EDWARD M. KENNEDY ORAL HISTORY PROJECT

INTERVIEW WITH EDWARD M. KENNEDY

Interview 18

April 3, 2007
Hyannis Port, Massachusetts

Interviewer
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Attending
Victoria Reggie Kennedy

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TRANSCRIPT

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Young: So we're now recording. This is, I believe, the 18th session with Senator Kennedy, on a gray day, on the Cape. The general subject for this interview is civil rights, and Mrs. Kennedy is with us, as well as the Senator. Maybe we should start with just a general question as to how you got engaged and interested in civil rights, understanding that the main civil rights issue in the '60s, of course, carrying over from the '50s, was equal rights for African Americans. That was the focus of the agitation and the legislation.

Kennedy: Some of my earliest impressions were about discrimination in our society, rather than just the issue as we think about it today, in terms of civil rights. And I believe those earliest impressions really started from my relationship with my grandfather, during the time that I was going to school up at Fessenden, and used to go in and visit him at the Bellevue Hotel to have lunch. As we've pointed out before, he'd come downstairs from his room and there would be newspaper articles coming out of all of his pockets. We'd go into the kitchen first and say hello to all the waiters and waitresses there, and then come out into the dining room, and he'd still continue to move around the room and say hello to everyone. Everyone knew him, he knew everyone.

But in those walks that we'd have around Boston, he'd talk about the discrimination that took place against the Irish, and about the different sections of the city. In some sections, the Italians lived; in other sections, the Irish lived; and others lived in other communities. Jews lived in other parts of the city, Negroes lived in other communities, and some of these communities moved and shifted as the immigrations came on. He talked about how, in some places, the last people who came in, who would get the jobs, would be of a different party. He talked about the French up in Lowell and Lawrence. They came in and they got the jobs and replaced the Irish. The people who gave them the jobs were Republicans, and so they were much more inclined to be Republican.

But the divisions that existed between the races were very powerful, because people had come over in groups. They depended upon each other to survive, in terms of employment, and then beginning in terms of politics. It reflected itself, even in the lines that—political lines that grandpa gave to my brother Jack [Kennedy], when he ran in 1946. He said, "The only thing you have to know about foreign policy is that Trieste belongs to Italy, and all of Ireland will be united and free," and with those two things, you could get elected in Boston. It covered the Italians—the issue of Trieste was controversial after the war—and obviously the Irish, because

of Irish independence. He talked about the times when he was elected mayor, and he tried to appoint an Italian fire commissioner, and he had 10,000 Irishmen outside of his house demonstrating, saying, "Appoint one of your own, Honey Fitz [John Fitzgerald], appoint one of your own!" He talked about the fact that the poor Irish didn't have the money for newspapers, and they would always depend upon him about who to support for elections.

So you had a very segmented and separate society, and on top of all this were the Yankees and the Brahmins. You had a lot of tension between the various groups, and it was related primarily to jobs and opportunity. It reflected itself in ways that I saw, even with the story of my own father, that he basically left Boston because of the Yankees and the Brahmins. He decided he had to go to New York and other places, in order to have business opportunity. I mean, it was real.

I saw it much later, in 1958, when I was working on my brother's campaign. He had a slogan that said, "Make your vote count, vote Kennedy." The idea was that people would vote in '58 for Jack, and then their vote would count towards '60, because if he got a big vote, that was sending a message. The Italians got all upset, because they said making your vote count is for just JFK [John F. Kennedy], but it wasn't for Foster Furcolo [the Democratic candidate for Governor]. So Furcolo demanded a meeting with Jack, and demanded that they change the slogan. My brother had had all the papers printed up, and they had to change it. This was the time this fellow [John] Dowd sat in the room with my father, and they tried to think of slogans for two and a half hours, and finally they had, "He'll serve all of Massachusetts with distinction." Which is like a Schenley's ad, you know, but that was the switch, and they changed it all that evening, to all the papers. But it was that sensitive in terms of the race.

The key aspect of it was jobs, housing—it was where people lived, it was employment. So it was a form of discrimination that was very real, and the discrimination against the Irish was very real, the no jobs for—Irish need not apply. There was the limits, the ceilings, and it was very apparent to me, even at that time, about the prejudice and discrimination.

Eventually, my father talked about it later. When he finally was able to make a nickel and wanted to play golf out at Hull, they wouldn't let him in the golf club, and so he came down here to Cape Cod in 1928 or 1929. He originally went over to Oyster Harbor, Wianno, and said, "That's just like Hull, you know, because it's going to be very—" He probably meant discriminatory, I think probably a correct judgment. Here it was a different tempo. So this was something that was evident and alive and out there, and was certainly something that was a part of something that I had seen or witnessed and heard a pretty good amount.

Young: And very early.

Kennedy: And very early as a child. Grandpa talked about the unfairness of the immigration rules—I remember that, long before everybody got into the immigration—how the immigration worked, discriminated against people about where they were born. He was very strongly against that. He was a mender, and he was looking for ways to try to mend the different kinds of groups together as a politician, and he saw that this was something that was very strongly held in terms of the different ethnic groups. I can remember him talking about that at a very early age.

I mean, I was familiar with that issue, the National Origin Quota System. I was familiar with the fact that he had tried, when he was in Congress, to get rid of some of those types of provisions that discriminated against different groups. So this was something that was alive and evident in the early years of my life, in the early days of fourth, fifth and sixth grade, and later on into college. But I had been impressed with all of that as a young child. I wasn't being confronted directly with it, but I was always very much aware that when you went to schools, it always seemed that a lot more private schools and colleges were much more open to the Brahmins than they were to the Irish Catholics. That was certainly true about Harvard, although Grandpa Fitzgerald got into Harvard. He got into Harvard Medical School, which was virtually unheard of. My father—they were both good students at Boston Latin School, which was a first rate school, but they only took small numbers of Irish, even at that time.

