposed Burke Marshall, a thirty-eight year old Yale graduate, who specialised in anti-trust law, as the new Assistant Attorney General.⁵⁰ Kennedy quickly came to respect Marshall, who proved himself exceptionally able.⁵¹ Better still, Marshall concurred with Kennedy’s view that civil rights should be

⁴⁸ *Ibid*, 78-79.

⁴⁹ Victor Navasky, *Kennedy Justice*, (New York: Atheneum, 1971), 183.

⁵⁰ Harris Wofford also proposed Marshall, although, clearly, he would have liked the position himself. Wofford instead accepted the position of civil rights adviser to the President.

⁵¹ Schlesinger believed that Marshall became Kennedy’s chief advisor until his death. Schlesinger, *Robert Kennedy*, 311.

approached by stressing the legal responsibility of the Justice Department to act when federal law had been violated rather than focusing on any moral justification. Thus Kennedy's assistant supported the administration's attempt to project an image of impartiality in the matter: an image which would, it was hoped, allow the President to maintain the support of black activists without losing the support of Southern Democratic leaders.

Many of those who had criticised Kennedy's appointment as Attorney General, were, however, impressed by the staff he selected. Alexander M. Bickel, a Professor of Law at Yale who wrote for the *New Republic*, and one of Kennedy's foremost critics, wrote: "It was the most brilliantly staffed department we had seen in a long time, and that was very impressive. One immediately had the sense of a fellow who wasn't afraid of having able people around him and indeed of a fellow who had a vision of public service that would have done anyone proud."⁵² Bickel's assessment was accurate. Kennedy was not afraid to surround himself with talented officials. He listened to their advice and trusted them to do their job without interference. While this was true of his staff and all those whose opinion he trusted, Kennedy was not as open to advice from people he didn't know or respect. It was not until later in his career that he learnt that skill.

When he became head of the Justice Department, Kennedy perceived that the problems of civil rights would take many years to overcome. He likened the situation to a scenario he had been familiar with during his formative years. As Irish-Catholics his grandfather and father had been subject to years of discrimination in Boston, but now there was an Irish-Catholic president. He believed that gradually, perhaps in forty years, black Americans would be offered the same opportunity.⁵³ This belief would bring him into sharp conflict with civil rights leaders, who believed that they had

⁵² Quoted in *Ibid*, 257.

⁵³ Edwin Guthman, *We Band of Brothers*, (New York: Harper and Row, 1971), 181.

waited long enough. The fight should be for them, now, not for their offspring, tomorrow. Gradually Kennedy would come to understand and respect this reaction, and later, as Senator for New York, he would embrace this goal fully. In late 1960, however, RFK's commitment to civil rights seemed to be little more than superficial.

As they took office both Robert and John Kennedy believed that, due to the narrowness of JFK's victory over Nixon, it would be impossible for them to push any kind of civil rights legislation through the conservative Congress.⁵⁴ The composition of the Senate, in particular, where Southern Democrats threatened to join Republican Senators in order to block legislation, ruled out such attempts. Not only would such a venture lead to failure for a civil rights bill, it would probably also lead to the failure of their entire legislative programme. The Kennedys were particularly concerned that bills providing, for example, better standards of education and a minimum wage, which of themselves could aid black Americans, would also be sacrificed.⁵⁵ Therefore, they decided that any action should be confined to the executive branch. This decision directly contravened JFK's campaign promises. As the Democratic presidential candidate, JFK had supported a maximum civil rights plank, which stated that "the time has come to assure equal access for all Americans to all areas of community life including voting booths, schoolrooms, jobs, housing and public facilities".⁵⁶ As leader of the party JFK had endorsed the platform and had extended his own commitment by stating:

In order to implement this pledge and assure prompt action, I have asked

⁵⁴ JFK won 49.7% of the vote, while Nixon won 49.6%, a margin of under 200,000 votes. It remains the narrowest electoral victory in the history of United States elections.

⁵⁵ In this respect Kennedy responded in a similar way to Franklin D. Roosevelt. Roosevelt would not introduce civil rights legislation, but the New Deal relief and recovery programmes did aid black Americans.

⁵⁶ *The Rights of Man*, Report of the Committee on Resolutions and Platforms as adopted by the Democratic National Convention, 20 July 1960, 53. Quoted in John Hart, "Kennedy, Congress and Civil Rights." *Journal of American Studies*, 1979, 13: 166.

Senator Clark and Congressman Celler to constitute a committee to prepare a comprehensive civil rights bill, embodying our platform commitments, for introduction at the beginning of the next session. We will seek the enactment of this bill early in that Congress.⁵⁷

Contrary to the beliefs of some black leaders and subsequent historical analysis, the decision to move away from the Democratic platform came not at the beginning of the new administration, but during the election.⁵⁸ By the beginning of October, 1960, JFK had begun to talk about the power of the executive in dealing with discrimination in the United States. It was at this stage that he made his notorious comment that discrimination in housing could be ended with “the stroke of a pen,” a comment which came back to haunt the first two years of his administration. JFK had, by that stage, begun to recognise the problems he would face if he tried to enact civil rights legislation, and had backed away from the idea completely. Critics such as Henry Fairlie, Bruce Miroff and Lewis Paper have condemned JFK for not throwing the moral weight of the White House behind legislation until 1963.⁵⁹ Their criticism does not take into account the political realities that the Kennedy brothers faced. JFK’s narrow margin over Nixon did not constitute a mandate for any of the Kennedy programme, least of all for the contentious issue of civil rights. Furthermore, every Democratic Senator elected in 1960 ran ahead of the President in their own state and in only seven states did JFK gain a greater share of the vote than the Democratic candidates for seats in the House of Representatives. Consequently, few Democrats

⁵⁷ *The Report of Senator John F. Kennedy, Presidential Campaign of 1960*, Final Report of the United States Senate Committee on Commerce, 87th Congress 1st Session, Senate Report 994, Part I, 69. Quoted in *Ibid*, 168.

⁵⁸ See John Hart, “Kennedy, Congress and Civil Rights,” for details of JFK’s commitment to civil rights throughout the 1960 campaign.

⁵⁹ See Henry Fairlie, *The Kennedy Promise*, (New York: Doubleday, 1973); Bruce Miroff, *Pragmatic illusions: The Presidential Politics of John F. Kennedy*, (New York: David McKay, 1976); and Lewis Paper, *The Promise and the Performance: The Leadership of John F. Kennedy*, (New York: Crown, 1975).

were reliant on the President for their electoral success.

An analysis of Congressional reactions to previous civil rights bills, as well as the difficulties faced in the Senate when JFK proposed the creation of a Department for Urban Affairs, justify the Kennedy brothers' belief that they could not hope to push civil rights legislation through Congress. None of JFK or RFK's critics have ever suggested that they did not know how to add up votes in Congress. (RFK's accurate reading of delegate votes at the Democratic Convention, for example, was well known.) Those who argue that JFK should have appealed to the nation with all the weight of his office, like F.D.R. in his "fireside chats," forget that the United States in 1960 was far from the depressed country of the early 1930s. (They also conveniently ignore the fact that F.D.R. never made a strong stand on the race issue.) Liberal critics of the administration, like Tom Wicker, may have believed that JFK should have done what was morally right whether or not that jettisoned other legislation, but they would have been the first to accuse him of neglecting his domestic programme had he tested their ideas. Such men were the kind of liberals that the Kennedy brothers despised. RFK believed they were "in love with death," because they would rather be seen to vote for, and lose, a strong bill than see a weaker one pass.⁶⁰

One of RFK's first tasks on taking office was to advise JFK on the appointment of federal judges. Although, technically, these were presidential appointments, in reality JFK left the decision making process to the Attorney General. RFK's selections would be vital. Judicial appointments, as Burke Marshall commented, were "a principal factor in efforts to make federal rights for Negroes a reality in the South".⁶¹ Once again, however, the Attorney General came up against congressional constraints. Senator Eastland, chairman of the influential Senate Judiciary Committee, hoped that the new President would pick William Harold Cox,

⁶⁰ Guthman and Shulman, *His Own Words*, 204.

⁶¹ Burke Marshall, *Federalism and Civil Rights* (New York: Columbia University Press, 1964), 31.

who had been Eastland's college roommate. The Attorney General conducted an interview with Cox, during which RFK expressed his reservation that Cox would "enforce the law and whether he'd live up to the Constitution, and the laws, and the interpretation of the Constitution by the Supreme Court". Cox apparently assured Kennedy that he would. He told Kennedy, "that there wouldn't be any problem about that, [upholding the law] that he felt he could accomplish a great deal, and that this would not be a problem to him".⁶² Burke Marshall later wrote a private letter to Professor Bickel (who had criticised Cox's appointment in the *New Republic*) explaining Kennedy's dilemma:

Judge Cox's appointment was approved after a long personal interview with the Attorney General in which Cox stated his intentions of fully complying with the decisions of the Supreme Court and the Fifth Circuit in civil rights matters. He was rated Extremely Well Qualified by the American Bar Association Committee and had no public record at all on racial matters. If his appointment had been turned down, it would have had to have been almost solely on the basis that he was suggested by Senator Eastland and had been Eastland's personal friend for many years.⁶³

The Attorney General could not afford to take the risk of offending Eastland, especially as the Senator's approval of other judicial appointments, such as the NAACP's Thurgood Marshall to the U.S. Court of Appeals, was vital. Civil rights leaders, however, were less than enthralled with the appointment. Roy Wilkins, President of the NAACP, wrote to John Kennedy that it "was not a surprise in the light of the general situation", but that "for 986,000 Negro Mississippians", Cox would become "another strand in their barbed wire fence, another cross over their weary

⁶² Guthman and Shulman, *His Own Words*, 109. There are two possible interpretations for the outcome of this conversation. Either Cox lied through his back teeth, or the two men misinterpreted each other. That would have been possible, given that both RFK and Cox would have brought their own agenda to the conversation. Also, given Kennedy's lack of communication skills, the "conversation" may well have consisted of half-formed statements and responses, which would be easy to misinterpret.

⁶³ Quoted in Navasky, *Kennedy Justice*, 284.

shoulders and another rock in the road up which their young people must struggle”.⁶⁴

Wilkins was right. No sooner had Cox taken office than he denied the Justice Department the right to inspect voting records in one Mississippi county where no blacks were registered to vote.⁶⁵ In October 1963, when John Doar, whom Marshall had put in charge of voting litigation for the Justice Department, asked for a trial date for a voting rights case, *U.S. v. Mississippi*, C.A. No. 3312. Cox wrote an abusive letter back. He lambasted Doar for his “impudence in reciting the chronology of a case before me with which I am completely familiar,” he proceeded to insult Doar by suggesting that he had only written the letter to impress his “boss man,” and continued: “I spend most of my time fooling with lousy cases brought before me by your department for your political advancement”.⁶⁶ A report in *The New York Times* on Cox stated that he repeatedly referred to black registrees as “a bunch of niggers”.⁶⁷ In an exchange with Doar, who pointed out that there was “nothing un-American about registering to vote”, Cox replied that “it is all right for them to get in line if they want to I guess,” but that “most of them were just grandstanding; they ought to be in the movies instead of being registered to vote ... Who is telling these people they can get in line and push people around acting like a bunch of chimpanzees?”⁶⁸ Kennedy later admitted that he had been convinced that Cox had been honest with him during the interview, but had been wrong.⁶⁹

Other Kennedy appointments were just as destructive to the cause of equal rights. Judge E. Gordon West, for example, appointed at the wish of Senator Russell

⁶⁴ Schlesinger, *Robert Kennedy*, 331.

⁶⁵ The right to inspect such documents had been granted by the 1960 Civil Rights Act.

⁶⁶ Letter from W. Harold Cox to John Doar, October 16, 1963. Burke Marshall Papers: Special Correspondence, box 8. JFKL.

⁶⁷ *New York Times*, March 9, 1964.

⁶⁸ *Ibid.* Such discriminatory reactions by Southern Judges held up the progress of the Voter Registration Project which RFK initiated. See Chapter Two for details.

⁶⁹ Guthman and Shulman, *His Own Words*, 112.

Long (Democrat - Louisiana) called the *Brown* decision “one of the truly regrettable decisions of all time.”⁷⁰ Both Robert and John Kennedy were opposed to the appointment of Luther L. Bohanon at the behest of Senator Robert S. Kerr (Democrat - Oklahoma). However, they recognised that they needed a friend on the Finance Committee (as its chairman, Harry Byrd, would oppose any of their proposed legislation) in order to get the tax bill through. The Attorney General later admitted;

the appointment of a judge who is recommended by the chairman of a committee or a key figure on a committee can make the whole difference on his [the President's] legislative programme. ... It sounds terrible. And you know, you should stand fast on principle. [But] You stand fast on principle; Kerr doesn't get his judge and you don't get any tax legislation. And they play it as tough and as mean as that.⁷¹

Victor Navasky's assessment that RFK's record on judicial appointments was more vulnerable to criticism than any other area is fair: “For it was a blatant contradiction for the Kennedys to forego civil rights legislation and executive action in favor of litigation and at the same time to appoint as lifetime litigation-overseers men dedicated to frustrating that litigation.”⁷² Historians such as Schlesinger, and recently, James Hilty, have contended that although RFK was forced to compromise on some judges, his appointments, viewed as a whole, were creditable. Hilty cites figures which show that only five of 128 judicial nominations made during JFK's administration could be considered segregationist.⁷³ Schlesinger compares the Eisenhower administration's appointments of district judges with Kennedy's, showing that each was responsible for five segregationists, Eisenhower for eight moderates and Kennedy for three, Eisenhower for two integrationists and Kennedy for

⁷⁰ Schlesinger, *Robert Kennedy*, 332.

⁷¹ Guthman and Shulman, *His Own Words*, 110.

⁷² Navasky, *Kennedy Justice*, 277.

⁷³ Hilty, *Brother Protector*, 389.

eight.⁷⁴ Both Hilty and Schlesinger miss the point, however. For civil rights to move forward, proactive judges were required who would be actively integrationist. Future study should, therefore, concentrate upon how many of the Kennedy appointments actually advanced the cause, rather than focusing on the minority of judges whose segregationist views made headline news. What is clear, however, is that of the Kennedy appointments, the damage done by the five segregationist district judges outweighed the positive influence of the eight integrationists. This issue shows how intractable the problem of civil rights was for the federal government. However the Kennedys tried to deal with the issue they were, as the judicial appointments show, held up by the usual constraints: JFK's narrow victory and his need to keep Southern Democrats on side.

In May 1961 Robert Kennedy faced his first civil rights crisis. A group of "Freedom Riders" left Washington to test the 1960 *Boynton v. Virginia* Supreme Court decision which prohibited segregation in interstate terminal facilities. That ruling, as well as the 1948 *Irene Morgan* Supreme Court decision which ruled against segregation on interstate buses, had never been enforced by the Interstate Commerce Commission (ICC), the agency with jurisdiction. Martin Luther King and other leaders met with Kennedy in April to inform him of the problem. RFK told them that the ICC was notoriously slow-moving and independent, an answer that failed to satisfy the black leadership. Subsequently, interstate travel became the focus of their energy. The campaign was organised by James Farmer, head of the Congress of Racial Equality (CORE), the first Gandhian inspired non-violent civil rights group to be formed in America.⁷⁵ Farmer - one of a number of activists who had seen promise in JFK's campaign rhetoric but who was tired of waiting for the administration to act - organised a group of activists who were willing to assert their constitutional rights by

⁷⁴ Schlesinger, *Robert Kennedy*, 334.

⁷⁵ CORE was set up in Chicago in 1942.

making a bus journey into the Deep South. The activists, an integrated group of students, would challenge the Jim Crow laws by seating blacks at the front of the bus and whites at the rear. The black activists would also attempt to use restrooms and rest areas designated for whites. Farmer later admitted that the chief aim of the campaign was to provoke a confrontation, although he did not state whether or not CORE had planned it to coincide with the Vienna Conference. "We planned the Freedom Ride with the specific intention of creating a crisis. We were counting on the bigots of the South to do our work for us. We figured that the government would have to respond if we created a situation that was headline news all over the world, and affected the nation's image abroad. An international crisis, that was our strategy."⁷⁶

In 1964, Kennedy stressed was that he had not known about the Freedom Rides in advance. When pressed further he stated that he had not known of the rides until the first bus was burned at Anniston. "Oh, I guess I knew about it from reading the paper the next morning."⁷⁷ Burke Marshall concurred. The evidence, however, proves the opposite. James Farmer claimed that he had sent Robert and John Kennedy letters informing them of CORE's decision to run a "Freedom Ride" through the South to New Orleans. The letters would have been handled by administrative staff, so it is quite possible that the President never saw his copy. Knowing that JFK was preoccupied by the aftermath of the Bay of Pigs fiasco, they probably thought it best not to bring the letter to his attention. It is clear, however, that Robert Kennedy was notified that the Rides were about to take place. Even if RFK did not see the letter himself, its existence would have been brought to the attention of Marshall, who was

⁷⁶Garrow, *Bearing the Cross*, 156.

⁷⁷ Guthman and Shulman, *His Own Words*, 82-83.

head of the civil rights division in the Justice Department.⁷⁸ Even if the letters did not reach their intended audience (or indeed if they never existed), Kennedy and Marshall were forewarned of the rides from another source, Simeon Booker of *Jet* magazine. In a meeting at the Justice Department, Booker spoke to Marshall and briefly with Kennedy about the rides, which he was intending to cover for *Jet*. According to Booker, Kennedy told him to call if he got into trouble.⁷⁹ It seems that Kennedy did not take much interest in Booker's notification, and flippantly told the reporter, "I wish I could go with you," which, surely, shows his total lack of comprehension of the violence the activists would meet on their journey through the South.⁸⁰

Kennedy, like the President, was absorbed by the aftermath of the disastrous Bay of Pigs attack. Indeed his brother had asked RFK to head the Cuba Study Group, with a remit to investigate the role of the CIA and the Joint Chiefs of Staff in the failed attack. According to Schlesinger, the study group met for six weeks in April and May and interrogated fifty witnesses. Kennedy was forced to divide his time between his involvement in foreign affairs and the Justice department. He often worked all day with the Cuba Study Group, and then returned to his own department to work late into the night.⁸¹ Kennedy's desk diaries and phone logs for this period show that he did spend most of the day at the Pentagon. Furthermore, Kennedy was concerned with the President's forthcoming meeting with Premier Khrushchev on June 3 and 4, at the Vienna Conference, an event which would be the biggest test of JFK's presidency so far. Worried that the Cuban débâcle would signal weakness to the Soviet head of state, the President believed that the meeting would determine the outcome of cold war

⁷⁸ The letter is not in any of the relevant collections at the JFK Library (President's Office File, White House Central Subject Files, Attorney General Papers, Burke Marshall Papers.) This analysis is based upon James Farmer's account. Author interview with James Farmer, June 15, 1996.

⁷⁹ Hilty, *Brother Protector*, 316.

⁸⁰ Branch, *Parting the Waters*, 413.

⁸¹ Schlesinger, *Robert Kennedy*, 480.

hostilities around the globe, but most importantly in Berlin, the focal point that year in the struggle between East and West. Thus, RFK, deeply involved with foreign affairs, and still not on the same wavelength as the civil rights movement, clearly had no idea of the scale, violence, and media coverage that the Rides would attract or he would have realised that they could become a major crisis for the administration. He made no preparations: probably anticipating that the Rides would be similar to the sit-in movement, which had not required action by the federal government.

The Kennedys' preoccupation with the Vienna conference became transparent once the rides had started. On May 24, by which time it had become clear that the Rides constituted a threat to United States prestige, RFK made a statement on the Freedom Rides. The Attorney General made a plea for restraint: "I think we should all keep in mind that the President is about to embark on a mission of great importance. Whatever we do in the United States at this time, which brings or causes discredit on our country, can be harmful to his mission".⁸² The Kennedys' fear of the decline of America's image and thus its influence in the world, had been a key theme in JFK's 1960 campaign rhetoric. He portrayed the late fifties as a time of declining American stature, citing the examples of Nixon's disastrous trip to Latin America, and the Japanese riots which forced Eisenhower to abandon his tour of that country. It was not just the Kennedys who were aware that America would be weakened by any reference abroad to the race problem. In a letter to RFK, William Haddad (Special Assistant to the Director of the Peace Corps) warned:

We can send a thousand volunteers to Nigeria, Ghana, Tanganyika and Guinea, and spend \$40,000,000 on our program, but all our work is overshadowed by the burning of the bus and the beatings in Alabama. The situation becomes more critical because the natives can easily associate the situation with what

⁸² Statement by RFK, May 24, 1961. RFK Papers: Attorney General's Files: Speeches, 1961-1963, box 1. JFKL. When veteran civil rights activist, Ralph Abernathy, was asked to comment on RFK's statement that the Freedom Rides were embarrassing the President, he told newsmen; "Well, doesn't the Attorney General know we've been embarrassed all our lives?" Branch, *Parting the Waters*, 474.

has happened in their country in the past: white men beating Africans with immunity from prosecution.⁸³

Privately, Robert Kennedy questioned the activists' patriotism for protesting. In a conversation with Harris Wofford after the students had refused to call off the rides, he complained, "This is too much. I wonder whether they have the best interest of their country at heart. Do you know that one of them is against the atom bomb - yes, he even picketed against it in jail! The President is going abroad and this is all embarrassing him".⁸⁴ Wrapped up in the administration's foreign policy, and with his concern to protect JFK, the Attorney General showed little sympathy for the Freedom Riders. The President, equally worried by the effect the Rides might have on his foreign policy, ordered Harris Wofford to "Stop them! Get your friends off those buses".⁸⁵

By 1964, however, Robert Kennedy obviously felt the need to safeguard the administration's reputation on civil rights, by indicating that he had not known about the affair. In light of the administration's more committed stance on civil rights in 1963, which led to the introduction of civil rights legislation, Robert Kennedy's oral history account makes it easy to believe that the administration had been fully committed from the start, that the President had merely been biding his time until the climate seemed ripe for action. His version of events leads the reader to believe that there was nothing more the administration could have done in 1961 to further the cause of equal rights. There is some truth in this. The Kennedys' concern with the balance in Congress was a real one. However, it is clear that neither Kennedy really understood the mood of black America. Their commitment, at this stage, was intellectual rather than visceral.

⁸³ Letter from William Haddad to RFK, May 17, 1961. RFK Papers: Attorney General's General Correspondence, 1961, box 2. JFKL.

⁸⁴ Wofford, *Kennedys and Kings*, 156.

⁸⁵ *Ibid*, 125.

The way in which RFK's oral history has been edited for publication also provides a false image of his involvement in the crisis. The editors have missed out sections where Kennedy seems unsure of details. Undoubtedly they did so because of space constraints, and because Kennedy's first statement on the Freedom Rides adds nothing substantial to the record. However, in the edited section, (where Kennedy was asked by John Bartlow Martin to describe his role in the Freedom Rides) Kennedy was reluctant to talk about the crisis, telling Martin that he thought it better if Burke Marshall were present when he discussed the Justice Department's role in the Rides:

Civil rights is so, uh - - well, there's just so much and it's just uh ... You know, it's not like a security matter ... or where I have something that's particularly unique as far as the President is concerned. I mean, I could tell you, but I'd like to get the facts down, and he can recite the facts and I could perhaps just fill in what my role was and what the president's role was.⁸⁶

Indeed when RFK was interviewed on the subject again, this time by Anthony Lewis and with Burke Marshall present, it was Marshall who provided most of the detail on what course of action the Justice Department had taken, despite the fact that for the first few days of the crisis, he had been off work, sick with the mumps. The omission is, admittedly, of little interest to the casual observer. But RFK's unpublished reaction to Martin's request is significant to those interested in his civil rights records. His comment gives rise to one of two possibilities, if not both: either Kennedy had little involvement in the crisis, apart from making key phone calls to Southern officials; or he was anxious to make the record technically correct and he needed Marshall, just as he had at the time, to achieve this.

Once the rides had become headline news, RFK, though angered by their timing, was determined to uphold the decision of the Supreme Court to desegregate interstate buses and terminals. As a result, he worked hard behind the scenes to try to

⁸⁶ RFK oral history interview with John Bartlow Martin, March 1, 1964, JFKOHP, 89.

ensure the safety of the civil rights workers. Both RFK and Burke Marshall made a number of calls to the Governors of Alabama and Mississippi, as well as to the state Attorney Generals, Police Chief and Greyhound officials. At the same time Kennedy tried to persuade Farmer to call off the Rides after the violence at Anniston and Birmingham. Farmer recalled that his refusal brought about a “cold war” in his relations with both Robert and John Kennedy which lasted several years. Neither RFK nor the President would deal with Farmer after his refusal to cooperate with them. At a meeting arranged between JFK and Farmer, one of a series of meetings the President had agreed to hold with civil rights leaders, JFK snubbed Farmer by working on his papers throughout the 45 minutes allotted.⁸⁷ RFK managed to snub Farmer as well: he refused to mention CORE’s national director during his account of the Freedom Rides.

Added to their animosity is the fact that John and Robert Kennedy, even in 1963, believed Farmer, and his CORE and SNCC compatriots, to be extremists. Indeed the President, appearing to have misunderstood the non-violent goals of the student activists, stated that “SNCC has got an investment in violence. They’re sons of bitches”.⁸⁸ The Kennedys preferred to deal with leaders like Martin Luther King, leaders whom they perceived as representing the acceptable face of the civil rights

⁸⁷ Author interview with James Farmer, June 15, 1996.

⁸⁸ Quoted in Hilty, *Brother Protector*, 328.

movement.⁸⁹

In fact the decision to hold the strikes was no longer just Farmer's to make. The original bus had been occupied by CORE activists, but after the beatings they received at Anniston and Birmingham the original riders abandoned the rides and flew to New Orleans. The Rides only continued because Diane Nash and the SNCC students in Nashville, Tennessee, decided that they must continue the struggle. Believing that the violence that had met the first riders had served the purpose of highlighting the problem, RFK did not see why SNCC wished to continue the rides. He called for a "cooling-off" period. It is doubtful that Kennedy understood Farmer's response that black Americans "had been cooling off for three hundred and fifty years" and would be "in a deep freeze" if they cooled off any further.⁹⁰ RFK's statement angered the student activists, who, rightly, believed he didn't understand the reasoning behind their test of Southern law. They felt it imperative that the rides not be stopped by violence.⁹¹ Most were, however, grateful for Kennedy's intervention in the

⁸⁹ It wasn't until 1966 that Robert Kennedy became friendly with James Farmer. Farmer agreed to support RFK's candidate for surrogate judge (Sam Silverman) during the Senator's fight against Tammany Hall. In return Kennedy agreed to rescue CORE from the financial quagmire caused by Freedom Rides. Over 300 activists had been bailed by CORE, which was also responsible for their legal fees. As a result the organisation was, by 1966, verging on bankruptcy. Kennedy made some of his staff available to Floyd McKissick (director of CORE) to work out the papers to make it a non-profit organisation. He then personally took the organisation through IRS procedure to obtain its tax-exempt status. The Senator also set up a \$100 a plate dinner, the proceeds of which helped swell CORE's coffers. Farmer maintains that RFK was single handedly responsible for saving the civil rights group. The incident, which has gone unreported until now, says a great deal about Kennedy's burgeoning involvement with the civil rights movement by the mid to late sixties. Author interview with Farmer, June 15, 1996.

⁹⁰ *Ibid.*

⁹¹ The young activists also lost respect for Martin Luther King, who was asked to join them for the next stage of the journey. King tried to explain that he was needed for fund-raising activities for the SCLC. When the students persisted, King responded angrily that he should be allowed to determine the time and place of his Golgotha. The remark angered the students, many of whom were strong believers, who did not appreciate King taking on the mantle of Christ. From that time on many SNCC volunteers derisively referred to King as "Da Lawd." *Ibid.*

Rides. Wyatt Walker, Martin Luther King's second-in-command at the Southern Christian Leadership Conference (SCLC), proposed Kennedy for "American of the Year in 1961".

The ambivalence of the activist's attitude towards Robert Kennedy reflected his own equivocal feelings about the civil rights movement. Sympathetic towards the young Riders, who had faced such horrific violence, he was, nevertheless, still more concerned with the way in which the Freedom Rides would affect his brother's image. On the one hand he was incensed by the contravention of the law shown by the authorities of Alabama and Mississippi, on the other, he clearly resented the civil rights groups' attempt to manipulate the administration into taking a more active role in the cause. This tension is clear in his conversation with Martin Luther King jr. the night that a mob trapped more than 1000 activists and supporters in Ralph Abernathy's First Baptist Church, Montgomery, where King held a rally on May 21. Kennedy had called Governor Patterson to seek further assurances that the black community would be protected. However when it became obvious that Patterson had reneged on his promise to handle the situation, RFK sent in federal marshals to ensure the safety of those trapped inside the church. Clearly then he was committed to the safety of the activists. However, when King told him that the protesters who had been jailed would stay there as it was "part of the philosophy of this movement," Kennedy took the comment as a threat that if the administration didn't back the continuing Rides, the movement's leadership would escalate the crisis. Kennedy replied curtly: "That is not going to have the slightest effect on what the government is going to do in this field or any other, The fact that they stay in jail is not going to have the slightest effect on me." When King compounded the threat by asking: "Perhaps it would help if students came

down here by the hundreds - by the hundreds of thousands,” Kennedy became angry. “The country belongs to you as much as to me”, he replied, “You can determine what’s best just as well as I can, but don’t make statements that sound like a threat. That’s not the way to deal with us.”⁹³

Despite his contradictory response to the Freedom Rides, Kennedy did ensure that the activists had not been forced to withstand violence in vain. The Attorney General and his staff telephoned members of the ICC, putting unprecedented pressure on the independent agency, asking them to agree to enforce the Supreme Court’s rulings on Interstate travel. On September 22, the ICC issued an order ending segregation on interstate buses and terminal facilities. Martin Luther King had made that suggestion before the Freedom Rides, but at that point Kennedy had found the suggestion naive. After all the publicity surrounding the Freedom Rides, however, Kennedy was obviously more open to the suggestion. Furthermore, this time he had made the decision to intercede with the ICC himself, rather than being pressurised by King. At this stage of his career, then, Kennedy was clearly not open to advice from men such as King. Later in his career, RFK was able to listen to their advice without becoming defensive.

The activists could regard their efforts as successful. They had forced the administration to take a stand on desegregation in the South. By November 1, 1961, when CORE sent more rides out to test the order, they found that the ICC had overseen the desegregation of all but a handful of terminal facilities in the South. By the end of the year the ICC had also overseen the desegregation of airline and railroad terminals.

The Attorney General was criticised by segregationist Southerners who believed that he had encouraged the Freedom Rides. In a telegram to RFK, May 22, 1961, Orval Faubus, Governor of Arkansas, wrote:

⁹³ Branch, *Parting the Waters*, 475.

Your telegram to me received early May 21st indicates clearly that your office not only encouraged but perhaps assisted in instigating the group of agitators and provocators misnamed the Freedom Riders to go into Alabama. This is a horrible mistake. Travelers on journies [sic] of legitimate business should have every protection, but provocators on journies of this nature should not be encouraged. You can search diligently the statute books of this nation and the world, and you will find no law that will justify provocation and agitation of this type.⁹⁴

There is no record of the telegram that Faubus refers to, sent by RFK the day before. However his remarks to the Police Superintendent of Birmingham suggest the line RFK was using and indicate why southerners felt that he had encouraged the movement. During a conversation with Superintendent George Cruitt of Greyhound in which RFK requested that someone be found to drive a bus on to Montgomery, Kennedy told Cruitt, "We have gone to a lot of trouble to see that they get this trip and I am most concerned to see that it is accomplished".⁹⁵ Kennedy later reflected that the statement had been misinterpreted by southerners, who maintained that the administration had been in league with the Freedom Rides. "I never recovered from it. That was damaging."⁹⁶ He was willing to let the perception stand, however. The Kennedys' objective was to attempt to maintain RFK as the focus of Southern resentment and hostility, while keeping attention from being focused on the President. Throughout 1961 they were successful in achieving that end.⁹⁷

RFK had also had to contend with J. Edgar Hoover during the rides. At the height of the crisis, RFK had phoned Hoover to ask how many FBI agents there were in Birmingham -Hoover replied "We have enough, we have enough." According to

⁹⁴ Telegram from Orval E. Faubus, Governor of Arkansas, to Robert F. Kennedy, May 22, 1961, Robert F. Kennedy Papers, Attorney General's General Correspondence, box 10.

⁹⁵ Telephone call between RFK and Superintendent George E. Cruitt, Birmingham, Alabama, 3:15 pm, May 15 1961. Robert F. Kennedy Papers, Attorney General's General Correspondence, Box 10.

⁹⁶ Guthman and Shulman, *His Own Words*, 93

⁹⁷ *Ibid*, 102.

one of the Assistant Attorney Generals who was in the room at the time, Hoover was filibustering: “This torrent of words would keep coming but he didn’t tell us how many agents he had there. I don’t know if he knew, but he never wanted us to know. It was his secret.”⁹⁸

While John Seigenthaler, RFK’s administrative assistant, was beaten and left unconscious at Montgomery, an FBI agent stood across the street taking detailed notes. The FBI’s position on this was that “the agents are present for the specific purpose of observing and reporting the facts to the Department of Justice in order that the Department will have the benefit of objective observations. If the agent should become personally involved in the action, he would be deserting his assigned task and would be unable to fulfill his primary responsibility of making objective observations.”⁹⁹ Seigenthaler was galled “to think that the FBI stood there and watched me get clubbed and was close enough so that they could positively identify my assailant. If I had been looking the other way, my assailant would be suing me. I’m not nonviolent, you know.”¹⁰⁰ Neither would Hoover have been prepared to authorise agents in the area to protect the activists at Abernathy’s church. Kennedy didn’t even bother to ask, which meant that he was forced instead to rally a force of marshals, who were ill-equipped and untrained for the mission. Hoover’s intransigence in this area would cause even greater problems for Kennedy when he tried to execute his Voter Registration Project.¹⁰¹

The Kennedys were unwilling to tackle the issue of civil rights head on in the first year of the administration. That decision may be attributed to two main causes, a lack of deep commitment to the cause, and their understanding of the political realities

⁹⁸ Navasky, *Kennedy Justice*, 15-16.

⁹⁹ *Ibid*, 24.

¹⁰⁰ *Ibid*, 25.

¹⁰¹ For a discussion of Hoover’s attitude towards civil rights, and his negative influence upon executive action during the Kennedy administration see Chapter Two.

which they faced. Although appalled by the violent reaction of a minority of white southerners to the Freedom Riders, the Kennedys remained irritated with the timing of the Rides, consumed with their anxiety over foreign policy. They still regarded civil rights as a side issue, albeit a large one, which was to be endured rather than acted upon.

Black activists believed that the gulf between what they wanted from the Justice Department (and the administration) and how that institution was prepared to act for the cause was caused by a lack of commitment on the part of the Kennedys. Although partially right, most leaders failed to accept, at least publicly, the Kennedys' argument that political realities prevented a proactive civil rights policy.¹⁰² JFK could not afford to lose the support of the Southern Democrats, and risk a division of the Democratic party. As the President explained to civil rights leaders, "nobody needs to convince me any longer that we have to solve the problem. ... But how do you go about it? If we get into a long fight in Congress, it will bottleneck everything else and still get no bill."¹⁰³ Had the Justice Department, and the administration in general, embraced the cause as fully as activists wished, they would have alienated a large proportion of the American public. In doing so they would have sown the seeds for congressional losses in the mid-term elections and disaster in the presidential election of 1964. JFK knew he must balance the wishes of all of his constituents, rather than a minority of them. Overruling protests that if he were to talk of the problem in moral terms and put the full weight of the White House behind the legislation, as he had stated he would during the campaign, it might pass, the President decided to confine the administration's efforts to Executive action. The Kennedys believed that that way they could keep civil

¹⁰² This is due to the nature of pressure groups. Even if black leaders privately understood the restraints upon the administration, they would not publicly say so. Pressure groups must maintain a stronger position than the government, because they are working towards long term goals.

¹⁰³ Arthur M. Schlesinger, Jr., *A Thousand Days: John F. Kennedy in the White House*, (London: Andre Deutsch, 1965), 794

rights leaders at bay while managing not to incur the wrath of Southern Democrats. They had, however, crucially underestimated a number of things. First, civil rights leaders were not satisfied with what they regarded as superficial action. Second, Southern Democrats proved just as intransigent over the rest of JFK's domestic legislation as he had predicted they would over any proposed civil rights legislation. Third, and most important, the Kennedy brothers underestimated the way in which federalism would undermine their attempts at executive action.

Chapter Two: Executive Action

Having decided that the United States was not ready for radical action to end racial discrimination, and believing that executive action would draw less attention than any other course, the Kennedys began to plan initiatives which would further the cause of civil rights without requiring congressional approval. The largest and most important component of their executive action plan was the decision that the Justice Department would pursue the cause of voter registration. As Attorney General, RFK's job was to see that the laws of the land were upheld. He decided that voter registration was the most opportune way to combine that duty with the administration's need to take action on civil rights. Within hours of taking office, Kennedy had told his Justice Department staff of his intentions in that area.¹

Kennedy announced the decision during a press conference in April 1961. He told reporters that registration would be a priority because, "I think that once the Negro obtains the franchise, that the situation will be far different in the United States in many areas".² Kennedy believed that voter registration was the long-term solution to the problems of black America; that "all other rights for which they [black Americans] are fighting will flow from that. Political power comes from votes and rights come from political power".³ Thus voter registration would be "the key to opening the door

¹ Given the timing of his announcement, it seems likely that he would have discussed the matter with his brother during the months leading up to JFK's inauguration. Although RFK did make decisions on civil rights without involving JFK, it is unlikely that he took such an important strategic decision, at the beginning of his Attorney Generalship, without having first discussed it with the President-elect.

² Statement by Robert Kennedy, Department of Justice Press Conference, April 6, 1961. Quoted in Douglas Ross, *Robert Kennedy: Apostle of Change*, (New York: Trident, 1968), 62.

³ Quoted in R.E. Thomson and H. Meyers, *Robert F. Kennedy: The Brother Within*, (New York: Dell, 1962), 142.

to all of what they [blacks] wanted to accomplish in education, in housing, in jobs, and public accommodation".⁴ Better still, Kennedy thought that this way civil rights would be attained with minimal federal intervention. He believed that "if enough Negroes registered, they could obtain open redress of their grievances internally, without the federal government being involved at all".⁵

The right to vote, as Frances Fox Piven and Richard Cloward pointed out, "is the core symbol of democratic political systems".⁶ Throughout most of the Nineteenth Century, however, most black Americans were denied suffrage, on the grounds that they lacked "virtue". In 1870, the Fifteenth Amendment granted black males the right to vote, and throughout the Reconstruction era, blacks voted and were thus able to use their political power to protect other rights. With the overthrow of Reconstruction by the Southern Democrats, black Americans were once again denied the right to vote, at first through violence at the polls, and later through the imposition of legal barriers: poll taxes, literacy tests and property requirements.

By 1960, only 28% of black Americans were registered to vote, and in many Southern counties the proportion of blacks registered was far smaller. In two counties of Alabama, for example, blacks made up 80% of the total population but none of them was registered to vote.⁷ Southern blacks attempting to register were subjected to tests far harder than those demanded of whites going through the same process. Black registrants were frequently asked to explain complex sections of their state constitution, and some were even asked ludicrous questions such as "how many bubbles are there in a bar of soap?" Many blacks who tried to register later found themselves victims of

⁴ Edwin O. Guthman, and Jeffrey Shulman, (ed.) *Robert Kennedy In his Own Words: The Unpublished Recollections of the Kennedy Years*, (New York: Bantam Books, 1988), 103

⁵ *Ibid*, 201.

⁶ Frances Fox Piven and Richard A. Cloward, *Why Americans Don't Vote*, (New York: Pantheon Books, 1988), 3.

⁷ Carl Brauer *John F. Kennedy and the Second Reconstruction*, (New York: Columbia University Press, 1977), 113.

economic discrimination. In Haywood County, Tennessee, for example, black sharecroppers who attempted to register were served eviction notices.⁸ In Mississippi, blacks were subject to the State legislature's adoption of the Grandfather Clause in 1954.⁹ White registrees, by comparison, who were rarely ineligible under either the poll tax system or grandfather clauses, had only to demonstrate that they were literate to obtain the franchise. Registration could also be denied if a black registree had committed one of the crimes deemed peculiar to his race by state officials: bigamy, perjury, adultery, theft, child abandonment, or fornication. Registrars were permitted to destroy voting records, thus hindering federal investigations and were required to publish the names of those who attempted to register, thus inviting reprisals by white supremacists.¹⁰

Robert Kennedy, having coordinated voter registration drives around the United States for his brother's presidential campaign, knew exactly how important it was to register people to vote.¹¹ It has been estimated that about 80% of those registered to vote in America, do exercise that right.¹² Voter turn out in both state and national elections, however, has remained low in the United States throughout most of the Twentieth Century, largely owing to the huge number of people who were not (and

⁸ Irving Bernstein, *Promises Kept: John F. Kennedy's New Frontier*, (Oxford: Oxford University Press, 1991), 68.

⁹ Some states deemed that only those registrees who paid poll taxes were eligible to vote. The Grandfather clause stated that only those Mississippians whose Grandfather had voted were eligible to vote. Although the clause was not strictly discriminatory, in practice it meant that almost all whites were eligible to vote, whereas almost no blacks were.

¹⁰ Neil R. McMillen, "Black Enfranchisement in Mississippi: Federal Enforcement and Black Protest in the 1960s", *The Journal of Southern History*, Vol XLIII, No.3, August 1977, 353.

¹¹ Unlike most European governments, the United States government does not assume responsibility for registering its citizens to vote.

¹² Fox Piven and Cloward, *Why Americans Don't Vote*, 18, 260-263.

are not) registered to vote¹³. The Kennedys recognised that if they helped people to register, those people would be more likely to vote Democrat. RFK's knowledge of campaigns, therefore, makes it unsurprising that he should place so much emphasis on voter registration in response to the question of civil rights.

There were, therefore, sound political reasons to run a voter registration project. Not only would the programme empower blacks, it would, at the same time, secure more votes for the Democratic party. Black votes were important to the Kennedys. Undoubtedly, blacks had helped Kennedy to defeat Nixon in the 1960 election. Black voters gave JFK an average of 70 percent of their ballots in five states that had supported Eisenhower in 1956: Michigan, Illinois, Texas, South Carolina and New Jersey. Furthermore, in New York, Pennsylvania and Minnesota, their votes had helped enlarge JFK's plurality. In the South black voters helped JFK to hold all but two of the traditionally Democratic states, despite the popularity of Nixon among white voters throughout the region.¹⁴ Even so, a study conducted by the University of Michigan after the election, showed that:

one set of ... Negro respondents moves from Republican identification in 1956 to Democratic identification in 1960, justified on civil rights grounds, whereas the other set, attempting the same calculus for the same reasons and with the same information ... moves from Democratic identification in 1956 to Republican identification in 1960.¹⁵

It was, therefore, of vital importance to attract black voters to the Democratic party. The focus was not just on new black voters in the South, it was also on drawing

¹³ As late as 1980, between 39 and 40 percent of the American electorate was unregistered, which amounted to 60 million out of an eligible voting population of 159 million. Cited in *Ibid*, 17-18. Fox Piven and Cloward maintain that "voter registration arrangements came to carry much of the burden of sustaining a system of limited electoral participation". *Ibid*, 21.

¹⁴ Steven E. Lawson, *Black Ballots: Voting Rights in the South 1944-1969*, (New York: Columbia University Press, 1976), 256.

¹⁵ Angus Campbell, et al., *Elections and the Political Order* (New York: Wiley, 1966), 234. Quoted in *Ibid*, 257.

Northern blacks, who would be encouraged by an administration effort to support voter registration in the South, into the Democratic fold.

Harris Wofford believed that an increase in the number of black voters would enhance JFK's legislative programme because it would "strengthen the hand of white moderates, whose congressional support was essential for the passage of the social or economic measures necessary to overcome the legacy of poverty into which a large proportion of Negroes had been born".¹⁶ It is unlikely, however, that this was the key motivating factor for the Kennedys. Their approach was more long-term. RFK was aware that, "where it was going to make a difference was maybe in eight years or twelve or sixteen or twenty years from now. But it wouldn't help in 1964".¹⁷ Analysis of voter registration data shows the Attorney General's political judgment was more accurate than Wofford's. The speed at which voter registration progressed was slow. Even in counties where little interference was offered, and progress was made, the rate was still not rapid enough to affect election returns in 1964.¹⁸

There is no evidence in the administration's records to suggest that the Kennedys had thought through the implications of voter registration for the Democratic party, however.¹⁹ Given their political acumen, it is unlikely that they would not have considered that black registration might cause white Southern Democrats to bolt the party. Perhaps RFK and President Kennedy believed that the Democratic party was inexorably losing the support of Southern whites, owing to the race issue and the introduction of liberal welfare proposals, and thus they had little to lose from trying to

¹⁶ Harris Wofford, *Of Kennedys and Kings: Making Sense of the Sixties*, (Pittsburgh, Pa.: University of Pittsburgh Press, 1980), 137-38.

¹⁷ Guthman and Shulman, *In His Own Words*, 106.

¹⁸ See Appendix 1.

¹⁹ If the Kennedys did discuss the matter they most probably did so in private. However, it is possible that memoranda exist on this issue. If so, they would be part of the unprocessed Justice Department Files.

gain the black vote in replacement. That would make sense if they were thinking about the nation as a whole, as an effort to register Southern blacks would also bring Northern blacks firmly into the Democratic fold. Kennedy did refer, tacitly, to the way Southern Democrats were likely to react to voter registration in his oral history interview. Asked whether he and the President had discussed the political implications of the drive to register black voters, RFK replied that they hadn't, but continued:

I thought, politically ... that if I were a Republican, that's the area that I would emphasize. And I'd be a moderate in the South if I were a Republican. Because I thought that the Democratic leadership in the South was traditionally opposed to civil rights and the Negro. The wave of the future through our efforts and eventually, I felt, the efforts of civil rights groups would be that the Negroes would be registered. Negroes would be voting in an election. And if they [Republicans] had associated themselves in a moderate way with the Negroes, that they would win all the elections - just because I think the Negro could be the swing vote.²⁰

In fact, as Lyndon Johnson was quick to anticipate, the Republicans chose to ignore the possibility of winning black voters, and have, since 1964, concentrated on winning the white population of the South.²¹ The Republicans appealed to Southern whites' fears by using codewords and phrases, such as "busing", "states' rights", and "law and order". Thus, the party attracted white voters (many of whom were racist) without enunciating explicitly racist ideals. Since the number of whites voting in the South is much larger than any other group, the Republicans have profited from the tactic. Considered a Democratic stronghold until the early sixties, the South has, since then, consistently voted Republican (with the exception of the 1976 election, when a

²⁰ Guthman and Shulman, *His Own Words*, 105-6

²¹ Lyndon Johnson was acutely aware of the of the way in which the issue of civil rights was beginning to tear apart the Democratic party's New Deal coalition. In 1964, after the signing of the Civil Rights Act, Johnson told an aide, "I think we just delivered the South to the Republican Party for a long time to come." Quoted in Earl Black and Merle Black, *The Vital South. How Presidents are Elected*, (Cambridge, Massachusetts: Harvard University Press, 1992), 6.

majority of Southerners voted for Jimmy Carter, the Southern candidate).²² RFK clearly didn't anticipate the way Republicans would react in the South and with what effect. He admitted as much in 1964:

LEWIS: You didn't anticipate the way it has actually turned out ... with the Republican party becoming a racist, white party in the South.

KENNEDY: No, I didn't. No I would have gone in the opposite direction.²³

Ironically, given that the Kennedys wanted to take a softly softly approach, voter registration stirred up more controversy than RFK had anticipated. The major challenge to the voter registration project was the very system of government of the United States. The Founding Fathers were determined to protect the right of states, and so all powers not specifically allotted to the national government were overseen by the states' governments. Eventually the matter was formalised in the Tenth Amendment.²⁴ Federalism, then, became one of the checks, in the Founding Fathers' system of checks and balances. There are many areas of government where federalism has never become an issue. Where race is concerned, however, states' rights has always been used as the barrier to reform. The chief obstacle is that because the matter was not specifically dealt with in the Constitution, (few issues were) the matter of states' rights has been left open to interpretation.

²² This trend has been exacerbated by a recent wave of white migration. During the last thirty years significant numbers of conservative whites have escaped the northern cities for the southern sunbelt, partly to escape black migration into northern cities, and partly because of the economic decline of northern cities. For a thorough discussion of voting patterns in the South see Black and Black, *The Vital South*. For an account of the way in which the civil rights issue split the Democratic party, as well as a state-by-state analysis of electoral voting patterns in the South, see Alexander P. Lamis, *The Two-Party South*, (Oxford: Oxford University Press, 1984).

²³ Guthman and Shulman, *His Own Words*, 106.

²⁴ The Bill of Rights (technically the first nine amendments) and the Tenth Amendment were added to ensure the ratification of the Constitution by Virginia. Protecting the rights of individuals and states, the amendments enunciated concerns that the Founding Fathers had taken for granted. During the ratification debate within the Virginia legislature, however, it became clear that such principles should be spelt out for those generations of Americans who might not take them for granted as the framers of the Constitution had intended.

For race issues, this has meant that those who have wished to uphold the traditions of their states, such as the Jim Crow laws in the South, for example, have interpreted the Constitution conservatively, arguing that the federal government has no power to intervene in a states' rights. Those who have attempted to reform the practice of discrimination, on the other hand, have interpreted it liberally, arguing that the federal government did have the power to intervene. The *Brown* decision in 1954 stirred up the emotions of both defenders of segregation in the South and those who advocated an end to the system. The debate generated by that event was massive, but inconclusive. The Kennedys entered a controversy for which there was no solution. Any decision they made would, inevitably, lose them support from one of the sides involved. Furthermore, they entered the scene at a highly charged time. The *Brown* decision and the successes of the Montgomery bus boycott and the sit-in movement, had increased black Americans' expectations, and JFK's own campaign rhetoric had heightened their anticipation. At the same time, the values of the white South, which had been put on the defensive, were becoming more deeply entrenched.

From early in the administration Kennedy urged Justice Department officials, under the leadership of John Doar, to pursue voter registration cases. He was determined that, unlike the Eisenhower administration, which had failed to investigate many registration complaints, his brother's administration would take a tough stand.²⁵ RFK believed that it was in this area that the Justice Department had the requisite authority and "if we were going to do anything on civil rights, we should do it in that field where we had the authority".²⁶ Kennedy did not explain why it was that he believed that it was in this area that the government had the most authority. Most likely

²⁵ By the time that the Kennedys took office in January 1961, the Justice Department had undertaken only three voter discrimination suits (one each in Alabama, Georgia and Louisiana) and two economic discrimination cases (in Tennessee). Kenneth O'Reilly, "*Racial Matters*": *The FBI's Secret File on Black America 1960-1972*, (New York: The Free Press, 1989), 52.

²⁶ Guthman and Shulman, *His Own Words*, 102.

he believed that the administration would be able to point to its legal responsibility to uphold the Fifteenth Amendment which states: “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude”.

The administration had, similarly, justified its intervention in Southern affairs during the Freedom Rides by pointing to its legal responsibility to uphold the Supreme Court decision to desegregate interstate buses and terminal facilities. That RFK intended to approach the issue of civil rights by emphasising the administration’s legal responsibility rather than any moral imperative, had already become evident from his appointment of Burke Marshall, rather than Harris Wofford, as head of the Civil Rights Division. Thus it came as no great surprise to many civil rights leaders that Kennedy pushed for the voter registration programme, rather than recommending a more activist approach. The Kennedys assumed that voter registration could not possibly elicit the same reaction in the South as would campaigns of civil disobedience. As RFK explained, “there would be less internal struggle and strife within the country as a whole by the Department of Justice or the federal government coming down into southern states and telling them what they should do. They could do it themselves”.²⁷ The Kennedys saw voter registration as “a strategy of moderation, compromise, and confrontation avoidance”.²⁸ This was owing to a mistaken belief that no one could object to the fundamental right of all men and women to vote. White House civil rights aide, Lee C. White, expressed this idea when he described the voter registration projects as “something like motherhood - nobody can be opposed to them”.²⁹ Kennedy later asked Anthony Lewis, “How could anybody, really, get mad

²⁷ *Ibid*, 107.

²⁸ Kenneth O’Reilly, “*Racial Matters*”: *The FBI’s Secret File on Black America*, (New York, London: Macmillan, 1989), 49.

²⁹ *Ibid*, 50.

because you're making an effort to make sure that everybody votes? I mean, they can. But they don't come out as openly as they can on schools: 'We don't want our little blond daughter going to school with a Negro.'"³⁰ Once again, Kennedy had underestimated the segregationists. As a Northerner, he couldn't comprehend the intransigence of the southern mentality. He was not alone, however. Many civil rights leaders also thought that voter registration was not as direct, or as dangerous an approach as campaigns of civil disobedience. They were quickly disabused of that opinion once registration projects began.

The Justice Department's legal authority over voter registration, however, was more ambiguous than it had been during the Freedom Rides. Because the Freedom Riders were travelling across state boundaries, jurisdiction belonged to the ICC, a Federal agency. Thus there was a legitimate reason for Federal government intervention to protect the Riders. The right to vote, on the other hand, was granted at state level, not at federal level. If a citizen was eligible to vote in state elections then he was also eligible to vote in national elections. Although the Fifteenth Amendment guaranteed impartial suffrage, thus seeming to bring the federal government into the picture, technically, the use of the poll tax, grandfather clauses and literacy tests to deny the right to vote, were impartial. Those measures could be applied equally to any potential registor, whatever the colour of their skin. The fact that in practice these devices were discriminatory, did not make the Justice Department's case any clearer. Because the registration process itself was overseen at the local level, each case of discrimination had to be pursued through the courts, because the practice of each registry office had to be analysed. Thus the issue of voter registration in particular, and civil rights violations in general, brought into relief the central paradox of the federal system: where federal rights came into conflict with state's rights the result was deadlock.

³⁰ Guthman and Shulman, *His Own Words*, 107.

Although he did not discuss it in his oral history interview, it is also possible that RFK envisioned a trade-off between the administration's judicial appointments and voter registration. Having appointed Judge Cox at the behest of Senator Eastland, for example, Kennedy probably believed that the Senator from Mississippi would not protest over voter registration cases brought to court in his state. Certainly, Eastland's power had been a motivating factor for the Eisenhower Justice Department in its consideration of voting litigation: it had failed to bring any cases to court in Mississippi. Kennedy's officials, on the other hand, did pursue voting suits in Mississippi, apparently without too much interference from Eastland. After all, Senator Eastland's request that the Kennedys consider Cox for a judicial appointment had been acted upon. Furthermore, the relationship between Eastland and President Kennedy was quite strong: a mutual respect existing between the two politicians. RFK may, privately, have congratulated himself on this political trade-off, but it soon became obvious that voting suits were put in jeopardy by the intransigence of Judge Cox, who obstructed those brought by the Justice Department whenever possible.

After the violence of the Freedom Rides, Kennedy and his officials redoubled their efforts to turn the civil rights movement away from its course of civil disobedience towards the registration of black voters. Kennedy and Marshall met with Martin Luther King to explain Kennedy's position. The SCLC leader listened to Marshall explain the administration's view of the limits of federalism and their determination to pursue voter registration suits and, when called upon for a response, endorsed the administration's plans and "promised to step up the SCLC's registration work in tandem with lawsuits". The militant wing of SNCC, however, were wary of Kennedy's proposal, but were brought around by Justice Department officials. In meetings with SNCC and CORE workers, Marshall and John Doar countered the activists' wariness by promising them draft exemption. They also promised the

activists support. Some of the younger civil rights volunteers thought that meant that they would be protected by the Federal Government. One SNCC worker stated that “Bobby pledged marshals and what have you to help us out”. Another present, however, said that nothing explicit had been promised: “I never heard anybody from the Justice Department say, ‘Sure you fellows go out there and we’ll give you all the protection you need’”.³¹ Nevertheless, activists left the meetings under the impression that the Justice Department would help them if they got into trouble. This impression was, no doubt, strengthened by a front page article in *The New York Times*, a preemptive maneuver arranged by Kennedy and Marshall to encourage civil rights groups to join the programme. Stating that “The Rev. Dr. Martin Luther King, Jr. and other leaders of the new militant movements - the sit-ins and Freedom Riders - have come around to agree that the vote is the key,” the article continued, “[C]onfidence that the Government will do its best to protect those who try to register and vote also encourages Negroes to make the attempt”.³²

By September of 1961, the administration had brought together the NAACP, SCLC, CORE, SNCC and the Urban League under an umbrella organisation which became known as the Voter Education Project [VEP]. It was formally launched in April 1962. Funded by private donors and charities such as the Taconic, Stern and Ford Foundations, Robert Kennedy also secured tax exemption status for the VEP from IRS Commissioner Mortimer Caplin. By January 1964 the VEP had provided the civil rights groups involved with \$580,000. As Steven Lawson argues, persuading the various civil rights groups, each of which were suspicious of infringements upon their authority by other groups, to unite under one organisation was an immense

³¹ James Hilty, *Robert Kennedy. Brother Protector*, (Philadelphia, Pa.: Temple University Press), 331.

³² Quoted in Taylor Branch, *Parting the Waters: America During the King Years, 1954-1963*, (New York: Simon and Schuster, 1988), 481.

achievement for the Kennedy administration.³³ Unfortunately, the administration's victory proved hollow. As events unfolded in the South, the fragile link between the Justice Department and civil rights activists would be strained and, in many cases broken by the administration's failure to protect registration workers and blacks who attempted to register.

As civil rights activists moved into the Deep South to register blacks they encountered strong resistance from white supremacists. Most citizens of Deep South states were simply unaware of the changing tide towards black Americans. This was especially true of Mississippi which was notoriously inward-looking, and where affairs were run by the Citizens Council, who imposed a reign of terror over anybody who dared speak out against segregation. The Magnolia State's introspection was reinforced by biased news coverage, which made it impossible for Mississippians to keep up with the race debate occurring throughout the rest of the United States. The two daily newspapers available statewide, the *Clarion-Ledger*, and the *Jackson Daily News*, were run by the ardent segregationists, Thomas and Robert Hederman. As Professor James Silver of the University of Mississippi remarked, "To read the Hederman press day after day is to understand what the people of the state believe and are prepared to defend".³⁴ Similarly, TV and radio programmes were censored. WLBT, the NBC affiliate in Jackson, would stop transmitting any programmes which included a debate on segregation. Viewers would receive a message announcing "Cable Trouble" until the debate had finished, when programming would be restored. It was, therefore, into an atmosphere of ignorance and intolerance that activists

³³ Steven F. Lawson, *Running for Freedom*, (New York: The McGraw-Hill Companies, Inc., 1997), 78.

³⁴ James Silver, *Mississippi: The Closed Society*, (New York: Harcourt Brace, 1966, First edition 1964), 30. For an excellent account of the racial atmosphere in Mississippi in the Fifties and Sixties see also John Dittmer, *Local People: The Struggle For Civil Rights In Mississippi*, (Chicago: University of Illinois Press, 1994).

travelled to enforce the right of black citizens to vote.

True to their crusading spirit, SNCC workers moved into the most dangerous areas of the South now they had decided to join the effort. SNCC activists such as Bob Moses, who started the registration drive in McComb County, Mississippi, faced danger every day. Indeed, Moses was badly beaten on more than one occasion.³⁵ Another SNCC worker, John Hardy, who accompanied two local black men to the registry office, was knocked to the ground by the county registrar who struck Hardy with the butt of his gun. Hardy reported the assault to the sheriff who promptly arrested him for disturbing the peace. Although there were many areas of the South where registration of black voters proceeded with little trouble, such encounters were commonplace for the SNCC workers who attempted to challenge segregation in Southern strongholds. Not surprisingly, their initial enthusiasm for non-violence wore off with every attack they encountered.

It was not just the registration workers who suffered at the hands of white supremacists. Blacks who attempted to register were subjected to economic sanctions and, in many cases, violence against them and their possessions. Others faced attacks on themselves, their families, and their property. Black businessmen could expect to lose sales to whites if they were involved with registration or registration workers. To add insult to injury, if blacks attempted to report any violence against them to local police, they were usually charged with disturbing the peace, or of having perpetrated the violence themselves in order to frame white citizens. The first attempt to register black voters in Amite county, Mississippi, led to the severe beatings of registration workers Robert Moses and John Hardy, and the death of Herbert Lee, the first registree, a farmer with nine children.³⁶ Lee's murder went unpunished owing to FBI

³⁵ For detailed accounts of SNCC's activities in the South see Branch, *Parting the Waters*, Chapters 13 & 14, and David Halberstam, *The Children*, (New York: Random House, 1998), Chapters 45 & 46.

³⁶ Branch, *Parting The Waters*, 507-23; Navasky, *Kennedy Justice*, 116-17.

intransigence. When John Doar tried to pursue the case for the Justice Department, he was blocked by Judge Cox.

It soon became clear to voter registration workers that the federal government would do little to protect them from the violence they encountered. This revelation left many within the movement feeling angry and betrayed. Kennedy argued that he did not have the authority to protect registration workers and black registrees. This argument was one part of the theory of federalism which became the Justice Department's stock answer to pleas for protection by civil rights activists. The theory turned on the fact that, under the Constitution, law enforcement was the responsibility of state rather than federal officials, which meant the Justice Department was powerless to intervene against the violence in the South. Many civil rights activists failed to see why they, who were aiding the government's programme, should not be protected. As with other issues involving states' rights they called for a broad definition of federal power. Southern politicians, keen on keeping the status quo, demanded a narrow interpretation of federal authority. In a letter to Russell Barrett, a political science professor at the University of Mississippi, Burke Marshall explained his belief that "there is no substitute under the federal system for the failure of local law enforcement responsibility".³⁷ At the other end of the spectrum, SNCC worker John Lewis, wrote to RFK asking him, "Just what do you expect Negroes to do to defend themselves against vicious onslaughts from whites with clubs and sticks and dynamite and guns?"³⁸ The Justice Department had no answer.

