

American History Online

Kennedy, Robert F.

The seventh of nine children, Robert Kennedy was born on November 20, 1925, in Brookline, Massachusetts, and graduated from Harvard in 1948 and the University of Virginia Law School in 1951. He then served briefly as an attorney in the Criminal Division of the Justice Department, leaving in 1952 to manage his brother John F. Kennedy's successful campaign for U.S. senator from Massachusetts. In January 1952 he was named an assistant counsel for the Senate Permanent Subcommittee on Investigations, then chaired by Senator Joseph McCarthy (R-Wis.), but he resigned the post in July because of disagreement with the subcommittee's procedures. Kennedy rejoined the subcommittee in February 1954 as chief counsel for the Democratic minority and became chief counsel in January 1955, when Senator John L. McClellan (D-Ark.) became chairman. From 1957 to 1959 he was chief counsel for McClellan's Senate Rackets Committee, which investigated crime and corruption in the union movement. Beginning in November 1959 Kennedy served as manager for his brother's presidential campaign.

On December 16, 1960, the president-elect named his brother attorney general. The appointment was widely criticized as nepotistic. Some also called Robert Kennedy, then 35, too inexperienced in the law and too ruthless a prosecutor and politician to be attorney general. During his four years as head of the Justice Department, Kennedy would repeatedly encounter charges that he was arrogant, power-hungry, and ruthless, although he impressed many legal observers as the best attorney general in years.

By all accounts Kennedy assembled a distinguished and capable staff that produced legal work of high quality. A man of action who valued courage, achievement, and excellence, Kennedy ran the department in an informal manner. He delegated much authority, made himself visible and accessible throughout the department, and was open to ideas and suggestions from his subordinates. Ignoring jurisdictional boundaries, Kennedy put his aides to work wherever they could be of use, sending men from the Organized Crime Section, for example, into Mississippi to investigate the Ku Klux Klan.

In addition, Kennedy was frequently credited with having established Justice Department control over J. Edgar Hoover and the FBI, largely because of his special relationship with the president. For the first time in years, FBI communications with the White House went through the attorney general's office, and Kennedy involved the bureau in areas such as civil rights and organized crime that it had previously avoided. Although acknowledging that Kennedy had an impact on the FBI, Victor Navasky has challenged the view that the attorney general effectively asserted his authority over the bureau. Kennedy and his aides, Navasky has argued, learned how to manipulate the FBI, but Hoover retained control of the agency, and the bureau's resistance to change kept its usefulness in civil rights, for example, well below its potential.

From the Rackets Committee investigations, Kennedy had developed a special interest in organized crime. When he became attorney general, he made a drive against it his top priority. He increased the budget and manpower of the Organized Crime Section and sent out special prosecutors to investigate, indict, and try cases against top rackets figures. Kennedy attempted to mobilize public opinion, won passage in Congress of a package of anticrime bills in 1961 and 1962, and for the first time won cooperation from other government agencies in the antiracketeering effort. In 1960 the Justice Department had secured convictions of 14 organized crime figures; in Kennedy's last year as attorney general, some 325 racketeers were convicted.

The McClellan Committee's work had also convinced Kennedy that James R. Hoffa and the Teamsters Union he headed were involved in criminal activities. As attorney general he recruited a special group of attorneys in the Labor and Racketeering Divisions who investigated and prosecuted Hoffa, ultimately winning two convictions in 1964 on charges of jury tampering and misuse of union pension funds. The Justice Department also successfully prosecuted 115 other Teamster officials or their close associates during Kennedy's years as attorney general.

Although the Supreme Court upheld the Hoffa convictions, many commentators charged Kennedy with abusing his power by concentrating so many resources on one individual.

Kennedy was also criticized as being insensitive to civil liberties. In 1961 he endorsed a broad bill to legalize wiretapping that was opposed by civil liberties groups. Under an arrangement dating back to Franklin Roosevelt's administration, Kennedy also authorized wiretaps by the FBI in cases involving national security. The most celebrated example of this, revealed in later years,

was a tap on civil rights leader Martin Luther King Jr., which Kennedy authorized in October 1963, apparently because of the FBI's insistence that there was a communist effort to influence King and his organization. When evidence of illegal electronic surveillance by the FBI first came to light in 1966, Kennedy denied ever having authorized it and claimed he never had been informed of the FBI's bugging practices. Even strong Kennedy supporters who fully believe his account of events admit that he failed in not examining more closely and supervising more vigilantly the FBI's surveillance methods.

In 1962, however, the Justice Department proposed wiretap legislation that contained safeguards lacking in its 1961 bill. These won support from some civil liberties organizations. Kennedy favored the removal of security restrictions on travel to communist countries and on visas for entry into the United States. He also had his department draft legislation abolishing the national origins quota system for immigrants. The attorney general built a strong record of impartiality in prosecuting political figures for wrongdoing. During his tenure the Justice Department brought numerous Democratic political figures to trial, including several, such as James Landis, with close political or family ties to the Kennedys.

In April 1961 Kennedy appointed a committee of distinguished attorneys to study the quality of justice afforded the poor in federal courts. Based on the committee's findings he established an Office of Criminal Justice in the Justice Department. He also sponsored the Criminal Justice Act, passed in August 1964, which provided paid counsel for indigent defendants in federal courts. Beginning in May 1961 Kennedy headed a cabinet-level committee on juvenile delinquency, which originated the concept of community action and control later incorporated into the war on poverty programs. The attorney general also contributed to the intellectual aura of the New Frontier by holding monthly seminars at which an expert on some topic would address administration officials at Hickory Hill, the home of Kennedy's large and ever-growing family.