I was also aware of the discrimination on the basis of religion on this. There had been a good deal of discrimination. I mean, Catholics in Massachusetts in 1780 couldn't even vote, and you had discrimination in these schools—the Lord's Prayer in the public schools, so the Catholics all wanted the private schools. They were sort of evident around in Boston, and the reasons you hear why is because the Protestant schools made Catholics say Protestant prayers and things like that. When I went to Protestant schools, I always had to have a separate time out to go to Catholic instructions with the other boys. It was always made possible, because my mother made such a deal out of it, but it was always, you were very much aware that there was tension between the Protestant and the Catholic, and not so much, I don't think, in terms of discrimination against Jews, but it was very evident about the power bloc and also the religious tension that existed. It wasn't something you were really looking for, and someone who was involved in sports might have seen less of it, but it was a presence. Those were factors and forces as I was moving on through schools, and I certainly noticed it. So that was sort of the background.

I had gotten into college and from college, into the Army, and I think the exposure—I was 19 years old in the Army—and that was quite an exposure, because we had a number of blacks in the Army when I first went in. I went into Fort Devens initially, and then down to Fort Dix, New Jersey and had 16 weeks of basic training down there, advanced infantry training. I'd say we had probably 30% of the troops at that time, 30 to 35% were black.

Young: In your company?

Kennedy: In our unit, yes. Then from there I went to an intelligence school, where I didn't last very long. I was there five or six weeks. I don't think there were probably that many, but they found in my clearance, they said I hung around with "fellow travelers" at Harvard, if you could believe it, which was, I don't know, John Culver or Claude Hooton or whoever it was. I always asked my brother, Jack, whether I should go look at it, and he said, "No, don't bother, because if they find out that you've gotten a look at it, they're going to ask you about a lot of other stuff in there too." [*laughter*] So he said, it doesn't make any difference.

I went from there down to Camp Gordon, Georgia, and I went to military police school for eight weeks, and there it was a much higher percent, it was probably 45% black. But the training was very intense when I was in the Army. You could see how people performed. I mean, they had a fellow, his name was Fessier and he was a graduate of Notre Dame, and everybody thought he was a little odd. After a forced march at night, carrying a full field pack, which was 46 pounds

and 26 miles, people would just sort of collapse, and they'd put the tent over them, and hope it didn't rain, they're so exhausted.

Fessier would set up his tent, and he'd be humming and washing his socks in his helmet, putting the socks out to dry so they'd be nice and fresh in the morning. Washburn, who was from Brooklyn, was the toughest guy. He swore, you know, just a mean son of a gun, and after 11 miles, he just collapsed. You began to see who were the people who stayed the course, who were the people who were reliable, who were the people who were dependable, and who were the ones who did their duty in terms of cleaning the weapons and doing everything else—and you saw what their names were or what the color of their skin was. Sort of an equality aspect. You've got to value the people for what they were and what they did, and how well they shaped up, and not the color of their skin.

Young: You couldn't stereotype by race.

Kennedy: You couldn't stereotype. I had one fierce fight with a black, a fellow named Wharton, who was—he and Fessier and I were "gigged" very dirty weapons and were supposed to clear out the officers' mess hall. It was on a Saturday, and I wanted to watch one of the football games. So Fessier and I went over early and started cleaning out, and then I said, "Fessier, why don't you go over and get Wharton." He came back and said, "Wharton says he may come but he may not." So I said, "Well, he's going to come."

So I walked over there, the second story of the barracks, and there were eight blacks, all in their shorts, and they had moved the bunks out, and they had the footlockers there, and they were rolling dice. So I said, "Is Wharton here?" And the fellow said, "I'm Wharton." He stood up, he was about six-two and about 185 pounds, and just was the strongest looking guy you ever saw in your life. So I said, "Well, Mr. Wharton, you got gigged, and I got gigged, and we're cleaning out." He said, "Didn't you get my message? Maybe I'm coming and maybe I ain't coming." I said, "You're coming." He said, "I guess you didn't understand." Began to sort of—and boom, we ended up in this big fight.

Young: Right there?

Kennedy: Right there.

Young: In the barracks?

Kennedy: Right there in the barracks. And the other people all stood back. I wrestled in school, and if you know something about it, you can—there was always the question of a boxer and a wrestler, and probably a boxer can beat a wrestler if he's a good boxer. If a wrestler gets a hold of you—but that's all defensive, pinning him, but not punishing him. But there were footlockers and beds, and so when I tried to roll him over or something like that, I'd get caught. Meanwhile, he was biting through my finger, trying to put out my eyes. I mean, this thing was a really serious fight. So it went on, and there was blood all over the place, his and mine, and finally I heard this whistle. The sergeant blew the whistle and said, "Break it up, break it up."

It was a fellow, McGuire, from Waltham, Massachusetts, the sergeant, who said, "Break it up, break it up. You guys are supposed to be cleaning out, get out there. You fellas can continue the

fight at the flagpole at 6:00. Is that OK with you, Kennedy?" Yeah. "OK with you, Wharton?" Absolutely. "You fellas go over and clean the mess, and then you meet at 6:00 and if you want to beat each other up, that's fine with me." So we go over and clean out the mess. He didn't say anything, he just cleaned out the mess. He took off and I went to the flagpole, and at five after 6:00 I left. [*laughs*]

But the point basically is that that whole experience was eye opening in terms of how people got along, and how they worked together, and how they could—and as a younger person, it was a pretty open idea, a pretty open kind of a view about people. I found I got along fine with all the people I had to get along with.

Young: Tell me something more about Wharton and his mates there.

Kennedy: They all swore that I came up and started the fight.

Young: But they didn't go after you?

Kennedy: No. They didn't go after me.

Young: Did you sense that this was because you were white and you were a Kennedy, that he was defying you?

Kennedy: Oh no, no. He just didn't—he wanted to play dice. He didn't want to have anything to do with anything more than he wanted—he was having a good game of dice with his pals.

Young: So this wasn't a question of a racial thing?

Kennedy: None. No, it wasn't at all. He had gotten into another fight with somebody else, and hit them when they left the bottom step or something, sort of cold cocked. He was a very tough, tough actor.

Young: Was he from the South?

Kennedy: I don't know. I can't remember. Then I was out of there, and then we went to Georgia eventually, and we had a number of blacks, and some browns in our unit there. It seemed that they were kind of the superstars of the unit, because they took a lot of time polishing their shoes. They had ways of getting everything to sparkle. They liked the super press of their pants and stuff like that, and they all wanted the sharpness. That was kind of an interesting thing about the sharpness, that kind of thing, and so they were kind of the standouts. Blacks were the standouts on the unit.