When asked, in his oral history interview, about his views on federalism, RFK replied that even though it had restrained his brother's administration from acting in certain circumstances, he still thought that the system was wise. "Because I just

³⁷ Letter from Burke Marshall to Professor Russell Barrett, January 3, 1964. Burke Marshall Papers: Correspondence, box 3, JFKL.

³⁸ Michael Belknap, *Federal Law and Southern Order*, (Athens: The University of Georgia Press, 1987), 127.

wouldn't want that much authority, in the hands of - whether it's the Federal Bureau of Investigation or the Department of Justice or the President of the United States. And I think it's, well, that it's not centered, all of that great power is not centered in Washington with the federal government."³⁹ He continued:

you could say that it would be much better if we could have sent people - large numbers, perhaps - down to Mississippi and been able to protect that group down there. But I think that it comes back to haunt you at a later time. I think that these matters should be decided over a long range of history, not on a temporary basis or under the stress of a particular crisis.⁴⁰

Kennedy seems not to have been aware, at least in 1964, of how his attitude made him enemies within the civil rights movement. During RFK's oral history interview Lewis mentioned the name of Bob Moses, in response to which Kennedy and Marshall had the following exchange:

MARSHALL: Well, Bob Moses is a very radical and embittered young man.

KENNEDY: Is he now?

MARSHALL: Yes.

KENNEDY: He always was?

MARSHALL: Well, he's gotten more and more so.

KENNEDY: Is he bitter against us?

MARSHALL: Well, he's bitter against the government ... he's very bitter against the system that permits mistreatment of Negroes that he sees in Mississippi.⁴¹

Kennedy seemed totally unaware of the anger Moses, and others like him, felt. It is unlikely that this was due to a lack of interest, but it does reflect the top-down approach the Attorney General had applied to the civil rights issue during his period of office. His awareness of the problem may have developed incrementally during that time, but he still did not think of the issue from the point of view of black Americans. RFK's overriding interest was to safeguard his brother's administration. He was

³⁹ Guthman and Shulman, *His Own Words*, 99

⁴⁰ *Ibid*, 100.

⁴¹ *Ibid*, 176-7.

personally outraged by segregationists but his focus remained how to guide the administration through the quagmire of race relations while incurring the least resistance, either from white southerners or black activists.

In *Federalism and Civil Rights*, Burke Marshall gave a more detailed account of the administration's interpretation of federalism. In the book, which was written as an explanation for federal inaction, Marshall discussed the key tenets of federalism, providing a number of reasons why the Justice Department could not protect registration workers. He did, however, admit that the activists' work was vital since, "the federal structure ... does not now work, because of massive denials of the right to vote".⁴² He also recommended a Voting Rights Bill, arguing that without legislation voter registration on the scale that was needed would be impossible. The Voting Rights Bill was passed in 1965, under the Johnson Administration. Analysts of voter registration note that after the legislation had passed, the numbers of blacks registering to vote increased dramatically. The 1965 Voting Rights Act enabled the government to bypass the litigation process and send federal examiners to areas where voting rights were violated. By the spring of 1968, the percentages of blacks registered in the 11 states comprising the Deep South had risen 14% since November 1964, permitting 636,563 more blacks the right to vote.⁴³

Those who advocated a stronger stance by the federal government criticised Marshall's book. All the work conveyed, Howard Meyer wrote, was "the message (with such restraint and subtlety that it may not reach its intended recipients) that if all this goes on much longer, something may have to be done about it".⁴⁴ Meyer's criticism seems unfair. What Marshall did convey was the dilemma which faced the

⁴² Burke Marshall, *Federalism and Civil Rights*, (New York: Columbia University Press, 1964), 37.

⁴³ A. Wolk, "Implementation of Southern Negro Civil Rights: The Federal Executive Branch", (Ph.D Thesis, New York University, 1970.)

⁴⁴ Howard N. Meyer, "Can the Justice Department Do More?" in *The Commonweal*, December 11, 1964.

government in regard to voting rights.

Marshall underlined four key reasons why the Federal Government could not intervene to protect activists in the South, and why they became disillusioned with the Kennedy administration:

A typical instance, which has happened often, might involve a student leader. He informs the Justice Department that the next day he is going to lead a group of Negroes down to register to vote in a small town in the Deep South where no Negro has attempted to register for decades. He asks for federal protection, or at least for a show of "federal presence", in the terminology of civil rights groups. When he is told that there is no national police force, that federal marshals are only process servers working for the courts, that the protection of citizens is a matter for the local police, and that there is nothing to do until and unless something happens, the gap between his vision of government and the reality, between the expectations set forth in the Constitution and the Supreme Court decisions and the hope of their fulfillment becomes too great. In the mind of the student, he has looked into the eye of federal authority, has asked for the help of the federal government in exercising and realizing federal rights, and has been turned away.⁴⁵

Marshall dismissed the student activists who were so critical of the Justice Department. "There exists an immense ignorance, apparently untouched by the curricula of the best universities, of the consequences of the federal system."⁴⁶

Marshall provided only a partial assessment of the problem, however. He correctly stated that law enforcement was a matter for local police, but to state that there was no national police force was misleading. As Frank Parker wrote in the *Harvard Law Record*, "The FBI agent, as everyone knows, is noted for his extensive powers of investigation along with his authority to make arrests for federal crimes". Parker continued, "where federal rights are asserted, deprivation of which is a federal crime, the federal government has the authority to provide the kind of protection the

⁴⁵ Burke Marshall, *Federalism and Civil Rights*, 5.

⁴⁶ *Ibid*, 4.

civil rights worker requests".⁴⁷ Thus, the Federal government could intervene in local law enforcement matters in cases where federal rights were denied, and where local officers failed to act appropriately.

Marshall's last point, that the federal government could do nothing until violence had occurred, was also misleading. That argument ignores the power vested in the Federal Government to punish attempts and conspiracies to commit federal crimes. Indeed, the 1957 Civil Rights Act specifically empowered the Attorney General to take preventative action in such cases. Instead, when the FBI's informants warned the agency in advance that the Klan, for example, was planning action against registration workers and registrees, the Bureau would simply pass the information on to local police officers, this, despite the knowledge that many Southern law enforcement officers were sympathetic to, if not directly involved with, the Klan.

Parker's point about the authority of the FBI is an important one, as is Marshall's failure to mention in his book the FBI's role . Although federalism was a major challenge to the Kennedy Administration, they could have found ways to get around it with a little imagination. Creative use of the FBI would, in many cases, have enabled the Justice Department to aid registration workers in the South. That Kennedy chose not to take that path did not represent a failure of compassion. His inaction was, instead, dictated by his inability to direct his subordinate, J.Edgar Hoover. Kennedy and Marshall, therefore, used the theory of federalism to mask their lack of control over the FBI, a state of affairs which they obviously could not reveal.

The success of the voter registration drive was dependent on the cooperation of the Bureau. The Justice Department needed FBI agents to investigate alleged discrimination against registrees and report back so that they could instigate the appropriate litigation. J.Edgar Hoover, however, was from the outset determined to

⁴⁷Frank G. Parker, Review of *Federalism and Civil Rights* in the *Harvard Law Record*, February 25, 1965, 13

impede the progress of the voting rights campaign. Hoover saw civil rights activists as subversive, and categorized them, conveniently, as communists. Jack Levine, an ex-FBI Special Agent who wrote a report on the FBI for the Justice Department, noted that during training FBI agents were told that the NAACP was a communist front group. Indeed, Bureau officials told trainees that “the NAACP had been instigating fictitious complaints against police officers in Civil Rights Cases in an effort to embarrass law enforcement”.⁴⁸ Hoover had no intention of defending activists and black registrees against those southerners who shared his own, white, perspective. Thus, “Hoover responded [to the VEP] by launching a campaign of his own - a campaign of bureaucratic resistance that circumscribed his contribution to the voting drive”.⁴⁹ FBI field officers photographed registration records, and when requested by the Civil Rights Division, conducted interviews, but they failed to analyse the material gathered, forcing division lawyers to do so instead.⁵⁰ As O’Reilly wrote:

No longer the heroic bureaucracy that would engage machine-gun toting gangsters or search out every detail needed to make a case against a subversive or a car thief, the FBI became humble and hamstrung. The Civil Rights Division wanted G-men. Hoover sent over clock punchers, nine-to-five men who *apologised* before asking any white person a question in a voting rights case. This so-called “disclaimer policy” took the form of a standing directive to inform the public that the FBI investigated “these things” not “because they wanted to but because they were told to.” Hoover considered the disclaimer absolutely necessary - “so there can be no misconception upon the part of anybody that it is being done at the whim

⁴⁸ Jack Levine report on the FBI, 23 January, 1962. President’s Office Files (POF): Departments and Agencies: Justice. Box 80. JFKL.

⁴⁹ O’Reilly, “*Racial Matters*”, 55.

⁵⁰ Although FBI agents did conduct interviews after violations of federal law were reported to the Justice Department, the results were often one-sided. The agents would invariably take detailed statements from the white southerners who carried out the attacks, while taking cursory evidence from the civil rights workers and black southerners involved. After it had become clear to John Doar that the FBI were conducting superficial investigations, he constructed a detailed blueprint for the agents to follow. 174 pages long, the “box memo” included questions on every conceivable angle with the aim of providing the Civil Rights Division with the material it needed to pursue registration cases.

of the FBI.” ... he deliberately rendered his agency ineffectual in the fight for civil rights, depriving black people of a resource that could have been an effective weapon in their struggle.⁵¹

FBI agents in the southern field offices, according to Levine, whitewashed civil rights investigations. He recalled that an agent [name classified] described “the constant pressure from the Bureau for higher conviction statistics,” because of which SAC’s instructed agents “to go easy on the local police because of the need for their cooperation in other Bureau matters”. The agent also said that the Bureau “had been successful in not antagonizing the local police because they know the Agents will take it easy on them when writing up their reports”.⁵²

Hoover instigated obstructionist tactics not only because he was racist, but because he despised Robert Kennedy. His dislike of the Attorney General existed on two levels. The Director was personally affronted by the youthful and irreverent RFK; more importantly, he was professionally outraged by the new Attorney General’s attempt to intervene in Bureau affairs. Previous Attorney Generals had had the sense, in Hoover’s eyes, not to threaten his jurisdiction, which made Kennedy’s display of rank all the more offensive. RFK’s installation of a direct telephone line to Hoover’s office, and his insistence that Hoover, and not his secretary, answer it, enraged the Director. Kennedy, with his casual look and youthful mannerisms, symbolized the New Frontier mentality which had fired the imaginations of so many Americans. Hoover was the oldest member of JFK’s New Frontier team. Compared to RFK he appeared antediluvian. He provided the perfect foil to the Kennedys as Norman Mailer saw when, comparing Hoover to the new President, who had the “face of a potential hero,” the writer described the FBI Director as “a man who embodies his time but is not superior to it - he is historically faceless. . . [the FBI] has at present a leader, but

⁵¹ O’Reilly, “*Racial Matters*”, 58.

⁵² Jack Levine report on the FBI, 23 January, 1962. POF: Departments and Agencies: Justice, box 80.

not a hero. So it is faceless in history. And because it is faceless it is insidious, plague-like, an evil force”.⁵³ Hoover would do anything he could to subvert RFK’s attempt to control him and his FBI.

Robert Kennedy admitted that his relationship with Hoover was strained by the civil rights struggle. “They [the FBI] had jealously guarded their relationship with the police officers in the South and with the southern congressmen and senators, and suddenly they were thrust into this struggle.” He denied, however, that there was any real problem. “He [Hoover] couldn’t complain about it ... he had to follow what I wanted done, and he got it done.”⁵⁴ This statement does not ring true. Administration officials involved in the effort for civil rights disagreed with Kennedy’s assessment, which was, no doubt, an attempt to endow the Kennedy administration with an image of strength. As Levine recalled, an FBI official who was asked by an agent about the nature of the relationship between the Bureau and the Justice Department, responded, “although technically the Bureau is a part of the Justice Department it functions separate and apart from the Department. He stated that the Bureau takes its instructions from the Director and not from the Justice Department and that the Bureau is not subject to the policies of the Department.”⁵⁵ Norbert Schlei, who took over from Wofford as Special Assistant to the President, recalled that attitude in his dealings with the FBI:

the duty officer of the FBI would not give you information unless he had an okay from the Director. Even if the Attorney General of the United States himself was asking for the information, he had to clear it with his boss before

⁵³ Norman Mailer, *The Presidential Papers*, (St. Albans, Herts.: Panther, 1976. First published in 1963), 17.

⁵⁴ Robert Kennedy oral history interview with John Bartlow Martin, Volume 2, April 13, 1964, 127. None of the civil rights section of RFK’s interview by Martin has been included in Guthman and Shulman’s edition, *In His Own Words*. Perhaps it was felt that RFK had been too indiscreet in the interview. It was, for example, during one session with Martin that RFK called Hoover, “rather a psycho.” (Vol 2, April 13, 1964, 129)

⁵⁵ Levine report, 23 January, 1962. POF: Departments and Agencies: Justice, box 80.

he could give you any information . . . it was obvious that you were dealing with an entity, and enterprise that considered itself separate and apart from the Department of Justice ... and there was resistance to being supervised by the Attorney General and the Department of Justice.⁵⁶

Without access to the full range of FBI assistance, the Justice Department was unable to litigate on the scale they had hoped. Marshall and his division lawyers were forced to bypass the FBI and prepare their own cases by sending division staff to the South to conduct investigations themselves. Weighed down by the logistics of such investigations, the fifty-three division lawyers, and fifty-three clerks, proceeded slowly. “Each case needed analysis of voting rolls, comparison of handwriting samples, interviews with registrars and witnesses, identification of the race of the successful and unsuccessful registrants, surveys of literacy tests and poll taxes, compilation of demographic statistics and background data on historical registration patterns.”⁵⁷ That the Justice Department staff continued to work doggedly through the cases shows their determination and Kennedy’s commitment. The Justice Department could not count on the support of the FBI, but its staff did as much as they could within the limitations facing them to bring cases to trial.

The FBI was far better equipped to mount such an investigative effort, with its 6,000 agents and 8,000 clerical staff.⁵⁸ Many field officers would have been quite prepared to undertake the work. Although many of the Southern agents were racist themselves, many more were perplexed at the policy of obfuscation stipulated by their director. As Edwin Guthman, RFK’s press-secretary, commented, “Not all of their [the FBI] agents in the South were anti-black, anti-civil rights, or anti-Kennedy. The real question was what happened when the information got to Washington.”⁵⁹ The

⁵⁶ Norbert Schlei oral history interview, February 20, 21, 1968. JF KOHP.

⁵⁷ O’Reilly, “*Racial Matters*”, 57.

⁵⁸ *Ibid*, 57.

⁵⁹ *Ibid*, 57.

Justice Department determined to bypass the FBI whenever possible. “[It was] more expensive, but easier ... You don’t fight the FBI. You work around them,” recalled one of the Division’s lawyers.⁶⁰

As well as obstructing the Justice Department’s litigation programme, the FBI created bad feeling between activists and the Department because of the failure of FBI agents to intervene when they witnessed attacks on civil rights workers. According to the Justice Department’s Office of Legal Counsel, FBI agents were able to make arrests if they witnessed, for example, “a crowd of White citizens ... pursuing and beating a Negro student”.⁶¹ Hoover was not willing to accept this interpretation. He argued that the FBI was not, and should not become, a national police force, as it would go against the structure of the federal state. “Our principle function,” Hoover said, “is the gathering of information - strictly investigative in character.”⁶² He described himself as “a State’s righter in matters relating to law and enforcement. ... I fully respect the sovereignty of State and local authorities. I consider the local police officer to be our first line of defense against crime, and I am opposed to a national police force”.⁶³ (The FBI Director was, however, willing to overlook that belief in other areas, such as in the fight against organised crime.) The Director maintained that the FBI lacked the “authority to give personal protection to anyone”.⁶⁴ As Michael Belknap pointed out, that reasoning “ignored the fact that if the perpetrators were peace officers, what they were doing probably violated section 242 [of the US Criminal Codes], as well as the fact that if preplanned, their violent deeds might be overt acts

⁶⁰ *Ibid*, 60.

⁶¹ *Ibid*, 61.

⁶² *U.S. News & World Report*, December 21, 1964. Quoted in William W. Keller, *The Liberals and J. Edgar Hoover*, (N.J.: The University of Princeton Press, 1989), 93-94.

⁶³ *Ibid*..

⁶⁴ Michael R. Belknap, *Federal Law and Southern Order*, (Athens: The University of Georgia Press, 1987), 113.

furthering a conspiracy punishable under section 241".⁶⁵

Even more distressing to civil rights workers was the fact that even after an act of violence against a civil rights worker or a potential registree, the FBI, when called in to investigate, took little or no action. In 1962, for example, SNCC workers in Ruleville, Mississippi, came under attack from segregationists who fired into their house. When the FBI arrived to investigate, they asked the activists whether they had fired the shots themselves. Randolph T. Blackwell, a SNCC member who worked with Bob Moses, said that talking to the FBI was like "talking to a member of the Ku Klux Klan".⁶⁶ In *The Liberals and J. Edgar Hoover*, William Keller notes the way in which Hoover manipulated the FBI's role in civil rights. On the one hand, "he was unwilling to involve his agents in enforcing voting rights or integration policies," citing lack of jurisdiction as his rationale. On the other hand, "he cited the growing number of FBI civil rights investigations to back up his requests for additional agents and used civil rights as a way to expand his agency and extend its influence in the South".⁶⁷

By the end of 1962, many volunteers were beginning to curse not the Southerners who obstructed them, but Robert Kennedy himself. One volunteer explained, "To have the FBI looking out of the courthouse windows while you were being chased down the street by brick throwers deeply offended the sensibilities. So people wept and cursed Robert Kennedy and Burke Marshall more than the FBI, whom they had never had any confidence in to begin with."⁶⁸ Former SNCC chairman, Chuck McDew, was "very turned off by the Kennedy administration, because when we talked to Bobby or the President about federal protection, they would go into their song and dance: 'Well, the FBI is an investigative unit. They aren't there to protect

⁶⁵ *Ibid.*

⁶⁶ Quoted in O'Reilly, "Racial Matters", 69.

⁶⁷ Keller, *The Liberals and J. Edgar Hoover*, 95.

⁶⁸ Navasky, *Kennedy Justice*, 118.

you.’ So the FBI would watch us being whipped and beaten, but do nothing about it.’⁶⁹

By late 1963 a rift had opened between student registration workers and the Federal government as the activists became disenchanted by the the administration’s seeming lack of care for their lives. Their disillusionment became a major factor in the radicalisation of SNCC and CORE and their move towards “Black Power” from the mid-Sixties on. The major problem was that Robert Kennedy, although personally concerned, was unwilling to force the Director to protect civil rights activists and so, in public statements, he and Marshall duplicated Hoover’s argument to justify federal inaction. The civil rights workers, like most of Kennedy’s critics, were misled by his public statements, as he intended. For Kennedy, the wrath of activists was the lesser of two evils in comparison to the problems he would create for his brother’s administration should he attempt to take on J. Edgar Hoover.

Kennedy was unwilling to challenge Hoover for a number of reasons. Once again, the Kennedys were hamstrung by the nature of JFK’s victory over Nixon. With such a small plurality and little congressional support they were in no position to take on one of the most admired men in the United States, especially when Hoover was so respected by congressional Republicans and the Southern Democrats. Also, if the Kennedys upset Hoover over Civil Rights, they would lose his cooperation in other key areas of their programme, for example the fight against organised crime. Robert Kennedy was quite explicit on this matter:

It was very important, as far as we were concerned, that he [Hoover] remained happy and that he remain in his position. Because he was a symbol - and the President had won by such a narrow margin. And it [the FBI] was a helluva investigative body, and he got a lot of things done; and it was much better, if we wanted to do what we wanted to do in the South, what we wanted to do in organized crime, and what we wanted to do in a lot

⁶⁹ Quoted in Hilty, *Brother Protector*, 332.

of other areas, that we had him on our side.⁷⁰

It is also likely that the Kennedys feared that Hoover would attempt to blackmail them if they tried to force the FBI into taking a position that its Director disagreed with. Hoover had a number of files on the Kennedys which contained highly damaging material. That much of the material in those files might well have been nothing more than rumour was irrelevant. Any leaks, whether substantive or not, would have created a public relations disaster for the young President. Athan Theoharis and John Stuart Cox show, through an analysis of Hoover's "Official and Confidential File", that the Director took a keen interest in JFK's womanising, and, indeed, in any rumours pertaining to the Attorney General. Of the 164 folders that constituted the collection, three were devoted to reports of JFK's affairs. The first dealt with allegations of JFK's womanising while Senator for Massachusetts, the second covered allegations concerning the period of his Presidency, and the third, a 628 page collection, detailed his affair with Inga Arvard in 1942.⁷¹ Hoover's interest in the Kennedys, Theoharis and Cox argue, was obsessive and unprecedented: there was no equivalent for other Presidents. "Given the scope and nature of information he [Hoover] could and did call upon ... the John Kennedy files hint strongly at the intention to blackmail."⁷² Interestingly, Hoover's files on Johnson were much slimmer, despite the Texan's colourful private life. Johnson was close to Hoover, both as Senator and throughout his Presidency, which must have made the FBI director feel more secure. Correspondingly, Hoover's interest in the Kennedys was probably

⁷⁰ Guthman and Shulman, *His Own Words*, 125-126.

⁷¹ Athan Theoharis and John Stuart Cox, *The Boss: J. Edgar Hoover and the Great American Inquisition*, (Philadelphia: Temple University Press, 1988), 334. Inga Arvard was suspected by the FBI, mistakenly, of being a German spy. The FBI closed their investigation of Arvard in 1945, but the material was kept in the office files of Louis Nicholl's [Hoover's second in command] until Kennedy's presidential bid, when they were transferred to Hoover's secret office files.

⁷² *Ibid.*, 338.

motivated by his belief that they wanted to replace his directorship in 1964.

Although Robert Kennedy did not state that he thought Hoover's intention had been to blackmail either the President or himself, he did disclose to Anthony Lewis that the Director had informed him of certain material the FBI had gathered. "I suppose every month or so he'd send somebody around to give information on somebody I knew or a member of my family or allegations in connection with myself. So that it would be clear - whether it was right or wrong - that he was on top of all of these things and received all of this information."⁷³ Kennedy also said, in contradiction to his earlier statement that the administration needed to keep Hoover on their side, that although he and JFK had regarded Hoover as "dangerous" he represented "a danger that we could control, that we were on top of, . . . There wasn't anything that he could do. We were giving him direction. And there wasn't anybody he could go to or anything he could do with the information or the material. So it was fine. He served our interests."⁷⁴ RFK wished to project an image of control to those who would use his oral history transcripts. The fact was, however, that Hoover did pose a threat to the Kennedys, and they frequently could not control his actions. One of the reasons that Joseph Kennedy had wanted RFK to be Attorney General, no doubt, was so that he could contain the threat posed by Hoover. In his book, *The Kennedy Imprisonment*, Garry Wills portrays RFK as a man who was "doing penance ... for his own later sense of helplessness against a man [Hoover] who brazenly frustrated the government's support of civil rights." That, Wills concludes, "makes a mockery of any talk that John Kennedy's sexual affairs were irrelevant to his politics. His brother's earlier freedoms put Robert Kennedy in a moral prison".⁷⁵ His observation is

⁷³ Guthman and Shulman, *His Own Words*, 128.

⁷⁴ *Ibid*, 134.

⁷⁵ Garry Wills, *The Kennedy Imprisonment. A Meditation on Power*, (Boston: Little Brown & Co., 1981), 38.

perceptive. The need to protect his brother, which RFK saw as one of his chief functions, albeit unofficial, meant that he was forced to give ground to Hoover on the voter registration project and other civil rights issues.

Hoover's uncompromising attitude created enormous problems for the Kennedy administration, but the FBI should not take all the blame for the problems the Justice Department faced in the field of voter registration. Once voting rights suits were filed, their outcome depended on the federal judges who presided over the cases. Inevitably, few judges in the South were prepared to upset the communities of which they were a part. Thus many of the suits were dragged out for a number of months, if not years, and many resulted in failure despite compelling evidence provided by the federal government. This was especially the case for some of the Kennedy appointees. Robert Kennedy may have expected a trade-off with Eastland for allowing Judge Cox's appointment, but although Eastland did not protest when the Justice Department pursued registration suits in Mississippi, Cox still provided massive resistance to voter registration cases. An analysis of statistics showing the progress of actions filed by the Justice Department show that though there were many successes, suits filed in Judge Cox's district met with little success.⁷⁶ Though rates for voter registration as a whole were slow throughout the South, the results in Cox's area were pitiful. The importance of a impartial judge is evident when comparing results from different areas. Judge Johnson, for example, on the production of detailed evidence from the Justice Department in Tuskegee, ordered the immediate registration of 64 blacks, and ruled on the future standards of registration for the county. Furthermore, Judge Johnson ensured that the registrar complied with his ruling. Cox, by contrast, prevaricated for as long as possible, and when eventually he heard a suit, he denounced those trying to register as "chimpanzees".

It was not Cox alone who held up the registration process. Countless other

⁷⁶ See Appendix 1.

southern Judges, products of their own communities, held up cases, issued incorrect rulings or simply dismissed cases, each time forcing the Justice Department to seek a higher ruling. Inevitably the process was slow and arduous. After two years of collecting evidence and filing suits, John Doar told a reporter; “We have moved from no registration to token registration”.⁷⁷ The VEP did, however, inspire some positive results. According to Steven Lawson, the VEP initiated 287,000 new black registrants throughout the South, almost half the total increase for those years.⁷⁸

Although RFK had initially seen the Voter Registration project as a way of satisfying civil rights leaders, while keeping civil rights out of the headlines, he did view the campaign as important and wholeheartedly supported its goals. The project conducted important work, not least because the mentality of southern blacks began to change, so that, even if they did not manage to register, their confidence and belief and awareness grew. By the time the Voting Rights Bill had been passed, therefore, the climate in the South was ripe for mass registration. Unfortunately, however, the system of federalism as well as Hoover’s lack of cooperation meant that the project proceeded slowly and the administration lost the support of the younger, more radical civil rights groups.

Hoover’s intransigence also helped to create a rift between the Justice Department and the United States Civil Rights Commission. The Commission had been authorized by the Civil Rights Act of 1957 to hold hearings on denials of civil rights brought to their attention, including voter registration malpractice. In order to prepare for such hearings the Commission needed access to FBI files that included

⁷⁷ Carl M. Brauer, *John F. Kennedy and the Second Reconstruction*, (New York: Columbia Press, 1977), 120

⁷⁸ Lawson, *Running For Freedom*, (New York: The McGraw-Hill Companies Inc., 1997), 80. Lawson cites statistics taken from David Garrow’s *Protest at Selma*, (New Haven, Connecticut.: Yale University Press, 1978) that show that the proportion of southern black registrants increased from 29.4% to 43.1% of the southern black population between 1962 and 1964, the steepest rise since 1952.

voter registration data, which Hoover simply was not willing to allow. Berl Bernhard, the Civil Rights Commission staff director under the Kennedy administration, began an investigation into the FBI's role in voting rights cases as soon as he took control in 1961. He was soon summoned to the FBI director's office where he was lectured on "the irrationality of the civil rights movement" and told that he had become a dupe "of the civil rights movement and the left wing of this and that".⁷⁹ Hoover refused to grant the Commission access to FBI material so Bernhard appealed to Robert Kennedy to intercede with the director on the Commission's behalf. However, in the end, Bernhard concluded, "we'd lose out because the Attorney General wasn't willing to take on the Bureau".⁸⁰ Perhaps RFK was not willing to side with the Commission for other reasons. He certainly complained that there was no point in the Civil Rights Commission looking into Voting Rights when the Justice Department was already handling that area. Instead, he thought the Commission should be looking into the economic problems faced by those whose civil rights were denied.

The problems of the North are not easily susceptible to a passage of legislation for solution. You could pass a law to permit a Negro to eat at a Howard Johnson's [sic] restaurant or stay at the Hilton Hotel. But you can't pass a law that gives him enough money to eat at that restaurant or stay at that hotel. I think that's basically the problem of the Negro in the North ... That's what the Civil Rights Commission could have focused attention on.⁸¹

His comment, however, was made in December 1964 after the public accommodations section of the 1964 Civil Rights Bill had been passed, and during a period when he was becoming increasingly aware of the economic hardships faced by minority groups in America. Indeed when talking about the problems of the North during the interview, Kennedy focused heavily on his knowledge of New York City, a knowledge that he had built up primarily through his Senate campaign there during the

⁷⁹ O'Reilly, "*Racial Matters*", 71.

⁸⁰ *Ibid.*, 73.

⁸¹ Guthman and Shulman, *His Own Words*, 158.

summer of 1964. It is likely, therefore, that the views he expressed during the interview were not representative of his feelings during 1962 and 1963. Perhaps his angry response to the Commission's insistence on investigating voting rights cases stemmed from the knowledge that the Justice Department's registration drive had been held to ransom by J. Edgar Hoover.

Bernhard was wrong about RFK's motivation in taking the FBI's side. It was not that he was unwilling to side against Hoover, but that he was unable to do so. Therein lay the root of RFK's anger. Frustrated at his inability to move Hoover, he lashed out at the institution that served as a reminder of the Justice Department's failure. The clash over access to FBI records fouled the relationship between RFK and the Commission permanently. In a note to Burke Marshall in Spring 1963, Kennedy made his feelings on the Commission clear, asking his second-in-command if he couldn't "think of something worthwhile for the Civil Rights Commission to do? There must be something useful", RFK continued, as he didn't "want them to resign".⁸²

Apart from voter registration, the Kennedys decided to focus on other, limited areas, where executive action could be applied. During the campaign against Nixon, John Kennedy had declared that federal housing could be desegregated by "the stroke of a pen". Once in office, however, the President and Attorney General decided that an executive order banning segregation in federal housing would have to be postponed. Historians have, for the most part, condemned JFK for going back on his campaign promise. Herbert Parmet, for example, described the President's failure to deliver his promise quickly as "the most specific contradiction between promise and

⁸² Written note to Burke Marshall from RFK, April 2, 1963. Burke Marshall Papers: Special Correspondence, box 8.

performance” of his civil rights record.⁸³

The Kennedys’ decision to delay sprang from the fear that it would jeopardise congressional approval of the proposed Department of Urban Affairs, and for their proposed nomination of a black man, Robert Weaver, to head it. JFK also wanted congressional backing for his housing bill, needing in particular the support of the chairmen of the two Housing Committees. Both chairmen were Alabamans and the Kennedys feared that the proposed executive order would turn them against the housing bill as well. In the end the administration delayed the announcement of the executive order until after the 1962 mid-term election because of congressional belief that it would be damaging to those who faced reelection campaigns in their districts. RFK recalled that “a good number of the liberal Congressmen - I remember, from Michigan, for instance - were opposed to issuing it before the election”.⁸⁴ “There’s no question,” Kennedy confirmed, “that we waited until after the election because of the political implications”.⁸⁵ Kennedy’s oral history also highlights another problem the administration faced over the proposed Executive Order: its legality. Hugh Graham is right when he cites this as a legitimate problem which the administration had to think through in detail.⁸⁶ JFK’s original “penstroke” promise had referred only to federally assisted housing. The Civil Rights Commission report of 1961, however, had called for a broader definition of federal authority, to include conventional loans and mortgages by private institutions regulated by federal agencies. This would have required, for example, that the Federal Deposit Insurance Corporation (FDIC) refuse to

⁸³ Herbert S. Parmet, *JFK: The Presidency of John F. Kennedy*, (New York: Dial, 1983), 258-259. See also Bruce Miroff, *Pragmatic Illusions*, (New York: McKay, 1976), 244; James N. Giglio, *The Presidency of John F. Kennedy*, (Kansas: University Press of Kansas, 1991), 171-72; and Hilty, *Brother Protector*, 303.

⁸⁴ Guthman and Shulman, *His Own Words*, 154.

⁸⁵ *Ibid*, 156.

⁸⁶ Hugh Graham *The Civil Rights Era. Origins and Development of National Policy 1960-1972* (Oxford: Oxford University Press, 1990), 66

insure the deposits of banks unless they, in return, would require their home builders to pledge nondiscrimination.⁸⁷

Burke Marshall, who was present when Anthony Lewis interviewed RFK on this matter, identified that there was a “very serious question of the presidential control over the FDIC. ... At that time it was quite clear that the FDIC would have taken the position that they were not subject to the direction of the President on this issue and would have refused it. You would have had a major struggle”.⁸⁸ In his own oral history, Marshall declared that he thought the penstroke promise to be “an awful reach of presidential power” and a “pretty drastic step legally and constitutionally for a president to do that without, of course, any consent or approval from Congress”.⁸⁹ Congress had regularly rejected any anti-discrimination amendments on housing bills during the 1950s. Furthermore, any attempt by the administration to elicit congressional support for the issue - support which would have been vital for any attempt to broaden the scope of the order - was obstructed by the narrowness of JFK’s election margin.

The order was finally signed into law on November 20, 1962. Owing to the doubts over presidential authority in this area, the order, which directed government agencies to “take all action necessary and appropriate to prevent discrimination because of race, color, creed, or national origin, in the sale, leasing, rental or other disposition of residential property and related facilities”, was confined to federally assisted housing. The order was issued with minimal ceremony on the eve of the Thanksgiving break, sandwiched between a statement on Cuba and another on the border conflict

⁸⁷ *Ibid.*

⁸⁸ Guthman and Shulman, *His Own Words*, 155.

⁸⁹ Burke Marshall oral history interview, 29 May 1964. RFKOHP, 56-57,

between China and India.⁹⁰ That JFK chose to announce the Housing Order after a statement on Cuba, shows his wish to give the order as low a profile as possible. The President no doubt realised that the limited scope of the order would draw heavy criticism from civil rights activists and so his intention was to keep the announcement understated.

JFK's judgement proved correct. The housing order provoked strong criticism from leading activists who complained that it only covered 20% of newly-built houses, and less than 3% of existing housing.⁹¹ The Executive Order was further weakened in that there was no enforcement mechanism other than complaints from the victims of discrimination. As Thomas Reeves observed, "It was soon apparent that the order would have little impact on racial patterns in housing".⁹² Like several other civil rights initiatives, the housing order, by the time it was enacted, was largely symbolic. Harris Wofford argued that despite the fact that the Order was weaker than the original first draft, it was still very close to the order the Civil Rights Commission had originally recommended.⁹³ However, few would argue that the Housing Order had any meaningful effect on discrimination in housing. Burke Marshall, for example, who had more reason than most to defend the administration, told Anthony Lewis, "The housing order has not been very meaningful".⁹⁴

⁹⁰ The Cuban Missile Crisis had been resolved less than a month before the order was announced, and was still a primary concern of the nation, especially because of Fidel Castro's reluctance to meet United Nations inspection demands.

⁹¹ "Equal Opportunity in Housing Executive order of November 20, 1962. Burke Marshall Papers; Subject File. box 33. Thomas Reeves, *A Question of Character*, (USA: Prima Publishing, 1992), 347. The Order provided for housing that was owned or operated by the Federal government; provided in whole or part by Federal loans or grants; provided in whole or part by loans guaranteed by the Federal Government; or provided by the development or redevelopment of property made available by a State or local public agency through Federal financial assistance for slum clearance or urban renewal.

⁹² *Ibid*, 348.

⁹³ Harris Wofford, third oral history interview with Larry Hackman, 22 May, 1968, 156.

⁹⁴ Guthman & Shulman, *His Own Words*, 156.

The Housing Order is the perfect example of the way in which campaign rhetoric could come back to haunt an administration. Of all the campaign slogans JFK uttered, his “stroke of a pen” statement was the one that everyone remembered. As Norbert Schlei recalled, the White House was forced to “struggle with the promise of that speech versus the reality of what could be done”.⁹⁵ Angered by the statement that had caused so much damage to his credibility with civil rights leaders, JFK asked Schlei to find out where the slogan had come from. Schlei found that it had been taken, very loosely, from a memo written by J. Lee Rankin’s office.⁹⁶ The memo had come to the attention of Nixon who, ironically, had commented upon it himself in a campaign speech. Somehow the Kennedy campaign staff had procured a copy of the memo, which, Schlei emphasised, “did not provide a basis for the ‘stroke of the pen’ speech”.⁹⁷ The contents of the speech, however, were passed from one campaign worker to another, until by the time the content was incorporated into JFK’s speech, it had been distorted. Civil rights activists, seizing on this example of presidential inactivity, launched an “ink for Jack” campaign. The White House was inundated with pens which President Kennedy apparently ordered be delivered to the desk of the man who had invented the campaign slogan, Harris Wofford. Wofford, however, denied that he had written the slogan, and later JFK’s speechwriter, Richard Goodwin, admitted that he had created the campaign sound bite.⁹⁸

Another of JFK’s campaign promises had been that he would take immediate executive action to ensure “positive action” in order to eliminate discrimination. Correspondingly on March 6, 1961 John Kennedy signed Executive Order 10925

⁹⁵ Norbert Schlei, oral history, 34.

⁹⁶ Rankin had worked in the Office of Legal Counsel in the Justice Department before becoming Solicitor General under Eisenhower.

⁹⁷ Norbert Schlei, oral history, 34.

⁹⁸ Richard N. Goodwin, *Remembering America: A Voice From The Sixties*, (Boston: Little, Brown, 1988), 133.

establishing the President's Committee on Equal Employment Opportunity. On March 7, JFK announced, "Through this vastly strengthened machinery, I have dedicated my administration to the cause of equal opportunity in employment by the government or its contractors".⁹⁹ President Kennedy asked Vice President Lyndon Johnson to chair the Committee. Johnson appointed Hobart Taylor, a black lawyer from Michigan as the PCEEO's Executive Vice Principal.¹⁰⁰ The Committee was an extension of President Eisenhower's Executive Order of 1953 establishing a Government Contract Committee, which was itself an adjunct of Franklin Roosevelt's Committee on Fair Employment Practice [FEPC]. Its remit was to ensure equal employment opportunity within the federal government as well as in companies with federal government contracts. The Kennedy White House presented the PCEEO as a radical step forward from Eisenhower's timid gestures. News reports focused on practical details. The order incorporated federal department heads into the committee, it included labour unions, and provided for the Attorney General to take contractors or subcontractors to court to enforce their acquiescence in the programme. However, as Graham points out, the rhetoric surrounding the order masked the fact that it was, in one respect, as weak as those it followed. The Commission was still an interagency committee without authorisation for a budget.¹⁰¹ The PCEEO could, therefore, only act in an advisory role

⁹⁹ "Statement by the President Upon Signing Order Establishing the President's Committee on Equal Employment Opportunity," 7 March 1961, *Public Papers of the Presidents of the United States: John F. Kennedy, 1961*, (Washington D.C.: US Government Printing Office, 1962), 150.

¹⁰⁰ Taylor had helped to draft the executive order that established the committee and claimed, in his oral history interview, to have coined the phrase 'affirmative action'. Hobart Taylor oral history interview with John Stewart, January 11, 1967, JFKOHP, 8.

¹⁰¹ A number of Senators, led by Richard B. Russell (Democrat - Georgia., Chairman of the Armed Forces Committee) opposed an attempt to gain an appropriation for the Committee. The PCEEO, therefore, was funded by budgets provided by each of the participating the government departments. Even then, Senators made attempts to cut a department's appropriations by an amount equivalent to its contribution to the PCEEO.

for the twenty-seven agencies in which contractual responsibilities lay.¹⁰² In many ways the PCEEO was a smoke-screen, an attempt to distract attention from the administration's failure to introduce civil rights legislation. There was little in the order that was new. Federal agencies were already empowered to terminate contracts which violated government stipulations, federal contracting agencies had their own contract officers to oversee just such cases. Likewise, the Attorney General's ability to file suits was implicit in his traditional role as enforcer of the federal government's contractual stipulations. Like the federal housing order, it was mostly a symbolic act, although the administration should be credited for the public emphasis that was placed on the establishment of the PCEEO, unlike previous administration's orders which had often been signed into law without any accompanying statement.

Despite being a member of the committee, Robert Kennedy was critical of the PCEEO's achievements. He denounced it for not following up on its initial efforts with companies, and in some respect his criticism was a fair one. Transcripts of the meetings, as well as analysis of the committee's results, show that not much effort was put into persuading companies who signed up to the "Plans for Progress" scheme to enforce their equal employment pledges. "Plans for Progress" was based on voluntary agreements in which individual firms holding government contracts pledged to increase black recruitment. By August 1966, 268 companies had signed, but many of these did not uphold the agreement. Two-thirds of those companies holding government contracts still failed to employ black Americans.¹⁰³ Executive Order 10925, which had established the PCEEO, had given the committee powers to impose sanctions against businesses which failed to comply with the goal of equal employment. Businesses which held government contracts, for example, could, under Section 301, article 6, have their contract revoked. Similarly, Section 305 gave the

¹⁰² Graham, *Civil Rights Era*, 40.

¹⁰³ Schlesinger, *Robert Kennedy*, 361.

committee power to authorise public or private hearings if violations of the order were suspected in labour unions. The committee was also empowered to recommend to the Department of Justice that criminal proceedings be brought against companies that furnished false employment statistics.¹⁰⁴ No such actions were taken, however, because Lyndon Johnson and Hobart Taylor preferred negotiation and conciliation as opposed to punishment. Presumably this was why Robert Kennedy criticised the committee as little more than a public relations exercise. Taylor might not have cancelled any contracts or ordered hearings into discrimination in employment, but he did use the threat of cancelling a contract or blacklisting a company to bring the business concerned in line with PCEEO policy. In his oral history interview, Taylor recalled that there were several instances where the threat of revoking a contract was enough to bring a company back in line. One company, which conducted research into cancer and polio, had elevated all its janitors to professional status in order to comply with their contract with the Federal Government. When Taylor discovered their attempt to falsify figures he was told that there were no non-white Americans capable of working in the labs. Taylor threatened to cancel their contract and the company found, in a couple of weeks, some qualified black research assistants from Tuskegee. Taylor argued that “this was not an unusual situation, that when we made it clear, nobody ever wanted to have their contract cancelled”¹⁰⁵

Given the constraints the committee faced, however, Johnson and Taylor’s unwillingness to impose sanctions seems justified. First, the PCEEO lacked statutory authorisation and second, as Taylor realised, the problem was not merely a case of discrimination in employment. It was unrealistic to expect businesses to employ more non-white Americans throughout every sector of their company if there were none with

¹⁰⁴ Executive Order 10925, “Establishing the President’s Committee on Equal Employment Opportunity”. White House Central Subject File (WHCSF) - FG731. JFKL.

¹⁰⁵ Hobart Taylor oral history, 28-29.

the necessary qualifications. Thus, the PCEEEO was battling not just against discrimination against non-whites in the employment but in education as well. In his report to the President on the PCEEEO, Taylor wrote:

Under any realistic view of the circumstances, the most that can be achieved by an equal employment opportunity compliance program is to open up jobs to “qualified” workers, regardless of race, creed, color or national origin. There is a regrettable tendency to overlook the word “qualified” - or at least to underestimate its significance. Yet, the concept of equal job opportunity can become a reality only when it is accompanied by equal opportunity to qualify.¹⁰⁶

Taylor saw the process facing the PCEEEO as a long-term one. There was little point imposing sanctions against firms that did not comply immediately as many were hard-pressed to find qualified non-whites for their jobs, and their assistance would be vital in the future.

Kennedy’s attitude towards Taylor seems to come down to a clash of personalities. RFK had little respect for Taylor, who was a Johnson appointee, deeming him “ineffective” and “an Uncle Tom”.¹⁰⁷ Kennedy’s criticisms of Taylor suggest that he thought the PCEEEO staffer too willing to accommodate the white power structure. It is possible that Kennedy’s attitude stemmed from Taylor’s negative opinion of many of the customary civil rights efforts. Taylor explained, in his oral history interview, that he “didn’t believe in large pronouncements, and statements as to what you’re going to do to people and all the rest of it - - and particularly when you can’t do it. Nor do I believe in a lot of people sitting around and saying that we ought to do this because this is the right thing and moral thing to do, and passing resolutions”.¹⁰⁸ It may have been this lack of confidence in the usual procedures than

¹⁰⁶ “Report to the President: The President’s Committee on Equal Employment Opportunity.” November 26, 1963. Burke Marshall Papers: Subject File; President’s Committee on Equal Employment Opportunity, box 33.

¹⁰⁷ Guthman and Shulman, *His Own Words*, 152.

¹⁰⁸ Hobart Taylor oral history, 12.

irked Kennedy, and led him to make the remark. Given RFK's own misgivings about many of the customary procedures, however, it is ironic that he should damn Taylor for feeling the same way. For his part, Hobart Taylor believed that Kennedy's actions contradicted his statements. On the one hand the Attorney General would petition the President to hold up the housing order or civil rights legislation because he felt the time was not right, and on the other he would criticise the PCEEEO for lack of concrete results. Taylor added:

whatever adjustments were made were not made by Vice President Johnson but came from the White House and were frequently the product of Robert Kennedy's thinking ... this was what frustrated Vice President Johnson so much because sometimes he was asked to do something by the White House, and then if someone criticised it, he had to carry the brunt of it all by himself. And sometimes a lot of the criticism came from the President's brother, who was privy to the initial instruction.¹⁰⁹

When Bill Wirtz took over as Secretary of Labor he sent a questionnaire to the 35,000 companies with government contracts. Of these, he found, 25,000 employed no black Americans at all. Kennedy knew that the final criticism for such results would be shouldered by the President, not the chairman of the committee: "The signings had taken place in the White House. And I could just see going into the election of 1964, and eventually these statistics would get out. There would be a public scandal".¹¹⁰ According to the Attorney General, when JFK saw the figures he "almost had a fit". Blaming Johnson for the statistics, JFK told his brother, "That man can't run this committee. Can you think of anything more deplorable than him trying to run the

¹⁰⁹ Graham, *Civil Rights Era*, 69.

¹¹⁰ Guthman and Shulman *His Own Words*, 152.

United States? That's why he can't ever be President of the United States".¹¹¹

The Attorney General attended several meetings after this and grilled members of the committee on the statistics. Finding James Webb - Johnson's protégé and head of the Committee on the National Aeronautics and Space administration unable to answer his questions competently - he denounced Webb in front of the committee before walking out of the meeting. Using the same methods of interrogation as he had on Jimmy Hoffa during the fight against organised crime in the Labor Unions, the Attorney General publicly humiliated the NASA head:

KENNEDY: I asked how many people you have got in your program [at NASA] and you said one and a half men.

WEBB: I am not sure. I can furnish you that, but with nine centers throughout the country we are putting a great deal of effort on it. ...

KENNEDY: What is the experience and background of the people you have selected for these jobs? ... Do they have other responsibilities?

WEBB: Oh, yes. They have the responsibility, if they are in the Personnel Department, of operating a total personnel system of which this is a part...

KENNEDY: Mr. Webb, I just raised a question of whether you can do this job and run a center and administer its \$3.9 billion worth of contracts and make sure that Negroes and non-whites have jobs. ... I think that unless we can get down into specifics, Mr. Webb, unless you get down to the specifics and the particular individuals and find out what they are doing and have them understand that ... this Committee and the President of the United States are interested in this program, I don't see that the job will be done ...

WEBB: I would like to have you take enough time to see precisely what we do.

KENNEDY: I am trying to ask some questions. I don't think I am able to get the answers, to tell you the truth.¹¹²

¹¹¹ Guthman and Shulman, *His Own Words*, 153. It should be noted that this oral history interview took place after Lyndon Johnson's successful bid for the Presidency in 1964 and after the President had refused to consider RFK for his Vice Presidential running mate. Kennedy's dislike was also tinged by grief at his brother's death and the understandable, though unfair, belief that Johnson was an impostor. Kennedy's anger at Johnson, therefore, was far stronger than it had been during JFK's administration. In his anger, he may have exaggerated JFK's meaning to Anthony Lewis.

¹¹² Schlesinger, *Robert Kennedy*, 360-361.

In his oral history account Hobart Taylor, argued that RFK's reaction to Webb and, during another meeting, to Lyndon Johnson himself, was an attempt to transfer blame to the Vice-President:

Every Cabinet member was supposed to come in and say what he'd done. So then Bobby comes to the meeting to protect everybody, and he wants to lay the blame for everything that's happened on the Vice President, inferentially. ... but the facts are that one of the very things that Bobby attacked the Vice President on was the thing which he, himself, requested be held back.¹¹³

The exchange between Kennedy and Webb took place on July 18, 1963, at a time when the administration was still reeling from the crisis in Birmingham and was trying to lobby for the Civil Rights Bill that had been announced in response to the change in public opinion. Now that the White House had taken such a strong stand on civil rights, it would certainly hinder their cause were negative comments to be made about the PCEEEO. Thus the statistics shown by the Wirtz report were inflammatory precisely because of their timing. Had the political climate of the country not changed, it is almost inconceivable that the President and RFK would have reacted in such a forceful way.

Kennedy's criticism of the PCEEEO must also be viewed in the light of his antagonism to Vice President Johnson. Relations between the two men had been strained since the 1960 Los Angeles convention. Johnson believed that Kennedy, JFK's campaign manager at the time, had tried to force him not to take the vice

¹¹³ Hobart Taylor oral history, 31.

presidential nomination (without JFK's knowledge) and never forgave RFK.¹¹⁴ Kennedy, on the other hand, angered by Johnson's attack on both his brother and his father before the presidential nomination was decided, disliked the way Johnson had "burst into tears" when Robert suggested LBJ consider the position of chairman of the Democratic national committee instead of the vice presidential nomination.¹¹⁵ During JFK's administration, the PCEEEO became the focus for the dislike between the two men. Wofford remembered that, "The Attorney General ... was critical of Johnson, I think, on all sorts of things during that period, but particularly on this [the PCEEEO] and was not very respectful of him in the meetings that I saw. ... Bob would just, you know, be just sort of quiet, sullen, and sulk ... It was not a very successful relationship".¹¹⁶ Indeed, in his oral history interview, Kennedy criticised the way Johnson ran the committee. "The committee was not very well run or operated. So there was continued dispute about what the committee was doing. ... There was great dissatisfaction - first by Arthur Goldberg, then by Bill Wirtz - about the operations of the committee."¹¹⁷ According to the Attorney General, Johnson gave the committee

with no direction and treated it as a public relations exercise: "it accomplished a good

¹¹⁴ Accounts of what took place between Robert Kennedy and Lyndon Johnson that day vary widely. None are reliable. However Johnson's contention that RFK acted without the knowledge of his brother in trying to deter him from accepting the vice-presidential position seems disingenuous. Kennedy was extremely unlikely to have acted without the knowledge of JFK in such an important matter, but it is highly likely that JFK used that excuse to pacify Johnson once it was clear that LBJ intended to fight for the nomination. Johnson, for his part, may well have chosen to believe the story out of necessity. It was vital that he had at least the semblance of a decent working relationship with JFK. So it is possible that he came to believe the story and in doing so built up JFK as the "Good Kennedy" and RFK as the "Bad Kennedy". For detailed accounts of the relationship between Robert Kennedy and Lyndon Johnson see Jeff Shesol, *Mutual Contempt*, (New York, London, W.W. Norton & Co.) 1997 and Paul Hengeller *In His Steps : Lyndon Johnson And The Kennedy Mystique*, (Ivan R. Dee, Chicago), 1991.

¹¹⁵ Johnson intimated that John Kennedy had Addison's disease, which was, of course, true, and that Joe Kennedy had been pro-Nazi, a less factual statement. Schlesinger, *Robert Kennedy*, 226.

¹¹⁶ Harris Wofford, third oral history, 126.

¹¹⁷ Guthman and Shulman, *His Own Words*, 150.

deal more than it had accomplished under [Vice-President] Nixon. But a lot of it was public relations.”¹¹⁸ The argument seems unfair, given that the PCEEEO was little more than a public relations operation in the first place. Johnson’s chairmanship of the committee was, no doubt, a major contributory factor to RFK’s poor opinion of it.

Kennedy’s criticism of the pace of change within the committee also seems unjustified given that until mid-1963 the administration had not moved forward more quickly with other civil rights battles. Johnson’s committee merely reflected the level of commitment shown by the White House. Robert Kennedy’s account of the PCEEEO in his oral history interview leaves the reader with the impression that its progress lagged far behind the commitment of the administration towards civil rights. In reality, the PCEEEO encountered many of the same constraints which burdened the administration. Kennedy’s irritation with the slow pace of change was no doubt genuine. His attempt to blame the Vice-President’s handling of the Committee, however, was motivated by their personal antagonism.

The administration’s actions regarding civil rights during the first two years of JFK’s presidency was restricted mostly to executive action. That action, however, had pleased very few. By the end of 1962, civil rights activists, unsatisfied with the meagre results of the Voter Registration campaign, the Federal Housing order, or the PCEEEO, were calling upon the administration to take strong action. Southern congressmen, on the other hand, were angered by those actions, and many white southerners had responded violently to the voter registration campaign. The administration’s efforts were, for the most part, symbolic, rather than substantive. That does not mean, however, that the executive action initiated was not important. It was certainly a step further than any previous administration had taken on civil rights. Furthermore, the process had taught RFK, who remained far more involved with civil rights than his brother, more about the counter forces, both institutional and individual,

¹¹⁸ *Ibid*, 151.

which challenged the administration. He had, by the end of 1962, a far clearer idea of the needs of black Americans, and how they could be accommodated, than when he had taken office. It would take a series of civil rights crises, however, to push RFK into taking a strong, personal position in favour of the civil rights movement. His education in the race issue was far from over.

Chapter Three.

From Desegregation to Legislation

Apart from the voter registration campaign, the first two years of the Kennedy administration had been marked by a lack of any real initiative in the field of civil rights. However, a series of crises, which began in the Fall of 1962, forced the Kennedys, and the nation, to view the issue in a different light. Robert Kennedy, in particular, began to realise, in the words of Martin Luther King Jr., that “the Negroes’ “Now” was becoming as militant as the segregationists’ “Never”.¹ As each successive crisis compounded the effect of the last, the administration began to consider more seriously the need for legislation.

In September 1962, the Kennedy administration was confronted with its most serious civil rights challenge: the desegregation of the University of Mississippi.² The crisis was precipitated by James Meredith, a black Air Force veteran who, inspired by JFK’s Inaugural Address, applied to Ole Miss in January 1961. Refusing to accept the University’s initial rejection, Meredith pursued his attempt through the courts with the backing of the NAACP. Federal Judge Sidney Mize ruled that, although “the University of Mississippi is not a racially segregated institution”, Meredith could not be admitted because he was “unstable”.³ The Fifth Circuit of which Mize was a

¹ Clayborne Carson (ed), *The Autobiography of Martin Luther King, Jr.*, (New York: Warner Books, 1998), 152.

² For a discussion of the University of Mississippi Crisis see; Russell H. Barrett, *Integration at Ole Miss*, (Chicago: Quadrangle Books, 1965); Taylor Branch, *Parting the Waters: America in the King Years*, (New York: Simon and Schuster, 1988); James Meredith, *Three Years in Mississippi*, (Bloomington: Indiana University Press, 1966); and Juan Williams, *Eyes on the Prize: America’s Civil Rights Years, 1954-1965*, (New York: Penguin, 1987).

³ Irving Bernstein, *Promises Kept: John F. Kennedy’s New Frontier*, (Oxford: Oxford University Press, 1991), 75.

member was split, however, by Judge John Minor Wisdom's opinion that while the University had no written rules regarding segregation, "the hard fact to get around is that no person known to be Negro has ever attended the University".⁴ The controversy was passed to the Supreme Court which overruled Judge Mize. Justice Hugo Black, with the authorisation of the other members of the court, ruled that Meredith should be admitted and on September 13, 1962 Judge Mize capitulated, ordering the University to accept Meredith's application.

The University board was willing to accept the court order. Mississippi Governor, Ross Barnett, vowed to defy it, however, insisting: "we will not surrender to the evil and illegal forces of tyranny", and condemning the "unlawful dictates of the federal government".⁵ In a memorandum to Kennedy, Marshall wrote:

The Chancellor [of the University of Mississippi] expects to open the University and, as far as the University management is concerned, to conduct classes in the regular manner with as little disturbance as possible. On the other hand, the Chancellor recognizes that the University is not going to be permitted to accept Meredith as a regular student. He told Dr. Gray [the Rector of the Episcopalian Church in Oxford, Mississippi] that this has been completely taken out of the hands of the University administration by the Board of Trustees, the Governor and the Attorney General of the state.⁶

At this stage the Federal government became involved in the matter. There was never any doubt that the administration would back James Meredith. With his customary reliance on his legal responsibilities the Attorney General told Barnett that "under the Constitution I have to carry out the orders of the Court".⁷ However, RFK and President Kennedy were loath to use federal troops which could create a strong

⁴ *Ibid.*, 75.

⁵ Arthur M. Schlesinger, Jr., *Robert Kennedy and His Times*, (New York: Ballantine Books, 1978), 341.

⁶ Memorandum to RFK from Burke Marshall, September 13, 1962. Robert F. Kennedy Papers: Attorney General's Correspondence, box 11, JFKL.

⁷ Carl M. Brauer, *John F. Kennedy and the Second Reconstruction*, (New York: Columbia University Press, 1977), 188.

southern backlash. President Eisenhower had received intense criticism for using federal troops during the crisis at Little Rock in 1957. To southerners, the episode was seen as a painful reminder of Reconstruction. Acknowledging the public disapproval of Eisenhower's federal intervention, JFK had spoken against the use of troops in the South, during the 1960 campaign.

RFK, therefore, sought less aggressive means of solving the crisis:

What I was trying to avoid basically was having to send troops and trying to avoid having a federal presence in Mississippi. In my judgment, what [Barnett] was trying to accomplish was the avoidance of integration at the University of Mississippi, number one. And if he couldn't do that, then to be forced to do it by our heavy hand - and his preference was with troops.⁸

One memo prepared for the President, probably by the Justice Department, explored the possibility of halting federal expenditure planned for Mississippi for fiscal year 1963. The memo informed JFK that in spite of there being large categories of mandatory federal expenditure, there "are a number of actions that could be taken by the various agencies, should you decide to so direct them".⁹ Agencies that could be targeted included the Bureau of Public Roads, Maritime Ship Contractors, the Federal Aviation Authority, the Post Office, the Housing and Home Finance Agency, the Department of Agriculture, the Veterans administration, NASA and others. Interestingly, there are handwritten notes, made by RFK, alongside some of these programmes which read "Negroes". The word appears on the document four times, next to sections on the Post Office, the Housing and Home Finance Agency, Urban Renewal, and the General Services Administration. Against five other agencies, (the Watershed Protection Programme, the Agricultural Conservation Programme, the Forest Service, National Park Service and Sport and Fisheries Agency,) Kennedy

⁸ Edwin O. Guthman and Jeffrey Shulman (ed.), *Robert Kennedy In his Own Words: The Unpublished Recollections of the Kennedy Years*, (New York: Bantam Books, 1988), 160.

⁹ Memorandum to JFK, "Control of Federal Funds in Mississippi", author unknown, September 28, 1962. RFK Papers: Attorney General's General Correspondence, box 11.

made ticks. It appears that RFK was rejecting the idea of cutting funding to agencies which employed blacks, or which had a direct influence upon black citizens of Mississippi. Those agencies marked with ticks, however, were not ones which could impact much upon the lives of blacks. Thus, federal funds to those agencies could be terminated. That theory is backed up by a later memo from John Nolan to RFK detailing plans to cut federal funds to NASA and the Saturn 5 programme, on which RFK wrote: “Are there Negroes working on the project?”¹⁰

As with the crisis provoked by the Freedom Rides, the administration preferred mediation to resolve the crisis. Both Kennedys engaged in numerous telephone conversations with Governor Barnett and Mississippi state Attorney General Joe Patterson, over a series of days. As with most of the civil rights crises, however, RFK took the greater burden of responsibility upon himself. He made twenty phone calls to Governor Barnett between September 15 and September 28.¹¹ The President did not get involved until RFK felt it necessary. Once negotiations between the Attorney General and Barnett broke down, Kennedy asked JFK to reason with the Governor.

Throughout their conversations, Barnett’s resolve to prevent the desegregation of Ole Miss is clear:

BARNETT: A lot of states haven’t had the guts to take a stand. We are going to fight this thing. ... This is like a dictatorship. Forcing him physically into Ole Miss. General, that might bring on a lot of trouble. You don’t want to do that. You don’t want to physically force him in.

KENNEDY: You don’t want to physically keep him out. ... Governor, you are a part of the United States.

BARNETT: We have been a part of the United States but I don’t know

¹⁰ Memo from John Nolan to RFK, “Denial of Federal Funds in Mississippi”, April 30, 1963. RFK Papers: Attorney General’s General Correspondence, box 11.

¹¹ “Conversations between Attorney General and Governor Barnett.” RFK Papers: Attorney General’s Personal Correspondence; Civil Rights, Mississippi, September 10, 1962 - September 30, 1962, box 11.

whether we are or not.

KENNEDY: Are you getting out of the Union?

BARNETT: It looks like we are being kicked around - like we don't belong to it. General, this thing is serious.

KENNEDY: It's serious here.

BARNETT: Must it be over one little boy - backed by a communist front - backed by the NAACP which is a communist front? ... I'm going to treat you with every courtesy but I won't agree to let that boy to get to Ole Miss. I will never agree to that. I would rather spend the rest of my life in penitentiary than do that.¹²

RFK felt that the Governor “had people pulling and pushing him from so many different directions that, I think, he just got himself into a bigger and bigger box”. Unfortunately, Barnett “pulled me in with him”.¹³ In his oral history, RFK concluded that the Governor was “weak”, and “an agreeable rogue”.¹⁴ His assessment gives the reader the impression that the Governor was ineffectual and thus that RFK had been able to deal with him effectively. However, the mild statement may have been motivated by an attempt to minimise the importance of the negotiations between Barnett and himself. After all, in attempting to negotiate with Barnett, RFK placed an inordinate amount of trust in the Governor, and thus gave him a certain amount of power over the administration, a fact he must have regretted deeply.