The Justice Department was the center of most civil rights action in the Kennedy administration, and the attorney general and Assistant Attorney General Burke Marshall, head of the department's Civil Rights Division, gave special emphasis to securing voting rights for blacks. They significantly increased the number of voting rights suits brought by the department and encouraged civil rights organizations to launch a major voter registration project in the southern states.

Kennedy's personal involvement in and commitment to civil rights increased as he responded to various crises in the South, beginning with the Freedom Rides in the spring of 1961. After the riders were attacked in Montgomery, Alabama, on May 20, Kennedy sent in federal marshals to prevent further violence. He petitioned the Interstate Commerce Commission to issue an order desegregating interstate bus and rail terminals and ultimately, through negotiation and court action, integrated transportation facilities in the South. In the fall of 1962, Kennedy negotiated with Mississippi governor Ross Barnett to secure the peaceful admission of James Meredith to the University of Mississippi. He dispatched several assistants to the state to aid the desegregation effort and advised the president to call in federal troops when rioting against Meredith's admission erupted on the university campus September 30. The attorney general sent Burke Marshall to Birmingham, Alabama, in May 1963 to try to work out a desegregation agreement that would end the demonstrations led by Martin Luther King. Later that spring he oversaw the effort to enforce court-ordered desegregation of the University of Alabama, opposed by Alabama governor George C. Wallace.

According to Arthur Schlesinger Jr., civil rights had become Robert Kennedy's top domestic priority by the summer of 1963. The administration's civil rights bill of June 1963 was formulated by the Justice Department largely on Kennedy's initiative. In extensive congressional testimony, public speeches, and meetings with various interest groups, the attorney general worked for passage of the bill. Enacted in July 1964, shortly before Kennedy left the Justice Department, the Civil Rights Act has been ranked as one of his major achievements.

Kennedy's record of action in support of civil rights was partly offset, however, by the appointment of several segregationist judges, such as W. Harold Cox, to federal courts in the South. Civil rights advocates also criticized Kennedy for not having the FBI and Justice Department do more to protect civil rights workers in the South from harassment and assault. Most were unpersuaded by his argument that the federal government did not have authority to act as they wanted. The department's emphasis on negotiation during civil rights crises was also criticized as tending to maintain the status quo rather than advance black rights. However resourceful and effective, many of Kennedy's civil rights activities came in response to crises rather than on his own initiative. Still, Mississippi rights leader Charles Evers asserted that Kennedy did more to help blacks win their rights "than any other public official" and more than "all other U.S. attorney generals put together."

As the brother of the president, Robert Kennedy had influence and power not available to other high administration officials. He had the full confidence of President Kennedy and the strong rapport, friendship, and loyalty between the two made the attorney

general the president's alter ego and his closest adviser and aide. After the unsuccessful Bay of Pigs invasion of April 1961, President Kennedy included his brother in the decision-making process on all crucial foreign and domestic policy questions. Among other tasks, the attorney general carried out diplomatic missions to Europe and the Far East, encouraged the development of a counterinsurgency force in the military, kept an eye on overseas intelligence operations, advised on civil rights policy, and dealt with many state party chairmen and political bosses around the country.

The Cuban missile crisis of October 1962 supplied perhaps the best example of Robert Kennedy's influential advisory role. He was a member of ExCom, the group that met to consider the U.S. response to the discovery of Soviet offensive missiles in Cuba. In the early deliberations the attorney general strongly opposed proposals for a general air strike and invasion of Cuba and supported the idea of a "quarantine." Acting as unofficial chairman of the committee in the president's absence, Kennedy was a major force in securing a consensus within the group on the decision to blockade Cuba. On October 26 a letter from Soviet premier Nikita Khrushchev suggested a bargain in which Soviet missiles would be withdrawn from Cuba in return for an American pledge not to invade the island. It was followed the next day, however, by a second letter demanding the withdrawal of American missiles in Turkey in exchange for removal of the Cuban missiles. During a debate in ExCom over the American response to the second Khrushchev proposal, Robert Kennedy devised the idea of ignoring the second letter and responding favorably to the first. The attorney general helped draft the president's reply and then personally delivered a copy of it, along with a strong warning, to the Soviet ambassador to the United States. The next day Khrushchev agreed to the American proposal for removal of the Cuban missiles in exchange for an end to the blockade and a promise that the United States would not attack Cuba.

His brother's assassination in Dallas on November 22, 1963, was a shattering loss to Robert Kennedy, and he temporarily left most Justice Department duties and decisions to his subordinates. John Kennedy's death reportedly led the attorney general to reconsider his goals and to redefine his role. He resigned as attorney general on September 3, 1964, to run successfully for U.S. senator from New York. He built a liberal record in the Senate, giving special attention to the problems of the urban poor, and gradually emerged as an outspoken critic of President Johnson's policies in Vietnam. In March 1968 Kennedy entered the race for the Democratic presidential nomination. He won primaries in Indiana and Nebraska but lost the Oregon primary election. Then on June 5, while celebrating the victory he had just won in California, Kennedy was shot by Sirhan B. Sirhan, a Jordanian-born Arab living in California. Kennedy died the next day.

As attorney general, Kennedy's greatest strength, according to Victor Navasky, was "his personal quest for excellence and his ability to use the best ideas provided him. He had an inspirational quality that brought out the best" in those who worked with him and infused the Justice Department with virtually unprecedented elan, energy, and purpose.

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