Young: This is the military police?

Kennedy: This is the military police. They had the spit shine. You could take hours just to get the shine, and it wasn't all that becoming on that part, but this certain group of people would go on over, and they'd sit around, chew the fat, and they'd just start doing it and doing it and doing it. So that was sort of that.

Then I was in the MPs, and I was sent to France and then to Germany. When I was in France, I played on I guess a battalion football team, which was made up of probably a third black and the rest white. We had an Army team that did traveling, just around France, a little bit in Germany. You know, we didn't have a lot of practice, but they let us arrange our hours so that we could play.

Young: Play other Army teams?

Kennedy: Play other Army teams, which was kind of fun. We lived in barracks, in a room with probably 50 other people, virtually for the two years that I was in the Army. We never had cubicles, we never had rooms, we never had anything but just basic barracks, with big latrine heads at the one end and mess halls. You know, the lights went on and out at one time, and that's the way people lived. I really didn't see the forms of sort of discrimination in that, or really witness any incidents on that. I didn't in Georgia. I didn't see anything down there that—

Young: Off base in Georgia, you—

Kennedy: Well, I was conscious, in off basing, that the rules for blacks applied in the heads and in gas stations and restaurants. I was struck by all of that around, and that was something sort of new. I didn't have a time where I was with—traveled with blacks, where they went into one and I went in the other. It was, as I said, probably eight to ten weeks down there. You didn't leave the base more than a couple of times, you know, because there was all this going on. So we were sort of isolated.

Young: Were there a lot of southern boys in that unit?

Kennedy: A lot of southern boys.

Young: How did they get along?

Kennedy: It seemed to me that—I mean, as I say, I don't remember any real incident they had. Everybody was very—there was very intensive training, very little time. They were going all the time, very little down time.

Young: And you're in the Army now.

Kennedy: You're in the Army. You know, they had the PX, where you could go on over, but I don't remember going over there. They had the 3.2 beer, which is weaker beer, and people going out, but I don't remember going over to the PX. I mean, maybe once or twice when I was in the Army. I just don't remember. People stayed very close to the barracks, because you trained until about 2:00 on Saturdays, and they start at 4:30 in the morning, and they went to 6:00 or 8:00. And you had a lot of things at night. It was very extensive, intensive training, and very good. But in any event, that was my experience.

I came back to Harvard and we had *Brown v. Board of Education* in 1954, when I was at Harvard, and people talked about it. It was a monumental decision, and I think every place knew about it, was very supportive of it, and certainly people I knew, friends I had, were all very supportive. I don't think that we had probably, at that time, the kind of grasp of what its

implications were going to be, in terms of the schools and the different places. You were conscious that the blacks went to black schools in Boston, and whites went to white schools. They didn't really understand, at that time, that they had rigged it so all the black schools started and ended at a certain grade, and the whites started and ended at another grade, so you couldn't have gone there. I mean, it took a while before you sort of saw all of the aspects of planning and programming of all of these kinds of discrimination. So we're out of Harvard and then into law school, and there was discussion about civil rights down there in Virginia. We didn't have—I don't think we had—very few blacks and very few women.

Young: I'm surprised there were any actually.

Kennedy: Yes. I mean, I can't remember. Bobby [Kennedy] had asked Ralph Bunche to come and speak at the University of Virginia Law School, and there was a big to do, having Ralph Bunche down there. But he came down there and he was a great, great success, but that was one of the first times a black person spoke at Virginia. He was in the forum, the Student Legal Forum.

Young: That was when Bobby—you weren't there?

Kennedy: No, I wasn't down there, but I remember the difficulty they had, I mean, with the discussion, the back and forth about whether they could let Ralph Bunche in or not. Everybody knew that he had been a very distinguished figure at the United Nations. Bobby talked about it, where they were going to have dinner and things like that.

Young: Where is he going to stay, if he's staying over there, that was a big question.

Kennedy: I remember that being sort of a large, large deal. So you were sort of aware of this, but I mean again, at the time, I was really focused on getting through law school.

Young: Could I ask, when you did observe the problem, and I think this was true in the media also, they tended to identify it as a southern problem, not what became apparent later on, and as you pointed out, that it was a national problem. So it was not really brought home.

Kennedy: I think that's fair enough. We didn't think of it really as being a problem that was an issue to be dealt with in the Northeast. When I went back to college, I worked at the Phillips Brooks House—that's the center at Harvard for volunteerism—and did that probably back in '53, when I came back. It was in, I believe it's called the South End Settlement House, and there were black kids in the program. It took probably 15 kids, and we did something one or two afternoons a week. I drove over there and we would go to different places or have different events or do different types of things with these kids.

Young: Was this in Roxbury?

Kennedy: Well, it's the South End, it's just on the border of Roxbury. Now, the South End is kind of.... It was probably 50/50. I think now it's been built up, and it's probably still 80/20. I remember we had that family that moved back in there, and we went over to his house because he wanted his kids to grow up in sort of a mixed—

Mrs. Kennedy: Nancy Gertner and her husband.

Kennedy: Nancy Gertner was there. The other fellow, Fred Thatcher. There is a South End Settlement House, and its exact location, whether it's knocked down now or that kind of thing, I can't—

Young: These were very young kids or all ages?

Kennedy: They were all teenagers, young teenagers, 12, 13, 14.

Young: What did you do with them?

Kennedy: Well, they did different things. Take them to a ballgame, things that they had to do. We played sports, divided them up into teams, played basketball, took them to the Boys Club. You would say, "We're going to play basketball, so bring your people on in there, and try and get sneakers," you know, so they could get sneakers, something they could play in. We took them out to the Franklin Park Zoo another time, so they could see the zoo. Every time we had a place to go or a project to do, that kind of thing. You know, there were a couple of really cute kids there. You got rather attached, they were rather sweet, and I enjoyed it a lot.

Anyway, we're now into... Oh, one thing that—we'd finished my brother's Senate campaign. The places I went were basically the western states. We had this meeting down here. I had gone off that summer to South America, and I came back at the end of the summer, which would be probably—Well, I did the '58 campaign.