Eventually, after several abortive attempts to register Meredith, Barnett agreed to allow him entry to Ole Miss on Thursday, September 27. The agreement was made on the condition that Barnett was shown to have been “forced” to comply with the court order. In a bizarre telephone conversation that day, Barnett displayed his concern with saving face:

KENNEDY: I will send the marshals that I have available up there in Memphis ... they will come with Mr. Meredith and they will arrive wherever the gate is and and I will have the head marshal pull a gun and I

¹² Schlesinger, *Robert Kennedy*, 342.

¹³ Guthman and Shulman, *His Own Words*, 160.

¹⁴ *Ibid*, 159.

will have the rest of them have their hands on their guns and their holsters. And then as I understand it he will go through and get in and you will make sure that law and order is preserved and that no harm will be done Mr. McShane [chief marshal] and Mr. Meredith ...

BARNETT: Yes ... General, I was under the impression that they were all going to pull their guns. This could be very embarrassing. We got a big crowd here and if one pulls his gun and we all turn it would be very embarrassing. Isn't it possible to have them all pull their guns?

KENNEDY: I hate to have them all draw their guns, as I think it could create harsh feelings. Isn't it sufficient if I have one man draw his gun and the others keep their hands on their holsters?

BARNETT: They must all draw their guns. Then they should point their guns at us and then we could step aside. This could be very embarrassing down here for us. It is necessary.¹⁵

Burke Marshall was extremely worried by RFK's compliance with Barnett's request. He agreed with RFK that Barnett should be given "every public loophole" to allow him to save face with his voters. However, the Assistant Attorney General disagreed with the notion that any marshals should draw guns. "I thought that would be really nasty. All those sheriffs would start shooting, you know, and they wouldn't know it was play-acting." Fortunately RFK dropped the suggestion and the Governor agreed to Meredith's entry.

That afternoon Barnett called Kennedy to report that a mob had gathered at the University and requested he call the attempt off. The Attorney General refused, and a convoy of border patrol cars left Memphis for the Oxford campus. Fifty miles from Oxford, however, RFK instructed the convoy to turn back, having received news from the Governor that the mob was out of control. It seems likely that Barnett was playing for time. Kennedy probably realised, but was reluctant to endanger Meredith and his companions. Realising that Barnett was playing games, RFK passed the matter over to the President. It was JFK's first direct involvement in a civil rights crisis. By

September 28, full scale military plans were being discussed at the Pentagon. JFK

¹⁵ Telephone conversation between Governor Barnett and RFK, September 27, 1962, 2:50 pm. Victor Navasky, *Kennedy Justice*, (New York: Atheneum, 1971), 237-238.

federalised the Mississippi National Guard and ordered marshals, border patrolmen and prison officers to Mississippi to assist in the effort to enroll Meredith. The President and RFK appealed to Barnett to keep the peace in Mississippi. Like his brother, the President stressed his duty to uphold Meredith's constitutional rights: "This, uh, listen, I didn't, uh, put him in the university, but on the other hand, under the Constitution ... I have to carry that order out".¹⁶ Barnett acquainted JFK with his difficulty in upholding the court order, given that he had sworn to defend the Mississippi State Constitution and then, somewhat irrelevantly, thanked the President for his "interest in our poultry program and all those things".¹⁷ Later, when Robert Kennedy tried to gain Barnett's word that he would maintain order in Mississippi, Barnett hedged, "Well, ... I'm certainly going to try to maintain law and order ... I'll tell the Chancellor [of the University] to announce to all the students to keep law and order and to, uh, keep cool heads. But, the trouble is not the students, but it's so many thousands of outsiders will be there".¹⁸

Barnett continued to state that he would only admit Meredith at the end of a gun barrel. In the end it was only after RFK obtained a contempt charge against Barnett and threatened him with exposure of his double-dealing that the Governor backed down. Kennedy recalled "the conversation I had with him on Sunday [September 30] - where I said that the President was going to go on television and expose him for a fraud - I thought that it was in his interest to keep law and order and to permit James Meredith on the campus".¹⁹ Barnett clearly realised that it was not in his interest for his dealings with the federal government to be exposed, since he had maintained to the citizens of

¹⁶ Telephone conversation between President Kennedy and Governor Barnett, September 1962. President's Office Files (POF): Presidential Recordings; Transcript., belt 4A1. JFKL.

¹⁷ Governor Barnett to JFK, September 1962. POF: Presidential Recordings; Transcripts, belt 4A1.

¹⁸ Telephone conversation between the Attorney General and Governor Barnett, September 1962. POF: Presidential Recordings; Transcripts, belt 4C.

¹⁹ Guthman and Shulman, *His Own Words*, 160.

Mississippi that he would never allow Meredith to enroll at Ole Miss. The *Jackson News Daily*, for example, had published Barnett's statement that "No school will be integrated while I am your Governor".²⁰ Presumably, Barnett believed that it would be better to appear to have given in, than to have his negotiations with the Federal government exposed.

Finally, on Sunday evening, September 30, Meredith was escorted to his dormitory on campus by marshals. A large crowd had gathered at the campus, and refused to disperse. As darkness fell on the campus, the mob, which was over 3,000 strong by that time, attacked. Minutes before President Kennedy addressed the nation, the marshals were forced to use tear-gas on the crowd. As JFK gave his televised speech, unaware of the deteriorating situation, the crowd turned to full scale violence. Two men were killed, Paul Guihard, a French journalist, and Ray Gunter, a resident of Oxford.

When it became clear that the marshals would be unable to restore the peace, President Kennedy gave the order to send in federal troops who had been placed on alert in Memphis. The Secretary of the Army, Cyrus Vance, assured the Kennedys that the troops would reach the campus within two hours. Instead, they arrived over four hours later. RFK recalled:

That happened six, eight, ten times during the course of the evening. "They're leaving in twenty minutes." We'd call twenty minutes later, and they hadn't even arrived to get ready to leave. "They're ready to go now," and they hadn't even been called out of their barracks to get into the helicopters yet. They're in the helicopters now." They were just forming up. "The first helicopter's in the air and will be there in forty minutes." The first helicopter went in the air and then circled and waited for the rest of the helicopters. ... In the meantime our marshals were being overwhelmed ... Two people were killed right at the beginning, so we had visions of the whole night - and then their getting in and killing Meredith. ... It was so frustrating for the Army to continuously give false, wrong, inaccurate

²⁰ Barrett, *Integration at Ole Miss*, 93.

information.²¹

RFK accepted full responsibility: “the fact that the troops didn’t arrive there - it was really my responsibility. I might say that therefore it was a nervous time for the President, because he was torn between an Attorney General who had botched things up and the fact that the Attorney General was his brother”.²² The President certainly did not chide the Attorney General in public, but during the course of the night he did remark to RFK that he hadn’t “had such an interesting time since the Bay of Pigs”. To which RFK replied, humorously, “The Attorney General announced today’s [sic], he’s joining Allen Dulles at Princeton University”.²³ By 1964, however, RFK seemed to have forgotten that brief exchange. When Anthony Lewis asked Kennedy whether JFK had made “some remark about the Bay of Pigs” to him, Kennedy denied it, but he admitted that JFK had been “very concerned about how we were going to possibly explain this thing because it looked like it was one of the big botches”.²⁴

As the troops did not come under Kennedy’s jurisdiction it is unclear why he accepted responsibility for the situation. Perhaps he felt that since he had run the crisis so far, through his negotiations with Barnett, and his decision to deploy marshals, it was his responsibility to follow through right to the end. It is equally possible, however, that RFK was trying to take the heat from his brother, both at the time, and in retrospect, to try to protect JFK’s historical image. It was, after all, a role that RFK was well acquainted with.

Katzenbach, who was in charge of the marshals in Oxford, called the Attorney

²¹ Guthman and Shulman, *His Own Words*, 163.

²² *Ibid*, 161.

²³ Conversation in Cabinet Office, September 20, 1962. POF: Presidential Recordings; Transcripts, #26 (Audiotape 26), 33. The Attorney General’s remark alluded to Allen W. Dulles, the ex-director of the CIA, whom JFK had dismissed after the disastrous Bay of Pigs operation in April 1961.

²⁴ Guthman and Shulman, *His Own Words*, 165.

General and asked, “is it all right for the marshals to fire on them [the crowd]?”²⁵ Kennedy told his deputy that the marshals were not to fire on the crowd. However, he requested that Katzenbach assign guards to Meredith who knew “how important it is to keep Meredith alive . . . and that stay right by Meredith and, and shoot anybody that puts a hand on him”.²⁶ Kennedy asked Katzenbach if there was a way that the Marshals could “figure a way to scare ’em off?” Katzenbach suggested that the Marshals fire their guns into the air but RFK thought that too dangerous. He worried that “then it might really start them [the crowd]”. Lawrence O’Brien, JFK’s Congressional Liaison, agreed, remarking that it would be “hard, once firing takes place, to shut it off”.²⁷ Meanwhile the President was dealing with Governor Barnett who pleaded for Meredith’s removal from the campus. JFK refused: “How can I remove him, Governor, when there’s a riot in the street, and he may step out of that building and something happen to him? I can’t remove him under those conditions”.²⁸ RFK later admitted that had they been able to get Meredith off the campus safely, he and the President might well have ordered his removal in order to restore peace. “I knew that if we took him off campus, we’d never get him back on the campus. But how are you going to get him? I mean, I think I’d even have done that”. However, Kennedy didn’t “see how we could have gotten him off the campus. Where were you going to get him where he was safer? There were people who were mad”.²⁹

By the end of the night order had been restored, but 160 marshals were injured in the process, as well as the two fatalities. That there had been no more casualties was

²⁵ *Ibid*, 161.

²⁶ Telephone conversation between RFK and Nicholas Katzenbach, September 30, 1962. POF: Presidential Recordings; Transcripts, #26A (Audiotape 26A), 6.

²⁷ RFK to Katzenbach and conversation in Cabinet office, September 30, 1962. POF: Presidential Recordings, Transcripts, #26A, 57.

²⁸ Telephone conversation between JFK and Governor Barnett, September 30, 1962. POF: Presidential Recordings; Transcripts, Dictabelt 4F, 2.

²⁹ Guthman and Shulman, *His Own Words*, 163-164.

largely because of the restraint and caution of the marshals. During an NBC news report the day after the riot, Kennedy praised the courage of the marshals:

They had orders and instructions that they should preserve the peace and do the least damage possible. But they were being pushed back, it was an extremely dangerous situation ... I might say ... they held out there for approximately six hours, very brave men in my judgment they were fired upon, they were hit and ... Molotov cocktails had been thrown at them and yet not one of the marshals fired a gun.³⁰

Kennedy believed that all those concerned owed the marshals “a great debt of gratitude”.³¹

The crisis had tested President Kennedy’s willingness to use federal troops to uphold the law. For the most part, white southerners recognised that President Kennedy had had little choice but to deploy the troops in Oxford. There was a minority of southerners, though, who denounced the Kennedys’ actions, labeling their use of troops as an occupation of the South. Congressman John Bell’s analysis of the crisis was typical: “The bestiality, cruelty and savagery of Justice Department employees under the direction of Robert Kennedy ... were acts beyond the comprehension of normal minds”. Williams compared Kennedy and his team with “the dastardly acts of Adolph Hitler and his infamous Gestapo.”³²

Those criticisms were reflected in a report released by the General Legislative Investigating Committee, which had been authorised by Barnett and members of the Mississippi State Legislature to examine the events of September 30. The Committee denounced the marshals’ and troops’ treatment of students and citizens who had been detained during the riot. According to the committee, which based its evidence on the

³⁰ NBC News Report on Mississippi, Monday October 1, 1962. Burke Marshall Papers: Mississippi File; News clippings 1962, box 20. JFKL.

³¹ *Ibid.*

³² Quoted in John Dittmer, *Local People: The Struggle for Civil Rights in Mississippi*, (Chicago: University of Illinois Press, 1994), 142.

testimony of just six witnesses, prisoners who were held in the basement of the main University building, the Lyceum, suffered at the hands of the marshals who detained them. There were reports of prisoners having been beaten badly. One student testified that, having been injured by tear gas, he was refused access to a doctor for several hours. Another student spoke of having been beaten with a club when he asked a marshal for permission to use a telephone. The Committee also reported that prisoners held during the night of October 1, were subject to "torture". Apparently, between 100 to 150 prisoners, aged between 14 and 60, many of whom were injured, "were forced to sit on a concrete slab for periods up to 20 hours, with their knees drawn up towards their chins, their hands clasped around their knees, their eyes to the front, without turning or speaking to anyone". The committee believed this had been "planned and executed as physical torture".³³ If a prisoner moved or fell asleep he was, allegedly, clubbed or kicked by marshals. In a second report the Committee denounced the Attorney General who, they believed, had sent the marshals to the campus as a political move.

In a series of statements issued by the Justice Department, the report was categorically rejected. Denouncing the investigative techniques of the committee, who had not questioned any observers, any journalists who had been present, or any of the federal officials involved, the Justice Department denied the mistreatment of prisoners. Admitting that the conditions that prisoners suffered were "not the best" due to the lack of food and sleep, the Justice Department pointed out that the Marshals had suffered the same conditions. There was little they could do to alleviate those conditions until after the riot had stopped, although marshals did ensure that doctors were available to those detained.

³³ Report of General Legislative Investigating Committee (First Section) to the Governor of the State of Mississippi and the Members of the Mississippi State Legislature Concerning Occupation of the Campus of the University of Mississippi and the events resulting thereafter. Released April 24, 1963. Burke Marshall Papers: Mississippi File; News clippings, box 20.

The Justice Department statement also pointed out that there were “several hundred newsmen, including many from Southern newspapers, radio and television stations, who witnessed the riot and its aftermath”. Since the newsmen were free to go wherever they wished the Justice Department found it strange that none had written stories backing up the allegations of the General Legislative Investigating Committee. Indeed, “rather than criticise the marshals, the newsmen praised the marshal’s courage and calmness under fire”.³⁴ In responding to the claim that RFK had ordered the marshals onto the campus in a political move, Kennedy reminded the Committee that the presence of the marshals had been “arranged for by Governor Barnett”, who had also approved the number sent.³⁵ Most Americans saw the Mississippi Committee’s report for what it was: a malicious attempt to shift all the blame for the riot to the Federal government and, in so doing, to stir up white southerners’ anti-government feelings.

Civil rights activists were also quick to voice criticism of the President. King felt that the negotiations between the Kennedys and Barnett “made Negroes feel like pawns in a white man’s political game”.³⁶ King did, however, write that “this administration has outstripped all previous ones in the breadth of its civil-rights activities.” He still felt that “the movement, instead of breaking out into the open plains of progress remains constricted and confined. A sweeping revolutionary force is pressed into a narrow tunnel”.³⁷ As Marshall realised, civil rights groups had completely different priorities from the administration. Activists “wanted to send in the army, and they were concerned about their clients, and they weren’t concerned, really, about the position of the President - - the long-range effect that hasty action, or action

³⁴ Statement by the Department of Justice, May 8, 1963. Burke Marshall Papers: Mississippi File; News clippings, box 20. See also Statements made on April 24, 1963 and May 1, 1963.

³⁵ *Ibid.*

³⁶ Martin Luther King, Jr., “It’s a Difficult Thing to Teach a President,” November 17, 1964, *Look*.

³⁷ King, “Bold Design for a New South,” March 30, 1963, *Nation*.

that didn't appear on its face to be justified, would have on the nation as a whole, and the divisiveness it would have between the North and the South".³⁸

Criticism centred on the public broadcast JFK made on the evening of September 30. The President concentrated on the need to uphold the law, noting that Americans were "free to disagree with the law but not to disobey it".³⁹ JFK appealed to white Mississippi's sense of honour, "won on the field of battle and on the gridiron".⁴⁰ There was no mention, however, of the courage James Meredith displayed in his pursuit of his education. According to Robert Kennedy, the President made his speech, which was written by Theodore Sorensen and RFK, unaware that the situation in Oxford had become violent.⁴¹ "The speech was worked out at that time on the basis that, when I came over to the White House an hour before, he [Meredith] was on the campus and the situation was under control."⁴²

The President's choice of words, however, reflect not the timing of the speech, but the attitude of the administration towards civil rights issues. It is unlikely that had JFK known about the riot before he went on air, he would have made a moral issue of Meredith's stand.⁴³ From the beginning of the crisis at Oxford, both the Justice Department and the White House concentrated exclusively on the legal aspects of the dilemma. There was never any mention of the need to support Meredith just because that was the right thing to do, only that they had a responsibility to do so. President Kennedy had stressed the administration's legal duty to Governor Barnett in his

³⁸ Guthman and Shulman, *His Own Words*, 188.

³⁹ Brauer, *Second Reconstruction*, 193.

⁴⁰ Speech by President Kennedy, September 30, 1962. *John F. Kennedy, Public Papers of the President, 1963*, (Washington D.C.: U.S. Government Printing Office, 1964) 222.

⁴¹ Sorensen was JFK's chief speech writer as well as his special assistant.

⁴² King, "Bold Design for a New South," March 30, 1963, *Nation*.

⁴³ It would have been impossible to sway the opinion of ardent segregationists and the angry mob that surrounded the campus, but the President's moderate speech did, at least, serve to placate many moderate Mississippi businessmen and professionals.

telephone conversations. Similarly, when interviewed by NBC journalist Martin Agronsky, Burke Marshall made the same argument:

There wasn't any choice on the part of the federal government, whether to enforce the court order or not. If the constitutional framework of the country is going to be preserved, an order of the federal court, no matter what it says, and no matter how objectionable it is, has got to be enforced. Otherwise the framework of law in the country would break down.⁴⁴

The administration's stress on its legal responsibilities does not necessarily reflect the personal beliefs of its officials. No doubt the Kennedys both supported Meredith's stance, while, at the same time, being irritated by the crisis it provoked. Indeed, Robert Kennedy had made a public statement in support of the *Brown* desegregation ruling during a speech given at the University of Georgia in 1961: "I happen to believe that the 1954 decision was right". His official attitude was summed up perfectly by the very next line of the speech: "But my belief does not matter -- it is the law. Some of you may believe the decision was wrong. That does not matter. It is the law".⁴⁵ In Kennedy's eyes, his personal beliefs had no relevance to the conduct of his job, which required him to uphold the law of the land. Furthermore the administration's focus on legality was, no doubt, the easiest way to placate Barnett and thus mediate a settlement. There was little point in either Kennedy preaching to the segregationist Governor the morality of the court's decision on Meredith's case. Likewise, JFK's speech was intended to reason with white southerners, who were outraged by Meredith's presence on the Ole Miss campus.

Kennedy's personal preferences are of interest as much as his official stance. His oral history interview, however, provides few indications of his personal beliefs. In part, this must be put down to his interviewer's line of questioning. Lewis never

⁴⁴ Transcript of *Today* program, NBC, October 2, 1962. Burke Marshall Papers: Miscellaneous Clippings and Statements by Marshall and others, 1961-1962, box 14.

⁴⁵ Address by Robert Kennedy at the Law Day Exercises of the University of Georgia Law School, May 6, 1961. RFK Papers: Attorney General's Files: Speeches, 1961-1964, box 1.

asked what RFK's, or his brother's, personal response to the crisis had been. The interviewer's focus was instead on the procedural aspects of the problem. In fact, one week after the Ole Miss crisis Robert Kennedy gave a speech in which he spoke of more than the legal dimension:

We live in a time when the individual's opportunity to meet his responsibilities appears circumscribed by impersonal powers beyond his responsibility. ... But even today there is so much that a single person can do with faith and courage, and we have had a number of outstanding examples just this week. ... James Meredith brought to a head and lent his name to another chapter in the mightiest internal struggle of our time.⁴⁶

It appears, from his speech, that Kennedy was well aware of the moral dimension of Meredith's actions. That he made such a statement in public shows his own growing awareness of the issue of civil rights. That it was RFK that made the remark, and not the President, is even more telling. While both Kennedys might privately have supported the goals of the civil rights movement, JFK still felt constrained by public opinion not to reveal that attitude. Any statements he made would be taken far more seriously, and received more widely, than any the Attorney General might make, and JFK still felt that he would alienate too many voters by referring to anything but the administration's constitutional commitments.

The crisis taught both Kennedys a great deal about the civil rights issue. First, it reinforced what they had learned from the Freedom Rides, that white southerners would not be swayed by talk of legality and an appeal for calm. It also showed them that, when dealing with politicians like Barnett, the Kennedys' preference for behind-the-scenes negotiations was in vain. As the civil rights movement began to schedule more and more campaigns of civil disobedience and as more people like Meredith decided to take individual action, the Kennedy administration was pushed into taking increasingly dramatic action in support of the movement.

⁴⁶ Quoted in Edwin O. Guthman, *We Band of Brothers*, [New York: Harper and Row, 1971], 205.

During the spring of 1963, the next crisis erupted. The largest and most violent of all the civil rights campaigns undertaken during the sixties, its magnitude would change the President's official attitude towards the civil rights issue. The focus for the campaign was Birmingham, Alabama.⁴⁷ If Mississippi was the most repressive state in the nation, Birmingham was surely the most repressive and segregated city in the South. Martin Luther King and the SCLC devised a programme which was intended, as King admitted, to "create a situation so crisis-packed that it will inevitably open the door to negotiation".⁴⁸ This in turn, would lead to the desegregation of the city. Initially, however, the campaign lacked support; mostly because of a lack of enthusiasm for King and his cause. Many prominent black citizens of Birmingham called on King to postpone the campaign. The city had just voted in a new mayor, and many wanted to give the new administration a chance. (For the moment Birmingham was in transition, as the outgoing mayor, Arthur Hanes, and police Commissioner, Bull Connor, struggled to retain power against the newly elected Albert Boutwell. For a few months the two governments existed side-by-side while the courts decided which government was the valid one.) King wanted to start the campaign by Easter, a time when Birmingham shops would be hit hard by an economic boycott.

It seemed at first that King's attempt to end segregation in Birmingham would end in failure. Rather than filling the jails as King had promised, only a handful of demonstrators were arrested during the first few days. It was a situation that the civil

⁴⁷ For by far the best account of the Birmingham campaign, and Martin Luther King's role in it, see Taylor Branch, *Parting the Waters*, chapters 19 and 20. See also Brauer, *John F. Kennedy and the Second Reconstruction*, David J. Garrow, *Bearing the Cross: Martin Luther King, Jr., and the Southern Christian Leadership Conference*, (New York: William and Morrow and Co., 1986), Robert Weisbrot, *Freedom Bound: A History of America's Civil Rights Movement*, (New York: Plume, 1991) and David Halberstam, *The Children*, (New York: Random House, 1998), chapters 47 and 48, which describe James Bevel's crucial involvement in the campaign.

⁴⁸ Quoted in James W. Hilty, *Robert Kennedy: Brother Protector*, (Philadelphia: Temple University Press, 1997), 349.

rights leader could not afford, as the status of the SCLC was already on the wane, with the rise in support for black nationalism. Two tactics turned the demonstrations around. Wyatt Walker (the executive director of the SCLC) was persuaded by an incident on April 8 that timing was crucial. That day barely a dozen turned out to march, but, when arrested, they were witnessed by over a thousand spectators who had gathered along the route. The crowd of spectators became angry and restless, and when one man attacked a police dog an altercation broke out that took fifteen policemen and two dogs to overcome. Walker learnt that by scheduling the marches for lunchtime onwards, when bystanders were standing in the heat of the day, hungry and irritable, altercations between police and onlookers were more probable. These incidents would, in turn, be described by newsmen as “demonstrators” clashing with police, rather than spectators, implying that they were part of the SCLC’s effort. “We weren’t marching but 12, 14, 16, 18,” Walker later said. “But the papers were reporting 1,400.”⁴⁹ Thus the SCLC quickly learnt to manipulate the national media to their own advantage.

Even so, the campaign still lacked the theatre upon which national media coverage relied. The requisite drama was provided by James Bevel’s suggestion that schoolchildren be invited to march with the other activists.⁵⁰ The idea was based on the fact that they, unlike their parents, had nothing to lose by marching. Their parents on the other hand could lose their jobs, and, if arrested, would be unable to care for their children. According to Taylor Branch, King was initially reluctant to authorise his younger and more radical colleague’s ideas. At first he thought that only those of college age should be allowed to march, but gradually, as the campaign’s fragility became more and more evident, King brought the age requirement down. He began to

be swayed by Bevel’s argument that children who were old enough to join the church

⁴⁹ Adam Fairclough *To Redeem the Soul of America: The Southern Christian Leadership and Martin Luther King, Jr.* (Athens: University of Georgia Press, 1987), 121.

⁵⁰ Bevel, a founding member of SNCC, joined the Birmingham strategists during King’s first imprisonment in Birmingham Jail.

were old enough to decide for themselves if they wished to march. King told SCLC members who protested that the campaign needed drama because the press was losing interest. King's cynical position meant that children as young as six were arrested and detained in Birmingham jail. During the first day of the children's demonstration, over 1000 children marched. Of those 600 were jailed.

Ironically, King's unethical decision led to perhaps the greatest civil rights victory of the decade. The coverage of the demonstrations was certainly the most shocking. Bull Connor and his police provided the movement with what was needed to keep the cause alive, stepping in with a display of over-reaction and police brutality that shocked the nation. Graphic pictures of police attacking marchers with sticks, dogs and fire hoses were broadcast throughout the nation as well as overseas. Few who have seen them will forget the pictures of a Birmingham policeman holding a black boy while allowing his Alsatian to bite him in the stomach, or of police and firemen pinioning protesters against walls with the force of their "monitor" hoses.⁵¹

Like the rest of the nation, the President and the Attorney General were stunned and sickened by the images being broadcast from Birmingham. Kennedy was horrified at the SCLC's use of children during the marches. As a devoted father (he and Ethel had eleven children) he could never bear to see children suffering. He was able to relate to children easily, whereas his shyness often prohibited such ease with adults. As a result, Kennedy was often moved more by the plight of children than by any other situation. During the Birmingham campaign he criticised the leaders of the SCLC for their decision, telling journalists, "An injured, maimed or dead child is a price that none of us can afford to pay".⁵²

Nevertheless, the administration immediately opened negotiations with local

⁵¹ The monitor hoses forced water from two fire hoses through a single outlet. The pressure was such that demonstrators suffered bruising. Those who were sprayed at close range suffered broken bones.

⁵² *Washington Post*, May 4, 1963.

business leaders in the city in an effort to secure concessions that would satisfy the civil rights activists and stop the demonstrations. Kennedy sent Marshall to Birmingham to mediate between black leaders and the white businessmen and officials who made up the Senior Citizens Committee. Marshall's presence proved invaluable as most of the white power structure refused to talk to "outside agitators", which meant, effectively, King. The Assistant Attorney General became a go-between for the two groups. Speaking bluntly to both sides, Marshall warned black leaders that they should not try to provoke a federal show of force on their behalf. At the same time he reminded white officials of the limited nature of many of the black leaders' demands: the right to jobs, the right to drink coffee in the shops where blacks bought merchandise, and amnesty for demonstrators. He warned that if the city did not negotiate with "reasonable" leaders such as King, then it was likely that many blacks would turn to violence to seek their ends, a theory that King had set forth in his *Letter from a Birmingham City Jail*.⁵³ Marshall criticised the segregation of Birmingham, but softened his thrust by also attacking King. The black leader, according to the assistant Attorney General, did not know what he wanted. This was a view that Kennedy restated during his oral history interview: "There was a lot of feeling that the Negroes didn't know exactly what they wanted and that they were not very well led in certain cases".⁵⁴ At first glance this criticism does not seem justified. King's demands for the desegregation of the city, were clear. However, it may be that Kennedy was referring to King's reluctance to accept the agreement approved by the Senior Citizens Committee until those arrested during demonstrations had been granted bail. Though angry at King, Kennedy contacted Labor leaders who raised enough money to pay for the detainees' bail.

⁵³ Martin Luther King, Jr., *Letter from a Birmingham City Jail*, April 16, 1963. Burke Marshall Papers: Correspondence June 1963, box 17. See below for analysis of the letter.

⁵⁴ Guthman and Shulman, *His Own Words*, 171.

As well as Marshall's mediation, the administration had made a concerted effort to overcome obstacles to peace. When, at the beginning of the negotiations, the Senior Citizens Committee objected to the proposed compromise, President Kennedy and the Attorney General called many of the group, persuading them to drop their objections. Robert and John Kennedy insisted that the primary responsibility for the situation in Birmingham lay with the "leaders of business, labour and law, as well as city officials themselves".⁵⁵ Thus the administration sought to pressure influential Birmingham business and industrial leaders into putting their weight behind the negotiations between black leaders and city officials. Secretary of State Douglas Dillon and Defense Secretary Robert McNamara made a series of telephone calls to friends and contacts in the Birmingham area. The Dean of Yale Law School, Eugene Rostow, called one of his graduates, Roger Blough, Chairman of the Board of US Steel, urging him to mediate with the president of the organisation's Birmingham subsidiary. Blough was quick to respond, requesting that his associate intercede with city officials.⁵⁶

However, despite the terror tactics used on demonstrators by Bull Connor's police force, the President refused to deploy federal troops to protect activists. This policy was based on the belief that no federal statute had been violated and action was unwarranted. As the administration declared the day after King's jailing on Good Friday, April 12, 1963: "the federal government has no authority to take legal action to intervene in Birmingham as the situation now stands".⁵⁷ Even when the Klan put the agreement under threat by bombing an activist's house and the hotel where King was staying, causing riots to break out in the black district, the administration resisted sending troops into the city. JFK did, however, order troops to be moved to an area

⁵⁵ *Washington Post*, 7 May, 1963.

⁵⁶ Lee E. Bains "Birmingham, 1963: Confrontation over Civil Rights" [Senior Thesis - Harvard, 1977] in David Garrow (ed.) *Birmingham, Alabama 1956-1963. The Black Struggle for Civil Rights*, [New York: Carlson Publishing Inc., 1989], 197.

⁵⁷ *New York Times*, 14 April, 1963.

close by, in case the situation should get out of control. The usual dilemma of federalism was made more complicated by Alabama Governor George Wallace's decision to send state troopers into Birmingham (an act which provoked riots rather than calming interracial tension). If the administration sent federal troops they would be accusing the state troopers of being a threat to the peace, which would be regarded as an act of war against Alabama. The only alternative was to justify federal force for the means of quelling black demonstrations, which would put the administration on the side of segregation.⁵⁸ Fortunately for the President and his brother, the agreement held, mostly owing to the restraint of the black population.

The agreement addressed four areas. First, that not more than 90 days after the Supreme Court ruled on the Birmingham city government, eating facilities would be desegregated on a trial basis. Second, that "White" and "Colored" signs over drinking fountains and rest rooms would be removed within 30 days. Similarly, fitting rooms in department stores would be desegregated. Third, that there would be a concentration on employment opportunities for blacks, and at least one black sales-person would be employed in one downtown store (this was a cause of dissent, as black leaders believed that they had agreed to one black person per downtown store). Finally, a bi-racial committee would be formed to work out problems in the city as they arose.⁵⁹

The importance of the crisis in Birmingham in the context of the administration's response to civil rights cannot be overestimated. As Irving Bernstein accurately observed, "the Birmingham crisis was decisive in making civil rights the central domestic issue of the decade".⁶⁰ The widespread coverage devoted to the events attracted an unprecedented level of domestic and international attention. For the first

⁵⁸ Branch, *Parting the Waters*, 797.

⁵⁹ Birmingham agreement, May 16, 1963. Burke Marshall Papers: Memoranda; January 1962 - May 1963, box 17.

⁶⁰ Bernstein, *Promises Kept*, 95

time, civil rights became an issue of national significance. The violence of Bull Connor's men became a catalyst, vital in focusing public opinion on the need for further action. This change in the political climate enabled the Kennedy administration to consider sending civil rights legislation to Congress. In his oral history interview, Robert Kennedy noted the importance of Birmingham: "President Kennedy said to Negroes ... the civil rights legislation should be called 'Bull Connor's Bill ... what Bull Connor did down there, with the dogs and the hoses and the pictures with the Negroes, is what created a feeling in the United States that more needed to be done. Until that time people were not worked up about it or concerned about it'.⁶¹ However, RFK denied that the campaign had caused the President to recognise the problems of equal rights for the first time: "Everybody says, since then, that President Kennedy never recognized the problem of civil rights until the Birmingham crisis. And then he realized that it was a moral issue. And then he made the speech. That was just a lot of hogwash. There wasn't anything he could do then. He didn't believe in just going through the motions about things".⁶² In fact the Kennedys had tried, unsuccessfully, to introduce civil rights legislation during 1962. RFK believed that nobody had been ready then:

In 1962 we wanted to do something on voting. We thought that again the emphasis should be on getting people to register and participate in elections. So we sent up that legislation. I went up and testified. Nobody paid the slightest bit of attention to me. There wasn't any public outcry for it. We went through a filibuster then, which lasted two months, which was very desultory and infective. We tried to have cloture and didn't get fifty percent of the vote - and it died.⁶³

Indeed the Kennedys had sent civil rights legislation to the Hill. However, there had been little effort by the administration to lobby for the bill. President Kennedy did not refer to it, and made no efforts on behalf of the bill. He left the Attorney General to

⁶¹ Guthman and Shulman, *His Own Words*, 171.

⁶² *Ibid*, 149.

⁶³ *Ibid*, 149.

lobby, but Congressmen must have understood that the administration's heart was not behind the bill. The Kennedys did not want to jeopardise other legislation by putting a huge effort into the voting bill, which, they believed, had no hope of passing. In fact, it is possible that JFK only introduced the bill because of Republican attempts to embarrass the administration by proposing their own civil rights bills.

To RFK, the significance of Birmingham was that the President would now be able to pursue civil rights legislation with a greater chance of success. Although still a risky move, proposing civil rights legislation would lessen the heat to which the administration had been subjected by civil rights groups which had become increasingly disillusioned with JFK's failure to follow through on campaign promises. The decision to propose legislation shows an impressive level of commitment to the cause of civil rights by the Kennedy brothers. When they first broached the subject in the Cabinet and among advisors, they were met with almost universal disagreement. Influential presidential advisors such as Theodore Sorensen, Lawrence O'Brien, Kenneth O'Donnell, as well as Senate Majority Leader, Mike Mansfield, were opposed to the bill, believing that the administration had no hope of passing it. The attempt, they argued, would jeopardise other legislation, and endanger the President's reelection campaign the next year. Vice-President Johnson also advised against the legislation. He told Norbert Schlei that "he thought the legislative proposal would be disastrous for the President's program and would not be enacted if submitted now".⁶⁴ His attitude, according to RFK, "rather irritated" the President.⁶⁵

Kennedy said that they proposed the bill because they "needed to do something

⁶⁴ Memorandum from Schlei to RFK, "Comments of the Vice President on the Civil Rights Legislation Proposals", Undated. RFK Papers: Attorney General's General Correspondence, box 10. Once it was clear that JFK intended to introduce the bill, Johnson did make useful strategic suggestions. It was his idea, for example, to delay introducing the bill until key members of Congress had been contacted and the bill discussed with them.

⁶⁵ Guthman and Shulman, *His Own Words*, 178.

about the situation [race relations]”. Both Kennedys clearly believed that it was the right thing to do. However, their decision, was, as ever, backed up by sound political considerations. The crises of Ole Miss and Birmingham had sparked myriad adverse reports around the world. In the Soviet Union, *Pravda* covered the Birmingham campaign, announcing to its readers “Monstrous Crimes Among Racists in the United States”.⁶⁶ In Asia, the story was headline news for several days. Civil rights campaigns were beginning to damage the cause of an administration concerned with winning “the hearts and minds” of the Third World. This was especially true in Africa, where newly emerging states were unfavourably impressed by the news of America’s racism. Much of JFK’s foreign policy was based on the need to maintain the prestige of the United States. Therefore, he could not allow civil rights to diminish America’s image throughout the world.

The President and Attorney General were well aware that the Republicans would make the most of their opportunity to embarrass the administration. During the Birmingham crisis, the Republican party had renewed their legislative assault on civil rights, introducing a bill to outlaw segregation throughout the United States. Although the Republican party had introduced similar legislation before, the President had decided that the adverse consequences of proposing an administration bill were stronger than the embarrassment caused by the opposition’s actions. Once the mood of the country had changed, however, he could no longer afford to wait. Failure to act after Birmingham would have given the Republican party a strong issue with which to fight the 1964 presidential campaign. JFK could not afford to lose the support of blacks and liberals, which might well have been the consequence. Above all, he wanted to make sure that he campaigned against conservative Barry Goldwater in 1964 rather than the more liberal Nelson Rockefeller. While Rockefeller’s divorce and quick remarriage had hurt his chances of gaining the Republican nomination, failure by

⁶⁶ Branch, *Parting the Waters*, 786.

the Kennedy administration to take a strong stand on civil rights might persuade the Republican Convention to elect the more liberal candidate. It was a tough decision. If JFK chose to propose the legislation he risked the defeat of the Civil Rights Bill and, possibly, other legislation, such as his Tax Bill. That could lead to defeat in 1964. If, on the other hand, he failed to recommend legislation, he could find himself fighting a “liberal” Republican party. That could also lead to defeat.

The Kennedys were mindful that if blacks around the country were not satisfied with the actions of the Federal government, they might, in the fervor that swept black communities after Birmingham, take their case to the streets. While most blacks admired the stand that King had taken in Birmingham, few would be willing, under provocation, to adhere to his principle of non-violent protest. In his famous *Letter from a Birmingham City Jail*, King warned of that possibility:

I am further convinced that if our white brothers dismiss as “rabble rousers” and “outside agitators” those of us who are working through the channels of non-violent direct action and refuse to support our non-violent efforts, millions of Negroes, out of frustration and despair, will seek solace and security in black nationalist ideologies, a development that will inevitable lead to a frightening racial nightmare.⁶⁷

By sending legislation to Congress, the Kennedys hoped that the focus of civil rights would move from the streets back to the nation’s capital. Indeed RFK was explicit about the threat of violence in his interview with Lewis. He was worried that failure to act might lead to race war, in which black Americans, facing whites who had the advantages of controlling the power structure, would suffer immeasurably:

[it was] not only the passage of legislation, but what in my judgment was even more important, to obtain the confidence of the Negro population in their government and in the white majority. I thought there was a great danger in losing that unless we took a very significant step such as the passage of

⁶⁷ Martin Luther King, Jr., *Letter from a Birmingham City Jail*, April 16, 1963. Burke Marshall Papers: Correspondence; June 1963, box 17.

legislation. ... There's obviously a revolution within a revolution in the Negro leadership. We could see the direction of Martin Luther King going away from him to some of these younger people, who had no belief or confidence in the system of government ... and thought ... that the way to deal with the problem is to start arming the young Negroes and sending into the streets, which I didn't think was a very satisfactory solution because, as I explained to them, there are more white people than Negroes and although it might be bloody, I thought that the white people would do better.⁶⁸

Proposing the legislation would also allow the Kennedys to respond to King's criticism of the administration, set forth in the letter. Although the SCLC leader did not refer directly to the Kennedys, his criticism was surely read as such once published. King expressed his disappointment at:

the moderate white who is more devoted to "order" than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice; who constantly says "I agree with you in the goal you seek, but I can't agree with your methods of direct action"; who paternalistically feels that he can set the time-table for another man's freedom; who lives by the myth of time and who constantly advises the Negro to wait until a "more convenient season". Shallow understanding from people of goodwill is more frustrating than absolute misunderstanding from people of ill will. Lukewarm acceptance is much more bewildering than outright rejection.⁶⁹

Caught between their fear that the legislation would fail, but that if they did not present it, the administration, along with law and order, would falter, the Kennedys decided to follow their hearts. In doing so they moved away from King's denunciation of "the appalling silence of the good people".⁷⁰ In later years, RFK would take the meaning of the Augustinian saying as his personal motto, quoting it to audiences in Dante's version: "the hottest places in Hell are reserved for those who in time of moral crisis preserve their neutrality."

⁶⁸ Guthman and Shulman, *His Own Words*, 197-198.

⁶⁹ King, Letter from a Birmingham City Jail. Burke Marshall Papers: Correspondence; June 1963, box 17.

⁷⁰ *Ibid.*

The Civil Rights Bill, however, was not announced until the administration had dealt with another civil rights crisis that they knew was about to occur. The Justice Department had been informed early in 1963 by Dr. Frank A. Rose, the President of the University of Alabama, that two black youths had been granted admission to his college. George Wallace, the *ex officio* president of the university board of trustees, swore that he would not allow the desegregation of the university.⁷¹ On April 25, 1963, while the Birmingham campaign was at its height, the Attorney General flew to Alabama to talk to Governor Wallace. Hoping to reason with Wallace, Kennedy found the meeting a waste of time, largely because Wallace insisted on recording the conversation. Instead of a private conversation between two officials, Wallace took the opportunity to lecture the Attorney General in a dialogue which he intended for public broadcast. This made negotiating impossible for Kennedy. "It was necessary then," Kennedy later recalled, "to say things to each other on the basis that it was going to be played on the local radio station. At least for me, I couldn't let anything he'd say go by as if it had been unanswered. It made it difficult".⁷² The transcript of the meeting shows that the conversation went round and round in circles, with Wallace decrying the Supreme Court for rewriting the law, and Kennedy trying to point out that it *was* the law and the administration had no choice but to uphold Court decisions. Throughout the entire conversation, RFK maintained the position that he had no choice but to follow the law. Wisely, he saw little point in trying to convert such an ardent segregationist as Wallace. Wallace also reminded the Attorney General that had it not been for "Southerners in Congress ... for many years and even as late as 1948, we could have had a one party system. 'You' never organised ... Southerners were responsible for the 'so-called' New Deal program supported by Mr. Roosevelt ... The

⁷¹ For a detailed discussion of the University of Alabama Crisis see Clark E. Culpepper, *The Schoolhouse Door: Segregation's Last Stand at the University of Alabama*, (New York: Oxford University Press, 1993).

⁷² Guthman and Shulman, *His Own Words*, 186.

South hasn't been paid too much attention to even though they vote solidly democratic when states like Ohio and Michigan vote Republican". He then threatened Kennedy, telling him that in 1964, "the people of the South will decide who the next President would be".⁷³ Later Kennedy hinted that he had thought Wallace not quite sane. This was an impression that he had received not only from his own meeting with the Governor, but also from the trustees of the university who reported "that he was crazy, that he was scared. Inevitably they'd say he was scared; inevitably they'd report that he was out of his mind; inevitably they'd report that he was acting like a raving maniac".⁷⁴ At first glance it seems as though Kennedy's use of "inevitably" throughout the quote suggests he was decrying the assessment made by the university trustees. Within the context of the rest of the passage from which the extract was taken, however, "inevitably" should be interpreted as RFK suggesting that each time he spoke to the trustees, their assessment of Wallace was the same.

Having learnt from the desegregation crisis at Ole Miss, the Justice Department took action to marginalise Wallace. A team of Justice Department officials, led by Assistant Attorney General William H. Orrick (Civil Division), composed a notebook on Alabama, in which a brief summary of the situation and the names and telephone numbers of prominent Alabamans were listed. In May the notebook was circulated to members of the Cabinet; to the Secretaries of the Army, Navy and Air Force; to the Chairmen of the Securities and Exchange Commission (SEC) and the Federal Communication Commission (FCC); and the Administrators of NASA and the Federal Aviation Agency (FAA). The notebook listed 375 directors and chairman of the major

⁷⁴ Summary of transcript of conversation between Attorney General Kennedy and Governor Wallace, Montgomery, Alabama, April 25, 1963. RFK Senate Papers: Senate Correspondence; Personal File, 1964-1968, box 11. This is an example of the organisation of the Robert Kennedy papers. It seems illogical that this transcript, which deals with the Attorney General years, should be filed in Kennedy's Senate files.

⁷⁴ Guthman and Shulman, *His Own Words*, 189-190.

businesses in the Alabama community who government officials were asked to contact.⁷⁵ Of those businessmen, 128 were contacted and asked to urge Wallace to consider a course of moderation. Of that group, 80 agreed to contact the Governor.⁷⁶ The federal officials involved then returned their results to Orrick who compiled a report for RFK. Orrick's report showed that Governor Wallace was acting on his own. "The near unanimous opinion of the persons contacted" was that the business community was "completely opposed to Governor Wallace's contemplated action, and business leaders throughout the State have been contacting him".⁷⁷

By registration day - June 11 - it was clear that Wallace was prepared to back down. The Justice Department's actions to isolate Wallace, as well as a court order against the Governor, persuaded him to be reasonable. Seymore H. Lynne, Chief Judge of the Northern District of Alabama, told Marshall that he intended to issue an order against the Governor, and that "if the Governor violated the order in a substantial way, the punishment that he intended to put on the Governor would not be token. He talked in terms of at least six months ..."⁷⁸ However, Wallace would not back down until there had been a face-saving show of force, which he could use for his own publicity. The Kennedys knew from the beginning that, like Barnett before him, this was what Wallace wanted. During his earlier meeting with the Governor, the Attorney General had had a sharp exchange of words with Seymore Trammell, Alabama Director of Finance, who repeatedly asked RFK whether he planned to send troops into the state. Eventually Kennedy retorted to Trammell: "It seems like you want us to

⁷⁵ Those businesses included hotels, restaurants, department stores, and theatres. Memorandum to the members of the Cabinet, 21 May, 1963. Burke Marshall Papers: Alabama Notebook May-June 1963, box 17.

⁷⁶ Memorandum from William Orrick to RFK, "Final Report on telephone call concerning University of Alabama", June 6, 1963. Burke Marshall Papers: Memoranda; University of Alabama, box 17.

⁷⁷ Summary of information gained by phoning 128 people in the Alabama business community re: their reaction to the Alabama crisis. RFK papers: Attorney General's General Correspondence, box 10.

⁷⁸ Guthman and Shulman *His Own Words*, 191

send troops in. It seems like you want drastic action with the governor".⁷⁹

On registration day, Katzenbach faced Wallace at the university's Tuscaloosa campus. The Governor had positioned himself in the schoolhouse door as promised in his January 1963 Inauguration speech. The Governor refused to step down, but because Katzenbach was not accompanied by the two black students, Wallace was not in contempt of the court order. The administration, therefore, was not forced to arrest him, a move that Kennedy wished to avoid:

We wanted to serve a specific purpose. We wanted to get the students in. We didn't want to charge him with contempt, we'd have inevitably to arrest him. Then we'd have to occupy Alabama. ...
Then we came up with the idea of having Nick go in without the students and ask him to step aside. That permitted the Governor to refuse entrance, but it also permitted us not to charge him with contempt, because the students weren't there yet.⁸⁰

Katzenbach returned to his car, where Hood and Malone were waiting, and escorted them to their dormitories. Later, the President federalised the National Guard, signaling his intention to enforce the order against Wallace, and the two students were registered with no further problems.

That day the White House had organised air time on television which the President could use if the situation in Alabama deteriorated. According to Burke Marshall, RFK persuaded his brother that he should go ahead with the broadcast despite the success of the operation. Almost all of JFK's advisers disagreed, but he listened to RFK who insisted that the President must now provide the necessary leadership in civil rights. Marshall told Victor Navasky that the Attorney General "urged it, he felt it, he understood it. And he prevailed. I don't think there was anyone in the Cabinet - except the President himself - who felt that way on these issues, and

⁷⁹ Reported in *The Birmingham Post-Herald*, 26 April, 1963, Robert F. Kennedy FBI File, Sections 1-6, Roll 1.

⁸⁰ Guthman and Shulman, *His Own Words*, 191-192.

the President got it from his brother".⁸¹ There is no other evidence to suggest whether Marshall's claim is accurate or not. Certainly Marshall had good reason to boost RFK's record. However, the Attorney General did deal with civil rights almost every day in his job. It should not be surprising then that he knew, and cared, more about the issue than the rest of the Cabinet. Given his later views on civil rights it seems entirely plausible that RFK had become his brother's conscience in this matter by 1963.

In one of the finest speeches of his career, JFK became the first President to address the moral dimension of civil rights.

We are confronted primarily with a moral issue. It is as old as the Scriptures and is as clear as the American Constitution. The heart of the question is whether all Americans are to be afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated. If an American, because his skin is dark, cannot eat lunch in a restaurant open to the public, if he cannot send his children to the best school available, if he cannot vote for the public officials who represent him, if, in short, he cannot enjoy the full and free life which all of us want, then who among us would be content to have the color of his skin changed and stand in his place? Who among us would then be content with the counsels of patience and delay?⁸²

Civil rights leaders had been pushing JFK to take a moral stand since his inauguration. Up until the spring and summer of 1963, however, the Kennedy brothers had believed that taking such a position was too great a risk. After Birmingham, and the desegregation crisis at the University of Alabama, they decided that the time to take such a stand had come. Contrary to popular perception, JFK's speech of June 11 was not the first occasion on which he spoke of the problem in moral terms. Two days before, in a speech to the United States Conference of Mayors in Honolulu, he had briefly referred to the fight for civil rights as a moral and constitutional crisis. That statement, however, had received little media attention. Interestingly, the draft copy of

⁸¹ Quoted in Schlesinger, *Robert Kennedy*, 372.

⁸² Richard Heffner (ed), *A Documentary History of the United States* [USA: Penguin Books, 1991], 330.

the statement President Kennedy made after the resolution of the Birmingham crisis also referred to civil rights in moral terms. The beginning of the third paragraph read: “One of the great moral issues of our time is the achievement of equal opportunity for all citizens. Too long have Negroes been denied fair treatment and equal opportunity in all parts of our land”.⁸³ When the statement was released, however, those lines had been withdrawn.

The decision may have been spurred by the advice Lyndon Johnson gave to Norbert Schlei during a conversation about the proposed legislation before JFK’s speech. Having accepted that JFK intended to propose legislation, Johnson told Schlei that he thought the President should talk about civil rights in “moral terms, maybe even religious terms”. The Vice-President believed that, “Even people in Mississippi, you know, when they listen to him saying that, they can’t disagree”. In an impassioned entreaty Johnson concluded, “Let’s talk about God and morality and goodness and simple justice and patriotism”.⁸⁴ JFK was already aware of the moral issue, however, Johnson’s advice may have reinforced his feeling that the time had come to make a declaration on the ethical dimension of civil rights. JFK, trusting Johnson’s knowledge of Congress, may well have decided that his Vice President’s advice was sound.

The Kennedys timed the President’s announcements carefully. Robert Kennedy decided that, “[I]t would have been premature to go on television and talk about civil rights at the end of May, when we knew that the University of Alabama was coming

⁸³ Draft copy of Statement by the President, May 12, 1963. POF: Subjects; Civil Rights, Alabama, 12 May, 1963- 14 May, 1963, box 96, 19a.

⁸⁴ Norbert Schlei, oral history interview by John Stewart, February 20-21, 1968, JFKOHP, 47. The irony of LBJ saying that JFK should use the moral and religious issue for purely political reasons could not have gone unnoticed by the Kennedys, especially given LBJ’s former negativity regarding the legislation. Robert Kennedy, given his puritanical view of religion, would have been deeply offended at the Vice-President’s remark, providing him with one more reason to despise the Texan politician. JFK, on the other hand, always more dispassionate than his brother, would have been more likely to compartmentalize the remark. Even if he disliked the tone of the statement, he would, no doubt, have accepted its political sense.

up and we might have more problems and troubles".⁸⁵ By waiting for the resolution of the conflict, the Kennedys maximised the impact of the speech. When the President referred to the moral issue, his hearers' minds were, no doubt, drawn back to the horrors they had witnessed during the Birmingham campaign. With those images foremost in the minds of Americans, JFK announced that he was sending civil rights legislation to Congress.

The idea that the Kennedys were influenced by the upsurge in civil rights action and the county's response to it is one with which Martin Luther King agreed. He told his oral history interviewer:

You had one Kennedy who was President in '61 and '62 who, at that time, was committed but was not quite sure that he had a mandate from the people because of ... the very small margin of victory in the election. It seems that, at this time, he was feeling his way and at points vacillating on the civil rights question, ... because he was not sure that he had the approbation of his constituents in the nation as a whole. But then ... in 1963, I think he was coming to see that ... there was a wide room for leadership, that the nation was ready to be led to higher heights.⁸⁶

Robert Kennedy and his Justice Department team were involved in the shaping of the bill, the central component of which was the public accommodations provision, which would desegregate hotels, restaurants, shops, and other related facilities. There was debate within the administration as to whether this section should be included, but the Kennedys insisted that the legislation would be meaningless without it. The bill also increased the powers of the Attorney General in dealing with school desegregation, a strengthening of the 1957 Civil Rights Act, and gave technical and financial aid to those schools involved in integration. Existing training and development plans for blacks were expanded and violations of voting rights were challenged by the incorporation of the main elements of the 1962 literacy-testing bill.

⁸⁵ Guthman and Shulman, *His Own Words*, 199.

⁸⁶ Martin Luther King Jr., oral history interview by Berl Bernhard, March 9, 1964, JFKOHP, 17.

Once the Bill had been sent to Congress on June 19, the Justice Department and its chief became key players in the fight to obtain Congressional passage for the bill. The President, Vice President and Attorney General all had multiple meetings with Congressional leaders, trying to persuade them to drop any opposition they had to the bill, or some of its sections, of which the public accommodations section presented the biggest problem. The whole point, Kennedy later said, was to show “the active involvement of the President” as well as to display to local leaders “why it was in their best interest to do something rather than to wait until violence occurred”.⁸⁷ RFK, according to Marshall, planned the entire effort, “saw that the meetings took place, did the groundwork for them, and the follow-up on them”.⁸⁸ Unfortunately the location of Kennedy’s Desk Diaries for 1963, (which would provide material evidence for Marshall’s claim,) is unknown to the Kennedy Library, so Marshall’s claim cannot be verified.

The sheer volume of documents and interoffice memoranda on the subject of the legislation proves, however, that for the second half of 1963 the Justice Department, and indeed the whole administration, were completely occupied with the attempt to get the bill through Congress. Burke Marshall’s files contain hundreds of pages of detailed explanations of the various titles of the bill. These were used by the Attorney General who, in testimony before the House and Senate as well as in private meetings and on TV, tried to explain the administration’s position on the various parts of the bill. Kennedy realised how important it was to get the message across to people who wouldn’t necessarily understand the jargon of legislation, both congressmen and public alike. The volume of Marshall’s memoranda shows how concerned RFK was with getting public support for the bill.

Kennedy spent much of his time explaining the administration’s decision to

⁸⁷ Schlesinger, *Robert Kennedy*, 374.

⁸⁸ *Ibid*, 374-5.

base the bill on the commerce clause as well as the Fourteenth Amendment. Burke Marshall and other Justice Department officials had pushed for the use of the commerce clause because it would widen the scope of the new bill. The Fourteenth Amendment pertained only to rights violated by state action. Basing the legislation on the commerce clause as well would allow for punishment of individuals who denied black Americans their rights. Thus establishments which “serve or offer to serve interstate travelers or if a substantial portion of the food or other products they sell have moved in interstate commerce” could be included under the legislation.

In a statement before the Senate Judiciary Committee, Kennedy countered the argument that because it was based on the commerce clause Congress should not pass the bill. Appealing to the Senators present he maintained that, “[I]t is because of the importance of the moral issue that Congress should act if it has power to act. Child labor, minimum wages, prostitution, gambling - - all these raise moral issues too, and all have been dealt with by Congress under the commerce clause”.⁸⁹ The Kennedys knew, however, that that argument would face criticism from Republican members of Congress on political grounds. Marshall recalled that “they were much smarter than I was about the fact that it would be a political issue”. He went on to explain, “[I]t’s something to do with the history of the Republican party. It’s a political issue with them, as far as I can make out, because Franklin Roosevelt put so much legislation on the commerce clause that they just never forgot it. On the other hand, the Republican Party historically was responsible for the 14th Amendment”.⁹⁰ Norbert Schlei identified another reason why so many liberal Republicans objected to the use of the commerce clause. In his view many of them were looking for ways to “lay a basis for voting with their fellow Republicans against the bill and having a liberal, pro-civil rights kind of

⁸⁹ Statement of the Attorney General before the Senate Judiciary Committee regarding S.1731 and S.1750, July 18, 1963. RFK Papers, Attorney General’s Files: Speeches, 1961-1964, box 2.

⁹⁰ Burke Marshall, oral history interview with Larry Hackman, January 19-20, 1970, RFKOH, 5.

reasoning to support that”.⁹¹

It was to counteract such Republican criticisms and to gain bipartisan support for the legislation that Kennedy testified before committees of the Senate and the House of Representatives. For the first time the Attorney General took an impassioned approach to the subject. The decision to send the bill to Congress had clearly released RFK from any perceived constraints. Referring to the issue that had restricted the administration’s actions in the field of civil rights, Kennedy announced that the government still believed in States’ rights, “in the principle of the less Federal intervention the better. But we can’t forget that a citizen of Mississippi, of Alabama or any other state is also an American citizen ... The Federal Government has a duty, a responsibility to give protection to its citizens no matter what part of the country in which they reside”.⁹² It was the kind of statement that civil rights activists had been waiting to hear for two years.

Kennedy was most eloquent when discussing the public accommodations section of the bill, Title II. Recounting to the House the difficulties that black Americans experienced at restaurants, hotels and other service-oriented establishments, RFK stated that the discrimination they suffered was “morally offensive to all of us”. He told House members that it was that form of discrimination more than any other that embittered blacks, as it required them “to suffer humiliation and deprivation no white citizen would tolerate”.⁹³ The Attorney General pointed out that racial discrimination by public establishments had grave economic consequences for the nation. His chief argument for the adoption of Title II, however, was that the principle upon which it stood was “a moral one”. Kennedy tackled the most important issues of the bill, like

⁹¹ Norbert Schlei, oral history, 51.

⁹² Statement of the Attorney General before the Senate Judiciary Committee regarding S.1731 and S.1750. July 18, 1963. RFK Papers: Attorney General’s Files: Speeches, 1961-1964, box 2.

⁹³ Statement of the Attorney General before the House Judiciary Committee regarding H.R. 7152. October 15, 1963. RFK Papers: Attorney General’s Files: Speeches, 1961-1964, box 2.

the moral considerations involved, leaving more technical or dispassionate explanations to his assistant, Marshall. This two-pronged approach meant that Marshall could offer an alternative reason to vote for the bill to those who would not, or could not, recognise the validity of the moral argument. He told Senate members, for example, that discrimination against black interstate travelers inhibited interstate travel:

It artificially restricts the market available for interstate goods and services. It leads to the withholding of patronage by potential customers for such goods and services. It inhibits the holding of conventions and meetings in segregated cities. It interfaces with businesses that wish to obtain the services of persons who do not choose to subject themselves to such segregation and discrimination. And it restricts business enterprises in their choice of location for offices and plants, thus preventing the most effective allocation of national resources.⁹⁴

Although the civil rights legislation was the most comprehensive ever introduced, many liberals and black leaders denounced it as containing “the administration’s best estimates of what could be enacted, rather than what was needed”.⁹⁵ Accordingly, the liberal-dominated House Judiciary Subcommittee sought to widen the scope of the bill. After 22 days of hearings they passed a strengthened version of the bill to the full Judiciary Committee for its consideration. Influenced by the Leadership Conference, a group of civil rights leaders, liberals called for the inclusion of a Fair Employment Practices Commission as well as a section which would allow the Attorney General to seek injunctive relief in federal courts whenever an individual’s rights were violated. Liberals argued that the strongest bill possible should be reported out, and then it could be amended on the floor. That way, their constituents would see that they had fought for the liberal cause. The Kennedys and their key advisors discussed whether to accept that proposition, but decided that to do

⁹⁴ Statement by Assistant Attorney General Burke Marshall before the Senate Commerce Committee regarding S.1732, the Public Accommodations Bill. July 8, 1963. Burke Marshall Papers: Testimony Before Senate Commerce Committee, box 13.

⁹⁵ Schlesinger, *Robert Kennedy*, 375.

so would be tantamount to accepting the failure of the bill. Justice Department officials, especially Marshall and Katzenbach, argued that by waiting to amend it on the floor of the House, or the Senate, the administration would lose the support of Republicans. They believed that once bipartisan support was lost, the bill too would be lost. RFK was indignant at the attempt to strengthen the legislation. He recounted that many of the liberals “said on a number of occasions” that they would “rather lose the whole bill and lose the legislation than make the kind of effort that [the Kennedy administration] wished”. Kennedy thought that many of them were willing to jeopardise the bill. “An awful lot of them”, he thought, “were in love with death”.⁹⁶

The Kennedys’ fears were accurate as many Southern conservatives supported the strengthened bill knowing that if it was reported out of the House Judiciary Committee then “it would get into trouble on the floor and would get recommitted”.⁹⁷ RFK, who took a pragmatic approach to the legislation, had no respect for politicians who were “completely impervious to argument”, those whom he and Marshall termed “the doctrinaire liberals”.⁹⁸ Determined to maintain bipartisan accord, the Kennedy brothers decided that JFK should meet with each of the liberal Democrats on the Judiciary Committee. In individual meetings he asked each one to vote in favour of the administration’s bill rather than the strengthened version. As a result, four Congressmen changed their vote. The bill reported out of the full Committee remained almost identical to the original White House legislation, although a few minor points from the Subcommittee bill were included.

The administration was also worried by a plan by civil rights leaders to

⁹⁶ Guthman and Shulman, *His Own Words*, 204.

⁹⁷ Burke Marshall, oral history, 33.