Young: Fifty-eight?

Kennedy: I was still in law school. I think I got out in '59 from law school, and then I started in the Presidential campaign, and came down here. It was right after Labor Day. My brother asked which areas of the country I wanted to go, and I said I'd do the western states. I hadn't spent the time up there, and left right after that, for six weeks. I went to Montana, Idaho, Utah, New Mexico, Arizona, and Colorado. So I was involved in the western part of the campaign, which I think is a whole different story. Then I came back and did West Virginia for five or six weeks, Wisconsin five or six weeks. So now we're back through that campaign, into '61, and I'm back here as an assistant district attorney, and prosecuting people, and going out and speaking.

In the District Attorney's office, I don't remember much of an issue on race. As I began to get immersed into the political community, there was a fellow named Nelson, who was a very appealing, attractive leader. I think he might have been an assistant district attorney, he might have been on the edge of it, but he was really a very impressive person. Eventually, he was my first appointee, I believe, and he was until 1979. But there wasn't much of the contact with these issues, except what I was increasingly aware of as I went over and campaigned in black churches, and at some of the universities, that a number of the students were leaving to go down and sit in the lunch counters.

Young: While you were an assistant district attorney?

Kennedy: In ’62, while I was beginning the campaign. I started it in ’61 and ran in ’62. I mean, I was an assistant district attorney for a year, but during that period, including the time of the run up of the campaign, I began to notice that there were a number of students, a lot of them from BU [Boston University], where Dr. [Martin Luther] King had been trained in divinity school, who were going down to the sit-ins, which I thought was very interesting. It was something that I thought was very impressive, because they had a lot of students who would do that. At some time in ’62, Leander Perez, I guess, was the fellow who was the racist from Mississippi.

Mrs. Kennedy: Louisiana.

Kennedy: Louisiana, Leander Perez.

Young: Plaquemines Parish.

Kennedy: Yes, Leander Perez started sending reverse freedom riders up here. He sent them to Boston first, and I met them when they arrived in Boston. They had busloads of poor people, and just stopped them up in Boston, and then he sent them down here, down to the compound here, stopped them out here. This became kind of a major issue, a question about what you were going to do with these people. They were all effectively homeless, being sent up here, being promised jobs, homes, promised everything. They’d get on the buses and come on up here. They just dropped them up here. So this was a matter of a good deal of consternation obviously, because what are we going to do with this? So they were all being sent up here to me.

Young: This was after ’62?

Kennedy: No, this is just during the campaign.

Young: Why did they pick you to go after?

Kennedy: Because of the Kennedy name, Massachusetts, and the feeling then that my brother had been working on civil rights issues.

Young: Yes, down in Alabama.

Kennedy: In that part of time, since 1960.

Young: So you were getting it through your brothers.

Kennedy: Yes, in part.

Young: I get you.

Kennedy: So, that eventually—

Young: How did that stop?

Kennedy: It eventually got halted or stopped, after several weeks, and then we went to—got elected to the Senate. I’m leaving out a lot of the stuff obviously, in terms of the campaign and the rest, but I mean, that I think we can do at another time probably.

Young: You had talked about the campaign earlier, and one of the things that I remember, as you were recalling earlier today, was your grandfather explaining to you about the groups, where they lived, how they succeeded each other, who got the jobs first and so forth. When you talked about your ’62 campaign and ’64, you were talking about going to these various groups. So the demography hadn’t really changed all that much then, had it? From the time your grandfather was taking you around saying, “Here’s where the Irish are, this is where they came from, and here’s where blacks are.”

Kennedy: No, I think that’s true. I mean, the story that captures that sense was the time when President Kennedy came back from Ireland. He’d gone to Wexford, and everything had to do with Wexford and the Kennedys, and my mother said, “Why didn’t you go where Grandpa Fitzgerald came from?” And my brother Jack said, well, when he campaigned with grandpa around Boston, he’d go to one part of Boston and there would be Kerry people, and another part would be people from Waterford, people from Wexford, people from Sligo, people from the West, and he said, “It seemed that grandpa, when he finished talking, always left the impression he was from there. So I never knew what part of Ireland he ever came from, and he never clarified it.” So my mother said, “Well, you shouldn’t tell that story any more.”

But yes, Boston was still very much separated in terms of constituency groups and ethnic groups. Even a good part of it is still true today. I mean, you still have the North End, the Italians, and Watertown, the Armenians. I mean, it’s still very much—less so than in the past, but still very much that way.

In any event, I would have been the Senator, as of the election in ’62. I don’t remember taking the Oath of Office until it was ’63, although I guess there’s some records that show that certainly I would have been, if the Senate had been in, would have been there. I gained seniority, because I had three months seniority over Senator [Daniel] Inouye, who was elected in ’62, so for effect of the Senate records, my service would have started in—but of course we weren’t in then, and I never was really conscious of that time. I mean, I remember coming back in ’63 and getting sworn in, and all of this, when the focus and attention was on that issue. I’d say right from the start of my service in the Senate, the issue that was front and center in terms of the Senate and the country, was the whole issue on race.

Young: And this had not been an issue in your campaign for the Senate.

Kennedy: It had not been an issue in the campaign, but arriving in the Senate, this was it. I was named to the Judiciary Committee and the Labor Committee, and obviously the Judiciary Committee was going to be a committee that was going to be front and center on this issue, although the issue itself was going to be dealt with almost by the full Senate. So, this is the sort of emergence into this issue in the Senate, getting sort of hands around what was happening both in the country and on this issue, and how the Senate was going to relate to all of this was going to be the first thing. Do you want to turn this off for a second?

Young: Sure.

[BREAK]

Young: OK, it's recording now.

Kennedy: Well, I got named on the Judiciary Committee, and there's an amusing story that we've told before, about how I got on the different subcommittees; on Civil Rights, on Immigration, on Constitutional Law, from [James] Eastland. The interesting management you see, of that committee, was basically the old guard and the old bulls of the Senate, mostly Democratic, but then they included Republicans. Everything that happened in that committee really happened in Jim Eastland's office at 5:00 in the afternoon, where he would have a drink, and usually [Everett] Dirksen would come down there and drink with him. [John] McClellan was on the committee, but he didn't drink, but [Richard] Russell would go in and Dirksen would go in, and Hugh Scott was on the committee, and he'd go in.

Young: Was Dirksen the leader then, or Scott?

Kennedy: He was not. I think the Democrats were in control.

Young: A Republican later then.

Kennedy: He was the head. Scott was later, he followed Dirksen. They'd sit in that room, and they had little use for [Charles] Mathias, Senator Mathias from Maryland, or Phil Hart, who was in there, from Michigan, or myself. Later Birch Bayh got on it, probably even later than that, [John] Tunney got on it. They'd have the meetings and they'd decide which judges were going through and which judges weren't, and they did it arbitrarily, fairly arbitrarily, keeping off from consideration blacks and others that they didn't want to deal with. They had the votes, and there was very little—they controlled it sort of as a fiefdom.

If you went into Eastland's office during the day, asked to go in and see him, more often than not he'd have oil maps on his table, and he'd have people in oil from Mississippi and the Gulf areas, and they'd be going over various oil deals that they were talking about, and they'd be doing that for the better part of the week. It went on during office hours, and then he occasionally would drift by the floor, read a short statement or speech. So that was sort of the—we smoked cigars during the committees at that time. That was all permitted, and it didn't alter or change. So this was kind of the Senate or the Judiciary Committee, at a time where you were having [Eugene] "Bull" Connor trying to prevent King from the lunch counters in Birmingham. JFK had sent Burke Marshall, and eventually the troops down there to try to keep the peace.

[George] Wallace was trying to prevent the integration and then in 1963, Jack made that extraordinary speech about asserting the morality of the issue and what was really at stake in terms of the country, in terms of our society, in terms of values. I think it was one of his greatest and moving speeches, about who would want to change places. He had a word picture of the life of blacks in the country that was just enormously powerful, and I think it made a real impact on the country.

And then you had coming up, still now it's August '63—we're just in the Senate—we had that Civil Rights March on Washington. It was the issue at that time, about going to that march or not going, local people who had asked me to join them. I was just in the beginning stages of

understanding, you know, where this issue was going and what was happening, and the emotion around it, and aroused by it. But I was also understanding that a lot of this was targeted. The resentment and the negative was to target, in a very personal way, both my brothers, President Kennedy and Bobby. I talked to the White House just about going on down there, and I was urged not to go. I watched it on the television at the time.

Young: You were urged not to go because it was hard to know what was going to happen.

Kennedy: Well, they didn't know what was going to happen down there, and somehow my presence as being the representative of the family on this, President Kennedy and Robert Kennedy would have some impact on that that was really unpredictable. And it did seem to me that they were sufficiently engaged, particularly after the JFK speech in June of '63, they were sufficiently engaged in this that I ought to listen to their recommendations. They gave thought to it, but it was explained to me that it would be wise not to go. So after this, you have the church bombings, the little girls were killed in the church bombings, and then we're—

Young: And that very next morning, early, Medgar Evers was killed.

Kennedy: Yes.

Young: Right after your brother gave his speech. Quite a reaction. Did you have any chance to hear from either of your brothers about their experiences in Mississippi or Alabama during the run-up to that speech? I mean, that was pretty powerful stuff in Alabama and Mississippi. The second thing I wanted to ask about is did you have any chance, or did you have a sense from other Senators, of how they reacted to that Presidential commitment in that speech, and how the chances were assessed for getting it through, because it seemed to me to be very chancy at that time. It was a very high risk policy also for your brother to take this moral stand and push it. So those are two things you might have something to say about.

Kennedy: I think on the speech, it got very wide attention on television and in the print media. The people who were allies in Washington were very reassured and very uplifted, I mean, people we worked with very closely, Senator Mathias, Senator Hart, at that time, and [Jacob] Javits. We were very moved by it and uplifted by it. I don't know of the other side, you had a very important and significant opposition, because you really had the deans of the Senate. We had a big Democratic majority in the Senate, but a big chunk of those Democrats in the Senate were from the South, and they had some very formidable leaders.

They had the old guard, Richard Russell, who was a very talented and highly regarded Senator under other circumstances, very knowledgeable about the rules. Besides him you had [Allen] Ellender, who was from the Deep South, and Spess [Spessard] Holland, who had been around a long time in the south, and [Herman] Talmadge, who was very gifted and a smart, tough person. Senator Byrd—the two Byrds, Harry Byrd and Bob Byrd. You had a very active, committed, determined, tough, knowledgeable group of people who were very resolute, and so how this was going to play out certainly didn't appear to me to be a clear path towards victory. I don't think I saw it at that time, and it took a good deal of time to be aware of it. Certainly it appeared to me that the opponents seemed to have the horses on this, and the—

Young: That was true in the House too, wasn't it?

Kennedy: I can't—

Young: Howard Smith was.

Kennedy: Well, he controlled the Rules Committee, and controlled through that all of President Kennedy's legislative agenda. That certainly was the feeling. I mean, the country had to move ahead, and the Senate was the place to move ahead, but you had a very strenuous, vigorous, determined opposition on this. And it continued through the early fall, until we had the great confrontation in early fall, September, between Wallace at the schoolhouse door, and I guess there was [Nicholas] Katzenbach, on that great moment about who's going to move and who's going to shift and change, and a few days later you have the young girls at the Birmingham church who got killed. So that startled the nation.

You had the incidents during this period, I think, that just aroused the country; the police dogs and the beatings. I think that was probably more at the time of the Pettis Bridge, which I think is still to come. Nonetheless, I remember very clearly Bobby coming up and testifying in the Senate Judiciary Committee, because [Samuel] Ervin was about halfway down on the Democrats, and I was probably three others down. You know now, if you question, it's six or seven minutes, and then it comes on down. Sam Ervin questioned Bobby at least three days. My sense is it was five days. I never knew when I was going to be able to come on up to question, because you didn't know when Sam Ervin was going to stop, and he went on and on and on and on.

Young: He was chair of the subcommittee, wasn't he?

Kennedy: Well, this was in the full committee, I believe.