⁹⁸ *Ibid*, 34.

organise a March on Washington.⁹⁹ The Kennedys feared that such a demonstration would jeopardise the bill. In a memo to the Attorney General, his assistant, Jo Dolan, wrote that many Congressmen felt that “the presence in Washington, at any time prior to final action on the Civil Rights Bills, of any substantial number of individuals lobbying for the bills, will lose a goodly number of votes”.¹⁰⁰ In a meeting with black leaders on June 22, the President asked them not to go ahead with the March. He told them that “some of these people are looking for an excuse to be against us; and I don’t want to give any of them a chance to say, ‘Yes, I’m for the bill, but I am damned if I will vote for it at the point of a gun’”.¹⁰¹ King replied that many of their actions had been denounced as ill-timed in the past: “Frankly, I have never engaged in any direct action movement which did not seem ill-timed. Some people thought Birmingham was ill-timed”. To which the President replied wryly, “Including the Attorney General”,¹⁰²

Unable to persuade civil rights leaders to abandon the march, the administration took it over. The President made a statement endorsing the march, and, behind the scenes, Robert Kennedy took control of the organisation of the event. Marshall recalled that the Attorney General had done so because as the summer developed it became clear that “it was awfully disorganized”.¹⁰³ As his brother had endorsed the March, RFK was determined to make it a success. He was also determined to keep any radical statements out of it. So, when he heard that John Lewis, of SNCC had written an inflammatory speech, Kennedy took steps to persuade Lewis to let the speech be edited. Marshall

⁹⁹ The march was the idea of A. Philip Randolph, a black labour leader, who had first conceived the idea in 1941. The threat of the march pressurised President Roosevelt into establishing the FEPC (Fair Employment Practices Commission). In 1963, Randolph and other leaders believed that the march might sway public opinion in favour of the legislation.

¹⁰⁰ Memo from Jo Dolan to Robert Kennedy, July 17, 1963 RFK Papers, Attorney General’s General Correspondence, box 11.

¹⁰¹ Schlesinger, *Robert Kennedy*, 375.

¹⁰² *Ibid*, 375-376.

¹⁰³ Guthman and Shulman, *His Own Words*, 227.

said that their motivation had been that the Archbishop of Washington refused to attend should Lewis make the speech. Fearing that the Archbishop would pull out of the event, effectively terminating the support of the Catholic Church for the civil rights movement, RFK asked Martin Luther King to intercede with Lewis.¹⁰⁴ As the original speech contained criticism of the President and the Justice Department, however, it is just as likely that the Attorney General moved to eradicate such adverse commentary from the event.

The massive demonstration went smoothly, but black activists later recalled that Justice Department officials had been on hand, ready to pull the plug on microphones should any speaker get out of hand. In the end, the magnitude of the event, and the power of King's famous *I Have a Dream* speech, may have helped the passage of the civil rights bill.

President Kennedy's assassination makes it impossible to comment on whether the bill would have been passed under a Kennedy administration. Many believe that, had he lived, JFK would not have obtained passage. Certainly the President himself, and many of his top advisors, were themselves doubtful. He often asked RFK where the votes would come from. However, the administration had worked extremely hard to lobby for the bill. Behind the scenes negotiations conducted by the President, Attorney General, and top officials had won some important allies, including the influential Republican leader, Everett Dirksen. Lyndon Johnson signed the Civil Rights Act into law in July 1964. An important part of his success was due to the painstaking groundwork undertaken by the Kennedy administration.

By his own admission, when he took office RFK knew little of the problems facing black America. Throughout his tenure as Attorney General, however, he was forced to learn very quickly. Clearly, his instincts were sound. Kennedy, like his brother, thought racial discrimination illogical and inhumane and was, in his private

¹⁰⁴ Burke Marshall quoted in Guthman and Shulman, *His Own Words*, 228.

life, prepared to act against it. Though personally outraged by discrimination, Kennedy was a pragmatist. In his official capacity he would do nothing to endanger the position of JFK's Presidency. Therefore, while committed to the cause of civil rights, he provoked the anger of activists who recognised that his political support was less than absolute. Those activists, such as Martin Luther King, Jr., Roy Wilkins and A.Philip Randolph who were veterans of the movement, understood Kennedy's position, even if they did not like it. In public, of course, they denounced both the Attorney General and the President for not moving quickly enough (that is the nature of lobbying), but in private they recognised the constraints that faced the new administration. Younger and more radical activists, such as SNCC and CORE members, however, were unable to separate their feelings. Caught in the front line, incurring the wrath of Southern segregationists, their anti-administration feelings developed into a hatred of the Attorney General. Their lack of political experience and their distance from the administration left them unable to understand the difficulties RFK faced.

RFK encountered a number of constraints as Attorney General. Although not part of his job description, he saw it as his job to protect his brother at all times. Like the rest of the administration, the Kennedys were deeply affected by the narrow margin of victory with which JFK had won the 1960 election. Also, more than most other administration officials, RFK had to try to balance the needs of the black community with those of the Southern community, which he and his brother did not wish to alienate. But the most significant inhibitor RFK faced was the head of the FBI, J. Edgar Hoover. All of these factors together retarded the course of Kennedy's civil rights policies severely. Both Kennedys displayed anger at the timing of the Freedom Rides, and were no doubt irritated by the disturbances at the Universities of Mississippi and Alabama, and the demonstrations at Birmingham. The administration's

reaction, however, while guarded, was always to uphold the rights of the black citizens involved. By the middle of 1963, spurred on by the atrocities that occurred during the Birmingham campaign, and the change in public perception of civil rights, the Kennedys began to approach the race problem more forcefully.

By the autumn of 1963, RFK had a much more nuanced understanding of the race problem. As Navasky recognised, he had become “deeply involved in civil rights through events, not planning, through necessity rather than philosophy, through emergency rather than through deliberation”.¹⁰⁵ Despite being aware of the problems that blacks faced, and realising that it was unacceptable for the country to continue as it had been, Kennedy still did not have an instinctive understanding of what it meant to be black in America. His reaction to black leaders at a meeting set up by the writer James Baldwin proves that.

The meeting had been arranged at the behest of Kennedy, who was keen to learn more about the problems of blacks in urban centres in the North. Kennedy went to meet Baldwin, therefore, expecting some suggestions from those present as to what role the federal government could take to aid civil rights in the North. Baldwin arranged a group of black writers and artists, including Harry Belafonte, Lorraine Hansbury and Lena Horne, and leaders like Edwin C. Berry of the Chicago Urban League and Clarence B. Jones, an attorney for King, to meet Kennedy on May 25 1963. He also invited Jerome Smith, one of the Freedom Riders and now a CORE activist, who had spent months in jail and had been the victim of a number of beatings during his work in the South.¹⁰⁶

Smith set the tone of the meeting when he said he felt nauseous at having to be in the same room as the Attorney General: “I’ve seen what government can do to crush the spirit and lives of people in the South”. He recalled waiting in Mississippi jails

¹⁰⁵ Navasky, *Kennedy Justice*, 111.

¹⁰⁶ Schlesinger, *Robert Kennedy*, 356.

from the FBI or Justice Department to come to his aid and expressed shame for America, stating that he would be unprepared to defend it militarily.¹⁰⁷ Kennedy, shocked at Smith's verbal attack, turned his back on him, whereupon Lorraine Hansberry told him, "You've got a great many very accomplished people in the room, Mr. Attorney General. But the only man you should be listening to is that man over there".¹⁰⁸ Hurt and angered by the attacks he received over a period of three hours, Kennedy appeared to be unresponsive to the feelings presented to him. Many at the meeting believed that he would never understand their point of view. Kennedy, in turn, believed that many of them had "complexes about the fact that they've been successful. I mean, that they've done so well and this poor boy had been beaten by the police".¹⁰⁹

Once he had calmed down, Kennedy admitted to aides that had he been Smith he would not have wanted to fight for his country either. He found it harder to forgive the others present for not intervening on behalf of the administration, especially when many thanked him on their way out for those measures already taken by him and his brother. Kennedy asked Belafonte later why he had not spoken out during the meeting, and Belafonte apparently replied that he would have lost "his position with these people if I spoke up and defended you". It is not surprising that Kennedy took offence at the hostile tone of the meeting. It is always hard to stay objective when being criticised, and Kennedy proved no exception to the rule. It must have been exceptionally galling for the Attorney General who had just come from a meeting where he had had some success in persuading business leaders to desegregate their stores in Birmingham. Showing the depth of his anger over a year later, he told Anthony Lewis that he felt that many of those who had attended, such as author and psychologist Kenneth Clark,

¹⁰⁷ James N. Giglio, *The Presidency of John F. Kennedy* (Lawrence, Ka.: University Press Kansas, 199), 178.

¹⁰⁸ *Ibid.*, 179.

¹⁰⁹ Guthman and Shulman, *His Own Words*, 225.

were aware that they “really hadn’t done their best. They hadn’t done what they should have done for the Negro. So the way to show that they hadn’t forgotten where they came from was to berate me and berate the United States government ...”¹¹⁰

All those present came away from the meeting shattered by its intensity. James Baldwin and Kenneth Clark, discussing it later that evening, reflected that the situation was “hopeless; that there was no chance that Bobby heard anything that we said. ... Kennedy was not unimpressive. He didn’t minimize or condescend. But he just did not seem to get it”.¹¹¹ It is surprising that these men should have expected RFK “to get it” when they were all shouting and berating him. Surely, if they had really wanted to make a positive impression on the Attorney General they would have begun more diplomatically. Nevertheless, the meeting conveyed to RFK the intensity of anger among black Americans. Though Kennedy remained defensive about the meeting he did recognise that he had to take note of such emotions. No doubt he had registered Lorraine Hansberry’s warning: “Look, if *you* can’t understand what this young man is saying, then we are without any hope at all because you and your brother are representative of the best that a white American can offer; and if *you* are insensitive to this, then there’s no alternative except going out in the streets . . . and chaos”.¹¹² The meeting must have intensified Kennedy’s belief that the administration could wait no longer to introduce civil rights legislation.

Although he still viewed the problem primarily in political terms, Kennedy’s education in civil rights had nevertheless come a long way. By the end of 1963, the first stage of his education in civil rights was complete. For the rest of his career, Kennedy would build upon this foundation. By the time of his death, his insight into, and compassion for, black America was more advanced than that of any other politician

¹¹⁰ *Ibid.*, 225.

¹¹¹ Quoted in Schlesinger, *Robert Kennedy*, 359.

¹¹² *Ibid.*, 357.

of his generation.

Interlude:
From Camelot to Capitol Hill

On November 22, 1963, Robert Kennedy's world was shattered by the news of his brother's assassination. Coping stoically with all the arrangements for the funeral, Kennedy took over as head of the family. He organised his brothers and sisters, took care of the grieving First Lady and her children, and broke the news to his own family.¹ Pictures taken during the funeral procession show a pale but determinedly resolute man. He had to be strong for Jacqueline Kennedy, if not for anyone else. Even during the family vacation he took in Florida directly after the funeral, friends remembered that he seemed to be coping fairly well. It was not until he returned to Washington D.C. that RFK fell apart. It seems that for most of December, if not on into the New Year, Kennedy existed but did not function in any real sense. He appeared dazed and unconnected. He went to his office at the Justice Department, but was uninterested in any of the work going on there. Most of the time he spent on his own, agonising over what might have been. As his close friend David Hackett recalled:

It was very awkward for those of us who knew him well. The Bob we knew just didn't seem to be there. He was like a mechanical doll that was wound up too tightly. His movements and thinking were automatic and jerky. He was almost totally absorbed in his own thoughts. It was a very bad period.²

It is not surprising that RFK was incapacitated by the death of President Kennedy. It is hard enough to lose a sibling, but for RFK, whose entire political career

¹ LeMoyné Billings, quoted in Peter Collier and David Horowitz, *The Kennedys: An American Drama*, (New York: Warner, 1984), 396-97. See also James W. Hilty, *Robert Kennedy: Brother Protector*, (Philadelphia, Pa.: Temple University Press, 1997), 485-487.

² "What tragedy has meant to Bobby Kennedy", date and source unknown. Newspaper and Periodical Clippings Collection, JFKL. See also Arthur Schlesinger, Jr., *Robert Kennedy and His Times*, (New York: Ballantine Books, 1978), 660-61

had revolved around his older brother, it seemed that he had lost his direction and purpose in life. Ethel Kennedy recalled that her husband's pain was so deep that "you couldn't get to him. ... His whole life was wrapped up in the President . . . he was just another part of his brother - sort of an added arm. Bobby never thought about himself - or his own life. So when the President died - well, it was like a part of Bobby died too".³

The time Kennedy spent in mourning was marked by a period of profound thought, brought on by his pain and perpetuated by the books that he began to read. RFK found comfort in the works of Albert Camus, whose books describe the helplessness of man in the face of fate. RFK also began to read the Ancient Greeks, especially Aeschylus and Herodotus, introduced to the subject by Jacqueline Kennedy who gave him Edith Hamilton's *The Greek Way*. It was an uncharacteristic pastime for such an action-oriented man, but Kennedy clearly found solace in the words he read. His later speeches were peppered with quotes from the books he read during this period, and he incorporated many of their philosophies into his own life. Kennedy was especially impressed by one passage from Camus: "Perhaps we cannot prevent this world from being a world in which children are tortured. But we can reduce the number of tortured children".⁴ He placed these words at the beginning of *To Seek A Newer World*, a collection of his speeches which was published just before the 1968 campaign. As for his grief, that was dealt with by Aeschylus: "He who learns must suffer. And even in our sleep pain that cannot forget, falls drop by drop upon the heart, and in our own despair, against our will, comes wisdom to us all by the awful grace of God".⁵

By the Spring of 1964 Kennedy seemed to have ridden out the worst of his

³ Quoted in Hilty, *Brother Protector*, 486.

⁴ Robert Kennedy, *To Seek a Newer World*, (New York: Bantam Books, 1968), dedication.

⁵ Remarks by Senator Robert F. Kennedy on the death of the Reverend Martin Luther King, Indianapolis, April 4, 1968. RFK Senate Papers: Speeches and Press Releases, box 4, JFKL.

depression. Friends and colleagues recalled that he had reengaged with his work at the Justice Department. Nevertheless he did not regain his former passion for the job. Log books and phone records show that his activity level was far below that of previous years. He stayed in the job because he felt that he owed it to President Johnson to provide some sort of a transition, and because he wanted to see through some of the efforts that had been started by JFK, such as the Civil Rights Bill and the Tax Bill. Once back in his office, his loss must have become more tangible. Used to seeing the President almost every day, and talking over any number of different issues, Kennedy was suddenly cut off from the source of power. Hoover, for example, having curtly informed Kennedy of his brother's assassination, did not talk to him again in the seven months that he remained Attorney General. Nor did RFK have direct access to the President any more, excluded by the hostility between himself and Lyndon Johnson. The sudden distance from power was especially hard for the action-oriented Kennedy. He told Murray Kempton:

What is different now and what makes me sad is that I see a problem or someone tells me about a problem and I can't do anything about it. There was this time when if people had something and couldn't see my brother, they could always see me and I could pick up the phone and call him. Now Zanzibar just sits there and flounders. Oh, that might have happened with us anyway but it's strange to think you can't just pick up the phone.⁶

Unable to tolerate the shift in his role, or his rapidly deteriorating relationship with Lyndon Johnson, Kennedy began to search for a new direction. Kennedy told an old journalist friend that "he had to find a goal for the first time in his life because, for as long as he could remember, he had had no goal that was not his brother's".⁷ For a

⁶ Murray Kempton, "Pure Irish", *The New Republic*, February 15, 1964. Newspaper and Periodical Clippings Collection, JFKL. Kennedy's statement may have referred to the situation in East Africa. In December, 1963, Zanzibar declared its independence. In January, 1964, the Government was overthrown and there followed a period of revolution. In April, 1964, Zanzibar joined mainland Tanganyika to form the United Republic of Tanzania. Kennedy may have reflected a belief that the United States should have had some input into resolving the crisis, and that Johnson's administration was handling the situation badly. Alternatively, Kennedy may have been referring to Zanzibar in a metaphorical sense. He may have seen Zanzibar as a desirable goal, (like Xanadu) which could only have been reached if JFK had lived.

⁷ *Ibid.*

while RFK thought about a complete withdrawal from public life, maybe a period of travel, followed by a teaching career. Inexorably though, he was drawn back to the public arena.

Kennedy may have lost power within the administration, but, as he began to emerge from his own grief, he began to see that the grief of the nation had invested him with a power as unique as it was strong. Many Americans, stunned and saddened by the events in Dallas, began to elevate their slain President to a status far above any he had achieved in life. As Michael Schuyler has observed:

The psychological impact of the Kennedy assassination was intensified by the President's youth, his charisma, the personalization of his presidency, and the mass communications revolution of the early 1960's. The magnitude of the immediate event, and the continuous coverage of the events which unfolded in the wake of the assassination, transformed the President's early death into a common, shared experience which further traumatized the American psyche.⁸

The "Camelot" legend, begun by JFK's widow, was perpetuated by the nation until JFK attained a mythical stature. Robert Kennedy became heir to that legacy. It was a role which would both benefit and haunt him until his own death four years later. Wherever he went, RFK drew large crowds. During the 1964 Senate campaign in New York City, for example, he attracted more people than had the Beatles during their recent tour of the city. Many people were genuinely interested in his policies, but many more saw him simply as the living embodiment of their slain hero, JFK. Kennedy exploited the reaction by adopting many of JFK's mannerisms. While speaking he would stab the air in a way reminiscent of the slain President. He wore JFK's greatcoat, and quoted extensively from JFK's speeches. If he did not quote, he almost always referred to the policies that his brother had initiated as President.

Realising that he had a ready-made political constituency if he chose to continue in JFK's path, Kennedy began to consider two options: running for Senate or

⁸ Michael W. Schuyler, "Ghosts in the White House: LBJ, RFK and the Assassination of JFK", *Presidential Studies Quarterly*, 503.

pursuing the vice-presidential nomination at the forthcoming Democratic convention. There was strong support within the Democratic party for Kennedy's nomination as Vice-President, since a Johnson-Kennedy ticket would be an unstoppable combination in the November elections. Johnson himself kept the idea open, albeit reluctantly, until the Republican convention in July, which chose arch-conservative Barry Goldwater to run in the election. Never keen to run with a man he loathed - and determined to prove that he could win the election unaided - Johnson now realised that he would not need RFK's help to win the election. He and his election strategists knew that Goldwater's brand of conservatism would not appeal to the majority of Americans that November. Thus, Johnson would not need the glamour of the Kennedy name to entice the country to vote Democrat.

It is not clear what Robert Kennedy thought about the vice-presidential nomination. Some of his advisers and friends, such as Nicholas Katzenbach, Robert McNamara, Richard Goodwin and McGeorge Bundy believed that Kennedy did want the vice-presidential nomination. Kenneth O'Donnell and Charles Spalding believed the opposite. With hindsight it is difficult to imagine that Kennedy seriously considered the position. He had observed Lyndon Johnson in the job, and knew that the vice-president had practically no role in active government. Given the mutual hatred between Johnson and himself, RFK must have realised that the position would be a dead end. Given his hatred of inaction, it becomes almost impossible to envisage Kennedy in the role. The vice-presidency did, however, give candidates the semblance of an heir apparent and perhaps he believed that he had a strong enough power base to force Johnson to give him responsibility. If that was the case, he had badly overestimated his own power, and underestimated the debilitating character of the post. Alternatively, Kennedy may simply have been keeping his options open and allowing support to build for him throughout the nation. If he was, for example,

already planning to run for the Senate, the publicity and speculation about his gaining the nomination could only help any later campaign. Such motivation would explain his comment to John Bartlow Martin, during an Oral History interview, that he would be no different from any other vice-president, if elected:

I don't think you can have any influence. Lyndon Johnson didn't have any real influence ... as Vice President, I'm not going to have any influence. He's not going to have to pay any attention to me whatsoever anymore.

MARTIN: I think he is. I don't think he could afford to break with you now. I don't think he could afford to break with you while he's President either.

KENNEDY: Well, I suppose if he's not doing something for the Alliance for Progress, or if he's not paying proper attention to Panama or Brazil . . . If I was in the United States Senate, I would have raised a fuss about Panama.

MARTIN: Well, yes, but' you're just one. There are ninety-nine other Senators.

KENNEDY: I'd not be just a Senator. I'd be the Senator from New York. And I'm the head of the Kennedy wing of the Democratic party.⁹

His words are telling for a number of reasons. Clearly Kennedy already envisioned occasions when he would wish to oppose the President's actions. He would be unable to do so as vice-president, and that would lead to frustration. Furthermore, his fortunes would be tied to Johnson's. His comments also show that he had thought through his position, both as a Senator, and as the head of a faction-in-waiting. He was obviously set on New York, a powerful and liberal state, from which he would be able to mount attacks on the Johnson administration while building his own power base. Since these interviews were conducted between March and May of 1964, it seems likely that RFK's real ambition was to be a Senator and not Vice-President.

The road to the vice-presidency was, in any case, closed off by Johnson. In a private meeting between the two men towards the end of July, the President explained

⁹ Edwin O. Guthman and Jeffrey Shulman (ed.), *Robert Kennedy In his Own Words: The Unpublished Recollections of the Kennedy Years*, (New York: Bantam Books, 1988), 415-416. The Alliance for Progress was JFK's New Frontier policy for Latin America. The policy provided for economic aid in Central and South America, in the hope of keeping communist insurgents out of power. Kennedy's reference to Panama concerned the riots which had broken out there in January 1964 in opposition to American control of the Panama canal. Panama suspended diplomatic relations with the USA and demanded a revision of the 1903 Canal Zone treaty. Diplomatic relations between the two countries did not resume until April 1987.

to Kennedy that having him on the ticket would weaken the Democrats in areas where Goldwater was strong: the South and Southwest. He then tried to persuade Kennedy to announce to the press that he had taken himself out of consideration. RFK refused to lie to make Johnson's life easier, so the President announced, in a poorly disguised ploy, that he had decided that all members of the Cabinet would be ineligible for the nomination. Kennedy told the press that he was sorry that he'd taken "so many nice fellows over the side with me".¹⁰ In the long run, it was as well that Kennedy did not become vice-president. He would have found, as Hubert Humphrey did, that he would have been associated with unpopular policies, especially the war in Vietnam. For Humphrey's presidential bid in 1968 that burden was too great, and it would have been unlikely that Kennedy's popularity would have held up in the face of such an encumbrance.

Kennedy's popularity within the party was highlighted at the convention in August. RFK had agreed to introduce a film documenting his brother's life and career. Johnson - fearful that the convention would stampede and force a Johnson-Kennedy ticket against his wishes - made sure that the film was scheduled for the end of the convention, after selection of the vice-presidential candidate. He was wise to do so. When Kennedy appeared on stage to start his introduction, he received an emotional twenty-two minute ovation from the assembled delegates. Trying to repress his tears, Kennedy stood while wave after wave of applause washed over him. Eventually, allowed to begin, Kennedy spoke of JFK's accomplishments and the goals towards which he had striven. He finished with a quote from Shakespeare's *Romeo and Juliet*:

When he shall die
 Take him and cut him out in little stars
 And he will make the face of heaven so fine
 That all the world will be in love with night,
 And pay no worship to the garish sun.¹¹

¹⁰ Schuyler, "Ghosts in the White House", *Presidential Studies Quarterly*, 508.

¹¹ Quoted in Schlesinger, *Robert Kennedy*, 718.

Some cynics reflected that the reference to the garish sun invited comparisons with LBJ. No doubt the paranoid President took it that way. It was not the first comment that could have been so misconstrued. RFK told a journalist with *U.S. News and World Report* that he wanted to continue what his brother had begun in office because, “I don’t want any of that to die. It’s important that the striving for excellence continue, that there be an end to mediocrity”. He had, Kennedy continued, “become sort of a symbol . . . If I could figure out some course for me that would keep all that alive and utilize it for the country, that’s what I’d do”.¹²

For Kennedy, the place to “keep all that alive” was now to be the Senate. He had, in fact, announced his candidacy for the Democratic nomination for the New York vacancy two days before the convention, on August 22, 1964. From his point of view, the value of running in New York was that it was a large state, with immense power and influence, and which drew attention not just throughout the United States, but throughout the world. From the state Democratic party’s point of view, Kennedy was a big name with a proven track record. The party needed someone with strong voter appeal as its candidate would be running against the popular liberal Republican, Kenneth Keating. With the blessing of Mayor Wagner, and the reform arm of the state party, Kennedy’s nomination was a foregone conclusion. The election, however, proved more testing. Despite his name and the mystique that had already become attached to it, Kennedy was made to work hard for his seat. Facing allegations that he was a carpetbagger, despite having grown up in New York City, Kennedy had to win the significant Jewish vote, as well as persuade upstate rural areas to vote for him. New York City, however, was not a problem. Through his work as Attorney General the city’s black voters already saw him as their champion; while the white population, generally more liberal than in other areas of the state, supported RFK’s candidacy. In

¹² “Bobby Kennedy’s Future”, *U.S. News and World Report*, July 13, 1964. Newspaper and periodical clippings collection, JFKL.

the end Kennedy beat Keating by 719,693 votes. It was a significant margin, but not so impressive as Johnson's victory: the President beat his opponent Barry Goldwater by 2.7 million votes in New York State.¹³

Winning the senatorial election made a huge impact on Kennedy's life. The radical change in role from Attorney General to Senator changed RFK's outlook on politics completely. Becoming Senator for New York exposed him to different challenges from those he had dealt with before. The problems afflicting the state ranged from rural poverty in the Appalachian areas, to environmental pollution by major industries, to the degradation of the city ghettos. Kennedy was forced to take a stand on a diverse range of issues that had not really concerned him as Attorney General: on care of the elderly, on mental health institutions, on the farming crisis, on the workings of the welfare system. As a result, Kennedy's outlook was broadened immeasurably. Always a man who learned through experience, RFK grew both as a person and as a politician.

The difference in role also forced Kennedy to look at issues from a different perspective. As Attorney General he had been charged with enforcing the laws of the land, as well as acting as legal custodian of the administration. Unofficially, he had also seen it as his duty to protect his brother's government. Therefore, he had been unlikely to embrace fully those causes that created tension within the Nation. That was especially true of civil rights, which, although recognising the moral dimension, he regarded primarily as a political problem. As Senator, however, Kennedy's role in government changed dramatically. He was now required to embrace the causes of his constituents, and propose legislation to help alleviate their problems. It was, therefore, only natural that he began to identify more with action groups, than with the

¹³ Schlesinger, *Robert Kennedy*, 728. Theodore H. White, *The Making of the President 1964*, (New York: Signet, 1965), 481. (Schlesinger, incorrectly, attributed 2.7 million votes to LBJ in New York state in total. In fact, as the statistics quoted in *The Making of the President* show, LBJ amassed almost 5 million votes in the state.)

establishment.

As he began to address the many issues which faced him as Senator, it began to appear to many that the New Frontier was being continued simultaneously by Lyndon Johnson, whose slogan was “let us continue” and by Kennedy. The emotional reaction to JFK’s assassination, however, meant that to many Americans, the valid torchbearer of the New Frontier was not Johnson but RFK. His new status meant that when he spoke out on an issue he was listened to and quoted in the press. RFK addressed a wide range of issues, both those regarding his state, and those regarding the nation as a whole. For example, his anti-administration stance on Vietnam was widely reported, even though he was neither the first senator to speak out against the war nor the most vehement. The mystique surrounding his name, however, as well as the knowledge of his feud with Johnson, made him the most newsworthy politician of his generation. It was a position which worked to his advantage.

By 1966 Kennedy was the most popular politician in America. He out-pollled the President and his popularity far outstripped any Republican opposition. In March 1966, a Gallup poll showed that should Kennedy run against Nixon in 1968, Kennedy would win 54% of the vote to Nixon’s 41% (5% were undecided).¹⁴ By May of the same year, reporters were forecasting President Johnson’s loss of popularity, and the support for Kennedy throughout the country.¹⁵ In 1967, despite a dip in popularity for Kennedy, (because he advocated a cessation of bombing in North Vietnam, and because of his involvement in the dispute over William Manchester’s book on the assassination of JFK,) he was still a popular figure in American politics.¹⁶ Although he

¹⁴ Gallup Poll, March 13, 1966. RFK Papers. 1968 Presidential Campaign: Press Division, box 14.

¹⁵ *Ibid.*

¹⁶ William Manchester, *Death of a President*, (London: Joseph, 1967). Manchester had been approached by Jacqueline and Robert Kennedy to write an account of JFK’s assassination. Jacqueline Kennedy gave a number of interviews to the author, who used them extensively. When Jacqueline read the manuscript, however, she was disturbed by a number of passages, especially those based upon her interviews. RFK intervened on her behalf, and asked Manchester to cut the relevant passages from the book. Manchester refused, and a legal battle ensued. For a discussion of the controversy see Schlesinger, *RFK and His Times*, 818-822.

trailed Johnson in popularity, 71% of Americans believed that RFK was “courageous and ... unafraid to follow his convictions”. 51% agreed that he was an “inspiration to a new generations of politics”.¹⁷ By the end of the year, he outstripped LBJ once more. A Gallup poll showed that 51% of Democrats preferred RFK as the next presidential candidate, whereas 39% preferred LBJ.¹⁸

However, RFK also suffered from the mystique surrounding him. He would often remark to friends that the cheering crowds that tore at him in a frenzied attempt to touch him, saw his brother, not himself. He believed the crowds were cheering for their slain President, out of guilt and out of grief. Thus RFK, who had struggled to find a new role for himself, was not allowed to develop entirely into his own person, owing to his association with JFK in the minds of Americans. The psychological impact of this phenomenon was significant. Friends and staff recalled that before the assassination RFK had seemed larger than his small frame, while afterwards he was diminished. Television clips of him from 1964 on, show the perpetual air of sadness about him.¹⁹ Friends recalled that RFK’s once clear blue eyes now seemed haunted, and even when he smiled and laughed, it was as though there was a part of him untouched by happiness or joy.²⁰ Devastated by the events of November 22, Kennedy was continually reminded of the tragedy by people’s reaction to him.

Many commentators and historians have viewed RFK’s political career as falling into two halves. Newfield, for example, building upon Jules Feiffer’s assessment of Kennedy as a mixture of “Good Bobby” and “Bad Bobby”, contended

¹⁷ The Harris Poll, *New York Post*, June 12, 1967. Newspaper and periodical clippings collection, JFKL.

¹⁸ *Times Union*, October 1, 1967. Newspaper and periodical clippings collection, JFKL.

¹⁹ *The Journey of Robert Kennedy*, (Wolmer Metromedia Films, 1969). *Reputations: Robert Kennedy*, (BBC Television, 1980). *RFK: Selected Speeches*, (Penguin-Highbridge Audio, 1993). *Robert Kennedy Remembered*, (Guggenheim Films, 1968).

²⁰ John Seigenthaler, oral history interview with Larry Hackman, June 5, 1970, RFKOHP, 146-148. Pierre Salinger, oral history interview with Larry Hackman, May 26, 1969, RFKOHP, 1-3. Jean Stein and George Plimpton, eds., *American Journey: The Times of Robert Kennedy*, (New York: Harcourt Brace, 1970), *passim*.

that before JFK's assassination, RFK was Bad Bobby, "impersonal ... legalistic ... insensitive".²¹ The tragedy in Dallas, he continued, transformed him into Good Bobby, softening his personality and transforming his view of the world. Kennedy's grief, Newfield thought, sparked a period of introspection which changed his outlook on life. The once tough, ruthless Attorney General became the compassionate, caring Senator.

Many of Kennedy's close friends and colleagues wrote of a change in his nature after his brother's death. Richard Goodwin, for example, believed that RFK began to find "ambiguities in once questioned truths" and that his "frightening righteousness" was "diluted by doubt".²² No doubt JFK's death did have that effect: but to argue that it was only that tragedy which changed Kennedy's outlook is facile. He had experienced tragedy before. At the age of 19, RFK lost his oldest brother, Joseph, Jr., who had died in action during the Second World War, and his eldest sister, Katherine, who died in a plane accident in 1948. His mentally handicapped sister, Rosemary, was to all intents and purposes, also lost to the family when, after a frontal lobotomy operation ordered by their father, she lost control of her bodily functions. Rosemary was placed in a nursing home in Wisconsin. None of these events seemed fundamentally to change RFK's perspective on life. JFK's death was different, admittedly, because RFK's political life had been so tied up with his brother's career.

The apparent change in Kennedy's attitudes, however, came as much from his change in role as it did from the grief which encompassed him. It was RFK's election to the Senate that was the crucial event in terms of the way in which his understanding of the civil rights movement developed. For the first time he started to think of his own

²¹ Jack Newfield, *Robert Kennedy: A Memoir*, (New York: Plume, 1969), 23. Jules Feiffer's cartoon, "Good Bobby - Bad Bobby", 1967, was reprinted in Schlesinger, *Robert Kennedy*, 868.

²² Richard Goodwin, *Remembering America: A Voice from the Sixties*, [Boston: Little, Brown, 1988], 446.

career, rather than JFK's. He was now the candidate for office, not the campaign manager. Once Senator, the difference in role, compared with his job as Attorney General was just as big. As head of the Justice Department, he had defended the legality of his brother's actions. As Senator, however, his job was to innovate, to introduce legislation, and to provide a check to the federal government of which until so recently he had been a part. Given his change in role, then, it is not surprising that he should have come to see civil rights from a different angle. As an elected official he had to take account of his constituents' problems. Facing none of the constraints that had challenged him as Attorney General, Kennedy increasingly took on the role of champion of the underprivileged.

Robert Kennedy was sworn in as United States Senator for New York in January 1965. Having, as Attorney General, concentrated his efforts on the political and legal problems facing minorities, Kennedy now began to focus on the economic problems associated with civil rights. That meant that a large part of his job would be to come to terms with the issue of poverty within the United States.

During the 1960s, the issue of poverty was brought out of the shadows and into the national spotlight. There had been sporadic attempts to raise interest in poverty as an issue throughout the century, especially under the Hoover administration, and subsequently under Roosevelt.²³ Nevertheless, for the majority of Americans, poverty occupied an inconsequential place in their understanding of their country. As Max Lerner wrote, it was relegated to "the darker side of the crescent moon".²⁴ From the

²³ Robert Bremner's *From the Depths: The Discovery of Poverty in the United States*, (New York: New York University Press, 1956) charts the awakening of Americans to the problem of poverty. Bremner account starts in the mid-nineteenth century and traces attitudes to poverty up to the 1920s. It is therefore an excellent starting point for any historical analysis of attitudes towards poverty in the United States. James T. Patterson's, *America's Struggle Against Poverty, 1900-1980*, (Cambridge, Ma: Harvard University Press, 1981) takes up the story and guides the reader through the depression years, and the rediscovery of poverty in the sixties, up to the changing attitude towards welfare at the beginning of the eighties.

²⁴ Max Lerner, *America as a Civilization*, (New York: Simon and Schuster, 1957), 334. Quoted in Sidney Baldwin, *Poverty and Politics: The Rise and Decline of the Farm Security Administration*, (Chapel Hill, North Carolina: University of North Carolina Press, 1968), 19.

Second World War until 1962, “little in the popular press, in political rhetoric, or in the published work of American scholars focused on poverty in America”.²⁵ For a majority of Americans, once the misery of the Thirties had been dealt with by the New Deal and the Second World War, and prosperity for the majority had returned, their interest in the subject waned. Most were only too ready to extinguish the painful memories of the Depression. Indeed, during the Fifties, most people were preoccupied with the question of whether the affluence of America would bring about a moral and spiritual decline within the country, as people turned to mindless materialism.²⁶ Americans were quite simply ignorant of the large number of their countrymen for whom the pain of deprivation continued, even during the affluence of the fifties and sixties.

At the beginning of the sixties, however, a number of concerned authors began to write about the quantity of Americans who suffered unemployment, lack of education, and, in many cases, extreme hunger. Michael Harrington’s work, *The Other America*, was one of the most influential of this genre. Harrington’s book was written as a response to John Kenneth Galbraith’s *The Affluent Society*, in which Galbraith had argued that poverty had been reduced, because of the increased output of the United States economy, from a problem for the majority to one of the minority.²⁷ Like many economists during the fifties, Galbraith believed that sustained economic growth would reduce poverty until it withered away completely. He saw that process as already having begun and went as far as to say that poverty could “no longer be

²⁵ Charles Murray, *Losing Ground: American Social Policy, 1950-1980* (New York: Basic Books, 1984), 26. In a search of the card catalogue of the Library of Congress, Murray found only four titles under “poverty” with a publication date between 1940 and 1963. 266, (Chapter 2, note 4.) Murray provides a good account of the rediscovery of poverty as an issue during the 1960s, and the response of the Kennedy and Johnson administrations to that rediscovery. For a contrasting view to Murray see John E. Schwarz, *America’s Hidden Success: A Reassessment of Twenty Years of Public Policy* (New York: W.W. Norton and Company, 1983).

²⁶ Murray, *Losing Ground*, 3.

²⁷ Michael Harrington, *The Other America*, (Baltimore: Penguin, 1963). John Kenneth Galbraith, *The Affluent Society*, (Boston: Houghton Mifflin, 1958).

presented as a universal or massive affliction” in the United States. Instead, it was “more nearly an afterthought”.²⁸ Harrington argued that poverty was far more than an afterthought for the millions of Americans who went hungry every day. They might be members of a minority, but it was a large one (he estimated 50 million) and one that should not be ignored.²⁹ In effect, as Charles Murray wrote, Harrington introduced the notion that “Poverty was not the fault of the individual, but of the system”.³⁰ If his book was historically inaccurate in its insistence that a “new poverty” attacked certain groups, (especially the aged, small farmers, migrant workers, and non-whites,) which had suffered such poverty for a long time, Harrington’s rage at the experiences of the poor touched the nation. Furthermore, it was his book together with its review by Dwight Macdonald in the *New Yorker* in January 1963, which, alongside the information supplied by the President’s Committee on Juvenile Delinquency, sparked President Kennedy’s interest in poverty.

Unlike the “discovery” of poverty which occurred during the 1930s, the rediscovery of poverty in the sixties was sparked by excitement at the nation’s economic prosperity. Most scholars and government officials believed, like Galbraith, that America could afford to abolish destitution. Furthermore, there was an assumption that poverty “was both anomalous and immoral in such an affluent society; indeed it was fundamentally un-American”.³¹ It was with that perspective that the Kennedy administration began to plan the War on Poverty in early 1963.

JFK did not have to build his knowledge and commitment to the problem of poverty from scratch. As Senator for Massachusetts he had supported a range of programmes aimed at relieving the deprivation of the poor: including Medicare, federal

²⁸ Galbraith, *Affluent Society*, 323.

²⁹ Harrington, *Other America*, 10.

³⁰ Murray, *Losing Ground*, 29.

³¹ Patterson, *Poverty*, 113. The assumption that the United States could afford to abolish hardship became a major contributing factor in the failure of the federal government to sustain efforts to terminate poverty. When poverty proved more persistent than had been imagined, despite continuing economic growth, disillusionment set in, and the programme lost its appeal.

aid to education, and manpower training.³² During his campaign for the Presidency in 1960, he had been appalled at the level of deprivation in the mining communities of West Virginia, and had, in his inaugural address, referred to poverty three times. “If the free society cannot help the many who are poor,” he told the nation, “it cannot save the few who are rich”.³³ Before 1963, however, President Kennedy’s first priority was preserving the rate of economic growth, and bringing down unemployment. So he established the PCJD, to research the problems of Juvenile Delinquency. At the same time, he pushed through the Area Redevelopment Act (ARA) in May 1961, which provided aid to depressed areas. The ARA had channeled \$300 million to depressed areas by the end of 1964, and other legislation, such as the accelerated public works act and the Appalachia Act also provided funds for poverty black-spots.³⁴ The administration also promoted a third way to attack poverty: the Manpower Development and Training Act (MDTA). Its aim was to help people to help themselves, thus getting them off the relief rolls.

All of those programmes were, however, limited in scope, owing to budget restraints imposed by Congress, as well as the vast scale of the problems the administration sought to attack. In the Spring of 1963, however, the Kennedy administration changed direction. JFK was influenced by Harrington’s book - and the opinion of the Council of Economic Advisers (CEA) - that poverty could and should be reduced by government action. Accordingly, he authorised officials to look into a “war on poverty”. The CEA advised the President that a comprehensive programme against poverty would be a good investment, as it would reduce the need for government handouts. Such a programme would also be politically advantageous. First, it would

³² *Ibid.*, 126. For a record of JFK’s domestic policy while President, see Irving Bernstein, *Promises Kept: John F. Kennedy’s New Frontier*, Oxford: Oxford University Press, 1991, Hugh Brogan, *Kennedy* (London, New York: Longman, 1996), chapter 4, especially 92-103, James N. Giglio, *The Presidency of John F. Kennedy* (Kansas: University Press of Kansas, 1991), chapter 5.

³³ JFK, Inaugural Address, Public Papers of the President, 1961, (Washington D.C.: US Government Printing Office, 1962), 1.

³⁴ Patterson, *Poverty*, 127.

be acceptable to Congress, who consistently voted for programmes which purported to cut the amount spent on relief rolls. Second, JFK needed to balance the effects of his proposed tax bill, which, he knew, would assist middle and upper level income earners.

RFK's involvement in the "war on poverty" had not been tremendous, largely because the programme had been in its infancy in the months leading up to his brother's assassination. As Senator for New York, however, RFK picked up the mantle where the Kennedy Administration had been forced to leave off. He made poverty, in particular its effect on minority groups, one of his deepest concerns. As he began his term as Senator, Kennedy realised that desegregation in the South was moving apace with the 1964 Civil Rights Act so he began to turn his attention to the North. He was the first nationally recognised politician to do so. In part, his focus was altered because he was now responsible for his constituents, who were, of course, in the North. Kennedy's view, however, that the North should be the next battleground for civil rights campaigns, had been developed during his Attorney Generalship. That much is clear from his comment to Anthony Lewis that the Civil Rights Commission should have spent more time worrying about northern cities.³⁵

It soon became clear that the problems that minorities faced in northern cities were every bit as entrenched as in the South, but with a different emphasis. White Americans in the North were always keen to point out that they were not racist, but they did not want to live next door to a black family as it would drive their house price down. Similarly many preferred to give a job to a white man than a black man or a Hispanic. Most of the problems encountered by minorities in the North were ones of poverty, due to economic discrimination, rather than of outright displays of racism. As RFK told Lewis:

I think that the ills that people suffer are so hard to escape from in a northern

³⁵ Guthman and Shulman, *His Own Words*, 157-158.

community. It's basically poverty. I suppose you just have to exist to know that there's a ghetto system, and that the education's not as good, and that people can't get jobs as easily if they're Negro as if they're white people. All you have to do is walk down the street between Seventieth and Thirtieth and see how many Negroes you see in the city of New York.³⁶

Martin Luther King was also quick to pick up on this when, in 1966, he began the Poor People's crusade in Chicago. Thus, after 1965, civil rights activism moved away from areas such as Birmingham and Selma in the South to the cities of the North and West: New York, Newark, Philadelphia, Chicago, Detroit, San Francisco and Los Angeles.

In reality, the focus of the civil rights movement was merely returning to where it had begun. Both the NAACP and the Urban League, leading civil rights agencies, had begun in the North during the first decade of the twentieth century. Likewise, CORE had begun its civil rights work in Chicago during the forties, protesting against housing segregation within the city. As the struggle against the Jim Crow system of the South had gained momentum during the late fifties and early sixties, however, it absorbed the activities of all the major civil rights groups. It seemed, therefore, that when Martin Luther King and other leaders focused their energies on the North, that this was a new policy. It was not, although their efforts were on a larger scale, given the increased awareness of race relations after the crises of the first years of the decade. The struggle against segregation in the South had provoked the awareness, and then the impatience, of northern blacks who lived in poverty. They began to demand a similar effort to combat the conditions in which they themselves lived. Their problems, however, were more subtle and thus harder to address. The hopes awakened in northern cities during the early sixties provoked the riots of the mid to late sixties, when it became obvious that federal intervention, where it occurred, was having little effect. Tired of waiting, minorities took to the streets. Indeed the first of the summer

³⁶ *Ibid*, 157.

riots occurred in Harlem, 13 days after the Civil Rights Act was signed.³⁷ The “long, hot summers” continued the next year, with the Watts riot, an event which shook the nation, and escalated still further in 1967. That year over thirty cities experienced full scale riots.³⁸

The geographical shift of the movement brought about a change in emphasis as well. In many ways it was a replay of the debate between Booker T. Washington, who espoused economic self-sufficiency for blacks, and W.E.B. DuBois, who, as the leading NAACP official of his time, believed that blacks should fight for legal equality. At the beginning of the century the DuBois side clearly won. But by 1965, following the enactment of both the Civil Rights Act and the Voting Rights Act, legal equality had been achieved, but the problem of the black poor remained. Over half a decade after the debate had first raged, the Washington’s ideas were revived. The results of the second wave of the civil rights movement were not so successful as the first, however. In the North, there was nothing specific to attack in the way that there had been in the South. Some advances were made, but to all intents and purposes, most of the problems that the civil rights movement faced when it came north remain unresolved to this day.

³⁷ The Civil Rights Act was signed by Lyndon Johnson on July 3, 1964.

³⁸ Murray, *Losing Ground*, 30.

Chapter Four: In Bedford-Stuyvesant: The Forgotten Ghetto

As Senator for New York, Kennedy had to acquaint himself quickly with the most complex state in the union. He was immediately embroiled in a range of diverse issues, ranging from pollution and farming to the condition of mentally retarded children in state institutions, and the misery of the ghettos of New York City. He took action in all of these matters and many more, but it was the conditions of those living in city slums that most stimulated his compassion and his imagination.

When Kennedy was sworn in 1965, New York City was the largest city in the United States: ten times larger than San Francisco and twice as large as Chicago.¹ It was also the most ethnically diverse city in America, if not the world. The 1960 census showed that 19% of the city was made up of foreign-born whites, the children of foreign-born whites made up a further 28%. Fourteen percent were black, 8% Puerto Rican, and the remaining 31% were predominantly the grandchildren or great-grandchildren of immigrants.² Given the size and ethnic makeup of New York City, therefore, its politics was a complex business.

During Kennedy's senate campaign Art Buchwald wrote a joking column on the problems that RFK would face learning about New York City. It focused on the key issue of the campaign: that Kennedy was perceived as a carpetbagger. Buchwald described a make-believe conversation between RFK and Steve Smith, his campaign manager, where Smith tried to educate the candidate as to the geography and culture of

¹ Nathan Glazer and Daniel Patrick Moynihan, *Beyond The Melting Pot*, (Cambridge, MA: M.I.T. Press, 1963), 4. It is still the largest city in the US: just ahead of LA. Deyan Sudjic, *The Hundred Mile City*, (London: Flamingo, 1993).

² *Ibid*, 7.

the city:

“Now, Bobby,” he [Smith] says using a pointer, “this is the Hudson River over here and this is the East River.”

“Say, that would make Manhattan an island then, wouldn’t it?” Mr. Kennedy says.

“Exactly, but you must remember New York City had four other boroughs.”

“I think I know them. There’s the Bronx, Brooklyn, Queens, and ...”

“It’s an island ...

“I’ve got it! Staten Island.” Mr. Kennedy says. ...

“Over here is Central Park.”

“I [sic] got it. Is that where the Red Sox play?”

“They’re not called the Red Sox, Bobby. They’re called the Yankees,” Mr. Smith says ...³

Obviously the article was written in jest, but in many ways it had a valid message for the aspiring Senator. His supposed attachment to Boston notwithstanding, New York was a difficult city to master, and it would have been easy to forget the boroughs of the Bronx, Brooklyn, Queens and Staten Island, given the intricacy and importance of Manhattan politics. Buchwald’s opening line was deadly serious, even if it did not seem so to his readers: “There is no doubt that Bobby Kennedy will have a tough time running for Senator from New York State. There are so many things he will have to learn in such a short span of time”.⁴

One aspect of New York life of which Kennedy had some knowledge was that of race. The history of blacks in New York City is a turbulent one. Those blacks who had occupied positions in domestic service or skilled labour were displaced, from the mid- 19th century on, by the steady influx of Irish and Italian immigrants. The First World War, however, changed that trend, as blacks were recruited to fill job shortages created by those going to fight. The news that blacks were moving up the skilled labour

³ Art Buchwald, “Art Buchwald at Home: New York Explained,” *New York Herald Tribune*, September 8, 1964. Newspaper and periodical clippings collection, JFKL.

⁴ *Ibid.*

ladder created an influx of rural blacks, so that between 1910 and 1930 the black population of the city tripled, to 328,000.⁵ Once soldiers started to return, blacks were pushed back into menial positions, and, owing to the migration from rural areas, widespread unemployment. At the same time blacks began to move into cheap housing created by the overbuilding of white speculators. As more and more blacks moved into areas like Harlem and Bedford-Stuyvesant, rents were raised and they found themselves imprisoned. The buildings, though good quality to begin with, were not maintained by their owners, and the areas degenerated into slums. As Kenneth Clark wrote:

America has contributed to the concept of the ghetto the restriction of persons to a special area and the limiting of their freedom of choice on the basis of skin color. The dark ghetto's invisible walls have been erected by the white society, by those who have power, both to confine those who have *no* power and to perpetuate their powerlessness. The dark ghettos are social, political, educational, and - above all - economic colonies. Their inhabitants are subject peoples, victims of greed, cruelty, insensitivity, guilt, and fear of their masters.⁶

Kennedy had become deeply concerned with the problems of race and poverty in urban areas during his tenure as Attorney General. Certainly, by 1964, the urban crisis was foremost in his mind. During his oral history interview, for example, he railed at the Commission on Civil Rights. Angered by its insistence on participating in the struggle for voting rights in the South, Kennedy believed that the Commission's time would be better served by looking into the problems of race in the North. As he told Anthony Lewis, the problem for blacks in the North was not one that could be solved through the legislative process. The chief problem for blacks in urban areas was poverty. They might be permitted to enter any restaurant or hotel they wished, but that

⁵ Jim Sleeper, *The Closest of Strangers: Liberalism and the Politics of Race in New York*, (New York: W.W. Norton, 1990) 46.

⁶ Kenneth B. Clark, *Dark Ghetto: Dilemmas of Social Power*, (London: Victor Gollancz, 1965), 11. Clark's book was the natural conclusion of his two years as chief project consultant and chairman of the board of directors of Harlem Youth Opportunities Unlimited (HARYOU) which was funded by the President's Committee on Juvenile Delinquency.

privilege was moot, since most could not afford to eat, let alone stay, at such establishments. By the end of his tenure as Attorney General, Kennedy had begun to realise, mostly as a result of his work as Chairman of the President's Committee on Juvenile Delinquency (PCJD), that the next battle in the fight for civil rights would be that for economic freedom.

RFK's involvement with the PCJD had exposed him to the urban crisis and taken him on tours of such ghettos as Harlem and Watts. The committee was appointed by President Kennedy in May 1961, and consisted of RFK, the Secretary of Labor, Arthur Goldberg, and the Secretary of Health, Education and Welfare, Abraham Ribicoff. David Hackett, a close friend of RFK, was appointed Executive Director.⁷ Once Hackett had taken office, he gathered a team comprising the influential sociologist, Lloyd Ohlin; an experienced social worker and academic, Sanford Kravitz; the head of the Public Affairs Department of the Ford Foundation, Richard Boone; and Daniel Patrick Moynihan, the social scientist who, in 1963, published *Beyond the Melting Pot* with Nathan Glazer. Hackett reported in an oral history interview that initially Kennedy's response to the Committee was as one of a number of deserving issues. His affinity with the young delinquents which the Committee sought to understand, however, and the emergence of demonstration programmes run by the committee, meant that he later became emotionally involved with the project. No other group touched Kennedy so much as the young. He had an instant rapport with them, and was able to talk to them with ease, even though he often found it hard to converse with adults. Kennedy had been an outsider at school, so he found it easy to identify with the troubled adolescents, who, so often, turned to a life of crime.

⁷ Hackett had attended the same school as RFK, Milton Academy, in Massachusetts. He was the school's golden boy, a superb athlete who later played on the U.S. Olympic Hockey team. John Knowles, who wrote the novel, *A Separate Peace*, supposedly based the character of his campus hero, Phineas, on Hackett. RFK, by comparison, joined the school during his junior high school year, having attended six different schools during the previous ten years. His late arrival, and his Irish Catholic background at a WASP school, meant that RFK was an outsider. Hackett alone reached out to Kennedy, and they became firm friends.

The committee's remit was to prepare and run programmes for the youth of major cities. Hackett became convinced, however, largely owing to the influence of Ohlin, Boone, and Daniel Patrick Moynihan, that delinquency was intimately tied to poverty, and in 1963 the committee took the lead in searching for broadly-based projects that could combat both the urban crisis and crime. In a memorandum to the Attorney General, Hackett wrote:

In our work on the Juvenile Delinquency program, we have learned that programs for the prevention and control of delinquency must deal not only with the delinquents, but also with disadvantaged youths who may become delinquent unless there is substantial intervention on their behalf. Such an approach is broad, encompassing many young people, and concentrating on their environment - the family, the school, the local labor market, etc.

. . . Because of the intimate relationship between poverty and crime our comprehensive programs of delinquency prevention and control have inevitably led to attempts to deal with poverty and its effects. The Juvenile Delinquency program has emphasized access to opportunity for youth as a way of combating poverty; thus, the Juvenile Delinquency program has, in fact, concentrated its resources on attacks on poverty in selected target cities.⁸

Having begun as an agency created to deal with youth, the PCJD ended up serving as the spur for the War on Poverty. During the months before President Kennedy's assassination, this emphasis on poverty within the United States became his key concern. On becoming President, Lyndon Johnson set into motion the plans begun

⁸ Memorandum from David Hackett to RFK, November 6, 1963. Quoted in Daniel P. Moynihan, *Maximum Feasible Misunderstanding*, (New York: The Free Press, 1969), 71.

during the previous administration.⁹

Kennedy clearly agreed with Hackett's approach. He was especially impressed with the emphasis on the Community Action Program, the idea that the community must become involved with its own regeneration. It was from the theories developed by the PCJD that many of Kennedy's later projects sprang. Convinced by Hackett that many youth problems were based upon lack of opportunity, Kennedy deduced that many of the problems of race were, similarly, centered upon economic disenfranchisement.

Kennedy's ideas about the urban crisis developed further in the wake of the Watts riots, the effects of which shook the nation during the summer of 1965. During the riots, which lasted six days, it was estimated that 10,000 black Americans took to the streets of the Watts ghetto in gangs. According to eyewitness accounts; "They looted stores, set fires, beat up white passer by whom they hauled from stopped cars, many of which were turned upside down and burned, exchanged shots with law

⁹ Conference Transcript of 1973 Group Discussion of the Kennedy Administration Urban Poverty Programs and Policies. Poverty and Urban Policy Oral History, June 16-17, 1973, JFKL. Those attending the conference were: David Austin, Associate Professor, Brandeis University, former Planning Director of the Cleveland Demonstration Project funded by the PCJD; Raymond Bauer, Professor, Harvard Business School; Richard Boone, member of the PCJD and the Citizens Crusade Against Poverty; William Cannon, Vice President, University of Chicago, former member of Bureau of Budget under JFK and LBJ; William Capron, former member of Council of Economic Advisers under JFK and Bureau of Budget under JFK and LBJ; Richard Cloward, Professor, Columbia University School of Social Work, worked on Mobilization for Youth in New York City; Henry Cohen, Director, Center for New York City Affairs; Dan Fenn, Director, JFKL, Arnold Gurin, Dean of the Heller School, Brandeis University; David Hackett, former Executive Director of the PCJD; Frederick O'R Hayes, former official of the Housing and Home Finance Agency; David Hunter: Executive Director of the Stern Family Fund; Sanford Kravitz, former member of PCJD, later Associate Director for Research, Demonstration and training of Community Action, OEO; Daniel Knapp, employee of Office of Juvenile Delinquency (H.E.W.); Lloyd Ohlin, Special Assistant to the Secretary of H.E.W. for Juvenile Delinquency (Ohlin had, with Richard Cloward, written *Delinquency and Opportunity*, published in 1960. They argued that, as society denied poor young men, especially blacks, any real opportunity, those who became delinquents were acting rationally, on the basis of their judgement of society. Therefore, if more opportunity were available, delinquency would be reduced); Frances Fox Piven, consultant to Mobilization for Youth, NYC; Martin Rein, Professor, Department of Urban Studies and Planning, M.I.T.; Adam Yarmolinsky, former Special Assistant to the Secretary of Defense; principal deputy to Sargent Shriver during planning of Johnson Administration poverty programme. For published accounts of the War on Poverty see Daniel Knapp and Kenneth Polk, *Scouting the War on Poverty*, (Massachusetts, Toronto, London: Heath Lexington Books, 1970); Daniel P. Moynihan, *Maximum Feasible Misunderstanding*; and Nicholas Lemann, *The Promised Land*, (New York: Alfred A. Knopf, 1991), 109-222.

enforcement officers, and stoned and shot at firemen”.¹⁰ When the violence had finished, thirty-four people were dead, and more than one thousand injured. Property damage was estimated at 40 million dollars. When former President Eisenhower spoke out, stating the need for “greater respect for law”, Senator Kennedy disagreed: “There is no point in telling Negroes to obey the law. To many Negroes the law is the enemy. In Harlem, in Bedford-Stuyvesant, it has almost always been used against them”.¹¹

At the beginning of 1965, Kennedy had asked Tom Johnston, the head of his New York Senate office, and Dave Hackett to work on a programme to address the urban crisis. After the summer riots of 1965 they sent RFK a memorandum drawing a comparison between New York City poverty areas such as Harlem and Bedford-Stuyvesant with Watts in Los Angeles.¹² Hackett and Johnston concluded that the severity of the riots in Watts that summer had been due to the sense of hopelessness felt by the inhabitants.¹³ Both Harlem and Bedford-Stuyvesant had experienced riots in the summer of 1964 after the death of James Powell, a fifteen year old black boy who was shot by an off-duty police officer on a Manhattan street. However, in comparison with the Watts riots, the incidents were more like an “abortive skirmish”. The difference, Hackett and Johnston believed, was that in New York promises had been made, and hope generated, by an increased awareness of problems by the police, by summer projects employing youth volunteers in projects in both Harlem and Bedford-Stuyvesant and by the actions of emergent community action organisations. Both were well aware however that such hope was based on unrealistic expectations: “When in

¹⁰ Paul Bullock, “Watts: The Aftermath,” in Alexander Bloom and Wini Breines ed., *“Takin’ it to the Streets”*, (Oxford, New York, 1995), 143

¹¹ “Bobby and Ike Clash over Riots”, *New York Post*, August 18, 1965. Newspaper and Periodicals Clippings Collection, JFKL.

¹² Tom Johnston had, the previous summer, worked on a joint project between HARYOU and the Urban League to set up 5,000 summer jobs in Harlem.

¹³ Memorandum to Robert Kennedy from Dave Hackett and Tom Johnston, “Harlem and Bedford-Stuyvesant,” August 27, 1965, RFK Senate Paper: Legislative Subject File, Box 16, JFKL.

two or three years this gap becomes apparent -- when the residents are convinced that the promises have been broken -- these areas may well experience a form of lawlessness quite unlike anything in the past". They recommended "a plan for economic development tailored to the specific needs of each area and mobilising the full resources of both the public and private sectors of our economy to implement it".

The discussions with Johnston and Hackett, as well as the theories of Kennedy's youthful legislative assistant and speech writer, Adam Walinsky, led to a series of speeches given by the Senator in January 1966.¹⁴ In these he contended that the plight of the urban poor - who were mostly minorities - was getting worse, not better, as many liberals at the time were asserting. Kennedy asserted that current poverty programmes, and the welfare system, were not doing enough to alleviate poverty, and suggested that the only way to break down the barriers of the ghettos was to build a sense of community in the affected areas. He also stressed Walinsky's idea that employment was the way to counter poverty, rather than education: "why stay in school," Kennedy said, "when welfare is better than the jobs that are available?"¹⁵ Kennedy proposed that ghetto residents should be given jobs constructing much-needed residential, medical and educational buildings in their own area.¹⁶

¹⁴ Walinsky graduated from Yale Law School and then clerked for a judge in the Court of Appeals. He had been a junior attorney in the Justice Department before working for RFK during the 1964 Senate campaign. On the strength of his performance during the campaign he became the Senator's chief speech writer. The young and radical Walinsky encouraged Kennedy to take a more radical stance on a number of issues, including Vietnam, the urban crisis and the welfare system. Walinsky and his co-worker, Peter Edelman, (RFK's legislative assistant) were key advisers when it came to issues. (Edelman had graduated from Harvard Law School and had clerked for Arthur Goldberg, on the Supreme Court. Like Walinsky, he had also been a junior assistant at Justice before working on the campaign.) Kennedy, however, was still more likely to listen to his older advisors, such as Frederick Dutton and Jo Dolan, who had been with him for longer, when considering his own political strategy.

¹⁵ RFK speech to meeting of Second Borough President's Conference of Community Leaders on the Revitalization of Harlem - East Harlem Community, New York City, January 21, 1966. RFK Senate Papers: Speeches and Press Releases; Subject File, box 1. The first in the series of speeches was given on January 20, at a luncheon of the Entertainment Division of the Federation of Jewish Philanthropies of New York. The third was given on January 22, at a United Auto Workers banquet, New York City.

¹⁶ In his State of the Union address that year, President Johnson had suggested that large areas of many of America's major cities needed rebuilding. The need for new medical facilities was being generated by the newly-passed Medicare Bill. Likewise many school classrooms were already full to breaking point, thousands more would have to be built to accommodate the ever-expanding population.