Young: Oh, in the full committee, OK.

Kennedy: He was in the full committee. Bobby was nine days before the Judiciary Committee. I think he was five days just with Sam Ervin, and he was a couple days— Unheard of now. You know, these Cabinet officials come up for an hour, and have to go down and see the President, you know, with something else to do.

Young: So this was questioning Bobby on—?

Kennedy: This was really the beginning of the debate on public accommodations, and that had been recommended by President Kennedy in the early part of the year, and that takes you on to the—you know, there had been different discussions that were going on between all of these people, President Kennedy and Dirksen and others over in the House. And then we run into November of 1963. We were effectively out of there for some period of time, until probably January of '64. I have heard that of the 67 Democrats, 21 came from southern states, 20 of them vigorously opposed the bill, and Republicans were split too. So you had a major chunk of the Democratic Party opposed to it, and a very important part of the Republicans opposed to it.

This was the issue in question now, whether we're going to have to try and change the rules to be able to get the bill, change the cloture rules. So then we had those kinds of battles going on, on the side, and then you had President [Lyndon B.] Johnson speaking about these issues now, after

1963, and bringing a new sense of urgency to all of this, giving it additional new energy. The tragedy, the loss of President Kennedy, and debates and roll call votes to try to change the rules, which were unsuccessful. Eventually, they had a conversation, Johnson did, with Dirksen, who said he'd make some adjustments on the public accommodations.

The most interesting part of this for me was the meeting that we had in 1964 in what is now called the Howard Baker Office. It's the room right opposite the Old Senate Chamber, which is the room where the British soldiers lit their torches when they went down and burned the White House, and it's the Republican leader's room. It was [William] Frist's room when he became leader. In that room—which at that time was a regular office room, and now it's extended into a series of rooms to become a suite for the Republican leader—but in that room, Nick Katzenbach came, and we had about eight or nine Senators. All the members of the Judiciary Committee were invited, and you could bring one staffer. We sat in there for probably seven hours, and went over this particular provision, this public accommodations provision, the part that was the heart of the bill.

At the end of it, there were still areas where there was not agreement, but the basic core of the agreement was that we would not—no one would attempt to alter or change the heart, the framework, of the public accommodations. You could have amendments on other different parts of it, but we would not change or alter the basic core framework of the legislation. Everyone signed off on that, and that was really the basis of the provision, and it was the fact that the Senators stayed in the room—they didn't let staff do a rough draft, then come back. They stayed in that room, and just stayed there until they got that thing worked out, all of them.

Young: This is the whole Judiciary Committee?

Kennedy: Well, the ones who were interested. I'd say of the ones who were interested, probably seven or eight stayed. I don't know the others that didn't. I mean Hart stayed and Javits stayed.

Young: Was [Michael] Mansfield there?

Kennedy: No, I don't believe Mansfield was on the committee.

Young: With Katzenbach.

Kennedy: With Katzenbach, and I think Burke Marshall was in for a good period of the time. Katzenbach would go out a little bit and come back on in, but all the others worked it out. Dirksen was in and out. He didn't stay the whole time. That was what I thought was *the* meeting on the '64 Act, that he—Dirksen finally signed off and the rest of it began to make sense. That happened a little later in the year.

From '64, there are a series of other meetings that took place, and there were also attempts to try to change the rules on the cloture from 67, to get it down to three-fifths, which were unsuccessful, the ability to do that, because there was going to always be that difficulty, trying to get the 67. And so in the spring of that year, I made my maiden speech on civil rights. Up to that time, newer members rarely spoke the first two years they were in. Now they all speak fairly soon, but at that time, they waited a couple of years to be able to speak. It seemed to me that this was the issue, this was the time. We were increasingly involved in both the substance of the

discussion and the debate, and I felt it was very important to speak. I think it was an important speech—we spent a lot of time on it—and afterwards, we were very appreciated.

We got a lot of nice comments from Paul Douglas, who was sort of the dean of the issue on civil rights at that time, economics, and a number of others made very good comments about it. And a number of them had come over, sat around there. I had this pencil drawing, which I can't put my hand on. All the Senators had sat around me. They didn't have the electronics then as we have now, so if it was a speech that was important, they would come over and listen, and get other chairs and turn them around, and people would come. If you got a gathering, that was the high sign that you were making some sense. There was a great pencil sketch of a number of these Senators sitting around and listening to that talk. It was a good speech.

Young: Did you notify people in advance that you wanted to give it?

Kennedy: Yes, the leadership, I told them, and that was in April. In March, the filibuster is sort of going on. You have a lot of negotiations, you have a lot of amendments being introduced. There are offers of different numbers of amendments and different types of amendments, and finally in June—From March, April, May, finally June 10th, the filibuster was effectively broken.

Young: It wasn't a first, but it was pretty nearly a first, wasn't it?

Kennedy: Yes. We had 23 Democrats and six Republicans opposed. Those Democrats were southern Democrats. And I think what was very evident is a recognition that this was going to have a very significant and dramatic impact in terms of the election, for prospects in terms of the future. I mean, this is separate from obviously, the substance of the issue and the importance of the issue. This issue, which had been enshrined in the Constitution, where our Founding Fathers failed, and they effectively wrote slavery into the Constitution, and then we failed with the Civil War.

What happened, I think, is that you had Dr. King, who really prepared the ground in the late 1950s and into the early '60s on this whole movement towards non-violence, which was a very difficult and trying time, when you look back and read those stories about his strong commitment and how he had been influenced by [Mohandas] Gandhi and others on non-violence.

And then you had a political leadership that had fought in World War II, and who assumed the powers in the Congress, the President and in the Congress, many who fought in World War II. They had seen that they had contained the Communists for a while, and they looked back. They also had the space treaty in terms of nuclear weapons, so they sort of looked at this as though they had a holding ground, and then they said, "What do we have to do at home?" And it was the race issue. They said, "We have to do it, this is our generation," and they took that on, and I think they all felt that this was absolutely important. They had seen, from World War II, how people had been treated, and the value of the individual, and they understand it intuitively, knew about it intuitively and instinctively, and from observations, and they were very committed to it. They had been on the battlefields and understood what this country had to deal with.