A few days later Walinsky arranged for Senator Kennedy to tour the central Brooklyn slum, Bedford-Stuyvesant. Walinsky had been working for several months alongside Johnston and Hackett to produce the blueprint for a ghetto redevelopment programme. Concentrating on Harlem and Bedford-Stuyvesant, the team decided that it was in the latter that a project should be pursued. The decision was made for a number of reasons, the main one being that Harlem already received a huge amount of aid, mostly through the political leadership of Congressman Adam Clayton Powell and J. Raymond Jones (known as the “Harlem Fox”) who built the Harlem political machine and who was, by 1960, the head of the entire Democratic Tammany Organization in Manhattan.¹⁷ Throughout the 1950s and 1960s the Harlem Organization managed to hold on to federal, state and city funds and contracts. As Andrew Cooper, publisher of the black Brooklyn weekly the *City Sun*, noted, “even the established West Indian blacks in Brooklyn never got a sniff of patronage under Ray Jones”.¹⁸

At the beginning of the twentieth century Bedford-Stuyvesant was a middle-class, white neighbourhood.¹⁹ There was no lack of employment and crime levels were low. The first black migrants moved into the area during the thirties and forties. Some migrants came from the West Indies, others from the South where the effects of the Depression and the mechanisation of agriculture were felt most prominently among

¹⁷ Jones assembled a group of lawyers and businessmen in Harlem, including Percy Sutton, Constance Baker Motley, and later, David Dinkins, and built a machine which used black votes to gain public appointments and contracts. Jones’s power was such that at the 1960 Democratic Convention, he was able to strike a deal with House Speaker Sam Rayburn. In return for the Manhattan delegation’s support of Lyndon Johnson, Rayburn agreed to make Adam Clayton Powell chairman of the House Education and Labor Committee. Even though JFK won the nomination, Rayburn kept his side of the bargain. Jim Sleeper, *The Closest of Strangers*, 54.

¹⁸ Quoted in *Ibid*, 58. Black leaders during the forties and fifties, both in Harlem and Brooklyn, tended to be of Caribbean origin, rather than southern migrants. Exposed to good colonial education systems on islands which were predominantly black, West Indian immigrants were used to seeing blacks in positions of leadership. During the sixties that trend began to shift as increasingly politicised southern migrants began to strive towards leadership.

¹⁹ Unlike the more compact Harlem, the geographical boundaries of Bedford-Stuyvesant are hard to clarify. One New York politician quipped, “Bedford-Stuyvesant is wherever Negroes live.” Jack Newfield, *Robert Kennedy: A Memoir*, (New York: Plume, 1969), 88-89. See Appendix 2 for map of Bedford-Stuyvesant.

black sharecroppers. The development of a mass-producible cotton picker in 1944 was, in particular, a push factor for blacks in the South. A field hand could pick around twenty pounds of cotton in an hour, whereas one mechanical picker was capable of harvesting a thousand pounds in that time.²⁰ Howell Hopson, who owned the plantation where the machines were tested, estimated that each machine did the work of fifty people. His accounts showed that the cost of a machine picking his cotton was \$5.26 a bale, compared to \$39.41 if picked by hand.²¹ As a result of the innovation in agricultural equipment, cotton planters found that they had no more need for cheap labour. Thousands of black share croppers found their services terminated and made their way to the Northern cities, especially New York and Chicago. More black settlers moved to Bedford-Stuyvesant from Harlem, where the population density of the slums during the thirties and forties was becoming unbearable. Attracted by the prospects created by the Brooklyn Navy Yard, blacks took the newly constructed "A Train" into the heart of Brooklyn.²² At the same time Jewish and Italian settlers made prosperous by the war started to move out to areas such as Long Island or Queens. There were 30,000 blacks in Bedford-Stuyvesant in 1930, but by 1950 the figure had grown to 155,000 or 55% of the population. In 1960 this figure had risen to 85%, and by 1969, 90% of Bedford-Stuyvesant was occupied by black Americans.²³

By 1965, Bedford-Stuyvesant was the second largest ghetto in the United States, after Chicago's South Side - the South Bronx and Harlem rated eight and ninth respectively. Despite the huge black population of the area and its geographical size, Bedford-Stuyvesant's problems were overshadowed by Harlem, the intellectual and

²⁰ Nicholas Lemann, *Promised Land*, 5.

²¹ *Ibid*, 5.

²² As Sleeper notes, Duke Ellington's "Take the A Train" was a celebration of the exodus from Harlem to Bedford-Stuyvesant, not, as many have interpreted it, a call for blacks to come uptown to Harlem. Jim Sleeper, *Closest of Strangers*, 56.

²³ Jack Newfield, *Robert Kennedy: A Memoir*, (New York: Plume, 1969), 88-89. Position paper, "Bedford-Stuyvesant - General Comparison," Undated, RFK Senate Papers, Legislative Subject File, box 11.

artistic centre of black America. Although Harlem was three-quarters of the size of Bedford-Stuyvesant, the area had its own newspaper; a black Congressman, Adam Clayton Powell, who had been first elected in 1945 and federal antipoverty funds were always allotted there before any other area. Bedford-Stuyvesant, on the other hand, had no newspaper, despite being bigger both in terms of geography and population, and was not represented by a black Congressman until 1970. Furthermore, since the 1949 Housing act, Bedford-Stuyvesant had not received any proportion of the state or federal funds allocated to develop or regenerate housing in New York City.²⁴

The infant mortality rate, the standard indication of public health, was even worse in Bedford-Stuyvesant than in Harlem, 40.4 per thousand compared to 37.8 per thousand. A survey conducted by the Medical and Health Research Association of New York City found the infant mortality rate to be 48 per thousand births, compared to 29 per thousand for the borough of Brooklyn and 27 per thousand for New York City as a whole.²⁵ Bedford-Stuyvesant had an estimated 8,000 narcotic addicts and showed substantially higher instances of tuberculosis, venereal disease and mental disease than other sectors of New York City. Similarly the area had a higher percentage of males in unskilled work. A survey of the level of unemployment in Bedford-Stuyvesant based on the 1960 census was deemed by Kennedy's research team to be inaccurate. The census figures showed 7.5% unemployment to Harlem's 7.6%, (the figures for New York City as a whole were 5.0%). A comment was appended to these figures noting that the figures were deceptive as neither chronic nor long-term unemployment were represented. Kennedy's staff estimated that two to three percent of the population of

²⁴ "In 1965, the New York City Council Against Poverty allocated to Manhattan six times the amount of poverty funds allocated to Brooklyn. Although the number of poor in Bedford-Stuyvesant were 1 1/2 times greater than those in Harlem, Bedford-Stuyvesant got 1/5 of the amount of poverty funds." Newfield, *Robert Kennedy*, 88.

²⁵ "Comprehensive Neighborhood Health Services Program Bedford-Stuyvesant-East New York (Brownsville)," January 1967, Health Insurance Plan of Greater New York. RFK Senate Papers: Legislative Subject File, box 11.

Bedford-Stuyvesant was not included in the 1960 census and that unemployment for this group was between 17 and 30%. They also noted that the effects of automation were more widely felt in the sectors that offered the greatest employment possibilities to blacks.²⁶ Their view was shared by the veteran civil rights leader, Bayard Rustin:

When the migration of Negroes to Northern and Western cities was at its height during World War II, factory jobs were available at decent wages. With the advent of advanced technology eliminating many semi-skilled and unskilled jobs, and with the movement of plants from the central cities to the suburbs ... urban Negroes suffered rising joblessness or employment in low-paying service jobs.²⁷

Bedford-Stuyvesant had had fewer units of housing built since 1939 than any other area of New York and levels of overcrowding were the highest in New York City, this despite the fact that residents of Bedford-Stuyvesant paid a higher proportion of their income on rent than those in Harlem, or New York City in general.²⁸ According to a study by the New York University Graduate School of Social Work:

Bedford-Stuyvesant is more depressed and impaired than Harlem - ie., fewer unified families, more unemployment, lower incomes, less job history. ... Furthermore, the Bedford-Stuyvesant youth have [sic] a vastly lower degree of self-esteem than does Harlem youth, with much less hope for his future. ...²⁹

For these reasons Bedford-Stuyvesant was deemed by Kennedy's urban affairs team to be particularly in need of a redevelopment programme. As well as the problems which made Bedford-Stuyvesant in need of rehabilitation, there were positive factors that made such a programme there likely to be successful. Although the housing in Bedford-Stuyvesant was "dilapidated and insufficient" for the most part, it was, according to Kennedy's survey team, structurally sound and therefore capable of

²⁶ "Comprehensive Neighborhood Health Services Program Bedford-Stuyvesant-East New York (Brownsville)," January 1967, Health Insurance Plan of Greater New York.

²⁷ David Steigerwald, *The Sixties and the End of Modern America* (New York, St. Martin's Press: 1995), 198.

²⁸ *Ibid.*, 198.

²⁹ Jack Newfield, *Robert Kennedy*, 88.

renovation.³⁰ There was also a higher rate of home ownership in the area than in other urban poverty areas. According to a Ford Foundation report, 15% of the community owned their own homes compared to just 2% in Harlem. The Pratt Institute study of Bedford-Stuyvesant believed that figure was higher at 22%, with a further 9% of houses being owned by individuals who lived in the area. Therefore, RFK's staff believed there would be more chance of sparking interest in local investment. There were also large numbers of abandoned properties and large quantities of vacant land ripe for redevelopment.

It was also convenient that Bedford-Stuyvesant lacked a political leader such as Powell, who could have created tensions within the project. The presence of one strong leader among the community might have inhibited the development of community spirit. Furthermore, RFK despised Powell, who, he once said, "always exacts a price, a monetary price, for his support".³¹ Powell's presence in Harlem was a major reason for Kennedy not starting a redevelopment project there. Bedford-Stuyvesant did, however, have community leaders, in the form of the Central Brooklyn Coordinating Committee, (CBCC) an organisation which incorporated over 100 community, religious and civic groups. This, it was perceived, would provide a base from which to operate. Bedford-Stuyvesant seemed to provide a stronger sense of community than other areas. Peter Edelman noted that:

in Harlem there was a lot more leadership, in some ways, but they were always at each other's throats and it was then hard to pull something off that everyone could agree on. So they finally fixed on Bedford-Stuyvesant as a place where there was some local leadership and not too badly divided.³²

³⁰*Ibid*, 87. Housing in Bedford-Stuyvesant was mostly made up of large brownstones, which were easier to rehabilitate than Harlem's crumbling tenements.

³¹ Guthman and Shulman, *His Own Words*, 72. Indeed, RFK's opinion was echoed in the numerous allegations of corruption Powell faced during his career.

³² Interview with Peter Edelman, 14 June, 1996.

Touring Bedford-Stuyvesant, Kennedy witnessed “unemployed men lounging on street corners, or in bars. Pyramids of uncollected garbage. Children playing in the street without coats in temperatures of thirty degrees [Fahrenheit]”.³³ After the tour a shocked Kennedy talked to community activists in a meeting reminiscent of the one with Baldwin in 1963. Frustrated by the lack of federal or local aid to their community, black leaders took their anger out on Kennedy. Judge Thomas Jones, the highest ranking member of the black community told RFK that he was “weary of study ... Weary of speeches, weary of promises that aren’t kept. ... The Negro people are angry, Senator, and ... I’m angry, too. No one is helping us”.³⁴

In his oral history interview, Judge Jones recalled that on first hearing of Senator Kennedy’s intended tour of Bedford-Stuyvesant he felt it was a waste of time. Countless studies and surveys had already been made: Bedford-Stuyvesant had been visited by many people who had made many promises which were not kept. By the mid-Sixties, Jones was cynical about anybody who came to inspect the area, even Kennedy, whom he admitted respecting.³⁵ RFK responded to the outburst as he had to the Baldwin meeting: he was infuriated by the black leaders’ reaction to him. He told Johnston, “I could be smoking a cigar down in Palm Beach. ... I don’t really have to take that. Why do I have to go out and get abused for a lot of things I haven’t done?”³⁶ His reaction was typical, the sign of a man who reacted before he thought. Once he had cooled down and digested what he had seen, however, Kennedy agreed that Bedford-Stuyvesant would be the perfect place for a regeneration project. Though his meeting with Baldwin and other black leaders in 1963 had proved that Kennedy was not quite

³³ Newfield, *Robert Kennedy*, 93.

³⁴ *Ibid*, 94. Jones had been a New York State Assemblyman, and in 1964 he campaigned for a position as a judge.

³⁵ Thomas R. Jones oral history interview with Roberta Greene, November 26, 1971. RFKOHP, JFKL, 3

³⁶ Schlesinger, *Robert Kennedy*, 846.

ready to listen to black Americans with the receptiveness required to understand their world, he was, by 1966, prepared to take that step. The difference was that, by 1966, he no longer needed to defend his brother's administration. Now a constituency politician in his own right, he could allow his own nature to take precedence over loyalty to his brother.³⁷

Johnston and Walinsky set to work: Johnston on the practical, political and organisational side of the project while Walinsky developed the concept and drafted legislation which would provide funding for the programme. While his staff planned the project throughout the summer, Kennedy's knowledge of, and commitment to, urban redevelopment was deepened by Congressional hearings on the urban crisis. The hearings, which were chaired by Senator Abraham Ribicoff, were organised by the Subcommittee on Executive Reorganization of the Committee on Government Operations.³⁸ RFK and the subcommittee members heard testimony from civil rights activists, members of the urban poor, city officials and urbanologists which provided him with a more nuanced understanding of the problem.

The testimony convinced RFK that if something was not done soon, the scale of urban unrest would be unprecedented, tearing apart the very fabric of America. In a speech to the Independent Order of Odd Fellows after the Watts riots, Kennedy had stressed that in every ghetto in the United States was a riot "waiting to happen". RFK informed his audience of the conditions that ghetto dwellers were forced to endure: "Lack of work means lack of money - and living in overcrowded, rat-infested housing -

³⁷ Kennedy was not so free when talking about foreign policy. Given his brother's involvement in Vietnam, to turn against Johnson's war policies would seem like a betrayal of JFK's own policies. For some time, therefore, Kennedy maintained an uncomfortable silence on the matter, despite the anti-war lobby urging him to take a firm stand. Eventually, unable to stand by any longer, he issued a statement in which he criticised Johnson's policies. He backtracked hastily, however, when administration officials pointed out his divergence from JFK's policies. It took almost another year of uneasy silence before RFK admitted that his brother's administration, including himself, had been mistaken about the conflict in Vietnam, and that government officials should actively seek an end to the conflict.

³⁸ Ribicoff had, by this time, left the Department of Health, Education and Welfare and was Senator for Connecticut.

or even renting cars for a night to have a place to sleep". The problem, he believed, was more serious than the fight for civil rights in the South. There, the movement was strongly led, and, largely, had remained non-violent. In the North, however, because the problems faced by black Americans were ones of everyday living, they "affect too many people, too directly, for involvement to be restricted to those with the patience, the discipline, and the inclination to practice non-violence".³⁹ While he agreed that rioters should be dealt with severely, Kennedy emphasised the need to deal with the roots of the riots: poverty and desperation. His fears were bolstered by the testimony he heard during the Ribicoff hearings.

Kennedy made his own statement on the urban crisis during the hearings and his comments show the extent to which his thinking had developed. Clearly, he understood not only the depth of the problem, but also had a programme to counteract the degeneration of urban areas. Enlarging on his earlier speeches, Kennedy listed the problems facing the inhabitants of cities. Of all those problems the most "immediate and pressing" was "the plight of the Negro of the center city. For this plight - and the riots which are its product and symptom - threaten to divide Americans for generations to come; to add to the ever-present difficulties of race and class the bitter legacy of violence and destruction and fear".⁴⁰ It was imperative, therefore, that a comprehensive attack on the ghetto be made. Kennedy stressed that any programme must:

attack the fundamental pathology of the ghetto - for unless the deprivation and alienation of the ghetto are eliminated, there is no hope for the city. And it must attack these problems within a framework that coordinates action on the four central elements: employment, education, housing, and a sense of community.

This is not to say that other problems and programs are not important - questions of police relations, recreation, health and other services, and the

³⁹ Address by Senator Kennedy to the State Convention of Independent Order of Odd Fellows, New York, August 18, 1965. RFK Senate Papers: Speeches and Press Releases 1956-1968, box 2.

⁴⁰ Statement of Robert Kennedy, August 15, 1966. Hearings before the Subcommittee on Executive Reorganization of the Committee on Government Operations, (US Government Printing Office: 1966), 29.

thousands of other factors that make life bearable or a thing of joy ... recreation is good and necessary for all of us. But a donated swimming pool will not replace an absent father; nor will it produce income for the father's son, who may have to steal a pair of swimming trunks to use the pool.

Libraries are for those who can read, and sports for those strong enough to participate in them. Each strand we pick up leads us further into the central web of life ... The web must be grasped whole.⁴¹

During the same statement before the Ribicoff hearings, Kennedy also presented his blueprint for action in the ghettos. In effect he outlined the shape that the future Bedford-Stuyvesant project would take, although the programme had not yet been announced. RFK declared that the core for any effort in the ghettos must be employment. Since all cities required refurbishment as well as new buildings and facilities, RFK suggested that employment on such projects go to residents of the areas in which they were to be undertaken. Creating employment would bring hope to ghetto residents. Kennedy also proposed on-the-job training within such projects. He viewed the building programme as a base upon which "occupational opportunities and training should be opened up in all related ways".⁴² Thus, as building took place, some of the unemployed should be taught about building supply businesses, and others neighbourhood shops, and helped to start their own.

The heart of his programme would be the establishment of a Community Development Corporation (CDC) in the given area, which would "carry out the work of construction, the hiring and training for workers, the provision of services, the encouragement of associated enterprises". That way the programme, though assisted by State and Federal government, would not depend upon them. The result would be to help the ghetto to become a community, "a functioning unit, its people acting together on matters of mutual concern, with the power and resources to affect the conditions of

⁴¹*Ibid.*, 33-34.

⁴²*Ibid.*, 37.

their own lives”.⁴³ Kennedy also announced his belief that such CDC’s should approach the private sector for funding and support:

Loans and technical cooperation from industry and commerce; trained manpower and organization from labor unions; academic and educational partnership with the universities; funds for education and training such as those provided under many present Federal programs; these would be resources thus far unknown to the ghetto, resources sufficient to mount a real attack on the intertwined problems of housing and jobs, education and income.⁴⁴

Kennedy’s idea to draw on funds and expertise from the business community as well as the federal and state government sprang from projects funded by the Juvenile Delinquency Committee. An action programme started in Charleston, West Virginia, for example, was based upon a coalition of “elected officials, leaders of business and industry, educators, churchmen, civil servants, and labor leaders”.⁴⁵ No doubt Kennedy was influenced by that, as well as by his realistic belief that government alone could not afford to provide sufficient funds to all the poverty areas that required them. Kennedy had clashed with New York City Mayor John Lindsay, over just that point during the hearings. Lindsay had testified that it would take \$50 billion more in federal funds over a ten year period, to transform New York City alone. Kennedy impatiently told the mayor that he thought such a figure totally unrealistic: “The Federal Government is not about to increase its aid to New York City at that rate”.⁴⁶ Kennedy’s statement before the Senate subcommittee was well received, especially by Senator Ribicoff who commended RFK for “one of the most challenging, provocative, realistic, and deep statements on the crisis in American cities that I have ever heard or read”. He went on to express his feeling that Kennedy’s statement would be “of landmark

⁴³ *Ibid*, 37.

⁴⁴ *Ibid*, 38.

⁴⁵ “Summaries of Two Action Programs: Charleston, and Mobilization for Youth”, Undated. Papers of the U.S. Department of Health, Education and Welfare: Printed Materials, box 7. JFKL.

⁴⁶ *New York Times*, August 23, 1966. Lindsay’s \$50 billion price tag equalled the entire non-defence federal expenditure for the previous fiscal year.

significance”.⁴⁷

By December 1966, Johnston, working in conjunction with George M. Raymond and Ronald Shiffman of the Pratt Institute, as well as community leaders, had laid the groundwork for the Bedford-Stuyvesant project. That month, RFK announced the renewal programme, which was in essence an effort led by an alliance of politicians, and community and business leaders. Whilst diplomatically praising the Johnson Administration’s War on Poverty and the Economic Opportunity Act, RFK noted that both of these had “sometimes been mired in the guerrilla skirmishes of local politics, and [were] not always relevant to the greatest needs of people throughout the country”.⁴⁸ His programme, by contrast, would provide exactly what Bedford-Stuyvesant needed by directly involving black leaders from the community itself. Heading the community organisation, (to be called the Renewal and Restoration Corporation) would be Judge Jones, who joined with Senator Kennedy in making the announcement.

Kennedy’s insistence that blacks should have the final word on what was needed in their community stemmed from his belief that no project would work without their input. RFK’s involvement with the Juvenile Delinquency committee had impressed this belief upon him. A report prepared jointly by the Council of State Governments, the Juvenile Delinquency committee, and the National Council on Crime and Delinquency warned that the prevention of juvenile delinquency was dependent upon knowledge of its causes.⁴⁹ The point may appear to be obvious, but Kennedy was

⁴⁷ Statement of Robert Kennedy, August 15, 1966. Hearings before the Subcommittee on Executive Reorganization, 45.

⁴⁸ “Text of Remarks of Senator Robert F. Kennedy, Saturday, December 10, 1966, Bedford-Stuyvesant. RFK Senate Papers, Speeches and Press Releases: Subject File, box 1.

⁴⁹ “Juvenile Delinquency, A Report on State Action and Responsibilities”, Prepared by the Council of State Governments, The President’s Committee on Juvenile Delinquency and Youth Crime, and the National Council on Crime and Delinquency. Papers of the U.S. Department of Health, Education and Welfare: Printed Materials, box 7.

aware that many programmes were set up without any real attempt to understand the problems of a specific community or group. He was determined, therefore, that the Bedford-Stuyvesant redevelopment programme should be black-run. The project would work on issues designated by the black community, not by white planners who thought they knew what were the areas' needs.

Kennedy also understood that not only would black participation mean that the project would be concentrating on the right issues, it would also be more likely to succeed because blacks would perceive that it was their own project. With a stake in its success, the whole community would be far more likely to work towards the goals of the project. That belief also summed up RFK's attitude towards welfare. Though he advocated the allocation of welfare payments to those who needed them, Kennedy felt that ultimately the aim of federal and state governments - as well as projects such as the Bedford-Stuyvesant development - should be to provide jobs. Employment, he felt, provided self-respect, while welfare only served to erode it.

Such community action was the issue about which Hackett and the other PCJD members felt strongest. They had insisted that community action be incorporated as an integral part of the War on Poverty that Johnson announced in 1964. During the Congressional debate on the Economic Opportunity Act, which laid the basis for the anti-poverty programme, Kennedy himself had emphasised the importance of the title dealing with Community Action. Reporting that previous programmes had been planned without the participation of the poor concerned, he spoke of the "feeling of powerlessness to affect the operations of these organizations". New programmes, RFK stressed, must change that pattern:

The community action programs must basically change these organizations by building into the program real representation for the poor. This bill calls for “maximum feasible participation of the residents.” This means the involvement of the poor in planning and implementing programs: giving them a real voice in their institutions.⁵⁰

Although a Community Action Programme was included in the Economic Opportunity Act, in reality little effort was made to further community participation in LBJ’s War on Poverty. Determined to produce results quickly, the Johnson Administration sidelined community action, which, its planners had stressed, would take time to plan properly. From being the basis of the entire programme, as had been planned by the Kennedy Administration, it became just one component of the programme under LBJ.⁵¹ Furthermore, in cities where community action was introduced, local officials, feeling that their own positions were being undermined, either sidelined the programmes or took them over. The latter was true in Chicago, where Mayor Daley - refusing to accept that someone other than him should have a say in the running of the city - took over the effort, nullifying the effectiveness of the idea.⁵² It was to redress this failing in the Administration’s poverty programme that Kennedy announced the Community Development Corporation.

A second corporation was simultaneously set up to work “in the closest partnership” with the community corporation. Known as the Development and Services Corporation (D&S), it was chaired by Douglas Dillon, formerly Secretary of the Treasury under President Kennedy, and included distinguished business leaders such as David Lilienthal, of the Development and Resource Corporation,⁵³ Andre Meyer, of

⁵⁰ Quoted in Daniel P. Moynihan, *Maximum Feasible Misunderstanding*, 91.

⁵¹ Knapp and Polk, *Scouting the War on Poverty*, 136.

⁵² See Nicholas Lemann, *The Promised Land* for an excellent analysis both of Daley and racial politics in Chicago, 59-108 and 223-306.

⁵³ Lilienthal was an important choice for the new corporation as he had a strong interest in democratic participation. An influential man, Lilienthal had served as Director of the TVA and the Atomic Energy Commission among other agencies.

the investment house, Lazard Frères; William Paley, director of the Columbia Broadcasting System (CBS); Thomas Watson, Jr., director of IBM; J.M. Kaplan, from the J.M. Kaplan fund and Roswell Gilpatric, former Deputy Secretary of Defense, now partner in a big city law firm. Also involved with the project were New York's other senator, Jacob Javits, and the city's mayor, John Lindsay. They would provide bipartisan balance for the project. Kennedy's reasoning, according to Tom Johnston, was to involve:

people who had the capacity to ... mobilise the know-how and the money and the access ... particularly the know how to get things done in these areas, and then to keep them involved so that ... if something went wrong in the community that they were working on they would feel worried enough to wake up in the middle of the night and think of a solution ... they would actually treat it as their situation, rather than say we gave some money and wash [their] hands of it.⁵⁴

The two corporation structure was a source of criticism from the start. Many believed it was a front for another white-run program. But, according to Judge Jones, the reason for having two corporations rather than one was because of the prevailing atmosphere in Bedford-Stuyvesant at the time. He recalled:

Those were the days of rhetoric and spitting in people's faces and calling people "pig". It was at the height. And I couldn't tell - - any day, any hour - - when someone would tell Mr. Douglas Dillon or Mr. Benno Schmidt, or the senator himself, you know, something about the validity of his parents, or some other, ... insulting statement which would destroy the whole structure. ...

So I had to figure out how to put together a structure which would survive, command the respect of the community, hold its respect, hold these businessmen.⁵⁵

The businessmen would provide backup and advice, and use their expertise to raise money for the project. The community, on the other hand, would set the priorities and

⁵⁴ Author interview with Thomas Johnston, April 4, 1998.

⁵⁵ Thomas R. Jones oral history, 27.

make the decisions with respect to redevelopment.⁵⁶ Although not all of the blacks within the community were happy with the arrangement, Jones remained adamant. Black people after all did not have access to finance, congressional appropriations or friends in high places, which were necessary to get the project off the ground. Although there is no evidence to suggest it, the existence of the all white Development and Services corporation may also have been regarded as a necessity for the white community of Brooklyn and New York City as a whole. Seeking to minimise any confrontation within the community, the white corporation served to calm the fears of neighboring groups, who, might otherwise have raised objections to the project and its viability.

The bi-corporate structure was not the only challenge the project faced. Kennedy and his staff had initially believed that the the absence of one strong leader in Brooklyn would minimise the risk of tension between Kennedy and the black leadership and, indeed, between the black leaders themselves. They were, however, soon proved wrong. The Renewal and Restoration (R&R) corporation was staffed by members of the CBCC. According to Judge Jones, some CBCC leaders, led by Elsie Richardson, were furious that Kennedy had put him in charge.⁵⁷ They made it difficult for him to work with them by constantly reversing his decisions and being generally obstructive: “It wasn’t too long before everything I did was canceled out. They were fighting like real tigers - effectively too ... they really worked me over and almost made it fail, because they wouldn’t let me turn without cancelling, nullifying, doing anything they could to frustrate the policy”.⁵⁸ A few months into the project, friction rose to an untenable level when Jones tried to expand the corporation’s membership, to maintain the widest level of community involvement possible. He saw that other blacks, such as

⁵⁶ *Ibid.*, 28.

⁵⁷ Richardson was the spokeswoman for an influential group of black women in the CBCC.

⁵⁸ Thomas R. Jones oral history, 11.

Robert (Sonny) Carson of CORE, were becoming increasingly popular within the community, challenging the position of the old leadership. So, "Senator Kennedy's staff, city officials, and others - but particularly Judge Jones - saw the storm clouds gathering in Bedford-Stuyvesant. They moved to bring some of the challenging forces into the project".⁵⁹

R&R board members, led by Mrs. Elsie Richardson, disagreed with the chairman over who would select the additional members. When the situation became public on March 31, 1967, Jones, having failed to win a vote of confidence on the board, resigned as chairman of the R&R Corporation. The next day, with the full backing of Kennedy and the members of the D&S board, Jones announced that he was forming a new community corporation, which would be named, simply, Restoration. Members of R&R, furious at having been out-manuevered, issued a press release in which they stated that the second corporation would only "divide and weaken the effectiveness of total community effort at renewal".⁶⁰ With the endorsement of Senator Kennedy, however, the formation of Restoration "appeared to leave the original R&R group with little more than a name".⁶¹

The Kennedy team's incorrect assessment of the stability of the community leadership in Bedford-Stuyvesant created a very large problem for the fledgling programme. The rift might well have brought the whole project down just four months after its conception, had it not been for the leadership of Franklin Thomas, whom Kennedy persuaded to take on the role of Executive Director of the new Restoration board. A resident of Bedford-Stuyvesant, a local basketball star, and a Columbia

⁵⁹ Kilvert Dun Gifford, "Neighborhood Development Corporations: The Bedford-Stuyvesant Experiment," Fitch & Walsh (eds.) *Agenda For A City*, (Beverly Hills, CA: md. (sage), 1970), 429.

⁶⁰ "Statement of the Board of Directors of the Bedford-Stuyvesant Renewal and Rehabilitation Corporation," April 2, 1967. Personal Papers of Thomas M.C. Johnston, box 1. JFKL.

⁶¹ *The New York Times*, April 2, 1967.

University law graduate, his appointment gave Restoration a much needed glamour.⁶²

The Bedford-Stuyvesant programme was designed, in RFK's words, to "combine the best of community action with the best of the private enterprise system".⁶³ As he had stressed during the urban hearings, Kennedy's idea was to provide a total programme, one which would attack all the ills of Bedford-Stuyvesant as well as in harnessing all sources of power: the community itself, the federal and state governments, charitable foundations and private business. While the enterprise sought to affect all aspects of the community, the main emphasis was on three elements: redevelopment of buildings, employment and education. The Restoration Corporation was to assume "a major role in the physical, social and economic development of the community". It would ensure that any jobs created in Bedford-Stuyvesant would be filled by local applicants, by liaising with the relevant government and community agencies. It was expected to further the economic development of the community by providing incentives for private business to cooperate with the programme, as well as overseeing the improvement in educational standards for the area. Restoration was also involved in the development of cultural and recreational facilities. The corporation would work in partnership with the Development and Services Corporation in order to achieve these objectives. D&S would, effectively, form a bridge between the local community and business, financial and government leaders. It was made clear, however, that D&S would not direct or control any of the enterprises initiated within Bedford-Stuyvesant: it would merely match the needs of the community with, "specific kinds of investment capital, technology and top-flight expertise".⁶⁴

⁶² The original Renewal and Restoration Corporation continued in existence and started a separate rejuvenation programme for the area. Some of the board remained bitter at what they saw as a Kennedy-assisted power play, about half, however, eventually joined Restoration. Gifford, "Neighborhood Development Corporations," *Agenda for a City*, 430.

⁶³ "Text of Remarks of Senator Robert F. Kennedy, December 10, 1966, Bedford-Stuyvesant.

⁶⁴ "Bedford-Stuyvesant Development and Services Corporation Ford Foundation Proposal", March 9, 1967. RFK Senate Papers: Legislative Subject File, box 11.

Kennedy announced that several major charitable foundations had already made significant commitments to the development of Bedford-Stuyvesant. The Taconic Foundation and the Rockefeller Brothers Fund made vital contributions through their support of the Pratt institute which contributed so much to the planning of the project. The Edgar M. Stern Family Fund made a contribution to Restoration as did the Ford Foundation which has continued to provide substantial aid to the programme. Further financial aid was provided by a co-sponsored amendment to the Economic Opportunity Act, proposed jointly by Senator Kennedy and Senator Javits. This amendment, signed into law in November, 1966, established the Special Impact Program (SIP), which allowed for federal funding of community development projects in urban poverty areas. According to section 131 of the Economic Opportunity Act, the purpose of the legislation was:

to establish special programs ... directed to the solution of the critical problems existing in particular communities ... within those urban areas ... having ... especially large concentrations of low-income persons [which] are of sufficient size and scope to have an appreciable impact in ... arresting tendencies toward dependency, chronic unemployment, and rising community tensions.⁶⁵

The amendment created \$20 million for special impact area projects, and enabled the Office of Economic Opportunity to contract with private companies as well as public corporations. Thus private companies could hire residents of the area in which they were to work. The Bedford-Stuyvesant corporations were awarded an initial grant of \$7 million, which laid the basis for many of the specific projects that were undertaken during the first few years of the renewal programme.

Kennedy's view of how the SIP would work is clear from a letter he wrote to Mayor Carl Stokes of Cleveland, Ohio. RFK described the SIP as "an attempt to

⁶⁵ Section 131 of the Economic Opportunity Act, part D, Quoted in "Proposal for Grant Under Title I, Part D of the Economic Opportunity Act of 1964, for Special Impact Program in Bedford-Stuyvesant, Brooklyn, New York", June 20, 1967. Burke Marshall Papers: Bedford-Stuyvesant File; Special Impact Program I, box 48, JFKL.

stimulate and support truly comprehensive efforts to deal with heavy concentrations of poverty". Its emphasis would be two-fold: "the creation of employment opportunities" as well as "activities which contribute to the physical, economic, and social rehabilitation of the target neighborhoods". The programme would provide funds for employment training, as well as for the creation of jobs, in business of all types. Therefore, jobs would be created, "not just through government programs, but with extremely flexible incentives to private industry -- whether existing industry which will operate in the target neighborhoods, or local business owned and operated by the residents of the neighborhood itself".⁶⁶ Like the Bedford-Stuyvesant project itself, Kennedy and his staff designed the SIP to bring private enterprise into urban poverty areas, to ease the burden placed upon the federal government.

Many commentators reported that Senator Kennedy had chosen a very conservative way to bring aid to the cities. In an article for the radical publication *Ramparts*, for example, Robert Scheer wrote, "the solutions which he [Kennedy] has begun to propose would not be likely to shock even the more conservative members of the Senate".⁶⁷ As Jack Newfield pointed out, one of the strongest conservative commentators of the time, William Buckley, was in favour of Kennedy's approach. In July 1967 he wrote in his column:

Senator Robert Kennedy was distributing a statement on the poverty program so sensible that it made recommendations I made three years ago ... The Stock market went up on the day Mr. Kennedy made his poverty proposals. Appropriately.⁶⁸

⁶⁶ Letter from Robert Kennedy to Carl Stokes, January 11, 1968. RFK Senate Papers: Legislative Subject File, box 33.

⁶⁷ Robert Scheer, "A Political Portrait of Robert Kennedy", *Ramparts*, February 1967. Newspaper and periodical clippings collection,

⁶⁸ Jack Newfield, "Robert Kennedy's Bedford-Stuyvesant Heritage", *New York*, December 16, 1968. Newspaper and periodical clippings collection.

RFK acknowledged the criticisms, saying that he knew he “sounded like a Republican”, but that he believed that this was the only approach to the problem that would have any chance of working.⁶⁹ Kennedy disliked such labels in any case. Though a Democrat, he did not see himself as either liberal or conservative. He simply voted, or acted, in the way he felt was most likely to help a given situation.

Kennedy was aware that the community were weary of the usual planning and surveys of the area. Therefore, it was decided that the Corporations should be “action orientated,” and that their first steps should be both a “substantial and symbolic contribution”.⁷⁰ One report suggested a “massive demolition program” for the “380 abandoned and unrehabilitable buildings” in the area: “knocking them down would be a relatively simple way to symbolize a fresh start in Bedford-Stuyvesant”.⁷¹ This strategy would be coupled with realistic long-range planning, which would ensure that the Corporation did not become just an initiator of a series of *ad hoc* measures. RFK recognised that, despite the need to appease the local community with quick action, there could be no real success for the programme without a “comprehensive development strategy”.⁷²

During winter 1966, and early spring 1967, the corporations began planning. By June 1967, a programme had been developed which incorporated short-term projects for 1967 and 1968 as well as a long-term strategy. Working in conjunction with planners David Crane and George Raymond, as well as world-renowned architect I.M. Pei, a physical planning framework was laid out for the entire area. Plans were created for improving housing throughout the area, based on the large number of buildings that were owned by residents of Bedford-Stuyvesant. A proposal was made

⁶⁹ *The New York Times*, December 11, 1966.

⁷⁰ Report; “Bedford-Stuyvesant Program”, undated. Personal Papers of Thomas M.C. Johnston, box 3.

⁷¹ *Ibid.*

⁷² *Ibid.*

suggesting the purchase of an abandoned milk-bottling plant at Sheffield Farms, which could then be turned into a community centre. Pei proposed a “Super-Block” to reorder the major streets, reduce the number of roads and improve the flow of traffic. The programme also included the creation of new jobs and businesses within the community, a Community Home Improvement Program, a Comprehensive Manpower Training Program, a health and education improvement scheme, as well as plans for building offices for Restoration.⁷³

I. M. Pei made a preliminary presentation of the Super-Block idea at a meeting of the Renewal and Restoration Corporation, on February 28, 1967. He made it clear from the beginning that his firm was there only to make suggestions on the design of the Super-Block and that he was keen to elicit ideas from the Restoration board. In his presentation, Pei said that traffic conditions in the area were confused and dysfunctional. He believed that only 25% of the land in any area should be composed of streets; in Bedford-Stuyvesant, however, this figure was closer to 33%, which meant that valuable land was being wasted. Pei suggested a complete reorganisation of the major streets, with two out of three being eliminated. The streets that were closed could become parks or other such beneficial areas. To form the Super-Block Pei proposed that two streets go North and South, East and West, and that the remaining streets be closed off to anything except emergency traffic. In those streets that were closed provision could be made for diagonal parking at either end. If the curbs were shortened parking facilities would be increased by 30%. In this way, “It would create a pedestrian way with little or no traffic. It would increase the value of the private residences and beautify the area”.⁷⁴ Pei’s firm estimated that the cost for the project

⁷³ See Appendix 3 for a map of Bedford-Stuyvesant which shows the areas where restoration work was undertaken.

⁷⁴ Minutes of a Bedford-Stuyvesant Renewal and Restoration Corporation Regular February Meeting, Tuesday, February 28, 1967. Personal Papers of Thomas M.C. Johnston, box 1.

would be \$150,000. The proposal could be taken further by undertaking to pull down burned-out or abandoned buildings. Finally, it would be desirable to interlock up to three blocks, making one out of every four blocks a traffic-bearing street. It was decided that wherever feasible only local contractors would be employed to conduct the work. Local residents and contractors would conduct regular surveys to make sure the project stayed in line with community wishes. Pei anticipated that each block be designed differently, according to the suggestions and needs of its residents.

The Super-Block concept was one of the first projects to be carried out by the two corporations.⁷⁵ It was designed to give the community a definite sense of achievement. At the same time that Super-Block construction was underway, other projects were also carried out within the targeted Super-Block areas. Vacant lots, for example, were transformed into children's playgrounds. The over all economic growth of the target areas would also be considered alongside the physical restructuring programme. Thus businesses within the area were given assistance, and the area was surveyed for any new investment potential. The Super-Blocks demonstrated "the positive benefits of a combined physical, social and economic development effort". The members of the two boards believed that, "by the time broad community support for an over all plan is required, these accomplishments should be effective arguments for those who traditionally regard all proposals for radical change with either skepticism or apprehension".⁷⁶

Plans were also developing at this time for the rejuvenation of the Sheffield Farms Dairy Center, a building of some 100,000 square feet located in the heart of Bedford-Stuyvesant. Formerly a bottling plant at the centre of a "viable and vital commercial and industrial core", the plant was now being used as a warehouse. Not

⁷⁵ See Appendix 4 for photographs of a Super-Block area.

⁷⁶ "Bedford-Stuyvesant Development and Services Corporation Ford Foundation Proposal", March 9, 1967.

only did this reflect the decline of Sheffield Farms itself, but it was also seen as a symbol of the wider decay of Bedford-Stuyvesant.⁷⁷ Restoration and Development and Services agreed that the plant should be purchased and renovated to “provide space for decentralised city, state and Federal offices”.⁷⁸ It was also to serve as a centre for Manpower training and education programmes. As with the Super-Block programme, the symbolic importance to the community was considered as consequential as the services it would provide:

Rehabilitation of the building will be the first tangible sign that something is really going to be done to revitalize this entire area; to translate expectations and promises into programs.⁷⁹

In essence the very process of restructuring this building will lend credibility to the announced overall [sic] Bedford-Stuyvesant development program.

The strong and constant emphasis on the need for decisive action throughout these programmes shows the extent to which Senator Kennedy had taken on board the criticisms of community leaders. At his first meeting with these leaders, after his initial tour of Bedford-Stuyvesant, they had made it clear that he was regarded as just one of a string of politicians who had toured the area, promised action, but delivered nothing. A report by Vernon Rutherford, a summer intern, had highlighted the same feeling throughout the community at large. When asked who they felt had been most helpful in alleviating some of their problems, 76% of the community members Rutherford interviewed replied that Mayor Lindsay had helped the most. “They felt that Senators Kennedy and Javits had said a great deal deploring the conditions in Bedford-Stuyvesant and Harlem but had not done anything tangible.”⁸⁰ Hence many of the initial

⁷⁷ Position paper by Marshall Kaplan, “The Sheffield Buildings - An Initial Program Defining Uses”, Undated. The Personal Papers of Thomas M.C. Johnston, box 2.

⁷⁸ “Bedford-Stuyvesant Development and Services Corporation Ford Foundation Proposal”, March 9, 1967.

⁷⁹ Position Paper by Marshall Kaplan, “The Sheffield Building - An Initial Program Defining Uses”.

⁸⁰ Memo from Vernon Rutherford to Tom Johnston, “Bedford-Stuyvesant Project,” Undated. Personal Papers of Thomas M.C. Johnston, box 2.

programmes were designed to show results very quickly. This, however, became a problem when the urgent need for tangible results became entangled with the promise that any programme would be manned by the unemployed and under-employed of the community. The plans for Sheffield Farms proposed the employment of “locally based minority general and sub-contractors to ‘redevelop’ the building”.⁸¹ In a memo to RFK, May 26, 1967, Kennedy aide Milton Gwartzman wrote that, “unfortunately the two purposes are at odds. The more people trained on the Sheffield Farms job, the less experienced labor used, the more time it will take to build. It must therefore”, he continued, “be decided which of the two purposes is most important. The other must be scaled down accordingly. It might be necessary to have white union metal workers or electrical workers in there and use the Negro trainees in types of work where the trainee can be most quickly put to use.”⁸² Such a decision could easily, however, be portrayed as racist, if the residents of the area felt they were only being allowed to take the most menial jobs. Corporation records do not show which approach was preferred. The memo does show, however, that Kennedy and his staff were concerned with more than just a superficial redevelopment programme.

As work started to rehabilitate Sheffield farms, it was agreed that part of the building should be used to house the two Corporations. This would facilitate contact between them, as well as making it easier for the general public to stay informed of the project. Ultimately it was hoped that “all public, quasi-public, and private planning efforts related to the Bedford-Stuyvesant area” would be “physically represented, if not entirely located in the Sheffield Building”. This would provide a “one stop” locale for residents desiring information relative to the area or who wished to participate directly

⁸¹ Position Paper by Marshall Kaplan, “The Sheffield Building - An Initial Program Defining Uses”.

⁸² Memo from Milton Gwartzman to Robert Kennedy, May 26, 1967. RFK Senate Papers: Legislative Subject File, box 11.

in the planning process.⁸³ That goal was achieved: today the Sheffield Farms building is the centre of the Bedford-Stuyvesant community. From there the Restoration Corporation continues to plan its regeneration programmes. The building is also an important cultural centre, housing the Billie Holiday Theatre, and an art gallery which exhibits the work of local artists.

A portion of Sheffield Farms was allocated to employment opportunities. Rather than start a job training programme of its own, Restoration joined forces with the successful Opportunities Industrialization Center (OIC), set up by the Reverend Leon Sullivan in Philadelphia.⁸⁴ The Bedford-Stuyvesant affiliate, which was referred to in Bedford-Stuyvesant as the Open Industry Center, was set up to provide unemployed residents of Bedford-Stuyvesant with job and career opportunities. Kennedy believed that the creation of jobs within the ghetto was essential for its redevelopment. He also knew, however, that the federal government was extremely unlikely to fund the large scale job creation and training programmes that were needed in Bedford-Stuyvesant and other areas. Such programmes were extremely expensive: more expensive than simply providing people with enough money to break the poverty line. Opponents of the antipoverty programmes liked to quote statistics showing that sending a youth to Job Corps camp was more expensive than sending him to Harvard for a year.⁸⁵ With the increasing expense of the Vietnam War, and conservative

⁸³Position Paper by Marshall Kaplan, "The Sheffield Building - An Initial Program Defining Uses". It was hoped that other groups would relocate in the Sheffield Farms Building including; the City Planning Commission; Human Resources Administration; Bedford-Stuyvesant Youth and Action; Housing and Development Administration; Central Brooklyn Coordinating Council and the Mayor's Office.

⁸⁴ Rev. Leon Sullivan began the OIC in the wake of the civil rights movement's boycotting campaigns of the early sixties which were aimed at the hiring policies of major businesses, such as Coca-Cola. Many companies claimed to be equal opportunity employers, but turned away blacks because of lack of qualifications and skills. Those who were employed often dropped out owing to unfamiliarity with the demands of the workplace. Sullivan's OIC was designed to combat those problems. As its success grew, the OIC became less like a community organisation, and more like a community subcontractor for government funded programmes. By 1970, there were OIC centres in a number of cities throughout America. Gavin Matthews, "The Road to Montgomery County: Aspects of Race and Politics in Philadelphia, 1970-1990". (St. Andrews University: M.Litt thesis, 1997), 30-38.

⁸⁵ Lemann, *The Promised Land*, 195.

opposition to the antipoverty programme, Johnson vetoed any attempt by his staff to introduce a jobs programme. Kennedy resolved that if jobs could not be created on a national basis by the federal government, his project would, at least, provide jobs and training for the residents of Bedford-Stuyvesant.

The programme's initial plan was to furnish 1200 residents with "a full range of outreach, pre-vocational skill training" over a two-year period.⁸⁶ The skills taught at the centre would match those required by business enterprises set up as a result of the Industrial Development Program. Early priorities for the OIC were to train residents to "participate in the projected demolition and clearance of non-rehabilitable vacant structures; to train residents to take part in the "rehabilitation process", to staff neighborhood rehabilitation centers and to train others to "supervise a variety of different types of interim recreation uses provided through the demolition of vacant units". Finally the OIC had "continuous responsibility for providing manpower resources to new industries attracted to, and existing industries expanding in the Bedford-Stuyvesant area as a result of the use of special impact funds".⁸⁷

Sheffield Farms also housed the Management Training Center, which, like the OIC, would provide full time training opportunities for entrepreneurs already operating in the area, as well as for those selected to participate in the Commercial Condominium Program, which was to serve as the central focus for those wishing to start new businesses in the area.

Planners agreed that the Sheffield Farms building would become a useful centre for decentralised educational courses. It could house a university - or college - linked programme, oriented towards the needs of community residents. This, it was suggested, would not only answer a very real need, but would also "improve the image

⁸⁶ Bedford-Stuyvesant Development Project Report, September 1967. Personal Papers of Thomas M.C. Johnston, box 3.

⁸⁷ Position Paper by Marshall Kaplan, "The Sheffield Building - An Initial Program Defining Uses".

and status” of the development programme.⁸⁸ Finally, it was agreed that Sheffield Farms would house facilities with which to produce a regular newsletter, which would keep the community up to date on the steps that had been taken, and which were about to be taken. This did become a regular feature, one which, though naturally a very positive overview of the project, provides us with a clear picture of those projects that did reach fruition, and, by default, those which did not make it past the planning stage.

As part of the effort to attract new businesses to the area, a brochure was produced by the Bedford-Stuyvesant Corporations with the assistance of the J. Walter Thompson advertising agency, which outlined the various ways in which businesses could help the newly formed project. The possibilities ranged from locating a plant in Bedford-Stuyvesant to purchasing materials from the area’s industries, or providing technical or managerial advice to any of the local businesses. The brochure was widely distributed in the hope that American business would embrace the ideas laid down by Kennedy’s programme. Indeed on April 18, 1968, Kennedy was able to announce that IBM had decided to open a plant, producing computer cables that would be used by IBM worldwide:

The new plant - - the first major industrial facility to be located in Bedford-Stuyvesant - - will occupy an eight story building at the corner of Gates and Nostrand Avenue. It will provide jobs for the people in the community - - for IBM plans to employ more than 300 workers there by the end of 1969. And the training these men and women receive in the most advanced technology will enable them to contribute not just to their own livelihood but to the life of the community.⁸⁹

By 1977 IBM had decided that the location of the original plant was too limited, and the company moved to a more spacious facility at Nostrand and DeKalb Avenues. The new plant employed almost 400 people, 79 percent of whom were residents of Bedford-

⁸⁸ *Ibid.*

⁸⁹ “Statement of Robert F. Kennedy on the announcement of an IBM facility to be located in Bedford-Stuyvesant”, April 18, 1968. RFK Senate Papers: Speeches and Press Releases 9/11/67 - 6/6/68, box 4.

Stuyvesant. Many of the workers had, by 1977, been employed by IBM for five years or more, which signified a stable work force. That year the Brooklyn plant reported that it had “shipped some 325,000 units valued at \$42.5 million,” which represented a 600 percent increase in the value of shipments since the first year of the plant’s operations.⁹⁰

Such industrial development was considered a vital programme for the successful rehabilitation of the area. The Development and Services Corporation contacted the owners and senior management of large businesses and industry in order to try and persuade them to locate or, in some cases, relocate in Bedford-Stuyvesant. The Elzee Metal Company, for example, had had a factory in the area, but had closed it after their employees refused to come to work in an “undesirable and dangerous neighborhood”.⁹¹ The company’s owner was contacted by one of the members of the D&S board and it was considered a possibility, at the time that the Ford Foundation Proposal was written in early 1967, that the plant would reopen. Residents would be trained for jobs there, funded by the Labor Department and the Special Impact Program. By September of the same year possibility had become reality. Elzee opened a new metal assembly plant, Monford Industries, at its old location. The D&S Corporation assisted Monford in obtaining a contract with IBM to produce computer components at competitive prices. By this time negotiations were also underway with General Electric, Automatic Retailers of America (a fence manufacturer), Mobil Oil, Manpower and Orkin Exterminating Company.⁹²

A franchise programme was developed to provide the opportunity for Bedford-Stuyvesant residents to own and manage a national franchise. Among those being considered were Goodyear, Rayco, Western Auto Supply, Mary Carter Paints,

⁹⁰ *New York Amsterdam News*, August 20, 1977. Papers of the Ford Foundation on Bedford-Stuyvesant, box 2.

⁹¹ “Bedford-Stuyvesant D & S Corporation Ford Foundation Proposal, March 9, 1967.

⁹² Bedford-Stuyvesant Development Project Report, September 1967.

Woolworth's, Chrysler and McDonald's. The programme was developed in conjunction with the expertise of the United States Department of Commerce. It strove to provide the initial introduction between owner-manager and franchiser, as well as a follow-up advice service which would provide assistance for all stages of the enterprise.⁹³

This policy met with moderate success and on October 10, 1968, Franklin Thomas was able to announce the opening of Ebbets Field Dodge, the first locally owned new car dealership in the area. The business represented an investment of \$200,000 by the Dodge Division of the Chrysler Motors Corporation, the new owner, and the Restoration Corporation. The new dealership employed 38 people, and had a Dodge parts inventory of \$100,000. Thomas described the opening of the Ebbets Field Dodge as "another step toward our long-range goal of helping Bedford-Stuyvesant to become an economically healthy community".⁹⁴ Thomas also announced that this was the fourteenth business to receive aid from the Economic Development Program of the two corporations, and that ultimately these businesses would generate 525 jobs and involve \$2 million of capital investment.

However, apart from these notable exceptions, the corporate sector did not accept the challenge that RFK threw down. The Senator gave speeches at Chambers of Commerce, real-estate boards, and private dinner parties, but executives reasoned that there was no profit in community development for their companies. Their secondary worries included the fear that labor unions would not cooperate and that they would be unable to do business with black militants. Newfield recounts that Kennedy was turned down by one company executive who said, "Senator, the afternoon I walk into my board of directors and tell them that Bobby Kennedy was here today, and he thinks we

⁹³ Burke Marshall Papers: Bedford-Stuyvesant Files; Evaluations, Volume 1 (2), box 39. Author interview with Franklin Thomas, August 13, 1997.

⁹⁴ Press release by the Bedford-Stuyvesant Restoration Corporation, October 17, 1968. Personal Papers of Thomas M.C. Johnston, box 3.

should put a plant in Bedford-Stuyvesant, that is the afternoon they'll have me committed".⁹⁵

Kennedy, having made a series of pleas to members of the business community during late 1966 and early 1967, made a last ditch attempt to conjure up support at the World Trade Conference at Atlanta, September 29, 1967. Addressing the conference he said:

there is a global revolution which we must understand and which we must join. ... We cannot denounce extremists who reject our social system if we do not prove that system is capable of helping people lead a better life. ... This is the challenge that I have come to offer you - whether you are willing to apply the flexibility of our fiscal and economic tools to the great task ahead of rebuilding our nation's shame - and providing promise to the next generation of the poor, now dying slow, quiet deaths in our ghettos.⁹⁶

The audience listened in silence, unapplauding and unreceptive to Kennedy's message. Perhaps he was not the best person to reach them. He was not popular among American businessmen who remembered his actions during the Steel Crisis of 1962.⁹⁷

Now that RFK was a constituency politician in his own right, the attitude of big business remained unaltered, despite his supporters' attempts to reverse it. Nevertheless, Kennedy stepped up speaking engagements to the business community.

⁹⁵ Newfield, *Robert Kennedy*, 98.

⁹⁶ *Ibid*, 99.

⁹⁷ When steel companies announced a price rise, JFK, fearful for his economic programme with its emphasis on keeping inflation down, asked the Attorney General to step in. The press had reported that the chairman of Bethlehem steel had opposed the price increase, but had imitated the actions of U.S. Steel and other companies. Determined to investigate whether that represented a violation of anti-trust laws, RFK, in turn, asked J. Edgar Hoover to investigate the journalists who had made the claim to check the exact words of the Bethlehem chairman. Hoover stepped in with alacrity. FBI Agents dragged reporters out of their beds before dawn to question them. The methods used were roundly criticised by the press, who blamed Robert Kennedy for the fiasco. Kennedy's staff maintained, in private, that Hoover had ordered the FBI action to embarrass the Attorney General, although in public RFK took responsibility. The crisis was averted when Roger Blough, chairman of U.S. Steel, backed down, thus influencing the rest of the market, but business leaders never forgave Robert Kennedy. The Steel Crisis provided further ammunition to those who maintained that Robert Kennedy was ruthless and uncommitted to civil liberties, a reputation first started by his persistence in pursuing the conviction of Teamsters leader, Jimmy Hoffa.

In 1967 RFK spoke at nearly as many chambers of commerce as he did universities. Considering his affiliation with the youth of America, whom he regarded his chief constituents, Kennedy's willingness to address so many business meetings shows his commitment to the Bedford-Stuyvesant project. However, the attitude of big business to such redevelopment projects was one of almost universal disinterest. Kennedy began to realise that there had to be some form of incentive for businesses to become involved with the programme. "I've learnt you can't just rely on altruism or morality", he said. "People just aren't built that way."⁹⁸

Thus, during 1967, RFK set his staff to work devising tax incentive legislation that would provide the kind of inducements to which companies could respond. His employment bill, introduced on July 12, 1967, was designed to offer inducements to those private industries willing to open employment-producing plants in poverty areas by providing "tax credits against the original investment in the plant and machinery; accelerated depreciation schedules for that investment; extra deductions for wages paid to previously unemployed individuals; liberal carry-forward and carry-back allowances; and assistance in training new workers".⁹⁹ Similarly the next day he introduced a housing bill, the aim of which was to encourage the construction or renewal of 300,000 to 400,000 housing units in slums over a seven-year period, which would cost the federal government an estimated \$3.3 billion. These houses would then be rented at between \$73 and \$100 per month with the help of long-term, low-interest loans. At the same time the legislation was designed to provide a net return on investment of up to 15% for entrepreneurs willing to build such low-cost housing. As further inducements the bill would provide "mortgage money from the Housing and Urban Development Department; a reduction of local real-estate taxes; project insurance so that the builder would not suffer any cash loss on the constructed housing; and tax credits and

⁹⁸ Newfield, *Robert Kennedy*, 104.

⁹⁹ *Ibid*, 104-5.

depreciation benefits”.¹⁰⁰ It also sought to provide a guarantee that the initial outlay by the federal government would not exceed \$50 million. Kennedy’s aim was to push through a package of legislation which would make it possible for other areas to replicate the Bedford-Stuyvesant project. It was something he talked about frequently during his campaign for the Democratic nomination in 1968.

The bills were doomed from their inception owing to the increasingly bitter rivalry between President Johnson and Kennedy. By 1967 the Senator had made several attacks on the Administration’s policy in Vietnam. Although he was not the strongest objector to the war, he was, owing to his name and his following, the most dangerous.¹⁰¹ This development added to the already substantial animosity between the two men. Kennedy’s view of Johnson as the usurper of his brother’s presidency grew, as did his belief that Johnson was paranoid and unfit for the job. Johnson in turn feared that with Robert Kennedy now the Senator for a very influential state, there was every possibility that he would become known as the President lodged between two Kennedys. Thus, when the Senator announced the legislation, the Administration, according to the *New York Times* “mounted a concerted attack”.¹⁰² Robert Weaver, Secretary of HUD, labeled the Senator’s proposals as “superfluous,” and the Undersecretary for the Treasury, Joseph Barr, labeled them a “threat to the tax code”.¹⁰³ This was contradicted by Douglas Dillon, former Secretary of the Treasury, as well as Mort Caplin, the former Commissioner of the IRS and Whitney Young, executive director of the Urban League. Dillon responded: “The crisis in our cities has created a problem of the highest priority which, so far, has defied solution. Under such circumstances we cannot turn our backs on the use of our tax policy, or any other

¹⁰⁰ *Ibid.*, 105.

¹⁰¹ Senators Fulbright and Mansfield were the earliest and most consistent objectors to President Johnson’s policies in Vietnam.

¹⁰² *New York Times*, 16 September, 1967.

¹⁰³ Newfield, *Robert Kennedy*, 105.

policy, that might help us reach a successful solution".¹⁰⁴

Just weeks later the Johnson Administration announced its own plan for the ghettos of America. Like Kennedy's Bedford-Stuyvesant programme, Johnson's Model Cities programme also intended to use private enterprise to aid the rejuvenation of America's urban wastelands. It was however, a less ambitious programme than Kennedy's and many felt that its timing was politically motivated: to dull the appeal of Senator Kennedy's legislative proposals. RFK remarked to Newfield later:

How can they be so petty? I worked on my plan for six months, and we talked to everyone in the Administration in all the relevant agencies. We accepted many of their ideas and put them in our bill. Now they come out with this thing, and the first I hear about it is on television. They didn't even try to work something out together. To them it's all just politics.¹⁰⁵

To Newfield the apparent naivety of Kennedy's comment was a sign that the Senator was above politics, and that the work that he did in Bedford-Stuyvesant was motivated purely by rage at the plight of the ghetto and a desire to help. No doubt Kennedy was frustrated by the administration's response, especially as the plight of the ghetto was so important to him. Kennedy, however, was experienced enough to know that no legislation was above politics. The recipient of his remark was surely chosen carefully, so that the radical journalist would report Kennedy's frustrations to the New Left media. Kennedy's maneuverings show his own political ability to protect his image at the expense of his rival. The remark also shows Kennedy's arrogant assumption that he was integral to the decision making process: that Johnson should have informed him of the administration's plans, and negotiated with him. Clearly RFK used to being President Kennedy's right-hand-man was finding it hard to let go of that role. There was an attempt in January 1968 to negotiate a compromise bill: unsurprisingly,

¹⁰⁴*Ibid*, 106.

¹⁰⁵*Ibid*, 106.

however, the talks broke down.

In a report on the existing health services in Bedford-Stuyvesant, a consultant to the Development and Services Corporation described the conditions faced by citizens of the area. The vast majority relied on a system which was “overcrowded, physically deteriorated, undermanned, ill-equipped, impersonal, and sometimes discourteous”. Family care was fragmented and day care for the children of those needing medical attention was non-existent. Patients faced long waits for treatment, “eight hours in jammed emergency rooms for illness which is not urgent and four to five hours for care in scheduled out-patients services”. Furthermore, clinics were badly located, with patients having to spend considerable time and money travelling to and from them:

Confronted with this perverse situation, the poor have become crisis oriented and forced to rely on episodic care. They present late in the course of illness with more severe pathology. they must place a low priority on prevention, early diagnosis, maintenance of good health, early and regular prenatal and infant care.¹⁰⁶

There were few practitioners in the area, an estimated one physician per 5000 residents as opposed to one per 350 residents in New York City. The report proposed, therefore, a programme based on three main elements: the development of a comprehensive family centred care facility, which, to protect its consumers, would be partially controlled by the community; the development of a health skills training centre “for testing new careers development and conducting research in the reorganization of ambulatory health care”; and a community-based comprehensive health manpower service. This would organise recruitment through community selection boards, it would offer testing, counselling and support to trainees, and offer placement after training. The proposed health centre would serve a population of about 35,000 and would be organised in those areas which demonstrated the highest rates of poverty and those

¹⁰⁶ Report by Paul F. O'Rourke, M.D. Consultant, Bedford-Stuyvesant D& S Corporation. “A Health Project for Bedford-Stuyvesant”, May 1967. RFK Senate Papers, Legislative Subject File, box 11.

neighbourhoods devoid of any health care facilities. The report stated that “the most serious deficiency in the health system is the total absence of a sense of participation or control of their fate by patients seeking health care”. Its aim, therefore, was to provide for meetings between the staff and patients of the clinic, which would establish a dialogue and encourage community input in its own health care. The importance of health education, to inform residents of the need for good nutrition, was also stressed, as well as the importance of preventative care, to provide information on family planning, sex education and venereal disease control. Special efforts would be made to warn of the dangers of narcotic addiction. The reports also emphasised that mental health facilities should be integrated with general treatment at the centre, rather than being separated either physically or administratively. Thus the health centre he envisioned would relate more strongly to the community because it would employ members of that community, provide some residents with careers within the field, provide for complete family care at one centre, make the necessary racial, linguistic and cultural adaptations, stress the need for community outreach officers as well as health education, organise neighborhood health councils to guide the centre’s operation, encourage efforts to improve the area’s sanitation, and assume responsibility for the completion of patient referrals outside the centre and ensure that patients were received back into the programme with adequate hospital records. The report’s recommendations were fully approved by the Restoration board, and a clinic was built across the road from the Sheffield Farms building. Until its opening, residents had been forced to travel long distances to Brownsville or Brooklyn Heights, where hospitals discriminated against them. Today it functions as the corporations intended, providing residents not just with medical care, but with a community centre where advice on under-age pregnancy, sexually transmitted disease, drug abuse and many more social issues is freely communicated. A busy but welcoming place at the heart of the

community, its existence marks one of the most tangible achievements of the Bedford-Stuyvesant corporations.