I think that the Democrats also recognized that this was going to be just incredibly costly politically, and that you—Lyndon Johnson was the one who said, "We may win this legislation,

but we're going to lose the South for a generation." I mean, he understood it. Others understood that as well, but they thought that that was important, and it was right, and it was important for the nation to do it. That's been a consequence of all of this, no question. I mean, it was the right thing to do, and it will take time to build back the party structure in that region of the country to try to gain confidence of the voters, but there's no question in that generation's mind, basically the ones who had gone to war, that this was the right thing to do and they were going to do it.

And I think it was that atmosphere and that climate and that spirit, and King's non-violence and the reminder to the American people about the way they were all treated with dogs and clubbings and beatings, that this was intolerable, you know, that moved the country into doing this. And really, from this part of the progress that was made, I mean it was public accommodations in '64, and we moved on into voting in '65 and eventually into housing in '68, but it also opened it up on the '65 immigration legislation and knocking down walls of discrimination on national origin quotas, and about Asian Pacific triangles, non-discrimination, race, religion and employment, and using federal funds. I mean, when I was reading through the titles, I guess it's Title VI, saying that we will never permit the use of federal funds for discriminatory purposes, but I thought of *Grove City* [*v. Bell*], where we had [future] Justice [John] Roberts arguing [under a later Civil Rights law], "Oh no, as long as they are taking the federal funds just in the financial office, that's all that was really intended to be covered."

Young: Discrimination in the financial office was the only thing that's forbidden.

Kennedy: And in that case, the Supreme Court agreed, and then we had to overturn that [by a new law]. If you read through that language and read through this history, you say, how could it have possibly been that they would reach that kind of conclusion? I think all of the—and we're probably getting ahead of ourselves—but I think all of the elements of discrimination come from different benchmarks, clearly, but there are some common underpinnings in terms of bigotry.

Young: Getting back to what you were saying earlier about the new generation of American leadership, understanding that this was something we had to do and there were going to be costs from it. I think part of that context maybe was that America, the United States, was now fully engaged in the affairs of the world, for the first time in history, and what went on internally became a subject of public consumption. I think that's where the media coverage of the beatings and all that was just ruinous: "The Americans say this, but look what they do." And the Soviets were playing on that in their propaganda more, and off of that.

Kennedy: I think that's true but you know, Americans had—I mean, if you look at what's even happening today. We don't pay that much attention to what's happening in these other countries. I think they were more sensitive at that time. I mean, we had leaders who were more sensitive, but it does seem to me that they had—this was really motivated. I certainly sensed that listening to my brothers, and the people that were committed in the Senate, that this was really a decisive moment in terms of America's destiny, and we're in this place and this is the time. We've got to be able to do it, and I think that that's what had to be done.

I just mentioned about federally funded activities under the Civil Rights Acts, and that Justice Roberts when he was a White House lawyer advocated that as long as they didn't discriminate in the finance office, they could discriminate in other parts of the university—that they didn't have

to follow the trail in terms of federal funds, which I felt was such a stretch of what that whole Title VI concept [later adopted under Title IX] was all about. Eventually we were able to reverse it and get it passed and upheld. That was important. This really opened up, and we were going to come back to the more particulars, but there's no question that the '64 Act opened up the whole movement for knocking down discrimination, as I mentioned, in immigration and national origin, which discriminated against large areas of the world. You were admitted here based upon the place of your birth and your family's birth, instead of the merits of individuals.

And also the elimination of the Asian Pacific triangle, which had limited the number of visas to Asians to 100 a year, and that was eliminated in the '65 immigration law. Then we saw the eventual march towards knocking down walls of discrimination of women, which is Title IX, and eventually disability, in the Americans with Disabilities Act, and some of the disability legislation just before it, and I think we're seeing a continuing of that, knocking down some of the walls of discrimination on terms of the issue of sexual preference, gay or lesbian issues, which we're obviously not there yet. I think it's sort of a continuum.

Young: This was, the VI was the breakthrough.

Kennedy: This was the breakthrough.

Young: And I think your brother's speech, then the amendment was the breakthrough, because Presidents before that had been not that bold. The saying was that you can't legislate morality, I believe that was the saying in the '50s, but when push came to shove, President [Dwight D.] Eisenhower called out the Airborne to Little Rock, when he was confronted with defiance, a person who didn't think you could legislate morality. So it was a watershed there. Was that in the air, that you sensed all of this history at that time as a new Senator?

Kennedy: Well, I don't think you saw. I mean, I think it played into the immigration part, and you knew that you were going to have to make progress in public accommodations, employment and housing, but I don't think we began to think that we were going to see it with regards to women, or not many people saw that with regards to women yet or disability yet. I mean, that still was over the horizon. But you know, as this is going on, we're talking now of the vote to end, in June of '64, the filibuster. On June 19th it passed in the Senate, and that's the day that, that evening, Birch Bayh and Marvella Bayh and Ed Moss left on a small plane, in an Aero Commander, from Washington to go up to Springfield, Massachusetts, where Birch was going to be the keynote speaker. Those Aero Commanders, they have the pilot that—

Young: And you were going to be the nominee.

Kennedy: For the Democrats, in Massachusetts, for reelection. The seats are such that there's a pilot, co-pilot, and in the cabin, there's a seat behind each of those, and then there's a longer bench seat where three can sit. So it's configured that five could get into the cabin. Well, we had one pilot, and I had my aide, Ed Moss, who sat with us in the plane, and Marvella and Birch Bayh, and then as we were coming into—we left late. I don't know the time. Late afternoon, probably 6:00, 7:00, and we flew up there. It was probably 45 minutes in that plane, and as we were coming in over Springfield, Ed Moss got up and said, "You people need more space, because you're working on your speeches." And so he got up and moved to the co-pilot's seat.

Birch worked on his speech and I went over mine, and then we were getting into the beam and coming into Barnes Airport, and as we were coming in, I turned in my seat, which was right behind the pilot's, to watch coming in, because I was a pilot too, and as I looked out in the front of the plane—Usually you look out the front and then down, and you'll see the lights beginning to blink, you know, the measure that says you're coming out of the mist. As we came down, where I should see the lights beginning to blink, I saw this sort of rock hill with big rocks on it, and just at the same time the pilot saw it, and when I looked up a little bit, I saw trees that were right up ahead of us.