A community home improvement programme was established which trained teams of unemployed residents to refurbish the exterior of private homes. It provided 34 jobs for unemployed local craftsmen, as well as 272 jobs for unemployed young local trainees. Home owners were asked to pay an initial and nominal \$25 towards the repairs, which were estimated at \$325 per home. The \$300 excess was financed by a grant from the Special Impact Program, which also paid the wages of the craftsmen and trainees. Modesto Bravo, president of the Halsey Street Block Association, was chosen to collect the money from each home owner in his block. He found, however, that most were suspicious or uninterested:

They didn't want to cooperate. They thought it was some trick, some hustle. They couldn't believe it was something good, almost for nothing. I went to every house, but no one would sign up. I tried to explain how these kids would fix their stoops, railings, and sidewalks. That they would sod their backyards, paint their garbage cans, put in moldings, prune trees, do everything. But these people, they were just apathetic.¹⁰⁷

Eventually, after holding a street rally which captured the attention of the residents, Bravo was able to collect money from practically all the occupants. However he found it hard work. This was a typical reaction of the dispossessed. Apart from the occasions when some act of violence, such as the death of a civil rights leader, or a local black youth, sparked a riot, inhabitants of ghettos tended towards apathy. It was one of the hardest responses to overcome for those trying to encourage community development. As improvements on the first block took shape, however, residents of other blocks chosen for regeneration were more willing to trust the project. After a rocky start, the home improvement project was a great success, largely because its results were

¹⁰⁷ Newfield, *Robert Kennedy*, 101

apparent so quickly. Members of the Restoration board testified that residents of those areas that were accepted by the programme, made efforts long after the work, to maintain the cleanliness of their house and street. Even today there is a noticeable difference in those areas. Blocks which have been externally renovated have significantly less litter lying in the street than blocks which have not been worked on.

Kennedy's critics claimed that he started the Bedford-Stuyvesant redevelopment programme purely for political gain. Robert Patricelli, Senator Javits' aide, who was involved with Restoration, stated that Kennedy played "Bedford-Stuyvesant for political advantage for all that it was worth".¹⁰⁸ His comment should, however, be considered with caution, as Kennedy's relationship with his co-Senator was uneasy, if cordial. Javits, the senior Senator for New York, was frequently passed over by journalists in favour of his younger, more glamorous colleague, a fact which, no doubt, distressed him and his staff.

Kennedy's aide Tom Johnston stressed that many of Kennedy's political friends advised him against involvement in the venture, believing it fraught with danger.¹⁰⁹ Benno Schmidt, a Republican businessman who served on the D&S board, said, "I never saw any politician do anything where I felt so certain that he was interested only in the program ... I am convinced that he did it because he felt he ought to do it".¹¹⁰ As with any political programme, it is impossible to determine where personal commitment to the project ends and political considerations start. Clearly, by 1966, Kennedy was deeply committed to urban affairs. His involvement first with the PCJD and later with the Ribicoff hearings had persuaded him of the necessity for strong and quick action. That political considerations were also involved is demonstrated by a memo from

¹⁰⁸ R.B. Goldman, *Performance in Black and White*, 26. Burke Marshall Papers: Bedford-Stuyvesant File; Evaluations, Vol 1. box 39.

¹⁰⁹ Author interview with Thomas C. Johnston, April 4, 1998.

¹¹⁰ R.B. Goldman, *Performance in Black and White*, 26.

Walinsky to RFK during the fall of 1966 in which Kennedy's aide laid out two political reasons to go ahead with the project:

[Mayor] Lindsay is desperate for help (as his buildings commissioner ... hinted to me clearly today). If you pull this off, you can share credit generously - - but it will be you who has pulled him out, and the contrast between what he has done in a year and what you do in a month will be plain for all to see.

The same is clearly true as to the Administration's non-efforts for poverty. There is now a complete vacuum in the poverty leadership - - black or white. You can seize the lead.¹¹¹

If the project went well, then, Kennedy, who was already planning a presidential bid for 1972, would have had much to gain. With one programme he would have moved ahead of two of his main rivals. Mayor Lindsay was a charismatic leader, tipped, at the time, to be the Republican presidential nominee, either in 1968 or 1972. By taking the lead in Bedford-Stuyvesant, Lindsay's constituency, Kennedy would look as if he, not Lindsay, had the answers to the urban crisis. The programme was also a challenge to President Johnson's War on Poverty, and would serve RFK well in Democratic circles when it came time for the nomination. At the same time - because it was a single project within his own constituency - it was something which he could get up and running on his own. That meant that he would not run afoul of Johnson. Had he tried to introduce a broad based legislative assault on urban poverty, the effort would, inevitably, have been thwarted by the President.

Kennedy's reasons for initiating the project are, in any case, less important than the fact that he took action. The residents of Bedford-Stuyvesant did not care if his reasons were political, but they were impressed when the project began to have an impact on their lives. However, it is valid to ask how much of the credit should go to

¹¹¹ Memo from Walinsky to RFK, fall '66. Adam Walinsky Papers: Senate Subject File, 1965-1968; Bedford-Stuyvesant: Memoranda, box 2. JFKL.

Kennedy. Clearly, much of the groundwork for the programme was undertaken by Kennedy's talented staffers, Johnston and Walinsky. This is not to say that none of the input came from Kennedy. It is, however, difficult to chart his involvement. Most of the materials available about the project are planning documents, and committee minutes. Although Kennedy attended and contributed to most of the meetings held before June 1968 there is no record of any other occasions when he might have visited the area. The Kennedy library has no log of his daily activities, and many of the papers which may provide an answer, such as his personal papers, are still closed to research. However it is clear that he believed the project to be a top priority. Tom Johnston, the head of Kennedy's New York office, spent at least three-quarters of his time on the project. Johnston was an able man whom Kennedy would have used for other issues had he not valued the regeneration project. Johnston also estimated that three to four times a week he would spend an hour or longer on the phone with Walinsky, talking through various aspects of the project.¹¹² Another New York staffer, Carter Burden, recalled that in his first year working for Kennedy he spent almost all of his time working with the Bedford-Stuyvesant community.

It is also clear from the records that Kennedy was instrumental in persuading key business figures to become involved, and almost certainly, without the prestigious board he built, the project would have failed at the first obstacle. Many of the board were Kennedy friends. However, he was just as adept in recruiting men he did not know, even those whose initial view of him was unfavourable. Benno Schmidt, for example, was a lifelong Republican, who believed Kennedy to be ruthless and arrogant, and yet when they met, Schmidt quickly changed his opinion. He later recalled that Kennedy's personal magnetism was important in recruiting help. "A lot of people think RFK was only popular in the ghettos," he told an interviewer, "but Bob

¹¹² Author interview with Thomas Johnston, April 4, 1998.

had an ability to charm and attract and delight people that was just as useful to him at higher levels as it was with the minority groups".¹¹³ All those interviewed about RFK's effect on the project agreed that it would have been impossible to get started without him.¹¹⁴ The *Washington Post* concurred, stating that "Kennedy's immense personal influence and prestige enabled him to create a unique superstructure to give force and direction to the Bedford-Stuyvesant plan."¹¹⁵ Most importantly, Kennedy had real stature within the black community by 1966. This was due in part to his own actions in the field of civil rights, as well as his stance against the war in Vietnam, but also because he was the brother of JFK, who in death had become revered by black Americans. Robert's standing within the community was important, according to Restoration's leaders, because his involvement showed the people in Bedford-Stuyvesant that the project was "on the level".

Once he had initiated the programme, Kennedy did not forget it and move on to the next political opportunity. Although much of the day-to-day work was carried out by Tom Johnston, Franklin Thomas, the executive Director of Restoration, asserted that RFK was always available to help.¹¹⁶ Thomas would frequently enlist Kennedy's assistance, usually in persuading some business leader or politician to get involved, or in smoothing the path for Restoration with the State and Federal Government. Benno Schmidt recalled that he spent hours working with Kennedy on the original proposal for financial help from the Ford Foundation. Johnston believed that Kennedy's largest contribution was in keeping up to date with what his staff were doing and how the project was progressing. He kept it "moving ahead and bringing new energy to it by,

¹¹³ Benno C. Schmidt, oral history interview with Roberta Greene, July 17, 1969, RFKOHP, 54.

¹¹⁴ Author interviews with, Franklin Thomas, August 13, 1997, Thomas Johnston, April 4, 1998, Peter Edelman, June 14, 1996, Emma Jordon-Simpson, August 13, 1997, and Charles Palms, August 13, 1997.

¹¹⁵ *The Washington Post*, December 11, 1966.

¹¹⁶ Author interview with Franklin Thomas, August 13, 1997.

for example, calling someone up and saying ‘come to the meeting’”.¹¹⁷ RFK also worked hard to introduce legislation which would provide funds and support for Bedford-Stuyvesant and similar poverty areas. His introduction of the Special Impact Programme was vital to the financial viability of the project. Despite his lack of success in introducing tax incentives for businesses which entered the ghetto, Kennedy remained committed to the legislation until his death.

Most politicians would have found it difficult to pull together a similar alliance between federal government, state government, and the business community, for a project aimed at the inner city. The Senator’s personal influence was vital in obtaining the help of Edward Logue, who drew up the initial plans for the project. Logue, who was an administrator for the Boston Redevelopment Authority, agreed to work part time on the project, despite having previously turned down Mayor Lindsay’s offer to direct a housing plan for New York City. (Logue had headed a study group which had recommended a complete reorganisation of New York’s housing and planning programmes.) Logue apparently turned Lindsay down because he doubted the Mayor’s ability to acquire sufficient Federal funds for the programme as well as his ability to put into effect such a drastic measure. That he agreed to work with Kennedy, therefore, shows a degree of trust in the Senator’s ability to ensure the success of the Bedford-Stuyvesant project. It is also likely that Logue had already decided to run for the position of Mayor of Boston, and wished to enlist the support and considerable influence that the Kennedys wielded in Massachusetts, which also shows the Senator’s political attraction. According to Tom Johnston, André Meyer was also attracted to RFK’s political influence. His condition for joining the project was that Kennedy make a stronger statement against the war in Vietnam than he had until then.¹¹⁸

¹¹⁷ Author interview with Thomas Johnston, April 4, 1998.

¹¹⁸ Author interview with Thomas Johnston, April 4, 1998.

Ultimately Kennedy's programme must be judged by its performance. Bedford-Stuyvesant was the first Community Development Corporation (CDC) in the United States, and it is one of the few still running today, although radically changed to suit the times. Its longevity alone should be considered an achievement, given the budget cuts to poverty programmes made by the Nixon and Reagan administrations, which put most CDC's out of business. Initial news reports of the programme were favourable. The *Washington Post*, for example, called Kennedy's project "the first demonstration of a new philosophic approach to urban problem."¹¹⁹ The paper noted that Kennedy had shown his disillusionment with government programmes to bring aid to urban areas during the Ribicoff hearings, having criticised the government's lack of support for the cities as well as the recent cutbacks in domestic spending: a direct result of the Vietnam war. Unlike many critics of the Administration, however, the Senator proposed his own solution to the problem.

News coverage of the project from the seventies also shows a favourable attitude. In 1970, when the programme had been running for three years, the *New York Magazine* reported that the effort to restore Bedford-Stuyvesant was of a larger scale than was seen in any other poverty area. This meant that it was given a significant proportion of OEO funds: that year alone it had received \$11.8 million. The article went on to list the achievements of the community corporation:

Exteriors of more than 1,800 brownstones have been renovated. Some 40 new businesses have been launched by local residents through an economic development program. IBM has opened a plant with more than 400 employees. The Super-Block, a new recreational area (designed by architect I.M. Pei), has been built. Work is nearing completion on the community center. More than 2,500 residents have been placed in jobs, at rates up to \$6.70 an hour.¹²⁰

¹¹⁹ *The Washington Post*, December 11, 1966.

¹²⁰ *New York Magazine*, September 7, 1970. Newspaper and Periodical Clippings Collection.

Furthermore a sense of community was introduced with the building of the Billie Holiday theatre and the art gallery. Both serve today as focal points for black pride in the community. The theatre has shown some first rate performances which have received excellent reviews, and some of the actors who progressed from the workshops run there have now made it to Broadway. Similarly many of the artists shown in the gallery have now become nationally prominent. Other projects include the construction of an ice-rink, as well as a supermarket, which has had a huge effect on every day life in Bedford-Stuyvesant.¹²¹ Bedford-Stuyvesant is still a slum, but important work has taken place, and continues to do so under the leadership of the current Restoration Committee. Another important indicator of the project's success is the fact that there have been no major riots or civic disturbances in Bedford-Stuyvesant since the 1964 riot provoked by the shooting of James Powell. That compares very favourably with other ghetto areas, such as those in Watts, the South Side of Chicago, Newark and Philadelphia, which have all experienced riots since the late 1960s.

The structure of the project, with its two boards - one white, one black - did lay it open to criticism of being another white-dictated plan for the ghetto. There is some substance to that accusation. Analysis of corporation minutes shows that much of the initial planning for the area came out of the D&S corporation, rather than Restoration. Many of these plans were, however, vetoed by Restoration's executive director, Franklin Thomas, who rewrote the proposals, including the one sent to the Labor Department as a bid for federal funds. It was this proposal which was accepted by the community, and which got underway in the summer of 1967. Eventually as the levels of expertise in dealing with government agencies and officials rose, the need for the

¹²¹ Restoration Newsletter, Volume 2, Number 1, January 1972, Volume 2, Number 3, October 1972, Volume 3, Number 3, September/October 1973, Volume 3, Number 4, November/December 1973, Volume 5, Number 1, January 1975, and Volume 5, Number 5, Winter 1975. Papers of the Ford Foundation on Bedford-Stuyvesant, box 2.

two board structure became obsolete, and, in 1974 the boards were amalgamated, with Thomas at the helm.

Kennedy's project also came under criticism from Eugene McCarthy, during the 1968 campaign. McCarthy accused Kennedy of instituting a form of racial apartheid by attempting to develop the ghetto. The presidential hopeful argued that the project was a retreat from the ideal of integration. McCarthy told students at the University of California at Davis that under RFK's programme, "the ghetto may have a few more factories, and a few more jobs, but it will remain a colony".¹²² Obviously, the attack on the Bedford-Stuyvesant project was politically motivated. It was also the criticism of a man who was a better poet than he was a Senator. McCarthy may have been right to argue that the ultimate solution for black Americans was integration, but his stance was unrealistic given the political climate, and it ignored the plight of hundreds of thousands of blacks who would suffer in the meantime. McCarthy's solution, was that an "open society - the only kind of society that can effectively deal with the problems of the Negro - will require the building of new cities and towns".¹²³

Where McCarthy thought the funds for the construction of these model towns and cities would come from, he did not say. Neither had he thought the issue through to its logical conclusion. Even if such towns were built, and they were, to start with, perfectly integrated, they would, over time, become segregated as had all of America's major cities and towns. It was not just a case of white Americans moving away from blacks who, they felt, devalued the area where they lived. Black Americans also preferred, and still prefer, to live in their own community. The proof was provided by Washington D.C., which desegregated in the late fifties. A few years later, analysts found that the city had re-segregated: voluntarily. McCarthy's argument highlighted the

¹²² *The New York Times*, May 29, 1968.

¹²³ *Ibid.*

vast difference between him and RFK. McCarthy was an intellectual with a value system that he stuck to, but little instinctive feel for the problems of minorities. Kennedy, on the other hand, had no set philosophy. He was determined to offer help to those who were suffering, not by holding out the image of a future dream, but by offering them help in their current predicament.

That is not to say that the Bedford-Stuyvesant programme did not have flaws. Ultimately, as with any CDC programme, by creating jobs and money for ghetto residents, the project encouraged outmigration. Thus the community lost the very people who could have helped continue its revival. It is not clear that Kennedy, or indeed other policy makers, understood that the desire to leave was the chief dynamic within the ghetto. Vernon Jordan, who became head of the Urban League in 1971, explained that phenomenon in relation to a project in Vine County, Atlanta:

We were trying to help the indigents, not the middle-class blacks. So we hired a woman named Doris Reed, who was poorly dressed and walked with her head down. Then she got her first paycheck. She started to smile a little. Then the next one. After about six months I met her at the elevator balancing boxes. She said, "Mr. Jordan, today is moving day. I'm moving out of Vine County." I said, "What about helping the community?" She said, "All my life I've wanted to get out".¹²⁴

That dynamic, however, was not discovered until long after Kennedy's death. It was a problem that Restoration began to deal with from the seventies onwards.

Kennedy's involvement in Bedford-Stuyvesant project made a significant impact on his understanding of the problem of civil rights. From knowing little about it in 1960, by 1968 RFK had become the champion of America's minorities and impoverished citizens. This was due, in part, to the power of the Kennedy name, and the mystique which had built up around it in the years following JFK's assassination. However, as Senator for New York, Kennedy built a reputation as a man of action in

¹²⁴ Lemann, *The Promised Land*, 199.

the field of civil rights. His efforts for the urban poor were matched by his commitment to seek out help for the rural poor of the Mississippi Delta region as well as by his support for the Chicano farm labor movement run by Cesar Chavez.

Chapter Five:

Rural Poverty

Until the late sixties, most anti-poverty efforts had centred around America's cities. Although Michael Harrington had considered both urban and rural poverty, the Kennedy administration concentrated its energies most especially on the problems of the urban poor. Likewise, under President Johnson, the War on Poverty continued to take an urban-centric stance. Office of Economic Opportunity (OEO) planners were "virtually mesmerised by a vision of poverty in the cities and paid little attention to area redevelopment".¹ The simple explanation for this state of affairs was that poverty in urban areas was more visible. Urban poverty was an issue which had been focused upon in more depth, both in the press and in books such as Kenneth Clark's *Dark Ghetto*.² More important, however, was the fact that it was harder for Americans to miss the poverty of the ghetto. Those who did not live near ghettos were reminded of their existence on television and in the newspapers. The race riots of the mid-to-late-1960s attracted news and political coverage that few could have missed. Rural poverty, on the other hand, went unnoticed. It was possible to drive past the rural shacks of southern blacks who barely scraped out an existence without noticing their

¹ James T. Patterson, *America's Struggle Against Poverty, 1900-1980*, (Cambridge, MA: Harvard University Press, 1981), 150. For a wider discussion of Johnson's Great Society programmes, especially the War on Poverty, see Nick Kotz, *Let Them Eat Promises*, (New York: Doubleday and Co., 1971); Gilbert Steiner, *The State Of Welfare*, (Washington D.C.: Brookings Institution, 1971); John C. Donovan, *The Politics of Poverty*, (New York: Pegasus, 1967); Daniel Knapp and Kenneth Polk, *Scouting the War on Poverty*, Massachusetts, (Toronto, London: Heath Lexington Books, 1970); Moynihan, Daniel P. (ed) *On Understanding Poverty*, (New York, London: Basic Books, 1968); Moynihan, Daniel P. *Maximum Feasible Misunderstanding*, (New York: The Free Press, 1969); Charles Murray, *Losing Ground: American Social Policy, 1950-1980*, (New York: Basic Books, 1984); and John Schwarz, *America's Hidden Success: A Reassessment of Twenty Years of Public Policy*, (New York: W.W. Norton and Company, 1983).

² Kenneth Clark, *Dark Ghetto: Dilemmas of Social Power*, (London: Victor Gollancz, 1965).

desperation, or indeed, that they were even there. It was much harder to drive past the rows of declining tenements that made up the urban ghettos without thinking about the conditions that the inhabitants suffered.

The scattered nature of rural poverty also made it harder to recognise. When the focus of anti-poverty efforts shifted towards rural areas in 1967, therefore, many Americans were incredulous. Many southern politicians, whose constituencies were cited as rural poverty areas, disputed the allegation that extreme poverty existed there. Richard Nixon, on taking office in 1969, questioned his cabinet on the issue, saying, “Hunger would have been worse in the late 1950s, and we never heard about it then”.³ Presumably Nixon found it hard to believe that, given the strength of the economy throughout the 1960s, widespread poverty still existed. Perhaps his understanding of poverty had been formed by reading books like Galbraith’s *The Affluent Society*, with their insistence that economic growth would reduce poverty. It would, therefore, have been hard for him to understand the persistency of poverty given that its “rediscovery” occurred during the longest period of sustained economic growth in America’s history. Also, Nixon, like many Americans of his generation, associated poverty with his past: with his parents and their struggle for survival during the Depression years.

The voices of the rural poor went unheard because of a number of other factors. As the rural poor were spread over a wide area, they were less likely to develop action groups that would have the power to raise the issue. Those who lived in urban ghettos, however, could join with thousands of other people living in the same area. Because of the numbers involved in urban action groups, there was less fear of reprisal. Individuals, or small groups of rural poor on the other hand, could not afford to complain about the conditions in which they lived. Since many of the rural poor were black, and lived in southern areas, any attempt to draw attention to their poverty would

³ Quoted in Kotz, *Let Them Eat Promises*, 22.

result in serious reprisals from the white community. Furthermore, many Americans held an outdated view of the farmer's role and stature in society. The "agrarian myth" was still prevalent among farmers and non-farmers alike: a belief that among the agricultural community at least, Jeffersonian ideals still dominated. Rural life was seen as "healthier and more righteous than life in the cities. Virtue lay in individualism and self-reliance; wealth and success were the rewards of initiative, hard work, and thrift". Poverty, on the other hand was regarded as "the wages of sin and sloth".⁴

The ignorance of America on the issue of rural poverty, and the knowledge of urban conditions, was a direct contrast to American attitudes during the 1930s. Then, interest in the lives of the rural poor was widespread, while urban poverty was virtually disregarded. Novels such as Erskine Caldwell's *Tobacco Road* and *You Have Seen Their Faces*, as well as John Steinbeck's *Grapes of Wrath*, and case studies such as *These Are Our Lives*, (a Works Progress Administration volume which charted the lives of the rural poor of Tennessee, North Carolina, and Georgia), fed such concern.⁵

Despite the lack of widespread awareness of poverty in the countryside, millions of rural Americans lived in a constant state of severe deprivation. This was due, to a large extent, to the mechanisation of agriculture which created pockets of mass unemployment throughout the United States. Because of the agrarian nature of the Southern economy it was there that rural poverty was most extensive during the late sixties.⁶ The fate of the rural poor was intimately tied to the institution of sharecropping. As the mechanisation of labour brought about the demise of the sharecropping system,

⁴ Quoted in Sidney Baldwin, *Poverty and Politics: The Rise and Decline of the Farm Security Administration*, (Chapel Hill: University of North Carolina Press, 1968), 22.

⁵ Erskine Caldwell, *The Tobacco Road*, (1932), Erskine Caldwell and Margaret Bourke-White, *You Have Seen Their Faces*, (1937), Federal Writers Project, *These Are Our Lives* (1939), and John Steinbeck, *The Grapes of Wrath* (1939) are cited in Patterson, *America's Struggle Against Poverty*, 46-48.

⁶ Owing to the effects of the farm crisis of the 1980s, many of the rural poor now reside in the breadbasket region of America, in states such as Ohio, Iowa and Nebraska. As a result there are now many more poor white Americans than there were during the 1960s.

the numbers of rural poor increased concomitantly.

Sharecropping began in the aftermath of the civil war, and became, as slavery had before the war, the dominant economic institution of the South. Usually black, a sharecropper was a farm tenant who was supplied with land, farming equipment, work animals, food, and household essentials by his landlord. Unlike other forms of farm tenant, who had more independence, the sharecropper was totally dependent on his landlord, who managed the financing, marketing and selling of the crop. In effect, a sharecropper was little more than a farm labourer. Most sharecroppers made no money from the crops they raised each year, and were often left in debt to the farm owner. They borrowed money from the landlord to cover their costs until the crop was sold, and then, just before Christmas, their account would be settled. Theoretically, the landlord would pay the sharecropper the money made by his crop, having deducted living expenses. Usually, however, the sharecropper was informed that his crop had not made enough even to settle his debt. Their already vulnerable position was exacerbated by the race issue, as the system left Southern landowners free to exploit their tenants. The landlord kept the books and sharecroppers were not allowed to check them. Even to ask would be to invite intolerable repercussions. So, year after year, hundreds of thousands of black farmworkers were exploited by their white employers.⁷ Many of these sharecroppers, therefore, were left in poverty, unable to complain owing to the Jim Crow laws enforced throughout the South.⁸

Paul Mertz, describing the living conditions of the average southern sharecropper during the 1930s, wrote:

Typically they lived in two- to three-room unpainted cabins without screens, doors, plumbing, electricity, running water, or sanitary wells. They subsisted on

⁷ Of course, not all farm owners exploited their sharecroppers, but a study made in the 1930s by the Yale anthropologist, Hortense Powdermaker, showed that about three-quarters of all planters were dishonest in their treatment of their sharecroppers. Nicholas Lemann, *The Promised Land*, (New York: Alfred A. Knopf, 1991), 19.

⁸ See Lemann, *The Promised Land*, 11-21, and Baldwin, *Poverty and Politics*, 24- 27.

salt pork, flour, cornmeal, molasses, dried peas, and beans. Most tenants had not received any cash income in years; the average annual income in 1932 of those who did was \$105.43 per family. Disease was rampant - two million cases of malaria alone in 1938. One report in 1938 concluded that the cotton states were a "belt of sickness, misery, and unnecessary death". Another concluded that tenant families were "schooled in dependency and unaccustomed to responsibility".⁹

The plight of these sharecroppers was exacerbated by New Deal agricultural programmes which aimed to reduce agricultural overproduction. Southern plantation owners, for example, scaled down cotton production in response to the government initiative. 10 million acres of land were lost, a result which affected poor tenant farmers and sharecroppers most severely. The original legislation had sought to guard against that possibility by demanding that landowners share money received from the government for taking land from production. That provision, however, was quickly discarded by segregationist Southerners. Between 1933 and 1940, 30% of Southern sharecroppers, and 12% of tenants, lost their land.¹⁰

A further blow to the sharecropping system was dealt by the introduction of the mechanical cotton picker. Essentially, the mechanisation of the cotton picking process meant that cotton planters' need for cheap labour fell dramatically. Many black southerners sought to escape the poverty caused by their unemployment by migrating northward, to the great cities of the east coast and the mid-west. In 1940, 77 percent of blacks lived in the South, by 1970 less than 50 percent remained. Most of those who did stay sunk into a quagmire of hardship, eking out a meagre existence, often depending upon government programmes or friends and family to stay alive.

⁹ Paul E. Mertz, *New Deal Policy and Southern Rural Poverty*, (Baton Rouge, La, 1978), 5-13. Quoted in James T. Patterson, *America's Struggle Against Poverty*, 38-39. The description could also have applied to conditions during the 1960s.

¹⁰ Osha Gray Davidson, *Broken Heartland: The Rise of America's Rural Ghetto*, (Iowa: University of Iowa Press, 1996), 27. See also Lemann, *The Promised Land: The Great Migration and How It Changed America*, chapter 1, "Clarksdale", and Baldwin, *Poverty and Politics*, especially chapter 11. For a detailed discussion of New Deal agricultural policies, see Anthony Badger, *The New Deal. The Depression Years, 1933-1940*, (London: Macmillan, 1989), chapter 4.

During the late 1950s, the cotton planting industry went through a second mechanisation process. The development of this latest technology proved disastrous for many black agricultural workers in the South. Some sharecroppers who had been displaced by the introduction of the mechanical cotton picker had still been able to find work as day labourers, hand-chopping the weeds which grew up between rows of cotton. The development of chemicals that killed those weeds, however, made their work obsolete. This situation was compounded by the widening of minimum wage legislation by the federal government to include farm workers in 1966. Instead of increasing their income as intended, this led to many farm workers were laid off by farmers who instead chose to increase their use of machinery and chemicals. During the sixties, as more and more farm owners mechanised their business, sharecropping was phased out. Again, many former sharecroppers moved northwards, but many more stayed, often with no hope of finding new employment.

Because of the isolation of rural blacks, any protest they made, either about segregation, or about their working conditions, was extremely dangerous. Thus, many who were involved with the civil rights movement in the early sixties also suffered economically. As Michael Harrington commented:

By saying that rural poverty is most heavily concentrated in the South, one is also indicating that it has a racial aspect ... the rural Negro is isolated ... As such he is the perfect subject for the traditional methods of terrorism ... In Fayette County, Tennessee ... Negroes who registered to vote suddenly discovered that they could not buy supplies, get a doctor, or any other assistance from the community. Then the recalcitrant ones that stood up for their rights were driven off the land.¹¹

It was not only blacks that suffered, of course. Thousands of white southerners, often the owners of small family farms, also lived in conditions of hardship and deprivation. For many, their plight was brought about by the

¹¹ Michael Harrington, *The Other America*, (New York: Penguin, 1962), 49-50.

“corporatisation” of agriculture. From the thirties onwards, small farmers were bought out by large-scale farm operators, who turned agriculture into an industry in order to maintain their profits. As Kirkpatrick Sale identified the assets of the agricultural sector of the United States economy rose from \$132 billion in 1950 to \$350 billion twenty years later. That wealth, however, was distributed among fewer and fewer people. Between 1945 and 1970 the size of the average farm doubled, from 191 acres to 390 acres. During the same timescale, however, more than 3 million farms went bankrupt, and over 16 million people left the agriculture business.¹² The farm census of 1954 identified that 12 percent of farm operators, controlled over 40 percent of agricultural land, and grossed nearly 60 percent of farm sales.¹³ By the sixties, the dominance of “agribusiness” was almost complete.

Thus the mechanisation of agriculture, and the connected rise of agribusiness, hit the agricultural labour force hard. Unsurprisingly, it was rural blacks, especially those who lived in the Southern states, who were hardest hit. Already hampered by the discrimination they faced, they were the ethnic group least able to find work elsewhere. Many fled to the cities where they took their chances in the slums. Thousands more stayed, and, unnoticed by most Americans, sank into a vicious circle of poverty and despair.

There were programmes that had been set up to alleviate hunger. These, however, were insufficient, and open to abuse. Most states operated either the Commodity Distribution Program or the Food Stamp Program. The Commodity Distribution Program had been set up during the 1930s as a way to distribute free food (usually flour, cornmeal, rice, grits and dry beans) to the needy. The commodities were taken from the produce surpluses created by the government price support system. The

¹² Kirkpatrick Sale, *Power Shift: The Rise of the Southern Rim and its Challenge to the Eastern Establishment*, (New York: Random House, 1975), 20-21.

¹³ Harrington, *The Other America*, 47.

programme, therefore, did as much to stabilize farm prices as it did to help the hungry. The Department of Agriculture made commodities available to participating states, who, in turn, distributed the food to the county and city governments. The food would then be apportioned to those who were considered eligible by local welfare agencies. There was, therefore, considerable opportunity for discrimination. Furthermore, distribution centres were often inaccessible. Those who did receive food from the programme were provided with only 15 commodities.¹⁴ Although those goods provided were considered basics, they did not provide sufficient calories, vitamins, and minerals to provide a balanced diet.¹⁵

The Food Stamp Program, which had been launched by the Kennedy administration in 1961 in an attempt to improve levels of assistance to the poor, was a system whereby the poor could pay a nominal amount, for example \$12 a month, to receive foods worth \$70. The ratios were worked out by state governments. The problem with the system was that the poor were forced to pay as much as 50 percent of their total income on food, while the average American spent only 17 percent of their income on food. Furthermore, the stamps had to be purchased either on a monthly or two-weekly basis, which was virtually impossible for the poor, especially those with irregular incomes. As most of those enrolled in the programme had to pay rent and medical bills as well as clothing, there was often not enough left to pay for enough food stamps to feed the family. Those with no income at all, of course, dropped out of the system completely. Since most states operated one system or the other, those people with no income who lived in counties that operated the Food Stamp Program had to depend on the generosity of friends and relatives. Those who did earn enough money to participate in the programme were given a package of food that did not include enough

¹⁴ One of JFK's first acts as President was to expand the Commodity Distribution Program. When he took office only five products were distributed.

¹⁵ Kotz, *Promises*, 43.

food for their family's needs, and that did not even meet the minimum dietary requirements set by the Department of Agriculture.¹⁶

Kennedy's first opportunity as a Senator to aid areas of rural poverty came early in his term. In February 1965 RFK's legislative assistants, Adam Walinsky and Peter Edelman, informed him that the Appalachian Regional Development Act was about to be debated in Senate. The act was designed to stimulate economic development in poverty stricken areas of the Appalachian region. Studies conducted by the Conference of Appalachian Governors and the President's Appalachian Regional Commission, which had been established in 1963, had led those those involved to conclude that "a coordinated, adequately funded and sustained effort must be undertaken to restore the region's economic vitality".¹⁷ The act would provide for the construction of highways to provide access to isolated areas, development of their resources, especially timber, the accelerated construction of water facilities, with emphasis on flood control and sewage treatment, and improvements in human resources and public facilities, especially the provision of better health and education services. The area to be covered by the act consisted of parts of Pennsylvania, Maryland, Ohio, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, and all of West Virginia. Because Governor Rockefeller had not been involved in the discussions conducted by the Conference of Appalachian Governors, New York was not considered part of the designated area, despite the State being, topographically, a part of the Appalachian region.

Walinsky and Edelman proposed that the Senator table an amendment to the act to include Appalachian poverty areas within New York's borders. In debate, therefore, Kennedy argued that the thirteen counties of New York contiguous to the Pennsylvania

¹⁶ *Ibid.*

¹⁷ "A Summary of the Appalachian Regional Development Act", RFK Senate Papers; Speeches and Press Releases: Subject File, box 1. JFKL.

border should be included in the act. Their omission, he argued, was “contrary to the purpose of the bill to provide true regional planning and development of this needy area”. The southern counties of New York, he continued, were geographically part of the Appalachian mountain chain; economically they shared close ties to many of the areas covered by the act, and more important, they were eligible for inclusion due to their poverty. For example, 11 percent of all families in those counties of Pennsylvania included in the act had an income of less than \$2,000 per annum. In the New York counties which Kennedy proposed should be added, 23,000 families, nearly 12 percent, had an income of less than \$2,000 a year. In several of the proposed counties that figure rose to fifteen percent.

The result of Kennedy’s intervention was uncertain for several reasons. By including thirteen more counties the proportion of the over all budget allocated to each state in the scheme would be cut back considerably. It was, therefore, against the interests of the senators of those states already included to vote for New York’s inclusion. Peter Edelman pointed out that it was unusual for a senator to ask the sponsors of a bill to add a state “because where that would stop no one would know”.¹⁸ Furthermore it was unprecedented for a freshman senator to request an amendment to an act so early in his career. Peter Edelman later recalled that it went against all Senate traditions for such a junior senator to talk on the floor of the Senate, quite apart from tabling an amendment. Kennedy was apparently hesitant at first for that reason, but having checked that it was not technically against the rules, he decided to go ahead.¹⁹ A report in the *New York Daily News* reported that many in the Cloakrooms of Congress were labelling the new senator “brash”. When interviewed, however, Kennedy was unrepentant. Shrugging off charges that he had ignored the Senate’s seniority system,

¹⁸ Peter Edelman in fifth oral history interview with Larry Hackman, January 3, 1970, RFKOHF, JFKL, 34.

¹⁹ *Ibid.*, 43.

he answered that his responsibility was to “represent the State of New York”.²⁰

Kennedy’s move also angered his colleague, Jacob Javits, the senior Senator for New York. Javits recalled that RFK did not consult him before speaking in the Senate: “He popped it on me very suddenly..” It upset Javits because “it was that kind of internal management amendment for a State in which both senators usually join. I thought it very rude and it caught me completely by surprise and would have embarrassed me politically if it were strictly his and not mine also”.²¹ Javits felt that Kennedy’s move reflected his arrogance and that of his Senate staff: “Anything they thought they wanted to do, they just went ahead and did”.²² Clearly, Kennedy did ignore the conventions of Senate. He was used to the speed that Executive action brought. Unlike his younger brother, Edward, who has been a Senator for Massachusetts since 1962, RFK had little sympathy for Senate protocol. He was interested simply in using his position to enact his own legislative programme. However, Javits’s criticism must also have stemmed from his embarrassment that neither he nor his aides had thought of the amendment themselves. It is possible that he did not recognise the problems within his own state because he was closer to them. Javits had been born in New York City and had lived there all his life, and was always engaged, consciously or not, in the ongoing battle for funds which raged between the city and the rural areas of the State. Ironically, Kennedy, the “carpetbagger”, may have had a clearer and less partial view of the state’s problems because he viewed them as an outsider.

Javits countered with his own proposal which modified Kennedy’s amendment. Kennedy wisely deflected conflict, avoiding a vote by amalgamating the two proposals.

²⁰ “Capitol Stuff,” *New York Daily News*, February 6, 1965. Newspaper and periodicals collection, JFKL.

²¹ Jacob Javits oral history interview with William vanden Heuvel, June 19, 1970, RFKOHF, 11.

²² *Ibid*, 11.

Their joint amendment was approved in August 1965. The Appalachian Regional Commission, which was set up to coordinate the programme, declared New York was similar to the rest of the Appalachian areas in that the counties were “abundant in natural resources, rich in potential, but lag behind the rest of the nation in economic growth”.²³ The thirteen counties were to participate in all but the highways programme, acceptance into which was postponed until a study of the region’s highways had been concluded. In 1966 the thirteen New York counties were added to the highways programme too.

That the amendment passed, given the difficulties it faced, is testament to Kennedy’s prestige among his fellow Democrat senators. It was extraordinary for a junior senator to exert such a strong influence among his colleagues. Many had known and dealt with RFK as Attorney General, and thus had already gained respect for his political acumen. If JFK’s legacy was embodied in the new senator, the Democrats willingness to comply with the proposal may have been increased by their wish to show solidarity with him. Kennedy’s amendment was also helped by President Johnson’s popularity during this period, as well as the Democratic majority in both the House and Senate following the 1964 landslide election.

Despite the Appalachian Regional Development Act the scale of poverty in rural areas was still unrecognised by most Americans. It was the activity of the Senate Labor Committee’s Subcommittee on Employment, Manpower and Poverty, especially the media attention afforded Kennedy’s involvement, that brought rural poverty to the foreground of American politics. As a member of the Subcommittee on Poverty, RFK

²³ “Congressional Report: Appalachian Regional Development Act”, September, 1965. RFK Senate Papers: Legislative Subject File, Box 7.

was exposed to the severe deprivation of America's "rural ghettos".²⁴ Horrified by the privation that he witnessed as a result of the subcommittee hearings, Kennedy, with his fellow subcommittee members, moved to bring the conditions they had seen to the attention of the nation.

In March 1967, Senator Joseph Clark of Pennsylvania set up hearings into rural poverty. Originally, the hearings were motivated by politics: The subcommittee's findings, it was anticipated, would provide support for existing poverty programmes. Hence, when the next battle over appropriations for Johnson's War on Poverty came around that summer, the Democrats would be in a stronger position to argue for an increased budget. Clark chose Mississippi as the first state where the subcommittee would hold hearings for political reasons too. The subcommittee chairman was keen to avoid conflict with influential senators such as Richard Russell of Georgia and Lister Hill of Alabama who was chairman of the subcommittee's parent committee, the Senate Committee on Labor. Less concerned with offending Mississippi senators, John Stennis and James Eastland, Clark settled upon that state for the first round of hearings.²⁵ Clark also chose Mississippi as the first stop on his road show because there was an infrastructure left over there from the voter registration drives and Freedom Summer.²⁶ Organisations such as the Mississippi Freedom Democratic Party [MFDP] and the Child Development Group of Mississippi [CDGM] already had

²⁴ The increasing importance of rural poverty as an issue during the late sixties is clear from the fact that experts on the subject started to use the term "rural ghetto". Until then meaning of the word "ghetto" had been confined to describing the geographically continuous and isolated areas, inhabited almost exclusively by blacks, of urban poverty. Since the late sixties, the term has been used by rural experts to impart the scale of deprivation faced by rural poverty areas. In rural areas, however, the term has less of a racial aspect. It simply denotes an area inhabited by poor people who are incapable, for socio-economic reasons, of escaping from their situation. See Davidson, *Broken Heartland*, especially chapter 3.

²⁵ Kotz, *Promises*, 4.

²⁶ Freedom Summer, held during the summer months of 1964, was a huge effort by SNCC volunteers to extend voter registration throughout the South, as well as providing education centres for black children and youths. The project was overshadowed by the deaths, in Mississippi, of three civil rights activists, Andrew Goodman, James Chaney, and Michael Schwerner. For an excellent account of Freedom Summer see Doug McAdam, *Freedom Summer*, (Oxford: Oxford University Press, 1988).

representatives working on the problem of poverty. Thus, the Subcommittee would be able to work in conjunction with civil rights activists to set up the hearings.

Four senators - Clark, Kennedy, Murphy (R-Ky) and Javits - travelled down to Mississippi. They had a meeting with representatives from CDGM in the state capital, Jackson, and heard testimony on the level of hunger in the state. Apparently shocked by the testimony, the senators agreed that they should inform the President. Murphy and Javits then left for Washington, while Clark and Kennedy proceeded with a tour of the delta accompanied by Peter Edelman, Marion Wright (a lawyer with the NAACP's Legal Defense Fund) and various other civil rights workers and press officials. His experience with the PCJD had taught Kennedy the value of talking to the dispossessed themselves, rather than those who claimed to represent them, or even those who tried to help them. Adamant that the hearings should not be confined to the usual group of local officials and politicians, RFK insisted that the subcommittee witness the conditions of the rural poor at first hand. In this way, crucially, the hearings would give the poor their own voice. A local civil rights worker, Azmie Moore, took the party around Cleveland, Mississippi, which Edelman later described as a "terrible, shocking, eye-opening tour".²⁷ Kennedy told his legislative assistant that he had seen serious conditions in West Virginia (where he had campaigned for his brother in 1960), but nothing he had seen in the United States had prepared him for what he saw in those Mississippi shacks. From the reports of those who accompanied Kennedy it is clear that he was deeply affected by the sights they saw on the tour. Charles Evers, brother of the murdered civil rights leader Medgar, described the state of one of the shacks they entered. It was "one of the worst places I've ever seen ... There was no ceiling hardly, ... the floor had holes in it, and a bed that looked like the color of my arm - black as my arm - propped up with some kind of bricks to keep it from falling. The odor was so bad

²⁷ Edelman, eighth oral history interview with Larry Hackman, March 13, 1974, 17.

you could hardly keep the nausea down”.²⁸ In the room, according to Evers and Nick Kotz (then a reporter with the *Des Moines Register*), was a small child, whose stomach was distended from malnutrition, sitting on the floor which was shared by rats and roaches. Kennedy picked the child up and sat with her on the floor trying “to evoke a response from the child, talking, caressing, tickling”. The child didn’t respond and eventually Kennedy gave up. He left the shack in tears, horrified at the deprivation which led to such withdrawal in a young child.²⁹ For Marion Wright, it was this response that proved to her that Kennedy was more than a publicity-seeking senator. She recalled that:

he came, and he did things that I didn’t do. He went into the dirtiest, filthiest, poorest black homes ... and he would sit with a baby who had open sores and whose belly was bloated from malnutrition, and he’d sit and touch and hold those babies ... I wouldn’t do that! I didn’t do that! But he did ... That’s why I’m for him.³⁰

Many of the journalists who accompanied the senators on the tour, however, were skeptical about Kennedy’s motives. Some thought that he was using the hearings as part of a political campaign. Kennedy had already decided to run for President, although in 1967 he was still thinking in terms of the Presidential race in 1972, not 1968. Still, long way off though 1972 may have been, RFK knew better than most the importance of being known by the majority of Americans. No doubt he recalled that one of the biggest problems JFK had had to face during the 1960 campaign was that more Americans had heard of, and seen, Nixon, who was Vice-President at the time. For RFK, however, that was not such a major issue. As Attorney General he had been fairly well-known, and those who had not known of him before JFK’s assassination certainly did after. By 1967 RFK was a household name, he did not have to go to

²⁸ Charles Evers quoted in Schlesinger, *Robert Kennedy*, 855.

²⁹ Evers and Kotz, quoted in *Ibid*, 855.

³⁰ Edelman eight oral history, 18. Marion Wright to Roger Wilkins, quoted in Schlesinger, *Robert Kennedy*, 855.

Mississippi to boost his popularity. The Senator made news wherever he went, and whatever he did.

That does not mean, however, that Kennedy's decision to take an active role in the work of the poverty subcommittee was not politically motivated. By 1967, having broken with Johnson over Vietnam, Kennedy was also beginning to criticise the administration's record on poverty. Initially Kennedy had been a strong supporter of President Johnson's Great Society Programme. He had made forceful statements in Johnson's favour during the 1964 campaign, as well as during his first months as Senator for New York. As his experience and ambition grew, RFK moved out ahead of the White House on the issue of poverty. In 1966 he recommended that the budget requested by LBJ for the War on Poverty be expanded according to the recommendations of the Senate Committee on Labor. Kennedy finished his plea for more funds by using Lyndon Johnson's own words against him:

There are men who cry out that we must sacrifice.
Well let us rather ask them, Who will they sacrifice?
Are they going to sacrifice the children who seek learning, or the sick who need medical care, or the families who dwell in squalor that are now brightened by the hope of home?
Will they sacrifice opportunity for the distressed, the beauty of our land, the hope of the poor? ...
... I believe that we can continue the Great Society while we fight in Vietnam.³¹

No doubt Kennedy's reminder to Johnson of his promises served to further widen the gulf between them. It certainly resulted in the President undercutting Kennedy's proposal, which destroyed the Senator's hopes for an increased budget. However, while it is true that Kennedy did call on the administration to increase spending on poverty relief, he always phrased such speeches carefully. He was sometimes not as

³¹ Speech by President Johnson, "The State of the Union", January 12, 1966. Quoted in Speech by RFK, "The War on Poverty - The Need For Action", October 3, 1966. RFK Senate Papers: Speeches and Press Releases; Subject File, box 3.

careful in off-the-cuff remarks, or question and answer sessions. It was during those sessions, especially when he was addressing students, that Kennedy's true beliefs became evident. Unable to be objective when put on the spot, RFK would begin to talk in terms of moral imperative. It was that habit that most endeared Kennedy to young idealists such as Walinsky and Jack Newfield. However, even when talking passionately about poverty or the war, Kennedy would resist the temptation to attack the President by name. He was far too experienced a politician to do that. Reading press accounts of his speeches and statements, however, one could be forgiven for thinking that he always criticised LBJ and the administration personally. With headlines such as "Kennedy Calls Antipoverty Program a Failure", for example, despite any such statement by the Senator, editors attracted readers.³² That practice has persuaded several generations of Americans and interested observers that the public feud between the two men was more vehement than it actually was. More importantly, perhaps, such headlines deepened Lyndon Johnson's suspicion and hatred of Kennedy, who, he came to believe, was conspiring against him.

After Clark and Kennedy had returned from their tour of Mississippi they met with Secretary of Agriculture Orville Freeman, recounting the conditions they had witnessed. Freeman was skeptical about the extent of poverty, and refused to believe that some Americans existed with no income whatever. His response was not untypical. As the civil rights leader, A. Philip Randolph had discovered during his

³² "Kennedy Calls Antipoverty Program a Failure", *The New York Times*, February 15, 1968. The headline in no way reflects the text of the article. An analysis of many of the articles written about Kennedy during this period reflect the same tendency to exaggerate his statements, or to distort them out of all recognition. During hearings on the urban crisis, for example, comment on RFK's remarks was given the headline, "Kennedy Chides Johnson on Cities". In reality, however, his statement merely called for increased government expenditure on urban renewal. That statement was directed as much at Congress, which had ultimate power over appropriations for government programmes, as at the administration, which suggested budget levels. The article also suggested that Kennedy had implied that Johnson was guilty of using the war in Vietnam as an excuse not to increase Federal aide to cities. Again, however, that was the implication of the journalist, rather than a true reflection of RFK's comments.

attempts to alert government officials to poverty in the South, other administration officials found it hard to understand too. Those he talked to could not believe it when Randolph told them that:

The South is thick with people who live in a primitive world of barter. They work, or they don't work, but when they do work it is for past debts or to establish future credit. No money changes hands. They wear cast-off clothes, they eat charity food. They buy nothing ... To them, \$2 a head - or even 50 cents a head - for the stamp program might as well be \$2,000 a head. If they could raise it, it would only be by borrowing from their landlords, who charge up to 50 per cent interest.³³

Freeman's response was based partly on an inability to understand the depth of the problem and partly upon political reality. He knew that if he recommended that emergency measures be taken to alleviate hunger in areas like Mississippi, he would incur the wrath of Jamie Whitten, the chairman of the House Appropriations Subcommittee on Agriculture. Whitten, a Mississippi Democrat, would never agree to an expansion of poverty programmes. Freeman's regard for Whitten's power is evident from his reported remark that he had "two bosses: One is President Johnson. The other is Jamie Whitten".³⁴ According to Robert Sherrill, the radical Washington correspondent for *The Nation*, when Freeman approached Whitten with the idea that food stamp prices should be lowered, Whitten replied: "There's nobody in Mississippi who can't raise \$2 a month".³⁵

Freeman tried to explain to the senators the problems that he faced with Whitten, and other southern conservatives. Both the House and Senate Agriculture committees were dominated by southern segregationists, who had no intention of agreeing to poverty appropriations which would predominantly aid southern blacks, and by mid-

³³ Robert Sherrill, "It Isn't True That Nobody Starves in America". *The Nation*, undated. RFK Papers: 1968 Presidential Campaign; Press Division, box 12.

³⁴ Gilbert Steiner, *The State of Welfare*, 227.

³⁵ Sherrill, "It Isn't True", *The Nation*.

western conservatives who were committed to protecting the interests of agribusiness. Indeed, Freeman's fear was justified as the original Food Stamp Act had only passed by the narrowest of margins in 1964, which, given the Democrats' preponderance that year, showed the level of objection to poverty appropriations.

Kennedy, in response to Freeman's objections, attempted to bring the discussion back to fundamentals: "I just don't know, Orville. I just don't know why you can't just get the food down there".³⁶ Peter Edelman, who also attended the meeting, later commented that Kennedy's response seemed somewhat naive:

I never knew whether Kennedy understood the perplexities [sic] of why Orville couldn't just get the food down there. Not merely bureaucratic complexities, because for those he had no patience, and did understand them and could sweep them aside in a way that I generally agreed with. But whether he ever understood how much control Jamie [L.] Whitten had over Orville Freeman, or whether he understood that as well and knew that in fact Orville Freeman could have been somewhat less controlled by Jamie Whitten if he had chosen to play it differently. In any case he behaved as though there were no complexities.³⁷

The response was typical of RFK. He could appear naive, but often it was hard to tell whether he had genuinely not understood the complexities of the situation, or whether he merely chose not to communicate that understanding. In this case Kennedy may have been using a supposed lack of comprehension as a bargaining position, on the premise that if he acknowledged the difficulties involved he would weaken his own case.

It is also likely that Kennedy knew, and disapproved, of Whitten's influence, but did not want to verbalise that criticism because of his friendship with Freeman, forged during the Kennedy administration. Freeman had nominated JFK at the 1960 Democratic convention, and having been chosen to serve as Secretary of Agriculture, had become an important part of the "New Frontier". Ever loyal to JFK's supporters,

³⁶ Edelman, eighth oral history, 22.

³⁷ *Ibid.*

Kennedy found it hard to criticise Freeman, even though the Secretary's response to the hunger issue created a tension in the relationship which existed until Kennedy's death the next year.

Freeman eventually agreed to send a team of representatives down to Mississippi to look into the conditions that Clark and Kennedy had described to him. The committee's next move was to send a letter to President Johnson, appealing for his help in countering the poverty they had witnessed in Mississippi. The letter suggested that free food stamps should be available for the neediest, and that the ratios should be reworked to provide cheaper stamps for those unable to pay the required amount set by the state. The letter also suggested that there should be an inquiry into the distribution of federal food by local officials, which, as they had heard in various testimonies, was inefficient at best and corrupt at worst. Stressing the desperate need for action the committee made an appeal for immediate action:

In the judgment of the subcommittee, the situation has reached emergency proportions ... In the Delta alone, it is estimated that some 40 to 60 thousand people will be either without or almost without cash income this summer. It is our strong belief that this economic upheaval has reached a level of emergency as grave as any natural disaster.³⁸

At first Johnson refused to accept the letter, perceiving it as an attack by Robert Kennedy on his Presidency. Eventually, however, Johnson conceded. He asked his chief assistant on domestic affairs, Joseph Califano, to investigate the matter. Califano reported back that Freeman, "does not want to upset the entire program by either giving free food to these Negroes in the Delta or by lowering the amount of money they have to pay for food stamps until he has the food stamp program through Congress".³⁹ Given the extent of hostility to the Food Stamp Program in Congress, Califano said that

³⁸ Letter from the Subcommittee on Employment, Manpower and Poverty to President Johnson, April 27, 1967. RFK Senate Papers: Legislative Subject File, box 59.

³⁹ Letter from Califano to Johnson, April 17, 1967. Johnson Papers. Quoted in Schlesinger, *Robert Kennedy*, 856.

Freeman was keen not to draw more attention to the bill by changing its provisions. However, Califano also admitted, “we thought they were exaggerating the extent of hunger”.⁴⁰

The President ordered the Office of Economic Opportunity to deal with the committee’s letter. Their response, according to Gilbert Steiner, was “defensive ... argumentative ... irrelevant”.⁴¹ The OEO’s answer noted that the situation in Mississippi could not be treated as an emergency by the government because there were other areas where similar conditions existed: “Every state whose senator signed the appeal to the President has a crisis of poverty within it”. The OEO also pointed out that as a result of Johnson’s efforts, “there is more antipoverty money, more food, more education, more jobs, more housing, more justice being brought to the citizens of Mississippi than to nearly any other state”. The letter ended by stating that the administration recognised the problem (despite the fact that key officials refused to believe that any Americans existed without an income) and that what was needed was the “wherewithal” to address the problem.⁴² The Subcommittee members had hoped that the administration would find the “wherewithal”, rather than pass the problem back without any promise of help.

On the same day that the administration turned down the appeal for emergency funds for Mississippi, the President had made a speech declaring that, “the most noble outrage against injustice ... will be only good intentions unless Americans ... go into the field”.⁴³ Johnson obviously meant any American except for a member of the Subcommittee on Employment, Manpower and Poverty.

⁴⁰*Ibid*, 856.

⁴¹ Steiner, *The State of Welfare*, 223.

⁴² “Response to Senate Subcommittee Letter on Mississippi”, April 29, 1967. RFK Senate Papers: Legislative Subject File, box 59.

⁴³ “Grudge Fight” *The Nation*, May 22, 1967. RFK Senate Papers: Legislative Subject File, box 59.

It wasn't just Kennedy with whom Johnson was concerned. The rest of the subcommittee was made up of men for whom Johnson had little time, owing to previous altercations over funding for the war on poverty. But while he disliked anybody who opposed his policies, his hatred he reserved for Kennedy. Doris Kearns Goodwin wrote that his staff began to worry over Johnson who, they believed, had created "a fantasy world of heroes and villains". During his moments of paranoia, the President's voice would become "intense ... He would laugh inappropriately and his thoughts would assume a random, almost incoherent quality, as he began to spin a vast web of accusations":

Two or three intellectuals started it all, you know. They produced all the doubt, they and the columnists in the *Washington Post*, the *New York Times*, *Newsweek* and *Life*. And it spread and it spread until it appeared as if the people were against the war. Then Bobby began taking it up as his cause and with Martin Luther King on his payroll he went around stirring up the Negroes and telling them that if they came out into the streets they'd get more. Then the communists stepped in. They control the three networks, you know, and the forty major outlets of communication. It's in all the FBI reports. They prove everything. Not just about the reporters but about the professors, too.⁴⁴

Clearly, personality did come into Johnson's decisions on the war on poverty. However, the President also had to juggle funds for the War on Poverty with the budget for the war in Vietnam, while trying not to enrage conservative congressmen. In 1967 and 1968 Johnson was chiefly concerned with trying to pass his tax bill, which, would enable him to increase his budget for Vietnam. Consumed by his generals' growing demands for money, the President was not receptive to any legislation which would jeopardise the tax bill. His support for emergency funds, or an increase in appropriations for the War on Poverty, would lose him the support of conservatives. They would then vote against the tax bill.

⁴⁴ Doris Kearns Goodwin, *Lyndon Johnson and the American Dream* (New York: St Martin's Press, 1976), 316. It is unclear from her text whether this monologue was delivered to Johnson's staff, to Kearns Goodwin while she was working as an intern at the White House, or later, while she was helping the President organise papers for his autobiography.

Kennedy and Clark were enraged by the OEO response. Kennedy protested to its Executive Director, his brother-in-law, Sargent Shriver. Shriver made a token effort, agreeing to a four month emergency programme which would provide one million dollars to lend the poor of 20 counties (4 in Mississippi) enough money to buy food stamps. It was a nominal gesture, but it did show that the OEO realised that the poor could not afford to buy food stamps. Meanwhile, Kennedy and Clark kept up the pressure on Freeman, who eventually admitted, in private, that he had the power to issue free food stamps. He would not use that authority, however, until he had checked it with Jamie Whitten. Whitten, predictably, told Freeman that he would not support such a move. Since the Department of Agriculture's budget was overseen by Whitten, Freeman felt unable to act. Kennedy told Kotz that, "Orville was being subjected to pressure by us, but he was much more worried about his own programs, for which he had to answer to Whitten, Eastland, and that crowd. It boiled down to whether we could exert more pressure than the southerners - and we didn't".⁴⁵ Kennedy's use of "didn't" rather than "couldn't" in his conversation with Kotz is interesting. It suggests an element of impatience with himself and his colleagues, for not having exerted enough pressure on Freeman and the administration. Never willing to accept excuses from other people, Kennedy would not accept them from himself either. Therefore, he would not tell Kotz that he and Clark had been unable to affect Freeman's decision. More honestly, he admitted that they had not managed to do so.

⁴⁵ Quoted in Kotz, *Promises*, 66.

At this point, Clark and the Subcommittee also met with a group of doctors who, sponsored by the Field Foundation, had made an independent study into poverty in the Mississippi Delta.⁴⁶ On their return, the doctors had petitioned Secretary Freeman, but had been chastised for stirring up southern conservatives. When Kennedy learnt of the Secretary's response he told the doctors: "[Y]ou don't have to take that. This is the beginning, not the end. You don't have to be discouraged".⁴⁷ The doctors' study, added to the indifference that the subcommittee members had themselves received from the administration, led them to believe that their only course of action was to open more hearings in Washington D.C. in order to gain more publicity for the hunger problem.

Clark and Kennedy were aware that the administration might perceive the decision to open the hearings on poverty as a criticism of its policies in that area. Accordingly, both Senators sought to allay any fears on that account. During the first day of the hearings, Kennedy assured those present that, "we are not trying to find scapegoats who are responsible or one individual who has been derelict in his duties, whether it is Federal programs in conjunction with the State or local counties that can do something to improve the situation".⁴⁸ He stressed that the subcommittee was interested solely in examining the problem and trying to find adequate solutions. Despite the protestations of the subcommittee members, however, Johnson did perceive the hearings as a criticism of his poverty programme: Kennedy's involvement in the proceedings added insult to injury.

At the opening of the new hearings, Clark and Kennedy called as their first witnesses the Field Foundation doctors. The doctors testified to their discoveries in

⁴⁶ The Field Foundation was a philanthropic organisation which, like the Ford Foundation, promoted social action to improve upon the standard of living in the United States. Its activities were financed by a fund left by Marshall Field, (1834-1906) Chicago's "Merchant Prince", a renowned philanthropist who also donated money to the University of Chicago and the Field Museum of Natural History.

⁴⁷ Kotz, *Promises*, 9.

⁴⁸ Hearings before the Subcommittee on Employment, Manpower and Poverty, July 11 and 12, 1967. (Washington, D.C.: U.S. Government Printing Office, 1967), 86.

Mississippi:

homes without running water, without electricity, without screens, in which children drink contaminated water and live with germ-bearing mosquitoes and flies everywhere around ... We saw homes with children who are lucky to get one meal a day ... who don't get milk, fruit, vegetables, or meat. They live on starches - grits, bread, Kool-Aid ... They have literally nothing ... They are out of sight and ignored. They are living under such primitive conditions that we found it hard to believe we were examining American children of the 20th century.⁴⁹

Physician and Child Psychiatrist Robert Coles, from Harvard University, whose work in Mississippi had resulted in his book, *Children of Crisis, a Study of Courage and Fear*,⁵⁰ wrote a letter to the subcommittee emphasizing, "the subtle and insidious nature of malnutrition". He stressed that malnutrition in the Mississippi Delta was widespread, even though it was not always easy to detect. Coles reported that he witnessed severe vitamin deficiencies and wasting of the muscles among people who appeared to be well-fed, if not overweight. This was due to the lack of protein available to the poor in these areas, who, instead, existed almost entirely on starchy foods. Coles also emphasized that he had witnessed children who were on the brink of starvation: "[T]hey are not fat. They are thin, with distended and bloated bellies and a whole range of diseases that would probably shock the American public if they knew that they existed in American children".⁵¹

Dr. Raymond Wheeler described the standard diet that he had encountered while on his tour of Mississippi poverty areas: "a little rice or biscuit for breakfast, dried beans or peas with occasional salt pork for lunch -- if lunch could be afforded, and for

⁴⁹ *New Republic*, July 16, 1967. The doctors were Dr. Robert Coles, Harvard; Dr. Joseph Brenner, MIT; Dr. Alan Merman, Yale; Dr. Raymond Wheeler, North Carolina; Dr. Cyril Walwyn, Mississippi; Dr. Milton Senn, Yale.

⁵⁰ Coles was, and remains, an important figure in antipoverty efforts. He wrote a number of books on the effects of poverty on child development, including, *Children of Crisis, a Study of Courage and Fear*, (Boston: Little, Brown, 1967); *Uprooted Children: The Early Life of Migrant Farm Workers*, (Pittsburgh, Pa.: University of Pittsburgh Press, 1970); and *The Lives of Migrant Farmers*, (Toppenish, Wash.: Center for the Study of Migrant and Indian Education, 1971).

⁵¹ Letter from Robert Coles, M.D. to Joseph Clark, May 1, 1967. RFK Senate Papers: Legislative Subject File, box 59.

supper more rice or bread with occasional servings of molasses or peanut butter. Only one of the families I visited had milk at all and this was reserved for 'the sickliest' ones". One mother summed up her children's diet for Wheeler: "These children go to bed hungry and get up hungry and don't ever know nothing else in between".⁵² Inadequate diet resulted in serious illnesses due to low resistance to disease, a resistance already lowered by lack of immunization at birth. Despite this, however, few sought medical attention, as they were unable to pay for it. One mother told Wheeler that she only went to the doctor herself or took one of her children, when she was certain that death would result if she did not. All the doctors called attention to the fact that the black infant mortality rate in Mississippi was twice that of whites, and rising. They stressed the need for an emergency aid package, as well as the provision of medical treatment for poor Mississippians.⁵³

The panel of doctors also pointed out that malnutrition in children was responsible for their poor performance at school. Dr. Senn testified that aside from the physical symptoms of hunger, (anemia, swelling of the legs, enlargement of the abdomen, and repeated crying) children also showed behavioral symptoms such as fatigue and inability to think clearly. In Mississippi he had seen children, "who were lethargic, who were thin, who were attempting to learn but who preferred to lie on the floor and sleep".⁵⁴ The effects of hunger so early in life could, the doctors concluded, prevent the poor being able to find work on reaching adulthood. Ignorant because they had been unable to learn, the poor were locked into a vicious circle of deprivation and despair. In extreme cases, severe malnutrition in the young retarded the development of the brain, leading to permanent handicap.

⁵² Report of Raymond M. Wheeler, M.D. of a field trip to Humphreys and Leflore counties, Mississippi. RFK Senate Papers: Legislative Subject File, box 59.

⁵³ Kotz, *Promises*, 9.

⁵⁴ Hearings before the Subcommittee on Employment, Manpower and Poverty, July 11 and 12, 1967, 30.

Kennedy was horrified by the testimony. Referring to his favourite Camus quotation - “perhaps we cannot prevent this world from being a world in which children are tortured, but we can reduce the number of tortured children” - he stressed that “something needs to be done. There is no question that we have the food, we have the wealth, we have the ability ... to take care of these problems ... wherever they might exist”.⁵⁵

As well as the doctors’ testimonies, Kennedy and Clark heard the stories of various Mississippians who related their struggle to survive on the food provided by the Commodity Distribution Program, or the Food Stamp Program. Some who testified were unemployed, and could find only seasonal farm work; the rest of the year they had little or no income. Others were sharecroppers who, rather than receiving a share of the profits, found themselves owing more and more to the landowner. Few could afford medical attention for themselves or their families if it was required.⁵⁶ The stories the senators heard were similar to one related by Nick Kotz in an article on poverty in Mississippi. Kotz wrote about a family who were sharecroppers for Tom Stennis, the cousin of Senator Stennis. In theory they received a division of the profits from the crops. However, after account had been taken for accommodation and agricultural supplies the family usually ended the year in debt to the landowner. The family, who lived in Kemper county, which operated a commodity programme, described how, when the commodities ran out, they were forced to go to “Mr. Tom”. He would give them food from his store and charge it against the crop. Similarly if medical help was needed, that too would be charged against the crop. That year the family were told they owed Tom Stennis \$800, although they were not sure how the amount had been calculated. Stennis’s response, when questioned about the system, was that he thought

⁵⁵ *Ibid*, 37

⁵⁶ *Ibid*, 106-120.

Negro sharecroppers “make out pretty well” but that they should “work a little harder”.⁵⁷

The testimony convinced the subcommittee members that the existing food aid schemes were not effective. Rather than helping those who were destitute, the programmes did more to help commercial farmers. The hearings also underlined the scale of the problem. Kennedy and Clark learned, for example, that only one out of every six of the poorest Americans received either commodity parcels or food stamps. The hearings also convinced Kennedy that the federal food programmes had been subverted by southern states into a method of denying black Americans political, social, or economic equality. As Kotz observed:

Surplus commodities - barely enough to survive on - were distributed in the winter when there was no work on Senator Eastland’s Mississippi plantation or on the huge Texas ranches. In the spring, when the \$3-a-day planting jobs opened up, the food aid ended. The federal government eased the planter’s responsibility by keeping his workers alive during the winter, then permitted counties to withdraw that meager support during planting season - forcing the workers to accept near starvation wages in order to survive. Even those wages vanished when the rural serfs, slowly replaced by coal-digging, cotton-picking, and fruit-picking machines, had outlived their usefulness to the planter. They fled to the cities where a new kind of brutalization took place for men ill-educated, and ill-equipped to earn a living there. Thus the United States government worked hand in hand with the most feudal systems of agricultural peonage.⁵⁸

The subcommittee heard countless stories of those who had “stepped out of line” and had, therefore, been denied their benefits. For example, black citizens of Greenwood County, Mississippi, were denied access to food aid packages if they participated in voter registration projects. Because of the influence of conservatives such as Whitten in the House and Senate Agricultural Committees, food aid programs were organised to benefit farmers, who were, increasingly, large, faceless

⁵⁷ “A Dixie Study: Starvation and Poverty”, *Des Moines Sunday Register*, January 14, 1968. RFK Senate Papers: Legislative Subject File, box 59.

⁵⁸ Kotz, *Promises*, 24.

corporations. The agricultural lobby was far more effective and powerful than the poverty lobby.

The dilemma that public officials like Freeman faced was also brought to light by the hearings. When, during the Secretary of Agriculture's testimony before the subcommittee, Kennedy asked him whether he agreed that there were Americans who had no income at all, Freeman responded that he did not agree. He argued that there were few people on a very low income who were not involved in the programme. At that stage of the proceedings, however, Kennedy produced a letter that Freeman had written to Senator Clark, in which he had stated:

The rapid mechanization of the cotton fields in the Southeast, the better use of chemicals which lessen the necessity of some fieldworkers and the fact that many farmowners state they cannot meet the minimum wage requirements under the legislation of last year, has brought about a situation in which it is estimated that 40,000 to 60,000 people with little or no cash income may be living in the area this summer.⁵⁹

Freeman also stated that he knew of "no authority whereby any more food could be made available or distributed by the declaration of an emergency. That would contribute nothing to the solution of the problem".⁶⁰ Yet, he had, in private, told Kennedy and Clark that he would be within his authority should he choose to disburse emergency relief. No doubt, between making such a statement to Kennedy and Clark and appearing at the hearings, Freeman had consulted Whitten. Whitten's influence was strong enough to persuade the Secretary to backtrack in his testimony before the subcommittee.

As a result of the hearings, Mississippi's conservative senator, John Stennis, who had been invited to sit in on the hearings, introduced an emergency food and medical bill. During the hearings he had expressed doubt that such suffering existed in

⁵⁹ Letter from Secretary Freeman to Senator Clark, April 26, 1967. Printed in the Hearings before the Subcommittee on Employment, Manpower and Poverty, July 11 and 12, 1967, 130.

⁶⁰ Printed in *Ibid.*, 132.

his state. At one stage he had denounced the testimony of one of the doctors, Raymond Wheeler, as “misinformation or mere fantasy” and a “libel” on the people of Mississippi.⁶¹ However, he and Eastland were anxious to deflect the spotlight away from Mississippi. In introducing the bill Stennis stated, “what they need is help, not talk and publicity ... they need to be made well, not made the subject of partisan politics or a nationwide television show”.⁶² The subcommittee members recognised that the legislation was motivated by his desire to keep media attention away from Mississippi: nevertheless, they embraced the bill. The Stennis bill recommended that \$10 million be authorized for use by the Department of Agriculture and the Public Health Service, which would enable them to provide emergency relief. The subcommittee members reported the legislation out at once and the Senate passed the bill in just ten days. Its progress, however, was impeded in the House, where Whitten and House Agriculture Committee Chairman, Bob Poage, determined to kill it in Committee.⁶³

Passage of the legislation was not helped by the belief, shared by many Congressmen (and the administration), that the bill was a Kennedy plot. That notion was strengthened because, at the same time as the hearings had taken place, a group called the Citizens Crusade Against Poverty formed its own “Inquiry into Hunger and Malnutrition in the United States”. Given that the executive director of the Citizens Crusade was Richard Boone, who had played a large part in the Kennedy administration’s plans for the War on Poverty, the administration believed that the resulting publicity was a scheme by Kennedy to discredit the administration. Many Congressmen, on the other hand, viewed it as an attempt to expand the relief system.

⁶¹ *Ibid*, 66.

⁶² Quoted in Kotz, *Promises*, 70.

⁶³ Poage represented Waco, Texas.

It is true that Boone knew and supported Kennedy. However, he would have pursued his interest in poverty even if Kennedy had not been involved in the struggle. Boone, who had been the originator of the concept of “maximum feasible participation by the poor”, was increasingly disturbed by the gap between the original promises of Johnson’s “Great Society” and the reality of its programmes. He had set up the Citizens’ Crusade to provide support for anti-poverty legislation and programmes.⁶⁴

Kept alive by the persistence of Clark and Kennedy, who lobbied Congressmen, talked to the press, and called administration officials, the Stennis bill did eventually pass in November of 1967, but the administration stalled on its implementation. Eventually, five months after the legislation had passed, emergency funds began to trickle into the neediest counties. However, owing to interdepartmental wrangling, a quarter of the emergency funds were allocated to the regular food stamp programme, the bureaucracy of which had created the need for emergency funds in the first place. The bill helped a few poor people buy stamps, but relief was needed on a much larger scale.⁶⁵

Johnson’s reaction to Kennedy and Clark caused Hubert Humphrey to record his only criticism of the President during his years as Vice-President. In a letter to a Mrs. Arthur Frim, who was professionally concerned with the effects of hunger on the mental development of children, Humphrey wrote: “[T]here are ways the President could have helped ... in approving some of Orville Freeman’s budget requests, in supporting legislation on the Hill, and suggesting administrative change - but he has not”.⁶⁶ Now that he was occupied with the war in Vietnam, Johnson found his earlier

⁶⁴ Boone, apart from having worked on the Federal government’s antipoverty programme, had also worked for the Ford Foundation, before setting up the Citizens’ Crusade Against Poverty in 1965. The group was active in areas where poor people wished to develop their own leadership, such as the Woodlawn area of Chicago, as well as the Watts ghetto and the grape fields of Delano, California. See Kotz, *Promises*, 10-15.

⁶⁵ *Ibid*, 77-78.

⁶⁶ Quoted in Schlesinger, *Robert Kennedy*, 857.

ambitions for the War on Poverty fallen by the wayside. Adamant that the United States budget could provide both guns and butter, the President had discovered by 1967 that it could not. As Daniel Patrick Moynihan noted in an article in *Commentary*, by the State of the Union address in 1967, Johnson, scared of both rampant inflation and domestic violence, dropped any mention of civil rights or poverty issues. In their place he talked about the war, safe streets and crime control at home.⁶⁷

Despite the administration's lack of support, however, the Clark subcommittee did have a certain amount of success as a result of the hunger hearings. The Department of Agriculture eventually agreed to bring down the price of food stamps for the poorest Mississippians. The hearings also sparked the interest of Dr. William Stewart, the United States Surgeon-General, who had been unaware of the problem in the Delta region. Stewart stressed the need for official statistics on hunger throughout the United States, so Kennedy and Javits added an amendment to a health bill which authorised a National Nutritional Survey. This research programme was carried out by the Public Health Service and completed by the beginning of 1969, it provided the incoming Nixon administration with "hard" evidence of widespread hunger in the United States.

At the urging of RFK, CBS produced a documentary on hunger in Mississippi, broadcast in early 1968, which alerted many Americans to the scale of the problem. The programme was scheduled when Kennedy convinced CBS television producer Don Hewitt that the emergency in rural poverty areas needed serious coverage. Most importantly though, the hearings resulted in the formation of a Senate Select Committee on Nutrition and Human Needs in late 1968, chaired by Senator George McGovern. The hearings set up by the McGovern select committee led to the first public declaration by a United States President on the widespread malnutrition in America. The pressure

⁶⁷ Daniel Patrick Moynihan, "The Democrats, Kennedy and the Murder of Dr. King", *Commentary*, May 1968. Newspaper and periodical clippings collection, JFKL.

was enough to force Nixon to take action at the beginning of his Presidency.⁶⁸ In May 1969, Nixon asked Congress for one billion dollars to reform the existing food programmes. In a speech on the issue, Nixon declared, “that hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable. More is at stake here than the health and well-being of 16 million American citizens who will be aided by these programs. Something like the very honor of American democracy is involved”.⁶⁹

As a result of Nixon’s intervention, the food stamp programme was expanded and child nutrition programmes received additional funding. According to the Field Foundation doctors, who returned to the poverty-stricken areas of Appalachia and Mississippi in 1977, incidents of malnutrition had decreased since their last visit. Dr. Raymond Wheeler summed up the effects of the increase in government funding:

There can be little doubt that significant change has occurred since 1967. ... Nowhere did I see the gross evidence of malnutrition among young children that we saw in 1967. ... It is not possible any more to find very easily the bloated bellies, the shriveled infants, the gross evidence of vitamin and protein deficiencies in children that we identified in the late 1960s.⁷⁰

Kennedy’s interest in the problem of poverty in the United States was consistent throughout 1967 and into 1968. Kennedy pushed for the continuation of hunger hearings to look into the nature of the problem in states other than Mississippi. Hearings were carried out in Kentucky where Kennedy chaired the proceeding, in Clark’s absence. Hearings were also scheduled for South Carolina. These were interrupted by Kennedy’s decision to run for President in 1968, but his sponsorship of the issue remained constant throughout the campaign as he made stump speeches

⁶⁸ Edelman, eighth oral history, 36-39.

⁶⁹ Quoted in Kotz, *Promises*, 184. For accounts of Nixon’s domestic policies, see Joan Hoff, *Nixon Reconsidered*, (New York: Basic Books, 1994), 17-144; and Michael A. Genovese, *The Nixon Presidency: Power and Politics in Turbulent Times*, (New York: Greenwood Press, 1990).

⁷⁰ U.S. Senate, *Hunger in America*, 11. Quoted in John E. Schwarz, *America’s Hidden Success*, 45.

around the country. At Notre Dame University, Indiana, April 4 1968, Kennedy spoke of the widespread hunger in America and the deficiencies of the food stamp programme. He set forth his programme for dealing with the problem. He recommended the use of emergency funds, lowering food stamp prices, realigning the Food Stamp Program to deal with its inequalities, (so that those with more money would not receive a greater quantity of food,) providing for delivery of food packages by mail, and a greater emphasis on community action in administering food stamp and commodity programmes. Kennedy regarded the issue as a moral imperative. He told his audience that the Citizens Crusade had made a conservative estimate that nearly 10 million Americans suffered from hunger and malnutrition and stressed, “[T]his need not be the case. It must not be the case”. If America could not “feed the children of our nation, there is very little we will be able to succeed in doing to live up to the principles which our founders set out nearly 200 years ago”.⁷¹ He continued to emphasise his theme of providing the poor with jobs, and getting them off welfare, but at the same time recognised that emergency measures were needed to counter the problem in the short term.

Following on from his proposals to combat urban poverty, summed up by the Bedford-Stuyvesant project, Kennedy announced, during presidential campaigning in Nebraska, his proposal for a Rural America Community Services Act. His programme would help small farmers, provide tax incentives for industries who located in rural poverty areas, and increase federal assistance for building roads, airports, schools and sewer facilities. Furthermore, he believed that there was an added dimension:

A comprehensive program to end rural poverty must also include a tremendous increase in the supply of social services that people need if they are to share fully in America's great wealth. The provision of these services is essential not only for economic development, but in order to provide thousands of employment opportunities for the able young men and women who now stream forth from the

⁷¹ Excerpts from remarks of Senator Robert F. Kennedy, University of Notre Dame, South Bend, Indiana, April 4, 1968. RFK Senate Papers: Speeches and Press Releases; Subject File, box 3.

towns and farms of our nation to large cities in search of employment opportunities that are simply not available in the areas where they grew up. We can create new career opportunities in rural America which will not only avoid forcing people to leave their home communities if they do not wish to, but offer help in alleviating poverty and in providing adequate community social services.⁷²

Kennedy proposed that funds should be made available to encourage the development of social services, for example, so that teacher aides could be employed in areas where teachers were in short supply. He proposed that federal funds could be granted to “model programs” that sought to make use of existing federal resources, such as the Educational Professions Development Act and the Manpower Development and Training Act. Kennedy also proposed that counties could group together to apply for grants which would enable them to redesign existing social service provisions, and that these areas would then be eligible for implementation grants, which would, for example, cover the cost of training and supervising services.⁷³

Obviously, there was a political reason for Kennedy to be in Mississippi for the hearings. It was part of his move to the left of Johnson and the Democratic party. As such, Kennedy’s views on Mississippi could be viewed as merely one more step in his bid to become President of the United States. It would be shortsighted, however, to argue that Kennedy was cynically exploiting the misfortunes of the poor for political gain. Kennedy was an experienced politician who carefully weighed up the effect of his actions on his voters, but that did not stop him from caring deeply about the issues that he became involved with. His response to the child in the shack was genuine. To Kennedy, a man who cared so much for children, and who was more at ease around them than with adults, to see a child so withdrawn from its environment was painful. Indeed, few people could have witnessed the same deprivation and withheld their tears.

⁷² Excerpts from remarks of Senator Kennedy, May 10, 1968, Nebraska. RFK Senate Papers: Speeches and Press Releases; Subject File, box 3.

⁷³ *Ibid.*

His private motivation is in some ways immaterial. In taking an active role in the hunger hearings, Kennedy dramatized the extent and effects of poverty. That positive achievement is surely every bit as important as his motivations. To a certain extent, his success in making the issue newsworthy was incidental. The press reported anything that he said, so that, in spending so much of his time talking about poverty, Kennedy by virtue of his name awarded the issue publicity. However, his obvious sincerity when talking about rural poverty persuaded many of the seriousness of the problem. Kennedy, like his brother, was not blessed with a powerful speaking voice. With his clipped Boston accent, and his hesitancy when speaking in public, Kennedy appeared to be at a disadvantage. It was the halting quality of his speech, however, that convinced many Americans of his sincerity. The fact that he did not always have a fluent answer to questions had the same effect. Hays Gorey, a *Time* magazine correspondent who covered the 1968 campaign, remembered one such occasion. At a campaign stop in Kentucky someone from the audience asked RFK, “[W]hy, do you, with all the advantages you have had, feel such a compassion, such an interest, in the problems of the poor?” According to Gorey, Kennedy looked at his questioner, then looked down at his shoes, then back at the audience. Eventually, he answered, “I don’t know”.⁷⁴ It would be easy, with hindsight, to condemn Kennedy for not knowing what his own motivations were. Those watching, however, were moved by his inability to give a glib answer. It was as though the intensity of his feelings on the subject precluded an easy, conformist statement. That quality in Kennedy convinced many Americans of the extent of the problem, just as it convinced many to vote for the man they believed would address the problem. Ultimately, as Nick Kotz wrote:

⁷⁴ Hays Gorey, quoted in Eunice Kennedy (ed.) *That Shining Hour*, (Halliday Lithograph Corp., 1969), 97.

hunger in affluent America and failure of federal food aid was no secret to the poor, nor to the poverty workers whose pleas for help seemed lost in a political vacuum ... But with Robert Kennedy it could be different; with his considerable resources and the public attention always focused upon him, he could command a nationwide interest in the problem.⁷⁵

⁷⁵ Kotz, *Promises*, 6.

Chapter Six:
With Cesar Chavez and the
National Farm Workers Association

As a member of the Migratory Labor Subcommittee of the Senate Labor Committee, Kennedy was witness to another element of rural poverty, the plight of farm labourers. As a result of his role in the extensive series of hearings held by the Subcommittee chairman, Senator Harrison Williams, Kennedy became a leading figure in the fight to provide legislation to ease the poverty of the migrant workers. The hearings focused in detail on the conditions of migrant workers in California, Texas and New York, although the use of migrant labour was widespread in every major agricultural state. The growth of agribusiness, the drought and depression of the thirties, combined with the New Deal agricultural policies which curbed production of major crops, meant that thousands of small operators were forced off the land.¹ Lacking the skills or the opportunity, to take another form of employment, those who chose not to leave for a northern city became migrant farm labourers, travelling from crop to crop, to scrape out a living. Many, especially those from the Dust Bowl region of the Mid-West, moved West to California and Texas. Their story was articulated and interpreted for educated middle-class Americans by John Steinbeck's *The Grapes of*

¹ James T. Patterson, *America's Struggle Against Poverty, 1900-1980*, (Cambridge, MA: Harvard University Press, 1981), 61.

Wrath, and popularised in the songs of the folk/country artist Woody Guthrie.² Larger scale farmers, meanwhile, got federal bonus payments, and higher farm prices virtually guaranteed income maintenance.

By the late-sixties, with the ever increasing rate of mechanisation, the numbers of small farm owners who had lost their land had reached record levels. This was especially the case in Southwestern states, such as California, Texas and Arizona, where the large agribusiness corporations were most prevalent. As Michael Harrington observed:

They [migrant workers] are not only the most obvious victims of this triumphant agricultural technology; their plight has been created by progress. In the new structure of farming, a great number of human beings are required for a brief period to do work that is too delicate for machines and too dirty for any but the dispossessed. So the Southern Negroes, the Texas-Mexicans, the California Anglos are packed into trucks and make their pilgrimage of misery.³

In 1950, for example, there had been 110,000 farms in California. By 1969, the number had dropped to 78,000. Almost three quarters of the prime irrigated land in California (4 million acres) was owned by 45 corporations, including billion dollar firms such as DiGiorgio, Anderson Clayton, Schenley and Safeways. Even corporations such as Greyhound (the bus company) and Tenneco (the natural gas company) had a stake in agriculture. Observing the growth of agribusiness, many major corporations diversified in that area. As one Tenneco executive explained,

² John Steinbeck's, *The Grapes of Wrath* (1939) told the story of the Joad family, Oklahoma tenant farmers who, having lost their farm moved West where they expected to find prosperity in the orchards and grape fields of California. Instead they found poverty, having joined the thousands of migrant poor who existed on pitiful wages and were forced to live in crowded and squalid camps. Steinbeck's *In Dubious Battle* also dealt with the lives of farm labourers in California. Steinbeck insisted that the book meant only to deal with "the symbol of man's eternal, bitter warfare with himself". However, the novel, which told the story of the efforts of two labour leaders to organise the migrant poor of the Torgas valley, is a realistic portrayal of strike action against agribusiness during the 1930s. A Literary History of the American West: John Steinbeck:

<http://www.tcu.edu/depts/prs/amwest/html/w10424.html>

³ Michael Harrington, *The Other America*, (Baltimore: Penguin, 1963), 43.

“People always have to eat, don’t they?”⁴ Greyhound owned Armour meats, and Tenneco set up a division to produce fertilizers, as well as one that packaged and distributed food.

These industrial farms were heavily mechanised, so had little need for a large full-time workforce: although at harvest time they employed thousands of farm labourers to bring in the crop and pack it for distribution. In the Southwest farm labourers were predominantly Mexican-Americans, although blacks, Filipinos, and poor whites (Anglos) were also employed in large numbers. Farm workers were also employed on a seasonal basis in the South, where farms still tended to be owned by wealthy white landowners, and were run plantation style, as well as in the Midwest, where the majority of farms were family-owned. In the South farm labourers were predominantly black, often former sharecroppers who had been put out of work by the mechanisation of farming in the South, while in Eastern states such as New York, migrant workers were usually black or Puerto Rican. That there was a racial overtone to the problems faced by these migrant labourers, therefore, is clear. Having taken a job that was considered beneath the average American, most migrant workers were treated with unconcealed disregard by their employers. Few growers cared what conditions their black or Hispanic workers were forced to endure owing to their low wages, and, furthermore, any who complained were easily replaced.

⁴ Kirkpatrick Sale, *Power Shift: The Rise of the Southern Rim and Its Challenge to the Eastern Establishment*, (New York: Random House, 1975), 21-23.

Farm labourers' wages were kept low because of their exclusion from national labour legislation. Farm workers were excluded from the National Labor Relations Act (1935), owing to the influence of Southern landowners in Congress.⁵ They threatened to veto the entire bill if farm labourers were included. So the act was passed with an addendum to each section; "excluding farm workers".⁶ Since that time attempts to have farm labourers included in further legislation failed, largely because of the influence of the big growers, who, since the depression, had taken over agriculture in America. Since the Second World War, it has been estimated that a thousand small farms a week have been forced out of business by the growth of agribusiness. By the late seventies, 80 percent of agricultural land in the United States was owned by 7 percent of the growers. The large scale growers, therefore, gained enormous influence, and, in many areas, were the predominant force in local government.⁷ By the sixties, despite the fact that most other labourers had gained the right to collective bargaining, farm workers were still excluded. Many farm workers lived and worked in unsanitary and unsafe conditions, but were too scared to protest for fear of losing their pitifully small income. Cesar Chavez, and the National Farm Workers Association that he formed, set out to gain the right to collective bargaining for all farm workers.

Chavez was born in Yuma, Arizona, the son of a small farmer. His father went bankrupt during the depression and moved the family to California, where they followed the crops trying to find work. Chavez, like all children of migrant workers, had an interrupted schooling as he was never in one place for a significant period. He and his

⁵ The NLRA, also known as the Wagner Act, was introduced by Senator Wagner of New York, who, almost single handedly, brought the act to vote. President Roosevelt eventually threw his weight behind the act when it had been reported out of the Senate Labor Committee. Wagner aimed to provide industrial workers with a more equitable share of the national income, and to provide impartial arbitration, so creating positive labor relations. For a discussion of the NLRA and Labour under FDR, see Anthony Badger, *The New Deal. The Depression Years, 1933-1940*, (London: Macmillan, 1989), Chapter 3.

⁶ Christopher Child, *The California Crusade of Cesar Chavez*, (London: Friends House, 1980), 9.

⁷ *Ibid*, 8-9.

brothers would move from school to school while their parents worked, picking fruits or vegetables, often having to pay more money in transportation to the fields than they received in pay. Cesar and his brother, Richard, would help out by collecting cigarette packets from the edge of the highways and selling the tinfoil to junk dealers.

When Chavez left home he too followed the crops. One of his first stops was Delano, where he met his future wife, Helen. In 1952 they moved to San Jose, where he met Fred Ross, a representative of the Community Service Organization, a group who set out to organise Mexican Americans.⁸ Meeting Ross became one of the formative experiences of Cesar's life: "Fred did such a good job of explaining how poor people could build power that I could even taste it. I could really feel it".⁹ Chavez became the Chairman of the C.S.O.'s voter-registration drive. He worked for the organisation for ten years and in 1958 became general director of the entire organisation. However, in time, Chavez came to believe that the C.S.O. was becoming too middle-class oriented, veering away from its original aim of organising the poor. Chavez wanted the C.S.O. to concentrate on organising the farm workers, and, when the organisation voted down his proposals, he left in 1962.

Part of Chavez' desire to organise the farm workers can be attributed to his upbringing. His father always stressed to his family that "[Y]ou can't marry a job" and Cesar later recalled that they were always the first family to leave the fields if "Huelga" (strike) was called.¹⁰ Chavez's father instilled in the rest of his family a sense of justice,

⁸ During the depression Fred Ross worked for the Farm Security Administration in charge of a relief programme in the Coachella Valley, later he was put in charge of the labor camp at Arvin, which Steinbeck wrote about in *The Grapes of Wrath*. After World War II he moved to Chicago with the American Council of Race Relations, where he met Saul Alinsky, director of the Industrial Areas Foundation, who recruited him to organise Mexican-Americans in Los Angeles. He joined the C.S.O. five years later.

⁹ Quoted in Jacques Levy, *Cesar Chavez, Autobiography of La Causa*, (New York: Norton, 1975), 98.

¹⁰ Quoted in *Ibid*, 78.

which remained with Cesar: “if any family felt something was wrong and stopped working, we immediately joined them even if we didn’t know them. And if the grower didn’t correct what was wrong, then they would leave, and we’d leave. ... When we felt something was wrong, we stood up against it. We did that many, many times. ... Our dignity meant more than money”.¹¹ Chavez’s first contact with a union came in 1941. His father and uncle were working at dry fruit shed in San Jose. The CIO (Congress of Industrial Organizations which later merged with the American Federation of Labor to become the AFL-CIO) were organising the shed workers, and representatives came to their house in the evenings to talk to his father. “I remember my dad talking later one evening. He was very impressed by the ten minute break. He was saying, “It’s just fantastic. You can get ten minutes twice a day! ... I must have got my interest in unions through him.”¹²

Chavez and Helen moved back to Delano, the heart of the grape growing region of California, in the San Joaquin valley. Helen had been brought up in the area, and they knew that they would be able to rely on a roof over their heads there. Once there, Chavez started the National Farm Workers Association. Few unions represented Mexican Americans at all, and none represented farm workers. Chavez set out to redress the balance. As Kenneth Clark pointed out in his book *Dark Ghetto*: “Racism has been one of the persistently debilitating facts in the American Labor movement. ... In the highest levels of labor unions, the status of Negroes is weak and invisible”.¹³ Clark’s observation about blacks in labour unions was correct. Although the official policy of most of the major unions, like the AFL-CIO and the UAW, was anti discriminatory, it was impossible for union leaders to ensure that that policy was put into practice. In the 1930s, at least 26 national unions, all members of the AFL,

¹¹ *Ibid.*, 78.

¹² *Ibid.*, 80.

¹³ Kenneth Clark, *Dark Ghetto: Dilemmas of Social Power*, (London: Victor Gollanz, 1965), 42-3.

operated a racial bar to membership. With pressure from the AFL leadership that number began to drop, until by 1963 all AFL affiliates had formally dropped their discriminatory barriers. Instead, however, the local chapters of unions would exclude blacks by informal means. (This was easier for AFL affiliates than CIO affiliates. The AFL organised craft unions, which meant that often those unions controlled the supply of labour. The CIO, however, organised labourers who were already employed in industry, therefore making it harder for individual chapters to practice discrimination. So, in 1945 for example, black members made up 6.7 percent of the CIO's membership. The comparative figure for the AFL was 3.4 percent.¹⁴) The situation was even worse for Mexican Americans. The civil rights movement was beginning to address the issue of the rights of black Americans. However, at the start of the sixties, Mexican Americans were unrepresented. Chavez's activities, while focused on gaining the right to collective bargaining for migrant labourers, also began the Chicano movement, which, three decades on, has successfully raised the profile of Hispanic Americans.¹⁵

To start the NFWA Chavez sent his older children into the fields to distribute leaflets which invited workers to come to him if they had a grievance at their workplace. "If I thought someone had been cheated, I'd raise hell," Chavez later stated. "You always knew a friendly priest who would pay a call, a friendly lawyer who would write

¹⁴ John F. Kain (ed), *Race and Poverty: The Economics of Discrimination*, (New Jersey: Prentice Hall, 1960), 19-20.

¹⁵ In 1977, for example, President Carter established an office of Hispanic Affairs. In 1986, the National Association of Latino Elected and Appointed Officials reported that 3,202 Hispanics held public positions. Since 1976 that number had risen by 100%. Leonard Dinnerstein and David M. Reimers, *Ethnic Americans: A History of Immigration*, (New York: Harper and Row, 1988. Third Edition), 108, 123. For a history of Mexican Americans see Carey McWilliams, *North From Mexico*, (New York: Greenwood Press, 1968), Matt S. Meier and Feliciano Rivera, *The Chicanos*, (New York: Hill and Wang, 1972), Mark Reisler, *By the Sweat of their Brow: Mexican Immigrant Labor in the United States, 1900-1940*, (Westport, Conn.: Greenwood Press, 1976), Albert Camarillo, *Chicanos in a Changing Society: From Mexican Pueblos to American Barrios in Santa Barbara and Southern California, 1848-1930*, (Cambridge, Mass.: Harvard University Press, 1979) and Juan Ramon Garcia, *Operation Wetback*, (Westport, Conn.: Greenwood Press, 1980).

a letter threatening suit.”¹⁶ He also learnt how to keep books, and started a credit union for N.F.W.A members, which Helen ran. Although the organisation started slowly, by 1965 the N.F.W.A had enrolled 1,700 families.¹⁷ Chavez had had some success having twice used the strength of the group to force farmers to raise wages in the area.

The grape strike that brought the NFWA to the forefront of the Nation’s attention began in September 1965. Chavez himself believed that the organisation was still not strong enough to sustain any long-term strike action. He favoured continuing the organizing that he had begun in 1962 until the NFWA was bigger, better funded, and thus able to maintain a strike. Chavez anticipated that by 1968 the organisation would be ready. The timing, however, was not within his control. The Agricultural Workers’ Organizing Committee (AWOC) went out on strike when growers in Delano dropped wages from \$1.40 an hour to \$1. an hour.¹⁸ Many of these growers were paying the higher rate in other areas, but were able to drop their wages in areas such as Delano, where there were no *braceros* working. The wages of *braceros*, Mexican nationals who - owing to a special agreement between the USA and Mexico - had a work permit which would allow them to travel over the border in search of work, were protected by legislation, whereas the wages of American labourers were not.¹⁹

¹⁶ Article by John G. Dunne, *Saturday Evening Post*, undated. RFK Senate Papers: Legislative Subject File, box 71. JFKL.

¹⁷ *Ibid* .

¹⁸ The AWOC was part of the AFL-CIO.

¹⁹ Initially, the agreement had been a war time measure designed to fill the shortage of labor in agriculture. During the Sixties, *braceros* were often brought into struck areas by growers who sought to nullify the effect of strike action by their farm labourers. These Mexicans, mostly uneducated and often illiterate, were asked to sign papers, including one stating that they understood that they were being sent into a strike area. Thus the *braceros* were exploited while the process also served to drive down the wages of all farm labourers. The AFL-CIO worked alongside the NFWA and AWOC to try and prevent this and set up pickets at the recruiting centres in El Paso to let the *braceros* know where they were being sent. Often, those who had not realised until they reached the area that there was a strike in progress, left: substantiating the union leaders claims that they were being forced to sign papers which they did not understand. AFL-CIO Report on the Grape Strike, 17 January, 1966. RFK Senate Papers: Legislative Subject File, box 71.

Chavez could not resist the wishes of his members to follow their counterparts into the fray and although he was aware that finances were low, he could not countenance breaking a strike. Chavez realised that the strike would be broken, as many had been in the past, if a different approach was not used. He highlighted the moral dimension of the problem, and brought in the strength of the church and civil rights groups to back the cause. The AWOC leadership resisted Chavez's new approach, regarding it as anti-union. The established union leaders believed in solidarity and that, above all, the union could provide for its members without outside support. Chavez's methods flouted these beliefs. When it became clear that NFWA methods were successful, however, the two groups maintained an uneasy coalition.

Chavez approached student radicals from Berkeley and Stanford to drum up support from student activists. He also invited workers from CORE and SNCC to help organise the picket lines. The scale of the operation was massive. One SNCC worker reported, "[I]t's like striking an industrial plant that has a thousand entrance gates and is four hundred square miles largeAnd if that isn't bad enough, you don't know each morning where the plant will be, or where the gates are, or whether it will be open or closed, or what wages will be offered that day."²⁰

Chavez's decision to secure the help of civil rights groups was quite appropriate given that the NFWA was not merely engaged in a union struggle to achieve collective bargaining rights for its workers. Chavez also set out to transform a culture in which farm labourers were regarded as second-class citizens. Unlike that encountered by Southern blacks, discrimination against Mexican-Americans in California, for example, was more subtle. There was little overt racial tension, and there was certainly less of the violence encountered by those in the South. Segregation, however, was still evident. Many towns were divided by freeways. Highway 99, for example, split Delano's

²⁰ Article by John G. Dunne, *Saturday Evening Post*, undated. RFK Senate Papers: Legislative Subject File, box 71.

population of 14,000 evenly between “Anglos”, who lived east of the freeway and Mexican-Americans, Filipinos and blacks, who lived west of it.²¹ The difference between East and West Delano was marked not only by the colour of residents’ skin, but also by the conditions in which they lived. On the West side houses were dilapidated, cars older, and the streets full of potholes, while the East side was well-maintained. Thus while Chavez’s cause was primarily economic, it was also about equal rights for Mexican-Americans in all areas.

Theodore W. Parsons, a Stanford University doctoral student, spent 40 days in Valley schools and cited various examples of the conditions endured by labourers’ children. One teacher instructed a white boy to lead five Mexicans out of a classroom in single file. When asked why she replied: “His father owns one of the big farms in the area, and one day he will have to know how to handle Mexicans”.²² The principal at the same school justified the school’s policy of not allowing Mexican-American children to participate fully in lessons: “Once we let a Mexican girl give a little talk of some kind and all she did was mumble around. She had quite an accent too. Afterwards we had several complaints from parents, so we haven’t done anything like that since..” The incident, reported in 1965, had occurred twelve years before, and since then Mexican-American children had been denied the kind of education that white children routinely received. Small growers in the area believed that the way for farm workers to improve their lives was “education”. However they did not realise that it was virtually impossible for minority group children to receive an equal education.

²¹ *Ibid.*

²² *Ibid.*

In his book on migratory labor, *Dignity of Their Own*, William Koch, Jr. wrote:

Educational deficiency is the prime illustration of the crippling effects of low status on individuals. The child of low status comes to school already an inferior, and with a considerable debt of disadvantage. The school offers rewards that are far in the future, vague as to content, and by no means guaranteed. The pain and embarrassment of present school experiences are not worth the trouble. The child does what his parents and neighbors have always done. He quits school and makes his way at whatever else is available to him.²³

That the growers' had such unrealistic views of the possibilities for education of farm labourers was not surprising given their similarly remote understanding of the lives of their workers. Many growers, for example, thought the farm workers were happy and satisfied:

"They have a different philosophy than we do - they like to live from day to day. They have the desire to move around a little bit".
 "How they live is how they want to live. Some of them can be as clean as a pin, but most of them live in a hog pen."

Others characterised the farm labourers as lazy outcasts who could not be employed in any other industry:

"Farm workers tend to be those people who are unacceptable to industry; drifters, winos, people who don't have citizenship".
 "... We get the dregs of labor, the rejects of industry."
 "Agriculture should not be a catch all for people from the slums."

That view fitted in with the enduring belief that the poor only remained poor because they were too lazy to work. After all, many reasoned, the United States was a land of opportunity, the land of the American dream. That reasoning discounted the fact that farm labourers were far from lazy. They performed back-breaking work that most Americans were not prepared to do, for hours on end, and for a pittance. To admit that, however, meant an acknowledgement that not all Americans were eligible for the American dream.

²³ Quoted in The Hunsinger Report; "Notes on Delano", undated. RFK Senate Papers: Legislative Subject File, box 71.

Many of the comments subscribed to typical stereotypes of farm workers. Such stereotyping led to discrimination, which in turn led to a loss of dignity among the labourers. As Koch commented: “The stereotype implies that because as a group the people are felt to have unacceptable characteristics, it is perfectly all right to subject them to unjust treatment”.²⁴

The strike, when it began, met all the opposition that the growers could muster. With the control growers had over the local community, they were able to meet the strikers with mass arrests, evictions from labour housing camps, blacklisting of families (which meant they would be unable to find work in the area) and victimisation of union workers. Pickets were frequently threatened by growers carrying guns, turning dogs on them, or spraying them with chemicals from their tractors. Some were beaten up. Anyone involved with the strike who had a car, had the license plate number noted: he could expect to be stopped and questioned at any time. Chavez’ headquarters were subject to constant health and safety investigations and police officers were stationed at the leaders’ offices and homes twenty-four hours a day. Officers also photographed strikers on the picket lines, and filled out reports on each, often taking up hours of the picketers’ time.²⁵ Picketers who were threatened with violence by growers, or who were victims of intimidation, and who tried to lodge complaints with the police found that they were ignored. One officer explained that the police department wanted to make “as few arrests as possible on both sides”.²⁶ The Kern County Sheriff’s Department also worked to help the growers break the strike by threatening strikers with arrest for disturbing the peace should they try and shout or talk to those workers still in the fields. Forty-four people were detained for testing the threat by shouting “Huelga” (“Strike”), and were charged with “failure to disperse from an

²⁴ William Koch Jr. Quoted in *Ibid.*

²⁵ Levy, *Cesar Chavez*, 189-194.

²⁶ Report: “Harassment of Pickets in Delano Grape Strike”, undated. RFK Senate Papers: Legislative Subject File; Peter Edelman’s File. Box 71.

unlawful assembly.”²⁷ This infringement of the strikers constitutional freedom of speech was indicative of the way in which the local police force colluded with growers to end the protests, an act which earned the area the title of “Mississippi West”.²⁸

As Attorney General, Kennedy had been aware of the problems faced by migrant labourers. President Kennedy had asked him to look into the possibility of creating a domestic Peace Corps. Hence, RFK had chaired a group which had included the Secretaries of Agriculture, Commerce, Labor, Interior, and Health, Education and Welfare, the Administration of the Housing and Home Finance Agency and Veterans Affairs, and the Chairman of the Civil Service Commission. The group had looked, primarily, at studies of deprivation within the United States with the intention of determining whether Peace Corps workers could help domestically, as they did abroad. RFK and the study group eventually recommended the foundation of VISTA (Volunteers in Service To America). In a speech before the Special Subcommittee on Labor of the House Committee on Education and Labor, in May 1963, Kennedy discussed the problems that migrant workers faced. He recounted the story of an eleven year old crippled girl who looked after her two siblings, aged seven, and four and six months, while her parents worked in the fields, and of another family of eleven who had been living in their car for three months. Kennedy also recounted statistics showing that of 400,00 domestic migratory workers, 92,000 had found work for only 25 days or less in 1960. “The remainder, who worked more than 25 days, earned an average of \$1,000 for the year. Those who worked less than 25 days received only \$388.”²⁹

²⁷ Report on Delano by Bob Solodow, undated. RFK Senate Papers: Legislative Subject File; Peter Edelman’s File. Box 71.

²⁸ *Ibid.*

²⁹ Statement by Attorney General Kennedy before the Special Subcommittee on Labor of the House Committee on Education and Labor, May 22, 1963. RFK Papers: Attorney General’s Files: Speeches, 1961-1964, box 2.

It was not until the strike had begun, however, that Robert Kennedy began to get involved with Chavez and his movement. They had met before, fleetingly, when Chavez had worked for JFK's campaign team in 1960. In early 1966, Kennedy met the labor leaders Walter Reuther and Jack Conway (of the UAW - United Auto Workers) who had just been to Delano to witness the strike action. As leaders of the UAW they were recommending a national boycott of grapes picked by the non-union workers who were employed by the growers to try and break the strike. They also proposed that Kennedy and the rest of the Migratory Labor Subcommittee go to California and hold Senate hearings on the situation there. It was agreed that the Subcommittee would hold three days of hearings in California, one each in San Francisco, Sacramento and Fresno. Chavez, however, strongly suggested that the Fresno hearings should be dropped in favour of a day in Delano, to which the subcommittee agreed. Originally, however, Kennedy himself had not planned on attending the hearings. Chavez and the NFWA wanted him specifically, and through Kennedy's aide, Peter Edelman, and the labour leaders Jack Conway and Walter Reuther, persuaded him to attend.

The subcommittee's chairman, Senator Harrison A. Williams (D-NJ), and Kennedy travelled to California to conduct the hearings. The primary purpose of the hearings was to show the way in which the grape strike illuminated the need for national agricultural labor legislation. Specifically, Williams and Kennedy would listen to the testimony with the intent of being able to use it to support Senate bills 1864-1868. The bills would provide a national agricultural minimum wage, child labour regulations for agricultural workers, bargaining rights according to the National Labor Relations Act, a farm employment placement service and a National Advisory Council on Migratory Labor.³⁰

³⁰ Memo to RFK from Peter Edelman, March 14, 1966. RFK Senate Papers: Legislative Subject File, box 71.

Peter Edelman briefed Kennedy on the most important issues, and he and the Senator worked out a list of questions to ask during the hearings. Among the issues, the need for a national minimum wage was paramount. Edelman believed that Kennedy should push the growers towards this on the grounds that, since wages in other areas of America, such as Texas and Arizona, were lower, a minimum wage would make California's products more competitive. Such a statement on the record, Edelman also admitted, would enhance Kennedy's reputation as a national legislator, and persuade the growers that he was not merely interfering in a local level, but concerned with an issue one that affected the whole nation.³¹ Edelman also prepared questions covering the need for farm workers to be included in the National Labor Relations Act, which allowed for workers in other industries to be represented by unions. He also researched and prepared questions on the status of Mexican green card workers. Under the 1965 immigration law, the Secretary of Labor was required to "certify a shortage of a given category of domestic worker before aliens can come in to fill jobs in that category".³² Under pressure from agribusiness, however, the Immigration and Naturalisation Service (INS) had agreed that Mexican workers who had already been issued with work permits were exempt from that ruling. Edelman pushed Kennedy to question this interpretation of the new immigration law, as it allowed corporate farmers to drive down the wages for all their labourers, or, indeed, to break strikes by bringing in *braceros*.

³¹*Ibid.*

³²*Ibid.*

The Subcommittee hearings opened on July 7, 1965, with the intent of taking testimony on five bills which the subcommittee supported.³³ S.1864 attempted to extend minimum wage legislation to farm labourers under the Fair Labor Standards Act. The aim was for the minimum wage to be increased gradually over four years, when it would rest at the same rate as the industrial minimum wage. S.1865 sought to regulate the use of child labor, which, in 1965, was only regulated outside school hours. The bill would permit children to work on farms if they were over 14, or had their parents' permission, or if they were working on their parents' farm. Under the NLRA farm workers had been excluded from the legislation allowing for collective bargaining in the workplace. S.1866, therefore, was intended to reverse that decision, extending to farm workers the right to collective bargaining. S.1867 to provide a voluntary farm placement programme to "meet the problems of providing fuller employment for farm workers and of assuring growers that sufficient qualified workers will arrive at, and stay for, the needed time". The bill sought to improve the mobility of the farm labour force as well as extending to domestic farm workers the same conditions which had previously been assured to foreign contract labour. Finally, the subcommittee proposed S.1868, which would set up a National Advisory Council on Migratory Labor to advise the President and Congress on the problems relating to migratory labor.³⁴ Chairman Williams, summing up the view of the subcommittee, stated that each bill was "essential for final solutions to problems that have plagued our farmworkers - and those who employ them - long decades after Congress moved to end such problems for other

³³ The subcommittee members were: Harrison A. Williams (D-New Jersey) Edward Kennedy (D-Massachusetts) and Robert Kennedy, George Murphy, (R-California), Gaylord Nelson (D-Wisconsin), and Winston Prouty (R-Vermont).

³⁴ Hearings before the Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare. July 7, 1965, 33a and 33b.

The need for a minimum wage for agricultural workers was clear. National hourly earnings averaged \$1.01 in 1966, and in some states this average fell as low as \$.60. When combined with the fact that most agricultural work was intermittent, such hourly rates led to annual incomes below the official poverty level.

working men and women".³⁵ Kennedy supported all the legislation proposed by the subcommittee but was most anxious to pass collective bargaining legislation. "If they [the farm workers] freely choose not to have such representation, that is one thing," Kennedy declared, "but under present law there is no guarantee that they will even get that choice."³⁶

Over the course of the hearings, which continued into 1966 and 1967,³⁷ the subcommittee members heard the conflicting testimony of various witnesses, including government officials, academics, doctors, farm workers, union representatives, as well as growers and local law enforcement officials.

On behalf of the farm workers whom his union represented, Chavez testified to the inadequacy of the existing legislation. He noted that of the bills Senator Williams had presented to Congress six years previously, only those which dealt with the symptoms of the farm workers had passed: for example, bills that authorised special health and welfare programmes. What the farm workers really wanted, Chavez said, was "equality, the opportunity to earn a living wage, and not charity".³⁸ Reiterating his support for the legislation which the subcommittee were endorsing, Chavez declared passionately:

³⁵ Hearings before the Subcommittee on Migratory Labor. July 7, 1965, (Washington D.C.: US Government Printing Office), Boston Public Library, 2.

³⁶ Statement of Senator Robert Kennedy. Undated. RFK Senate Papers: Legislative Subject File, box 72.

³⁷ The first set of hearings were held on July 7, 8 and 13 1965 and were conducted in Washington D.C. The subcommittee travelled to California the next year and conducted hearings in Sacramento on March 14, 1966 and in Visalia on March 15 and 16. Further hearings were held in D.C. on April 12, 1966. In 1967 the subcommittee held further hearings into the problem on May 17, July 11, 12, and 13 and August 2 in D.C., then travelled to Rio Grande City, Texas on June 30 and Rochester, New York, September 8. The subcommittee also held hearings in D.C. on S.2688, to amend the Public Health Service Act, on December 7 and 13, 1967.

³⁸ Hearings before the Subcommittee on Migratory Labor. March 14, 1966, 362.

All that these bills do is say that people who work on farms should have the same human rights as people who work in construction crews, or in factories, or in offices. All these bills do is overcome the farm lobby that Franklin Delano Roosevelt's administration was subjected to in the thirties which forced him to decide that farm work and farm workers were somehow different from everyone else. I hope everybody here today agrees that a man who works on a farm is made just like a factory worker, that his children like to eat just as much as a factory worker's, and that his wife does not like to live in a substandard house. Well, if the farmworkers are equal, then they deserve the same protection of the law that other men enjoy, and the Williams bills which confer this equality must be passed.³⁹

The Subcommittee also heard the testimony of growers from the Delano area. Their testimony provided a very different perspective. Martin Zaninovich for example, refused to admit that there was a strike in the Delano area, stating, "There is no strike among Delano farm workers. The so-called strike is a myth, manufactured out of nothing by outside agitators who are more interested in creating trouble in the United States than in the welfare of the farm worker".⁴⁰ He admitted that for a brief period workers had been frightened into staying at home by AWOC and NFWA, but, contradicting himself, then declared that they had been encouraged to do so by their employers and had, in any case, returned to work within a few days. Zaninovich also argued that there were only fifty needy families in the Delano area, all of which were being cared for by local organisations, and that the attempt to form a strike was merely an effort to "foment racial tensions in Delano", which, he continued, was a community "noted for racial harmony."⁴¹ Kennedy questioned Zaninovich, trying to ascertain whether he supported the right of farm workers to organise. The local grower replied that, "the right to join a union is every American's privilege" but that "the evidence is ...

³⁹ *Ibid.*

⁴⁰ Statement by Martin Zaninovich to the Subcommittee on Migratory Labor, United States Senate. Undated. RFK Senate Papers: Legislative Subject File, box 72.

⁴¹ *Ibid.*

that they are not interested in these unions".⁴² In response RFK reminded Zaninovich and the rest of the subcommittee that he'd also heard people in Mississippi say "[Y]ou don't understand. Negroes don't want to vote. I think you've got to give people an opportunity", Kennedy continued, "maybe they don't want to, but at least you've got to open the door to them".⁴³

Kennedy showed that he regarded the issue of Migrant Labor as one of civil rights on other occasions during the hearings. During an exchange with Jack Conway, the executive director of the Industrial Union Department of the AFL-CIO, RFK stated that he didn't think it was "just a coincidence that so many of those who are doing this kind of labor in the United States are Mexican-American or Filipino Americans, or other groups who have not in many areas of the United States had the same rights as other groups of workers".⁴⁴

As he had been during the Ribicoff hearings and the poverty in Mississippi hearings, Kennedy was utterly merciless in his responses to those officials who denied a problem, or suggested that the labourers were creating an issue out of nothing. His exchange with Kern County sheriff, Roy Gaylen, was indicative of the way he would cut through obfuscation and interrupt those for whom he had no respect. Kennedy had been appalled when farm workers testified that forty-four pickets had been arrested when the police received calls that they would be harmed if they did not leave their positions. When RFK questioned Gaylen's motivation, he was told, "Well, if I have reason to believe that there's going to be a riot started, and somebody tells me that there's going to be trouble if you don't stop them, it's my duty to stop them". RFK asked the Sheriff, "Who told you that they're going to riot?" To which Gaylen replied,

⁴² Hearings before the Subcommittee on Migratory Labor. March 16, 1966, 595.

⁴³ *Ibid*, 597.

⁴⁴ *Ibid*, 616.

“The men right out in the field [strikebreakers] that they were talking to said, ‘If you don’t get them out of here, we’re going to cut their hearts out.’ So rather than let them get cut, we removed the cause”. Kennedy couldn’t believe that the police had arrested the people being threatened, labourers who were exercising their right to free speech. “This is the most interesting concept,” Kennedy remarked sarcastically. “How can you arrest somebody if they haven’t violated the law? ... Can I just suggest that the sheriff reconsider his procedures in connection with these matters?” When Gaylen retorted that, “they’re ready to violate the law”, RFK advised the sheriff and district attorney that during the recess period they should read the United States Constitution.⁴⁵

Kennedy also conducted a bitter exchange with Matt Triggs, the assistant legislative director for the American Farm Bureau Federation. Triggs, arguing against the introduction of minimum wage legislation, said, “but when you ask us to pay a minimum hourly guaranteed [wage] to each and every one of the very casual and unattached workers that we perforce employ at harvest periods, because that is all that is available to be employed, then we think you do farmers harm”.⁴⁶ Kennedy, enraged at the way Triggs talked about the farm workers, shot back, “[C]ould I say it makes it sounds as if they are not human beings, the description you give them”.⁴⁷ When Triggs continued his argument against the minimum wage, Kennedy continued along his own theme: “I think we are talking about human beings, who might be raising families . . .and to say it is creating too much of a problem to pay them \$50 a week, to try and make a living ... To me that argument lacks validity..”⁴⁸ Showing how far he had come since his days as Attorney General when he had counselled black Americans to be patient, Kennedy closed his remarks to Triggs with a reminder that:

⁴⁵ *Ibid*, 630.

⁴⁶ Hearings before the Subcommittee on Migratory Labor. July 8, 1965, 94.

⁴⁷ *Ibid*, 94.

⁴⁸ *Ibid*, 95.

If I close my eyes and I take myself back two years, I can listen to the same argument, substituting civil rights for farmers, that you just made here - the fact that time will take care of itself, you cannot force these matters, if you just give everybody enough time this problem will disappear. I cannot accept that.⁴⁹

Kennedy's remark would, no doubt, have seemed ironic to any civil rights leaders listening, but the comment reflected his new perspective on matters of equality. As a Senator, Kennedy had begun to understand the urgency of the dispossessed, whether they were the urban poor, or migrant farm workers, or the rural poor of the Mississippi Delta. From his new position he could see their problems from an entirely different angle.

After the hearings in Delano, Kennedy accompanied Chavez back to NFWA headquarters, where the gathered farm-workers heard him declare his unequivocal support for their movement. Later he joined the picket line at the DiGiorgio Fruit Corporation's 4,400 acre ranch, where Helen Chavez had worked before leaving to help her husband run the strike. From then on, according to Chavez, Kennedy was always available to the NFWA president, and helped with anything he could. Peter Edelman, who worked closely with Kennedy on the farm-labour issue, recalled that the Senator was:

very moved ... by what he saw out there [Delano], the testimony of the workers very genuine about their conditions [sic], versus the very flimsy justification offered by the law enforcement officials for their repressive treatment of the strikers plus the rather blustering and not very convincing position taken by the growers. And he came back determined that here was something ... you know, something had touched a nerve in him and he was going to help that.⁵⁰

Kennedy was also attracted to Chavez because Chavez' goals for the farmworkers of the Southwest were almost identical to Kennedy's own goals for the poor of Bedford-Stuyvesant and other areas. Just as Kennedy believed in the

⁴⁹ *Ibid.*, 103.

⁵⁰ Peter Edelman first oral history interview with Larry Hackman, July 15, 1968. RFKOHF, 127.

participation of the poor in programmes to provide them with jobs and resources, so Chavez believed that participation was the only way in which farm labourers could end the cycle of poverty in which they were trapped: “I think some power has to come to them [farm workers and the poor] so they can manage their lives. I don’t care what system it is; it’s not going to work if they don’t have power”.⁵¹

Kennedy was committed to the attempt to pass legislation permitting collective bargaining for farm workers. This commitment was strengthened by the hearings in California and his trip to Delano with Chavez. His first hand knowledge of the strike and its effects led him to make a statement in the Senate in support of legislation:

If every there were a classic case for bringing farm workers under the collective bargaining provisions of the National Labor Relations Act, this is certainly it. The lack of legally constituted, orderly procedures upon which labor and management may rely created chaos in this situation. And if, as seems inevitable, the union movement among farm workers is going to spread, the chaos also will spread unless we enact legislation to extend the rights and obligations of our national collective bargaining laws to the farm industry.⁵²

After the trip to California, RFK maintained involvement with Chavez and *La Causa*. In his Oral History interview, Chavez recalled that before RFK’s trip to Delano, most of his dealings had been with Senator Williams, who had been trying to pass farm-labour legislation for eight or ten years. Afterwards, however, most of his contact with the Migratory Labor Subcommittee was through Kennedy: “not so much in legislation because the legislation being proposed wasn’t something that appealed to us, but on a lot of the problems that came about”.⁵³ Chavez, although supportive of legislation, was more concerned with the short-term effort that the NFWA was making through the

⁵¹ Quoted in Richard Griswold del Castillo and Richard A. Garcia, *Cesar Chavez: A Triumph of Spirit*, (Normon: Oklahoma University Press, 1995), 110.

⁵² RFK Statement, U.S. Senate, June 28, 1966. Quoted in Douglas Ross, *Robert F. Kennedy: Apostle of Change*, (New York: Trident Press, 1968), 290.

⁵³ Cesar Chavez oral history interview with Dennis O’Brien, January 28, 1970, RFKOHP, 6-7.

strike. Therefore, it was the day to day help with that effort that Chavez appreciated. Although it is not clear from the records exactly what action Kennedy took, it is likely that he smoothed the way for the striking labourers by telephoning people in a position to help with fund raising for food and money for the NFWA, just as he did with the Bedford-Stuyvesant project. Chavez's comment - along with the testimony of those who worked on the Bedford-Stuyvesant project - shows that RFK's most important work was often done behind the scenes rather than in public announcements or legislation. He knew the right people for any job that needed doing, and those people were usually willing to help.

RFK also pushed the Justice Department - especially Attorney General Ramsey Clark, with whom he was on good terms - to instruct the immigration service to be more stringent in their interpretation of the green card law.⁵⁴ The Secretary of Labor had ruled that Mexicans with green cards should not be allowed to apply for work at a "struck place", nor should they be allowed to continue work at such a place once the Secretary had determined that a labor dispute existed there.⁵⁵ The Department of Labor and the INS interpreted the new law in different ways. The law was unclear, for example, about whether a man who first found work at a non-struck place and subsequently found work at a struck place was included in this interpretation. The Secretary of Labor thought that the law did cover such workers, while the INS disagreed. Owing to political pressure the INS changed its position, but the NFWA felt that Senator Kennedy could help them by reminding the INS of this periodically, at least until the regulations were clarified. Prompted by information from Dolores Huerta, (Chavez's second-in-command,) and a telegram from Chavez, Kennedy's office did maintain contact with the INS over this issue. In the beginning the INS refused to

⁵⁴ Ramsey Clark had been a deputy Attorney General when Kennedy had headed the Justice Department.

⁵⁵ A "struck place" was one where the Secretary of Labor had declared a labor dispute to be in existence.

interview those working in the fields to see whether they had been recruited in Mexico by the growers to break the strike. After pressure from Kennedy and his staff, the bureau changed its policy and conducted field interviews, although Chavez claimed that these interview were perfunctory and no real effort was made to determine whether growers were importing green card workers from Mexico. Kennedy continued to put pressure on the Immigration Service, through Ramsey Clark, so that the NFWA's strike would not suffer.⁵⁶ Kennedy also used his contacts on the East Coast to raise money for the NFWA and encouraged his younger brother, Edward, who was also a member of the Migratory Labor subcommittee, to investigate similar problems in Texas. Furthermore, Kennedy arranged for follow-up hearings to be held in Washington D.C.

In June 1966, the DiGiorgio Corporation, the second largest grower in the Delano area, called an election among its workers in which the Teamsters Union received more votes than any other. The NFWA and the AWOC, backed up by civic and religious groups, charged that the election results should not be allowed to stand because the workers at DiGiorgio had been coerced into voting for the Teamsters. The NFWA drew the situation to the attention of Kennedy and the rest of the Senate subcommittee, and testified that the Corporation had determined who was eligible to vote in the election and any workers who were on strike and sought union representation were declared ineligible to vote. The NFWA also pointed out that DiGiorgio had allowed only the Teamster union to electioneer on company property. In response, Senators Williams and Kennedy made a joint statement, deploring the methods employed at the election and calling for "an impartial investigation by an arbiter of national stature", a proposal made by Governor Brown. They took the opportunity to advance the opinion of the subcommittee, declaring:

⁵⁶ Memo to RFK from Peter Edelman, August 25, 1967. RFK Senate Papers: Legislative Subject File, box 71.

The lack of legally constituted, orderly procedures upon which labor and management may rely created chaos in this situation. And, if, as seems inevitable, the union movement among farm workers is going to spread, the chaos also will spread unless we enact legislation to extend the rights and obligations of our national collective bargaining laws to the farm industry.

As supporters of the right of farm workers to organize and bargain collectively, we will urge the Subcommittee to continue to watch this situation closely and carefully.⁵⁷

In his Oral History interview Peter Edelman states that Kennedy's office spent some time on Chavez's cause, and worked primarily to create leverage to compel growers such as Schenley Industries and DiGiorgio to sign a contract with the NFWA, which would recognise the union as the representative force for the farm workers.⁵⁸ Initially the growers refused to accept either the NFWA or the AWOC, maintaining that the strike was called by "outside agitators", and that the workers themselves did not want to be represented by a union.⁵⁹

By the beginning of 1968, Chavez had begun to sense a change in the mood of the NFWA. The input of student radicals and civil rights workers had enabled Chavez to organise a more successful strike than any previously seen in the area, but there were problems associated with their involvement too. Many farm workers were beginning to believe that non-violent strike protest was not in their interests; a feeling that many civil rights activists and students came to believe once they had been subjected to police bias. Union members would say to Chavez, "Hey, we've got to burn these sons of bitches down. We've got to kill a few of them".⁶⁰ Chavez, however, knew that the only way to keep public sympathy on the NFWA's side was to maintain non-violent protest, whatever the provocations. His problem was how to bring the more radical farmers

⁵⁷ Press Release, June 28, 1966. RFK Senate Papers: Speeches and Press Releases; Subject File, box 2.

⁵⁸ Edelman sixth oral history with Larry Hackman, February 21, 1970, 317-318.

⁵⁹ Report by Harry Bernstein in *The Los Angeles Times*, February 11, 1966. RFK Senate Papers: Legislative Subject File, box 71.

⁶⁰ Levy, *Cesar Chavez*, 272.

back in line with his views. “I thought I had to bring the Movement to a halt, do something that would force them and me to deal with the whole question of violence and ourselves. We had to stop long enough to take account of what we were doing.”⁶¹

His answer was to fast. Chavez stopped eating, and four days into his fast called a meeting at Filipino Hall to announce his plans. He told union members that the talk of violence sprung from their discouragement, they were getting too angry with the growers to be effective. Then he talked about his non-violent position. “How could they oppose the violence of the war in Vietnam,” Chavez asked the meeting, “but propose that we use violence for our Cause? When the Civil Rights Movement turned to violence,” he continued, “it was the blacks who suffered, who were killed, who had their homes burned. If we turned to violence, it would be the poor who would suffer.”⁶² Then Chavez told the meeting that he planned to stop eating until the union ignored him and followed their own path, or recommitted themselves to non-violence.

To many outwith the Mexican-American community, it seemed that Chavez was “trying to play God”. Dolores Huerta, Chavez’s second-in-command, explained to Jacques Levy that it was hard for people to understand that fasting was an important part of Mexican culture: “the penance, the whole idea of suffering for something, of self-inflicted punishment. It’s a tradition of very long standing. In fact, Cesar has often mentioned in speeches that we will not win through violence, we will win through fasting and prayer.”⁶³ Edelman recalled that RFK was “deeply moved,” and “grasped immediately that Cesar was doing something that was just very meaningful. It was a ... tremendous gesture on behalf of non-violence and one that was a physical risk to himself.”⁶⁴ RFK would ask Edelman every day, “How is he today? Have you called

⁶¹ *Ibid.*, 272.

⁶² *Ibid.*, 273.

⁶³ *Ibid.*, 277.

⁶⁴ Peter Edelman, first oral history, 22.

there? Do you want us to do something? What can I do?"⁶⁵ He sent a telegram to Chavez which supported Chavez's actions:

I want you to know that I fully and unswervingly support the principles which led you to undertake your fast ... your work and your belief have always been based solely upon principles of no-violence ... you have my best wishes and my deepest concern in these difficult hours.⁶⁶

The fast, which attracted wide press coverage, was successful as a means of bringing union members back to the ideology of non-violence, largely because Chavez was more than merely the leader of the NFWA. He had come to be seen by its members as the embodiment of *La Causa* for which they were on strike.

Chavez ended his fast on March 10 1968 and Kennedy flew to California to attend the mass where the leader of the NFWA would eat bread, his first nourishment for twenty-five days. Some members of his staff, such as Carter Burden of Kennedy's New York office, who discussed the matter with Dolores Huerta, felt that Kennedy should not attend the ceremony. The meeting took place during a politically sensitive time, with RFK having announced that he would not run against President Johnson and Senator Eugene McCarthy for the Democratic presidential nomination, an unpopular decision among most of his supporters. Hence, his staff wished to guard against any public gesture which might draw more criticism from the press.

Ignoring the advice of his staff, Kennedy decided to go, because of his admiration for Chavez and his support for the cause. He was somewhat uneasy on arrival at NFWA headquarters in Delano, however. He was reported to have asked Paul Schrade, the Western head of the UAW, "What do you say to a guy who's on fast?"⁶⁷ Kennedy asked Chavez how he was, and Chavez too could think of little to say, apart from to thank Kennedy for coming. During the mass, Kennedy addressed the NFWA

⁶⁵ *Ibid.*

⁶⁶ Report in *The New Yorker*, undated. Personal Papers of Arthur M. Schlesinger Jr. Writings: Background Material; Cesar Chavez, box W-55. JFKL.

⁶⁷ *Ibid.*

members, telling them:

I am here out of respect for one of the heroic figures of our time - Cesar Chavez. I congratulate all of you who are locked with Cesar in the struggle for justice for the farm worker, and in the struggle for justice for Spanish-speaking Americans ... There are those of you who question the principle of everything you have done so far - the principle of nonviolence. Let me say to you that violence is no answer ...⁶⁸

The meeting showed little of the close personal relationship which Newfield and others attributed to the two men. They had, after all, met face to face only a handful of times, although they had communicated by telephone more frequently. Clearly they were on good, but somewhat stilted terms. Neither Kennedy nor Chavez was comfortable with those they did not know well, and both preferred activity to conversation so neither was a skilled conversationalist.

The two men had very similar ideologies, and each clearly respected the other. Kennedy identified strongly with the farm workers. Indeed, their overwhelming support for him when he visited Chavez to help break the fast, moved him to declare a week before his official announcement that he thought he would run for the Democratic nomination after all. Farm workers crowded around his car shouting, "Aren't you going to run? Why don't you run? Please run," whereupon he turned to those in the car and said, "Maybe I will. Yes, I think I will".⁶⁹ By March 10, he had already begun to reconsider his decision not to run against the President and McCarthy, although he had not come to a definite conclusion. The emotion of the crowd begging him to run seems to have got the better of his expedient side. It is interesting that the first time he told anyone outside of his immediate circle that he was seriously thinking of entering the race was while he was among the poor, whom he viewed as an important part of his constituency. It was they, in particular, who seemed to inspire Kennedy to run. While with them he would cast aside the political advice offered him by staff and advisors,

⁶⁸ Jack Newfield, *Robert Kennedy: A Memoir*, (New York: Plume, 1969), 215.

⁶⁹ Report in *The New Yorker*, undated. Personal Papers of Arthur M. Schlesinger Jr.

recommending that he wait until 1972. He was ashamed when constituents exhorted him to run, for it was they whom he most wanted to help.

Senator Kennedy and the Subcommittee also set up hearings in New York state where, it was estimated, there were approximately 33,000 migrant workers in 1967.⁷⁰ Before the hearings began Kennedy took a tour of some of the migrant labour camps outside Rochester in upstate New York. On the perimeter fence of one of the camps he visited was a sign that stated that anyone entering without the permission of the owner would be shot. Peter Edelman, who went with the senators, recalled that the owner, Jay DeBadt, stood at the gate with a shotgun. Kennedy asked his aide to go around to the back and see if someone was willing to invite him on to the property. Edelman found someone who was willing and RFK walked straight past DeBadt and said, "I was invited onto this property".⁷¹ RFK inspected the living conditions of the workers at the camp and found an old bus which had been converted to make a home for three families. Inside were six children; "Their bodies were covered with unhealed scabs, and flies, and most of them had running noses. They were all black".⁷² Kennedy moved on to the next bus where there was just one child playing on a filthy mattress. Newfield recounted that Kennedy's hand and head "trembled in rage" as he looked at the child.⁷³ Back outside he confronted DeBadts, who told him that it was like camping out for the migrant families who lived in the buses. Kennedy retorted, "[Y]ou are something out of the Nineteenth century. I wouldn't put an animal in those things".⁷⁴ In an interview after his trip to the camp, Kennedy said that the owners of the camps had a "major responsibility to assure the workers of satisfactory, sanitary housing and available medical facilities ... If conditions like those we saw don't violate the legal laws of the

⁷⁰ Report in New York State's *AFL-CIO News*, September 1967.

⁷¹ Peter Edelman eighth oral history with Larry Hackman, March 13, 1974, 87.

⁷² Newfield, *Robert Kennedy*, 82.

⁷³ *Ibid*, 82.

⁷⁴ "Kennedy and Javits are Shocked By Housing of Migrants Upstate", *New York Times*, September 9, 1967.

land they violate the moral laws".⁷⁵

Kennedy and Javits, (who had been invited to the New York hearings as a matter of courtesy,) were appalled at the conditions they had witnessed during their tour of a few migrant labour camps. At the beginning of the hearings in Rochester he told the rest of the subcommittee:

both Senator Javits and I were distressed at the conditions in those camps, which are as bad as any I have seen in any part of the United States. I would hope that State authorities and the local authorities, local officials, would immediately take action to deal with this most distressing problem. The conditions under which some of our fellow citizens are living are disgraceful, to say the least. I think we at the Federal level have a responsibility. There is a responsibility of the State level, and there is a responsibility at the local level. If all of us meet this obligation, then there can be some improvement made. I think tomorrow is too late. Something needs to be done today.⁷⁶

Migrant labourers in New York State were mostly black or Puerto Rican. As in California, and other agricultural states like Texas and Arizona, occupational discrimination meant that it was mostly minority groups who worked as farm labourers. Farm workers in New York often lived and worked in appalling conditions. During hearings on S.2688, legislation which would amend the public health service act to provide migrant health services, Dr. John Radebaugh testified to the extreme conditions facing farm labourers. Radebaugh, who was Assistant Professor of Medicine at the University of Rochester, was also director of migrant health programs for Monroe County, New York. He testified to the level of poverty that many migrant workers faced and stressed that little attention was focused on the problem. Like the poor blacks of the Mississippi Delta, farm workers, who migrated "north and south and ebb and flow with the crops" were "isolated in areas with few social services, few financial

⁷⁵ News report, source unknown, September 8, 1967. RFK Senate Papers: Legislative Subject File, box 72.

⁷⁶ Hearings before the Subcommittee on Migrant Labor, September 8, 1967, 702.

resources, and often are away from the scrutiny of the public”.⁷⁷ Because of that these workers were left voiceless. Radebaugh believed, therefore, that the legislation proposed by the subcommittee to allow for collective bargaining in the farm industry was vital:

The basic problem with the seasonal farmworker is his lack of an opportunity to speak for his own rights. ... Because of their scattered environment, their varied cultures, and their frequent movement, they have no opportunity to exercise the rights which have been gained by workers in other industries.

These rights will not come from outside organizations. They will come only through the work , discussion, and voting among the workers themselves.⁷⁸

One of the main problems that Radebaugh identified was the lack of access to health care. Migrant workers who sought medical help at local hospitals, for example, were often turned away. Radebaugh recounted the story of one worker who, seriously ill with a temperature of 103 degrees was taken to a local hospital for treatment by Mr. Carter, a BEAM (Basic Education for Adult Migrants) worker. Doctors at the hospital refused to admit the man, and the same thing happened at the next hospital the man tried. Eventually Carter drove the sick worker 100 miles where he was admitted to a Veteran’s hospital. The staff there told Carter that the man would have died had he not received medical attention within the next two hours.⁷⁹ Radebaugh also testified to the terrible living conditions in the camps provided by the growers. One migrant worker, Mr. Cooks, had requested heat for his family’s living quarters. The camp owner had told him: “You’ve got a wife, haven’t you; let her keep you warm”. Cooks borrowed a kerosene heater, which exploded, killing his wife, and injuring himself.⁸⁰ Under the New York State health code, the camps were supposed to be heated to 68 degrees Fahrenheit, but many growers ignored the stipulation. The same problem applied to laws on sanitary conditions in the camps. It was hard to enforce state regulations

⁷⁷ Hearings of the Subcommittee on Migratory Labor, December 7, 1967, 28.

⁷⁸ Hearings before the Subcommittee on Migrant Labor, September 8, 1967, 705.

⁷⁹ Hearings before the Subcommittee on Migrant Labor, December 7, 1967, 29.

⁸⁰ *Ibid*, 38.

because “in most counties, the growers are ... so powerful”.⁸¹ Radebaugh and others lobbying for legislation, therefore recommended more stringent enforcement of current laws.

The subcommittee also heard of the poor wages paid to migrant workers in the state. One Puerto Rican man made a statement to the Subcommittee explaining how he had received a cheque for \$0.20 for working a seven and a half hour shift. He also explained that in Puerto Rico he had been told that he would be able to obtain at least 40 hours work a week, but that since arriving in New York, had been denied that amount of work on a number of occasions.⁸² Another migrant worker testifying before the Subcommittee described the conditions that he and his family had endured at their last camp:

There were no washing facilities at all. There was a shower, but it didn't work. There was about an inch of dirt on the floor. The mattresses for sleeping were filthy. Some rooms have human waste in them. There were rats and roaches in the sleeping facilities. There were two outhouses, one for the use of twenty-five men and one for the use of five women. They were unlighted and filthy. I had to pay about \$36.15 a week for room and board. There were additional charges for transportation, items on credit, and all other such things. The owner of the camp sell liquor, without a license, at \$2.75 a half pint, or \$3 if sold on credit. ... I worked two shifts, seven a.m. until midnight at \$1.50 an hour, ... generally six and sometimes seven days a week. I started two shifts to make enough money for expenses and thereafter I was required to work two shifts to keep the job.”⁸³

The hearings in New York convinced Kennedy and the rest of the Migratory Labor Subcommittee that the legislation that they were attempting to pass was absolutely vital. Kennedy also pressed New York State officials to enforce the laws of the State. In a letter to Governor Rockefeller, for example, he relayed his hope that the hearings in Rochester would encourage, “immediate action by the officials who are

⁸¹ Hearings before the Subcommittee on Migrant Labor, September 8, 1967, 710.

⁸² Statement of J.C. Gonzales. Hearings before the Subcommittee on Migrant Labor, December 7, 1967, 36.

⁸³ Hearings before the Subcommittee on Migrant Labor, September 8, 1967, 733.

responsible for enforcing compliance with the state and county housing and sanitation standards”.⁸⁴ His attempts to improve the living and working conditions of migrant workers in New York state were lauded by Raymond Corbett, President of the State branch of the AFL-CIO. Corbett had sponsored 12 bills in the state legislature which, he believed, had all failed because the state government was either “unwilling or unable to further its own limited objectives and was faced with a split Legislature and formidable opposition of the farm lobby”.⁸⁵ Corbett praised the Subcommittee’s work and singled out Kennedy for attention as acting chairman of the hearings in New York, for his co-sponsorship of bills which “aimed at making life a little better for the American farm worker, his family and his children”.⁸⁶

Kennedy’s stance towards labour unions has been confused by commentators and historians alike. Just as with other areas of his political career, his reactions to labour in America seemed, to the casual observer, ambiguous. Many observers, for example, presumed Kennedy to be anti-union. That belief came from a misunderstanding of his role in the labor racket hearings of the late fifties. Kennedy was the counsel to the Democratic majority in McClellan’s Subcommittee. As such, he played a huge role in the fight to expose the role of organised crime in the Labor Unions. The Subcommittee went after Teamsters Leader Dave Beck and later his replacement Jimmy Hoffa. The well-known animosity between Hoffa and Kennedy led many to believe that RFK was anti-union. That deduction, however, was unwarranted. Kennedy firmly believed in the labor union movement. His quarrel came only with some leaders of the movement, who he felt had perverted the course of justice and were exploiting their own union members. Most union officials understood his stance, however, and that of his brother who was, as Senator, a member of the Subcommittee.

During the 1960 election, union leaders such as George Meany (AFL-CIO) and Walter

⁸⁴ “Farm-Camp Drive Pressed By Kennedy”, *New York Times*, September 18, 1967.

⁸⁵ Report in *New York State’s AFL-CIO News*, September 1967.

⁸⁶ *Ibid.*

Reuther (UAW) supported JFK's candidacy. Even when Robert Kennedy continued to pursue Hoffa as Attorney General it did not turn men such as Meany and Reuther against him, although his dogged determination to prosecute Hoffa provoked strong criticism from many liberals, who thought his stance anti-libertarian.

It was as Senator for New York that Kennedy developed a reputation among certain union officials for being anti-union. He was often sharply critical of union leaders, although he was never critical of the underlying goals of the institutions themselves. During the Ribicoff hearings on urban poverty, Kennedy attacked C.J. Haggerty, the president of the Building and Construction Trades Department of the AFL-CIO, who testified that a program to erase discrimination in building trade unions had been ninety percent successful. RFK interrupted Haggerty to quote Labor Department statistics that showed the claim to be false. Of 8,154 journeymen in 11 Houston construction unions, only 60 were African-American, and all but one of those were cement masons. When the president of the Plumbers and Pipe-fitters Union testified the same day that the reason why black Americans were under-represented in his union was because they lacked motivation and skills: "We can't take a boy that can't read, and a boy that is a school drop-out. We have certain minimum requirements. . . ." Kennedy interrupted him, "Well, I would think that there are more than twenty-one Negro boys in all of Cincinnati who can read".⁸⁷ Kennedy insisted that he did not mean to suggest that all the "blame" for occupational discrimination lay with unions. Nevertheless, his questioning of whether union officials had wholeheartedly pursued equal employment opportunity caused a breakdown in relations between Kennedy and union bosses, especially George Meany.⁸⁸ As a result, none of the AFL-CIO leaders endorsed RFK's candidacy in 1968, despite the fact that he had the overwhelming support of the poor whom the unions claimed to represent.

⁸⁷Newfield, *Kennedy*, 81.

⁸⁸ "Kennedy Declares Building Unions Fail To Admit Negroes", *New York Times*, April 19, 1967.

On the other hand, Kennedy was also portrayed in some quarters as strongly pro-union. Because he was not afraid to make strong statements on controversial issues, his words were often taken and used out of context, sometimes by supporters and just as often by detractors. An exchange with Morris Atlas, counsel for La Casita Farms, Texas, during the Migrant Labor hearings is one example of how commentators made what they wanted out of Kennedy's words. Atlas accused Kennedy of wanting to organise everyone into unions:

Senator, you are saying that every business in this country ought to call all employees in and say, "Let's have an election to see if Senator Kennedy's union or whoever you designate, can represent them". . .

Senator, what you want to avoid is any non-union labor. ... You want to force every man to become a member of the union.⁸⁹

In reality, however, there was no contradiction in Kennedy's stance. He neither wanted to organise all workers into unions, nor did he oppose unions. He believed in the right of workers to organise, and at the same time was aware of the failings of some of the labour leaders. His support of Chavez, and the NFWA, was not inconsistent with his other actions and statements on labour unions.

Peter Edelman described Kennedy's involvement with Chavez as a "formative experience" in "reaching out to new kinds of powerless groups and becoming a spokesman and being identified with groups that were off the beaten track".⁹⁰ Certainly RFK's involvement with the issue left him with a large groundswell of support from the Mexican-American community. Dolores Huerta, Chavez's second-in-command, was impressed with Kennedy's response to the NFWA: "Robert didn't come to us and tell us what was good for us. ... He came to us and asked two questions ... "What do you want? And how can I help?" That's why we loved him".⁹¹ She recalled that there could be no doubting Kennedy's commitment to their cause. In fact she and Chavez

⁸⁹ Subcommittee hearings on Migrant Labor, August 2, 1967, 253, 262.

⁹⁰ Edelman, sixth oral history with Larry Hackman. February 21, 1970, 317.

⁹¹ Levy, *Cesar Chavez*, 449.

believed that RFK should not have gone so far in his endorsement of *La Causa*, because of the damage it could have done him politically. Chavez said that Kennedy endorsed the cause at a time when everyone else was against the farmers:

Instead of that awful feeling against politicians who don't commit themselves, we felt protective. He said that we had the right to form a union and that he endorsed our right, and not only endorsed us but joined us. I was amazed at how quickly he grasped the whole picture. ... He immediately asked very pointed questions of the growers; he had a way of disintegrating their arguments by picking at the very simple questions. ... When reporters asked him if we weren't Communists, he said, "No, they are not Communists, they're struggling for their rights". So he really helped us ... turned it completely around.⁹²

Not only did Kennedy's support improve the standing of Chavez and the NFWA among those not involved with the dispute, it also brought the union new members: "People that had been away from the union, people that were afraid of coming ... they were saying, 'Senator Kennedy says that the union's a good thing.' And we were saying, 'We've always said that', 'Well, he's saying it. I believe it now'".⁹³

Chavez obviously had high regard for Kennedy, and was willing to translate this into action. Once Kennedy had declared his candidacy in 1968, for example, Chavez suspended the strike in Delano in order to help Kennedy's campaign in California: "We took the organization we had on the strike and then just said, 'Well, the strike stops now.' We took the whole organization and just transplanted it".⁹⁴ Not only did Chavez transport much of his organisation to Los Angeles to organise the Mexican-American communities there to support Kennedy, he also helped to raise funds for the campaign. Given that the NFWA was constantly in need of funds to keep the strike

⁹² Quoted in Schlesinger, *Robert Kennedy*, 851. It wasn't just reporters who were concerned that the NFWA was run by Communists. During the hearings in California, Harlan Hagen, a Republican Representative for California, told Chavez, using language reminiscent of the McCarthy hearings a decade earlier, that he had evidence that Luis McGill Valdez, a member of the union, "went to Cuba at least once under the sponsorship of the Progressive Labor Party, which is a Trotskyite organization at minimum, and maybe it's borderline Stalinist or Marxist". Hearings before the Subcommittee on Migratory Labor. March 14, 1966, 381.

⁹³ Chavez, oral history, 7.

⁹⁴ *Ibid*, 25.

going, his actions for RFK were a remarkable testament to Chavez's commitment to Kennedy's campaign. "I never asked for money like I did then," Chavez recalled, "I said, 'You've got to give of your time and your heart and your money, and you've got to give us money right now because these things cost money. You want to elect him? Put up'".⁹⁵ Reminding NFWA workers of what RFK had done for them, Chavez said:

Robert Kennedy was the only public official who came to us in our time of need. He marched with us under the burning sun for justice and equality. He ate bread with me in order to give us new hope and inspiration. He is our friend and ally.⁹⁶

Chavez was highly successful at getting the vote out for Kennedy. In a letter circulated among Mexican-American districts throughout California, Chavez spoke of the Senator's support of the NFWA and why he and the union were supporting RFK's candidacy:

Senator Kennedy came at a time when our cause was very hard-pressed and we were surrounded by powerful enemies who did not hesitate to viciously attack anyone who was courageous enough to help us. He did not stop to ask whether it would be politically wise for him to come. We have learned, sadly, that many persons who hold high political office feel that it is not "good politics" to become too closely identified with farm workers because it would antagonize rich land owners who have tremendous political and economic power, and lose then the support of other politicians allied with the growers' establishment. . .

. . . [Kennedy] worried only about our problems and what our needs are. He brought with him the dignity of his high office and great prestige. He sat down with us and talked with us seriously and honestly and helped us realize that we had the right to be treated like ordinary Americans. . .

We believe that these are fine, strong qualities that a President must have to lead a troubled world toward peace and a distressed, divided nation toward amity and unity. We are proud to support Senator Robert F. Kennedy for President.⁹⁷

In many Mexican-American areas there were high voter turn-outs for RFK and in one

⁹⁵ *Ibid*, 31.

⁹⁶ Translated from the Spanish: "Roberto Kennedy fué el único oficial público que vino a nosotros en nuestra hora de necesidad. Marchó con nosotros bajo el sol candente por la justicia y la igualdad. El comió pan conmigo para darnos nueva esperanza e inspiración. El es nuestro amigo y aliado". Cesar Chavez. RFK Papers. 1968 Presidential Campaign: Black Books, box 1.

⁹⁷ Campaign letter, undated. RFK Papers. 1968 Presidential Campaign: Black Books, box 1.

district there was a 100 percent turnout for him.

When asked by Jacques Levy about his and Mexican Americans' reaction generally to RFK's assassination, Chavez replied:

It was so senseless, so useless! We felt it closer than most people because we were so involved with him. I was convinced he would have gotten the nomination, and I was pretty sure he could have won. Kennedy was by far the real force for change, and he was willing to take in the poor, and make the poor part of his campaign. It was a tremendous setback. A vacuum was created when he died.⁹⁸

The effects of Kennedy's death on the Mexican-American community were plain. Although many worked for Humphrey during the election, it was not with the same enthusiasm, and Chavez felt that they campaigned because they were against Nixon rather than because they were for Humphrey. During his oral history interview, Chavez stated that he believed his people would "not get turned on again, ... and it'll be a long, long time before we have another candidate like that".⁹⁹ In memory of RFK, the health centre at the NFWA headquarters was named the Kennedy Health and Medical Center. Chavez's personal commitment to Robert Kennedy was obvious from his office, which was:

a tiny bedroom filled with a large hospital bed and standing blackboard. . . .on the right wall, a huge picture of Gandhi, a smaller picture of Robert Kennedy, and a woodcut of a family burning their dead. Behind his bed, to the left, there is a small black poster featuring three heads - those of President Kennedy, Martin Luther King, Jr., and Senator Robert Kennedy - and one word in red letters - "WHY?"¹⁰⁰

⁹⁸ Levy, *Cesar Chavez*, 290.

⁹⁹ Chavez, oral history, 37.

¹⁰⁰ Levy, *Cesar Chavez*, 293.

Conclusion:
The Voice of a Generation

On Saturday, March 16, 1968 after weeks of agonized deliberation, RFK announced his candidacy for the Democratic presidential nomination. Plagued by the fear that the public would view his candidacy as a personality contest between him and Johnson, and encumbered by the traditional wisdom that an incumbent President could not be overthrown at the party convention, Kennedy had procrastinated for months. In so doing he invited strong criticism from those who should have been among his strongest supporters - the young anti-war crusaders who had leapt to McCarthy's aid when he had announced his candidacy in November 1967.

Kennedy's announcement, however, provoked an even greater outcry. Over the months since McCarthy's entry (in November 1967) RFK had been weighing up the pros and cons of entering the race. A week before the New Hampshire primary he realised, finally, that Johnson was not in a strong position, and it would indeed be possible to defeat the incumbent President. He contacted McCarthy before announcing his decision. The timing of Kennedy's announcement infuriated McCarthy's supporters, who believed he should at least have allowed Senator McCarthy time to savour his result.¹ Before, he had merely been guilty of indecision and, perhaps, a lack of courage. When he finally announced his decision, he laid himself bare to accusations of arrogance and ruthlessness, the very accusations he had been fighting

¹ McCarthy did not win the New Hampshire primary, but polled 42.2%. President Johnson received 48% of the vote. The result, while not decisive, made McCarthy's campaign legitimate where before it had seemed hopeless. Richard Goodwin, *Remembering America: A Voice From The Sixties*, (New York: Harper and Row, 1988),512. For details of the timing of Kennedy's decision to enter see Goodwin, *Remembering America*, 506-509, Jack Newfield, *Robert Kennedy: A Memoir*, (New York: Plume, 1969), 211-228, and Arthur Schlesinger, Jr., *Robert Kennedy and His Times*, (New York:Ballantine Books, 1978), 904-921.

for years.²

The decision to run for the presidency, however, was not as simple as his critics seemed to believe. Kennedy, like any politician who aspired to an office, wanted to win. There was little point in making heroic gestures if his chances were hopeless. Losing would not advance the causes that he sought to address. The great majority of his advisers counselled caution. Some believed he should wait until 1972, and others thought that he should challenge Johnson at the Convention, where the President's position would have been weakened by his campaigning in primaries while pursuing his present course in Vietnam. Only the younger, more radical, members of Kennedy's staff pushed him to enter the primaries. Walinsky and Edelman, (who were the principle proponents of that view), were not, however, high on RFK's list of political advisers. He appreciated their input into speeches and legislative programmes, but for strategic advice he preferred to rely on men who were more experienced; among others, Frederick Dutton, Kenneth O'Donnell, Steve Smith, Ted Sorensen, Arthur Schlesinger, Jo Dolan, and Pierre Salinger.³

Nevertheless, Kennedy had felt uneasy with the advice of these men. Though his traditional political background prompted him to accept their analysis, Kennedy's impetuous nature urged him to throw caution to the winds. He felt that he should run, that he owed it to his constituents to back up his words with action. His decision was not, however, prompted only by the situation in Vietnam, as many commentators suggest.⁴ He was, of course, deeply concerned about the course of events there,

² Schlesinger, *Robert Kennedy*, 885; Mary McGrory, "Senator Kennedy vs. Himself", *Chicago Sun Times*, 15 May 1968; and "Bobby: To be or not to be?", *Newsweek*, date unknown, Newspaper and periodical clippings collection, JFKL.

³ Schlesinger, *Robert Kennedy*, 890-896, Goodwin, *Remembering America*, 477-481, Newfield, *Robert Kennedy*, 192-195.

⁴ See Newfield, *Robert Kennedy*; Schlesinger, *Robert Kennedy*; David Halberstam, *The Unfinished Odyssey of Robert Kennedy*, (New York: Bantam Books, 1969); and Lewis Chester, Godfrey Hodgson, and Bruce Page, *An American Melodrama: The Presidential Campaign of 1968*, (London: Deutsch, 1969). All these accounts concentrate upon the Vietnam issue when discussing Kennedy's decision to run in 1968.

especially since the Tet offensive in January 1968. However, he did not believe that it was enough to run a one issue, anti-war campaign which he suspected McCarthy of doing.

RFK did not respect McCarthy, believing him to be a lazy Senator, as well as inclined to represent special interests.⁵ Furthermore, McCarthy did not have a well defined campaign programme: whereas Kennedy's domestic platform was as strong as his foreign policy platform. At its core, RFK's campaign focused upon the disease which seemed to grip American society, a situation which had been created as much by domestic disquiet as by the war in Indochina. RFK's decision to run, therefore, had as much to do with his stance on civil rights and aid to the poor, as it had with the Vietnam conflict. He wanted to provide other cities than New York with programmes like that in Bedford-Stuyvesant, and to continue his work to end the desperation of the rural poor. An analysis of Kennedy's campaign speeches provides evidence for that theory. Although RFK did address the Vietnamese conflict frequently during his speeches, he spent as much time talking about the need for domestic reform.

Many of Kennedy's campaign speeches were directed at the issues of violence, urban unrest, civil rights and poverty. He spoke out against urban riots, stating, "No man has the right to wantonly menace the safety and well-being of his neighbors, and it is the duty of public officials to keep the public peace and bring to justice those who violate it". It was important, Kennedy continued, that government officials should work on prevention of the causes of urban riots and that "if any man claims the Negro

⁵ Peter Edelman stated that RFK thought McCarthy, who was not personally wealthy, had filled his campaign coffers by being less than honest in his role within the Senate Finance Committee. Peter Edelman, first oral history interview with Larry Hackman, July 15, 1968, RFKOHP, 48-50. Edelman's views were backed up by Senator Joseph Tydings, who thought that McCarthy "appeared to be in bed with too many of the special interests in the ... Senate Finance Committee, on a number of votes". Furthermore, Tydings thought that "on crucial votes including civil rights legislation and others he wasn't always there, or he would never help on your vital fights ... He wasn't the savior that these young people thought he was ... McCarthy is what he is: he's a poet and a sometime politician". Joseph Tydings, third oral history interview with Roberta Greene, May 8, 1973, RFKOHP, 58.

should be content or satisfied, let him say he would willingly change the color of his skin and go to live in the Negro section of a large city".⁶ RFK expanded his programme for America's cities consistently: "The deprivation and alienation of the ghetto must be eliminated within a framework that coordinates action on the four central elements; education, employment, housing and a sense of community". Poverty, Kennedy stated, whether it be in the city or in rural areas, was an issue which could not be ignored. "In a country which will produce more than \$700 billion of wealth this year, where \$60 billion will be spent on defense, and where individuals spend \$3 billion annually on dogs, we are devoting less than \$2 billion to help eliminate American poverty. The war on poverty is one war where success demands immediate escalation".⁷ Despite the importance of the Vietnam issue, Kennedy's campaign focused upon so much more.

On June 6, 1968, Kennedy's bid for the Presidency was ended by an assassin's bullet. Cut off at the prime of his life (he was only 42 when he died), Robert Kennedy had not stopped growing, intellectually or politically. He had, however, come a long way in his understanding, of civil rights as well as other issues, since he assumed the office of Attorney General in 1961. By his own admission, Kennedy had known little of the problems faced by minorities in America at that time. He may have had an intellectual understanding of the issues, and have been disgusted by racism; but RFK had little visceral comprehension of the problem. By 1968, that assessment of RFK could not have been further from the truth. Having experienced at first hand the poverty and indignity faced by urban blacks, farm labourers, and the rural poor, he felt compassion for their adversity. Furthermore, he was enraged by those unreconstructed men and women who seemed determined to perpetuate the misery of the poor.

⁶ "RFK on the Issues", RFK Senate Papers: Speeches and Press Releases; 9/11/67-6/6/68, box 4.

⁷ *Ibid.*

That change was not, however, brought about by the death of his brother, although his grief certainly changed RFK's perspective on life. He cannot simply be portrayed as the "bad Bobby, good Bobby" of Newfield's, and others', accounts. The process by which he grew as a civil rights leader, and as a human being was far more complicated. Obviously, a number of factors played an important role in his growth, some of which are evident, some of which we will never know. The most important of these, however, was the succession of political roles which he played during the sixties.

His first role, as campaign manager for his brother, demanded that he be completely rational and oriented solely towards results. The only thing he could allow himself to care about was the election of JFK to the Presidency. Then, as Attorney General, the premier law enforcement officer of the land; his duty was, first and foremost, to uphold the United States Constitution, a difficult job given the pressure of competing legal interpretation, and to advise the Federal Executive on the legality of its actions. This role increasingly brought him into contact with civil rights as an issue; until, at the end of his tenure, he had developed considerable understanding and commitment to the cause. It was his next role, however, that fully developed his intuitive commitment to the plight of black Americans, and, as his knowledge expanded, to all who were poor. As a senator, his role was to uphold the rights of his constituents, and push for legislation which would benefit them. Through his responsibilities, investigations and legislative drafting, Kennedy learnt quickly about the scale of deprivation suffered by large numbers of Americans. His action-oriented nature then pushed him to go further than other senators with similar responsibilities: his commitment to the Bedford-Stuyvesant community is testament to that.

Because of his national prominence, RFK was witness to more than others who shared his role. He was, in many ways, an extraordinary senator. His trips to South America and South Africa, for example, were unusual for a senator. The scale of them, however, (each being organised, and received, like a presidential tour) was unprecedented. That too, added to the understanding which he gained in his four years in the Senate. While in South Africa in 1966, for example, Kennedy experienced adulation and praise almost everywhere he went. It was there, perhaps, that Kennedy began to realise the strength of his position. He was not just the senator for New York, but a politician of world class stature. Having tackled the momentous issue of apartheid head-on, he returned to the United States with a rejuvenated sense of moral worth and, from that, a feeling of power.⁸ That he should react in this way, is not surprising given the scale of praise he received. Alan Paton, for example, described RFK's visit as a "phenomenon"; declaring that "Kennedy was like a fresh wind from the wider world, reassuring those who had said there was a fog that they were right after all".⁹ Perhaps also, the response he received in liberal circles within South Africa gave him hope for the issue of civil rights in the United States.

His last role, as a candidate for the Democratic presidential nomination, was cut off before he had really achieved any momentum. Disorganised at the beginning of the campaign, largely because he had taken so long to decide whether or not to throw his hat into the ring, RFK and his staff had to run hard to keep up with the pace. There was certainly little of the organisation which had made JFK's 1960 campaign legendary in political circles. His defeat in Oregon threw Kennedy somewhat, but also allowed him to find his own style in the next set of primaries. During the campaign in California, for example, Kennedy became more confident, and those present the night he won the California and South Dakota primaries remarked that he seemed far more

⁸ Dominic Sandbrook, "Robert Kennedy in South Africa", (St. Andrews: M.Litt., 1998), 72.

⁹ Quoted in *Ibid*, 72-73.

sure of himself, and more presidential in stature.¹⁰ It was, as all of his previous roles had been, a learning experience for Kennedy, even though the result of that experience may not have been discernible to observers.

Most historians have remarked that Kennedy learnt from experience. In some respects, that statement is self-evident. All human beings learn from experience: not all, however, deliberately expose themselves to new experiences in order to learn more. That was Kennedy's distinction. He began to read more when his brother died, but it was not his reading of Greek tragedy or Shakespeare which informed the decisions he took as Senator for New York. It was the journeys he took into the most awful places of human suffering, whether in the United States, or on another continent, which really affected his politics. Because he kept taking those journeys, and continued to learn from them, his politics continued to evolve. As Joseph Kraft pointed out in 1964, "Who sketches Robert F. Kennedy does so at his own peril. The Attorney General is a bundle of many dominant traits, and these are sometimes in tension, and all times finding new forms of expression. Inside as well as out, he is a man in motion".¹¹

It was this characteristic in Kennedy which attracted so many of his supporters, especially the youth of America. Just as to be constantly in motion is the American condition, Kennedy became, in the eyes of many Americans, the quintessential American hero. Whether he was climbing mountains in Canada, white-water rafting in South America, encouraging students and blacks in South Africa, or touring poverty areas in the United States, RFK was always on the move. He hated inactivity, and that came across clearly to the American public. Because that trait was also one of the chief attributes of French existentialism, Newfield and other journalists conversant with existential writing, portrayed RFK as an existential politician. He did read Camus, and

¹⁰ Goodwin, *Remembering America*, 537-38.

¹¹ Quoted in *New York Post*, 24 March, 1964. RFK Senate Papers: 1964 Campaign Newsclips, box 17.

clearly related to the angst the French writer portrayed, but to call Kennedy existential is to misunderstand that his activity, as well as the way in which he learnt from those activities, exemplified the pioneer mentality of the American frontier.

Kennedy's death left Americans, already stunned by the assassination of Martin Luther King earlier that year, reeling. In many ways, RFK's death had a greater impact than his brother's. It was not that he was a greater man, or a greater leader; in fact much of RFK's appeal came from the promise of his leadership, rather than what he had already achieved. Kennedy's death crushed so many people because it was the last in a succession of assassinations, and seemed to mark the end of an era for many Americans. Thus, Americans grieved for more than themselves; they grieved for their country. As Newfield wrote, many believed that the last of their leaders had gone: "We felt ... that we had glimpsed the most compassionate leaders our nation could produce, and they had all been assassinated. And from this time forward, things would get worse: our best political leaders were part of memory now, not hope".¹²

It was hope that Robert Kennedy had represented to the American electorate. He had, by 1968, become an icon, both in America, and throughout the world. He appealed to so many groups, and therein lay the reason for the outpouring of grief that occurred on his death. A large part of his appeal lay in his age. At 42, Kennedy, with his youthful looks and attitude, successfully bridged two generations. He represented the oldest of the new politics, or, from a different viewpoint, the newest of the old. RFK was neither a New Leftist, nor a traditional politician: neither an advocate for radical civil rights groups, nor the strongest anti-war proponent among politicians. It was his ability to touch all these groups that made RFK so popular. Kennedy could not bring himself to align with SDS (Students for a Democratic Society), for example, but he did listen to their leaders, and supported some of their causes. That was why Tom

¹² Newfield, *Robert Kennedy*, 304.

Hayden sat in tears throughout the night when Kennedy's body was brought back to St. Patrick's cathedral in New York. However, although he espoused a new form of politics, Kennedy never broke from the traditional politicians; which is why Chicago's machine politician, Mayor Daley, had been prepared to back him in 1968.¹³ RFK condemned the extreme actions of black nationalism, but took time to listen to the leaders of the Black Panthers while he was campaigning in Oakland, California. The very civil rights activists who had condemned him in 1964, had, by 1968, begun to admire him, and the stand he took on the urban ghettos.

Kennedy's meeting with the Black Panthers in Oakland, makes an interesting foil to his meeting with Baldwin, and other black leaders, earlier in his career. Meeting with Baldwin, RFK had been incensed with the reaction he had received, although later he admitted that had he been in their place, he might have reacted in a similar vein. By 1968 his capacity to understand black Americans was much greater. Before the Oakland meeting, he told John Glenn - who was campaigning with him in California - that the meeting would be rough. He realised that "When they [the Black Panthers] get somebody like me, they're going to take it out on me ... But no matter how insulting a few of them may be, they're trying to communicate what's inside them".¹⁴

Indeed, many of the Black Panthers did respond aggressively towards RFK. A local leader, called Black Jesus, shouted out: "Look, man, I don't want to hear none of your shit. What the goddamned hell are you going to do, boy ... You bastards haven't done nothing for us. We wants to know, what are you going to do for us?"¹⁵ It was much stronger than the reaction of Jerome Smith during the Baldwin meeting, but

¹³ Kennedy's identification with both the new and the old, while useful for a presidential bid, may have brought uncertain results had he been elected. In the long run, having the support of both machine politicians and students activists would probably have proved incompatible. See Clare White, "Two Responses to Student Protest: Ronald Reagan and Robert Kennedy", in Gerard J. DeGroot (ed.) *Student Protest: The Sixties and After*, (London, New York: Longman, 1998), 129.

¹⁴ Fred Dutton in interview with Jean Stein, July 26, 1968, 59. Quoted in Schlesinger, *Robert Kennedy*, 976.

¹⁵ Curtis Lee Baker (Black Jesus) in interview with Jean Stein, December 4, 1969, 5-6. Quoted in *Ibid.*

Kennedy took the abuse calmly. He later told John Seigenthaler that if racial harmony were to exist in the United States, then blacks would have to be allowed to get centuries of anger out of their system.¹⁶ Obviously the Black Panthers appreciated his attitude. The following day they turned out to help Kennedy's campaign in West Oakland. Even if they did not agree with everything he espoused, radical black leaders felt that they could trust him, that at least he understood what it meant to be black in America. Baldwin, and the others who attended the 1963 meeting, must have been pleasantly surprised by the change in Kennedy's attitude.

By the time of his death, then, Kennedy was fully in tune with the needs of civil rights leaders, at least the moderate ones like Martin Luther King. He now recognised that minorities would no longer wait patiently for their rights to be handed to them. They meant to claim their rights for themselves, a strategy encapsulated by the black power movement. While RFK did not support the excesses of black power leaders, such as Stokely Carmichael and H. Rap Brown, he understood their motivation. Also, rather than learning merely to respond to the demands of the civil rights movement, Kennedy had, by 1965, acted as a spearhead for the shift in the movement's emphasis away from legal rights, towards economic rights. Before Martin Luther King set up his Poor People's campaign in Chicago, Kennedy had begun to publicly advocate the shift in focus from South to North, and to turn his attentions to the problems caused by poverty, and lack of opportunity. It was his focus upon such issues that, in conjunction with King's later campaigns, gave the second half of the Sixties its shape. He had come a long way from the man who admitted that he had not laid awake at nights worrying about the problems of black America.¹⁷

¹⁶ *Ibid.*

¹⁷ Edwin O. Guthman and Jeffrey Shulman, *Robert Kennedy: In His Own Words*, (New York: Bantam Books, 1988), 66.

It was this capacity to reevaluate his beliefs that led Schlesinger to write of Kennedy's "experiencing nature", and Newfield to remark, admiringly, that Robert "was always in a state of becoming." Martin Luther King was also impressed with RFK's capacity to "learn, to grow, and to deal creatively in any given situation".¹⁸ Newfield, who revered those he believed to be truly 'existential', placed too much emphasis on this trait, sanctifying Kennedy in the process. He was right, though, in his belief that Kennedy's politics arose from experience rather than ideology. When he witnessed the suffering of the urban or rural poor, RFK went far beyond the normal political boundaries in trying to alleviate their pain. The Bedford-Stuyvesant programme, in particular, remains as a testimonial to that strength.

Ultimately, the measure of Kennedy's personal development in the field of civil rights must be tested by his reputation among minority groups. In life, his policies had encouraged them to join the democratic process, by registering to vote, and exercising that right in elections. Indeed, his appeal to those who took little part in elections traditionally was remarkable. In the California primary, for example, blacks and Mexicans, usually known for their indifference to voting - especially in primaries - voted in high numbers for Kennedy.¹⁹ Having awakened their interest in politics, Kennedy's death was regarded as a terrible blow by blacks, Hispanics, and the dispossessed. Their grief was apparent in the sheer number of New York City's black community who queued through the night to pay their last respects at St. Patrick's Cathedral where the coffin was laid until the funeral. Similarly, journalists on the funeral train estimated that more than 50 percent of the people who lined the tracks to watch the train which took Kennedy's body to its burial place, in Arlington Cemetery, were black. In part, that was because the funeral train passed through areas with large

¹⁸ Quoted in Schlesinger, *Robert Kennedy*, 841.

¹⁹ Newfield, *Robert Kennedy*, 289. In some black and Mexican districts, nine out of ten registered Democrats turned out for RFK, a far higher percentage than in middle class areas where voter participation was an established trend.

black populations. More important, however, was the fact that blacks saw Kennedy, quite simply, as their politician. He understood them, he talked to them, but more than that, he had set practical schemes in place to support them. Tom Watson, who worked closely with black leaders in Bedford-Stuyvesant, summed up the reaction in the ghetto:

I think that every Negro in Bedford-Stuyvesant felt that he had a personal friend in Washington that was really thinking about his individual destiny and how he could improve his individual lot as a black man in Bedford-Stuyvesant ... And the Negroes grieved terribly at his death and there's been nothing since to supplant it."²⁰

In *The Cycles of American History*, Arthur Schlesinger Jr. argued that American politics followed a cyclical trend: there would be periods of liberalism and reform, followed by conservative phases as Americans became fatigued by the energy of reform and longed for a period of quiet introspection.²¹ The era of Roosevelt and Truman had been one of liberal reform, which was followed by the conservative age of Eisenhower. By 1960, Schlesinger contended, the country was again turning towards another period of energetic innovation. That trend had started with the advances made by the Democratic party in the 1958 mid-term elections. By 1964, the country would be ready for another Democratic president. John Kennedy had fought an uphill battle in 1960, but Lyndon Johnson faced a country that was ready to elect a Democrat, especially in the wake of JFK's death.

²⁰ Tom Watson, Oral History interview with Roberta Greene, January 6, 1970, RFKOH 18.

²¹ Arthur Schlesinger Jr., *The Cycles of American History* (Boston: Houghton Mifflin, 1986). Of course, Schlesinger's analysis conveniently fitted his politics. His theoretical model, was remarkably in tune with his own interpretations of the decades he described. A strong admirer of JFK, Schlesinger was keen to stress that his narrow victory in 1960 was only to be expected, given the mood of the country. Less of a supporter of Johnson, Schlesinger's analysis could be interpreted as stating that any Democratic candidate could have been elected in 1964, thus taking credit from LBJ. His partisan position notwithstanding, the model is still an interesting and persuasive analysis of American politics.

1968, by that account, should have been a Democratic year again. Nixon won however, and, with the exception of Carter's presidency, there followed a long period of Republican dominance. The optimism and self-belief of America in the early 1960s had, by the last years of the decade, turned to pessimism and self-doubt. America was a country at war with itself. JFK's assassination, Vietnam, the ghetto riots, and campus disturbances, all contributed to the overall feeling of fear and negativity. The death of Robert Kennedy, especially since it followed so quickly the death of Martin Luther King Jr., was the final nail in the coffin. The Democrats were left without a leader of national stature. Hubert Humphrey, while an able politician and a decent man, did not have the charisma, or the fighting instinct that Kennedy possessed. Unable to identify with Humphrey's "politics of hope", the country turned to Nixon, and, according to Schlesinger's model, the move to the right began at least eight years early. Americans were, above all else, disillusioned: disillusioned with their leaders, disillusioned with reform, and disillusioned with their country. Lacking a leader with a sense of America's identity, America moved, inexorably, towards the chaos and economic crises of the 1970s.

The tragedy of RFK's death was not that America had lost another Kennedy, or that it confirmed the endemic violence of American society. It was that Kennedy was the last leader of that generation to ask Americans to be more than they were. He demanded that the country should reassess its goals and re-focus its ambitions. Had he been elected, Kennedy may not have been able to stop the war in Vietnam any quicker than Nixon, or brought an end to the poverty he had witnessed, or even stopped the inequality faced by large numbers of America's citizens. What Kennedy would have provided, was a sense of the direction America should take, and an understanding of her responsibilities.

RFK's vision for America was never clearer than on the night that Martin Luther King was assassinated. Speaking in Indianapolis, he had been warned by the police that they could not guarantee his safety if he were to continue, but RFK went ahead regardless. The crowd had not heard the news of King's death, and a shocked gasp accompanied Kennedy's extemporaneous announcement, but they listened while he exhorted them to abstain from violence and asked them to think about their responsibilities to the country:

in this difficult day for the United States, it is perhaps well to ask what kind of a nation we are and what direction we want to move in. For those of you who are black - considering the evidence there evidently is that there were white people responsible - you can be filled with bitterness, with hatred, and with a desire for revenge. We can move in that direction as a country, in great polarization - black people amongst black, white people amongst white, filled with hatred toward one another.

Or we can make an effort, as Martin Luther King did, to understand and to comprehend, and to replace that violence, that stain of bloodshed that has spread across our land, with an effort to understand with compassion and love. ...

What we need in the United States is not division; what we need in the United States is not hatred; what we need in the United States is not violence or lawlessness; but love and wisdom, and compassion towards one another, and a feeling of justice toward those who still suffer with our country, whether they be white or they be black. ...

Let us dedicate ourselves to what the Greeks wrote so many years ago; to tame the savageness of man and make gentle the life of this world.²²

His words obviously had an impact. While other cities around the country burned, Indianapolis remained calm. It was the only city with a black ghetto not to erupt into riots that night.

Some argue that all RFK provided was rhetoric: this thesis proves otherwise. RFK did not just talk about the responsibilities of himself, or the community, or America as a whole. He enacted programmes, and fought for legislation which would

²² Statement by RFK on the death of Martin Luther King, Indianapolis, April 4, 1968. RFK Senate Papers: Speeches and Press Releases; 9/11/67-6/6/68, box 4.

change the conditions which had shocked him. It was this mixture of high minded rhetoric, backed-up by practical action, which attracted so many Americans to RFK. There is no reason to suppose that he would have been any different as president. He would, it is true, have been hampered by all the responsibilities that come with the executive office; but he had been hampered as a Senator, not only by opposition from Republican politicians, but by opposition from his own party as well (and the President, at that).

RFK's death virtually secured the election of Richard Nixon, a man whose commitment to civil rights was based upon political expediency. He was, according to the civil rights leader, James Farmer, "capable of doing either right or wrong with equal facility. He made decisions based on politics, not right or wrong".²³ Nixon's chief domestic policy advisor, John Ehrlichman, recalls that on two occasions, Nixon told him that he considered blacks to be less intelligent than whites. "He thought basically, blacks were genetically inferior ... In his heart he was very skeptical about their ability to excel except in rare cases. He didn't feel this way about other groups. He'd say on civil rights things, 'Well, we'll do this, but it isn't going to do any good.' He did use the words 'genetically inferior'. He thought they couldn't achieve on a level with whites."²⁴ Nixon was a far cry from the man who, by 1968, could ask audiences "Suppose God is black?"

One of the strongest criticisms against Kennedy, while he was alive, and after his death, was that he was ruthless and opportunistic. It was an argument that those he had sought to help could never understand. Cesar Chavez, for example, was worried that Kennedy had gone too far in his support of the NFWA's cause. He did not think Kennedy had been using him and the farm workers to further presidential ambitions.

²³ Nicolas Lemann, *The Promised Land*, (New York: Alfred A. Knopf, 1991), 203.

²⁴ *Ibid.* Nixon attained the Presidency having won the smallest percentage of black voters of any United States President in history.

Indeed, had RFK been the ruthless man that many indicated, then he would hardly have taken an interest in black Americans, or the poor and disadvantaged.

Others questioned his commitment to the causes he supported. Some have doubted the anguish that Kennedy displayed at the conditions of a migrant labour camp, or a tenement in an urban ghetto. Perhaps RFK's grief was turned on for the cameras, they surmised. It is foolish to judge politicians by such simplistic standards. It seems evident that caring about an issue, and acting upon it in a way that maximises the political advantage to be gained, can exist hand-in-hand. Indeed, to persuade the public to vote for a policy or support an action, a politician has to convince them of three things; the inherent justice of the cause, that it is in the public interest, and his or her sincerity in promoting it. Therefore, to promote a message effectively a politician must have a strong belief in it.

That aside, Kennedy's motivation, and his grief (whether real or contrived) had scant impact upon those who inhabited a world of need and suffering. They cared little for his rhetoric, or for the tears he shed: they were more impressed with his actions. It is upon his actions that, ultimately, Kennedy must be judged. It is difficult to comprehend the emotions of any man: given RFK's uncommunicative nature, his propensity to ask questions rather than reveal his own thoughts, as well as the closed status of his personal papers, the task becomes impossible. Kennedy's actions, therefore, are all that is available by which to judge him. Although he did not live to fulfill all his programmes, he had begun to attack some of the problems he had witnessed. Residents of the urban ghettos, farm labourers, and the rural poor (among others) recognised that RFK was one of the few politicians who would maintain his support even if it was not politically expedient.

John Kenneth Galbraith, in *The Affluent Society*, maintained that as the poor had become a smaller and smaller segment of America, so they had lost the interest of politicians. In the past, political identification with the dispossessed had brought the “reproaches of the well-to-do,” but it had “the compensating advantage of alignment with a large majority. Now any politician who speaks for the very poor is speaking for a small and also inarticulate minority”. Modern politicians, therefore, aligned themselves not with the poor, but with “the far more numerous people who enjoy the far more affluent income of (say) the modern trade union member”.²⁵ Galbraith’s assessment was correct. Almost all national politicians during the sixties voted, or acted, with one eye fixed upon the responses of ‘middle-America’. That Kennedy spent so much of his time addressing the ills of the very poor and dispossessed, therefore, was, in itself, unusual. Many of those he sought to help were either unable to vote, because they were not yet registered, or unlikely to vote, because of the apathy which overcame so many of the poor. Even if they had voted in large numbers for Kennedy, their votes would have been outnumbered many times over by middle class Americans. Kennedy’s, therefore, was a risky strategy. Although he addressed the concerns of middle-America during his primary campaigns: condemning violence, and speaking of the need for law and order, he continued, nevertheless, to address the social and economic themes close to his heart; the need to aid those who lived in a world of misery and despair, ignorance and fear, and, above all, hunger and deprivation.

Some journalists following the campaign accused Kennedy of turning away from his former statements and policies on poverty and the urban ghetto, to appeal to ‘middle America’ by talking about law and order. But Kennedy would not have viewed it that way. For him there was no inconsistency in condemning violence while

²⁵ John Kenneth Galbraith, *The Affluent Society*, (Boston: Houghton Mifflin, 1958), 328.

promoting action to alleviate the cause of that violence. Kennedy understood why black residents in the ghetto rioted, but that didn't mean that he did not abhor the violence.

Galbraith pointed out that:

The concern for inequality had vitality only so long as the many suffered privation while a few had much. It did not survive as a burning issue in a time when the many had much even though others had much more. It is our misfortune that when inequality declined as an issue, the slate was not left clean. A residual and in some ways rather more hopeless problem remained.²⁶

Kennedy sought to reverse both these trends. He hoped to encourage more politicians and influential people to view the problem of poverty as an issue which they should tackle. At the same time, he sought to alter the conditions of those whose lives had become so hopeless. Indeed, for a brief time, his championing of the underprivileged brought the issue to the forefront of the nation's consciousness. His death, however, and the election of Nixon, ended that brief concern. Since then, no nationally significant politician, has managed to revive the issue.

Some politicians, most notably Bill Clinton, have purposely modelled themselves upon Kennedy, however. At the 1992 Democratic Convention in New York City, a documentary film featuring Robert Kennedy was shown. The purpose of the film was clear: Clinton wished to associate himself with RFK who had been, to many, the last great Democratic leader. Many would have assumed that Clinton would choose JFK as his role model, but President Kennedy had been too much of an old style politician for Clinton to model, even though it was he who had inspired Clinton to aspire to public office. It was RFK's particular brand of populism that Clinton wished to emulate; and the Senator's domestic policies were more attractive to the aspiring presidential candidate.

²⁶ *Ibid*, 329.

That Kennedy's memory lives on in the minds of millions of Americans is clear from Clinton's conscious effort to tap into that feeling. It was also demonstrated at the twenty year anniversary of RFK's death, when Ethel Kennedy organised a memorial service at Arlington National Cemetery. Although the service was open to the public, the Kennedys expected only a nominal number of witnesses aside from the family. Instead they were joined by over 10,000 Americans who had come to pay tribute to a leader who had inspired his generation, and those following.²⁷ Their presence proves that to countless Americans, Kennedy had lived up to his own rhetoric:

Each time a man stand up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope; and crossing each other from a million different centers of energy and daring, those ripples build a current which can sweep down the mightiest walls of oppression and resistance.²⁸

²⁷ William Manchester, "Recapturing Bobby", *The New York Times Book Review*, 7 August, 1988.

²⁸ Speech by Robert F. Kennedy, "Day of Affirmation Address", South Africa, June 6, 1966. RFK Senate Papers: Trips file; Speeches: Day of Affirmation, box 17.

Appendix 1
Voter Registration Statistics¹

U.S. v. Fayette Democratic Executive Committee (Fayette County, Tenn.)

Judge: Boyd

<u>Date</u>		<u>Persons of Voting Age</u>	<u>Person Registered</u>	<u>% Registered</u>
11/16/59	White	6,500	6,500	100.0
	Negro	7,921	58	.73
10/1/63	White	6,500	6,500	100.0
	Negro	7,921	3,500*	44.2
8/1/64	White	6,500	6,500	100.0
	Negro	7,921	3,500*	44.2

* This figure represents an estimation

U.S. v. Alabama (Bullock County, Ala.)

Judge Johnson

Date Filed: 1/19/61

Date Tried: 3/28- 3/30/61

Date of Decree: 9/13/61

<u>Date</u>		<u>Persons of Voting Age</u>	<u>Persons Registered</u>	<u>% Registered</u>
1/19/61	White	2,387	2,291	96.0
	Negro	4,450	5	0.1
4/1/61	White	2,387	2,291	96.0
	Negro	4,450	4	0.1
11/1/63	White	2,387	2,380	100.0

¹ 1964 Status Report. Undated. Burke Marshall Papers; Civil Rights Division, box 16, JFKL.

	Negro	4,450	1,230	27.6
11/1/64	White	2,387	2,631	110.0
	Negro	4,450	1,386	31.0

U.S. v. Ramsey (Clarke County, Miss.)

Judge: Cox

Date Filed: 7/6/61

Date Tried: 12/26- 28/62

Date of Decree: 2/5/63- 12/1/64

Appeal: Government - 4/1/63

Appeal Decided: 2/20/64

Rehearing: 4/23/64

<u>Date</u>		<u>Persons of Voting Age</u>	<u>Persons Registered</u>	<u>% Registered</u>
7/6/61	White	6,072	4,611	76.0
	Negro	2,998	0	0.0
12/26/62	White	6,072	4,611	76.0
	Negro	2,998	3	0.1
11/3/63	White	6,072	4,785	79.0
	Negro	2,998	45	1.5
9/4/64	White	6,072	4,829	80.0
	Negro	2,998	64	2.2

U.S. v. Wood (Walthall County, Miss.)

Judge: Cox

Date Filed: 8/5/61

Date Tried: 4/8- 9/63

Date of Decree: 10/25/63

Appeal: Government; argued 11/9/64

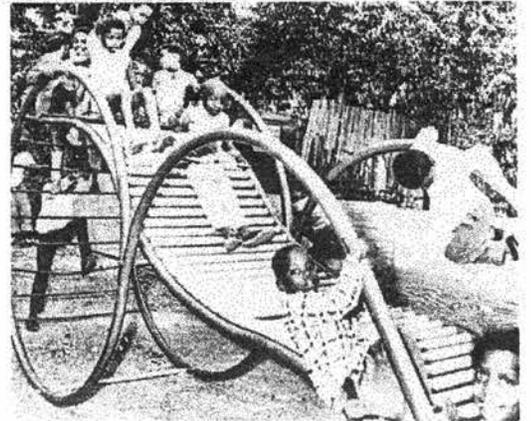
Appeal Decided: 12/28/64

<u>Date</u>		<u>Persons of Voting Age</u>	<u>Persons Registered</u>	<u>% Registered</u>
8/5/61	White	4,736	3,903	82.0
	Negro	2,490	0	0
4/10/62	White	4,736	4,736	100.0
	Negro	2,490	3	0.1
11/1/63	White	4,736	4,736	100.0
	Negro	2,490	4	0.1

Appendix 2 Bedford-Stuyvesant



Appendix 4
A Super-Block



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