So the pilot pulled back on the instruments in order to lift the plane up, and at that time, we rode along the tops of these trees, 177 feet, at the tops of these trees, because he was trying to get the plane up, but he couldn't rise out. And then we hit this big tree with the left wing, which tipped the plane off to the left. This was the fortunate thing, because all there was was a big stand of pine trees that we were on, but when he hit it off to the left, it drove the plane over to the left and into an apple orchard, and we came down between trees in the apple orchard—120 feet, a two-foot trench, but that was enough to slow the plane down.

It opened up the front of the plane and there was just absolute silence, and I was thrown up into the front of—and I looked up to the left and I saw the pilot, and he looked in bad shape. I looked to the right and Moss looked in bad shape, and then I could hear Birch Bayh saying, "Is there anybody alive up there? Is anybody alive?" And I couldn't answer. Marvella was hysterical. The sleeves of my coat had come off from the impact, shoelaces broke on my shoes, and I couldn't move from my waist down. I was still lying there and I heard Birch moving, and Marvella saying, "We've got to get help, we've got to get help, we've got to get help." And then Birch said, "I smell gas. That plane might catch fire. I'm going back to see if there's somebody alive in there." And it sounds very easy, as I describe that, to say that plane's going to catch on fire, we'd better hurry and get help, and for Birch to turn around and come back and look in that plane.

Young: They had gotten out and you were still there?

Kennedy: They had gotten out and gotten a distance away, yes. I mean, it's just completely dark. You could see the silhouette of the trees but you couldn't see a road or anything, up on the hill. So he came back on over, looked in and talked and talked, and then I said, "I'm alive, Birch." He said, "I can't bend over because of my back." When I heard the plane might burn up, that gave me a little jounce of juice to try and get out of there. And so I turned around in the plane, even though I was sort of paralyzed from here down, and got to where the window was and put my arm around him, and he dragged me out of that plane, and far enough away, and then I just let go and went down. Then he left. He went over, but he couldn't see that the others—he didn't think either of them were alive, and then he went down.

Nine cars passed on this back road before one stopped, and finally about an hour or twenty minutes or so, people came running on up. They came over to me, and I said, "You'd better go over to the others, see if they're alive," and then they took Moss out, who was still alive. They ran down and came back to me about a half an hour later. We went to the Cooley Dickinson Hospital, and they—I was looking for sodium pentothal. I had dislocated my shoulder one time, and that sort of knocked you out, and they said, "No, no, we can't give you that." They cut all of my clothes away, and then boom, I passed out.

I had a rib through my lungs and had broken my back, and they were worried about the spleen and bleeding. I remember the first thing I saw when I woke up, I saw Jeeb [Najeeb] Halaby from the FAA [Federal Aviation Administration], who said, "What happened on the plane?" And I thought, *what the hell am I doing talking to this guy? What in the world am I talking to Jeeb Halaby about on the plane?* Then my members of the family came, and I got the news that Moss had died in six or seven hours. Birch was a real hero in that, in terms of his willingness to come back and see and find out who was alive.

So you have that going on in June of '64. The history points out the President signing the Civil Rights in July of '64, and the Governor of Massachusetts' mother, Mrs. [Mary] Peabody, trying to integrate a beach in St. Augustine, Florida.

Mrs. Kennedy: And arrested.

Kennedy: She got arrested because of a civil rights demonstration. It was very highly visible up in Massachusetts, that was a large item. And then the Gulf of Tonkin on August 2nd.

Young: You were out of commission during that period.

Kennedy: Yes. I was out of commission in that period. There had been a lot going on, as well as the Civil Rights Bill as we came on into '64. We had the Medicare program that failed in '64, passed in '65. You have the Higher Education Bill. First of all, you have the Title IX of the Aid to Education bill, that's in '65, and so you have this war starting up now with civil rights, you know, the country was going to come back into the backlash, the war escalating. President Kennedy had talked about the Medicare, the Anderson Bill, wanting to get it and Johnson wanted to get it, and failing in '64, passed it in '65.

The Education Title was really the Civil Rights Bill; that was the civil rights for the South, education was. Alabama Congressman Carl Elliott, who won the first JFK Profiles in Courage Award—and he won it for fighting for federally financed, non-discriminatory education in the late '50s and getting defeated by a segregationist, because they didn't want to educate blacks—he always said that education was *the* civil right, and that was going to be the real hope for the South. So this was controversial, but you had that moving along and shortly thereafter, we had a couple of things. You had the Supreme Court decisions that talked about one man, one vote. We had the '65 Voting Rights Act, which we probably ought to come to, which includes the poll tax challenge. Sixty-seven is the one man, one vote fight in the Senate. They were trying to limit the ability of individuals to have equal voting power, and Howard Baker and I overrode that effort in the Senate and in conference in '67, so we preserved the right to an equal vote. Then you had the end of the poll tax, which attempted to eliminate the right to vote. So you had three major issues and questions that were coming on through here.

Young: And you had fair housing in there.

Kennedy: The housing was '68, but that was not much of a—that bill was never very—it wasn't very good. The major civil rights housing was '88. In 1980, Birch Bayh had been very involved in it, and he lost, and I took it up. We had a cloture vote, and Baker wouldn't give us the votes on that; two votes he wouldn't give us. I always thought he blamed that. I think that was an excuse for him. But in '88 we passed fair housing, which included not only race but disability and

children. This is a tumultuous time on all of these issues, let alone the beginning then of what we have. We can come back and see how we're going to deal with these.

Mrs. Kennedy: Do you want to take a break?

Young: Yes.

Kennedy: Yes, why don't we take a break and get ourselves organized a little bit.

[BREAK]

Kennedy: Well, one of the positive aspects of my being laid up after the plane crash, when I was at the New England Baptist Hospital, I used to have issue days, where people would come in and brief me on different subject matters. I first met Ken Galbraith at Harvard, but now I was getting a crash course on Ec 1. He remembered coming into there and he also remembered a number of other people who had come there to brief me on different policy issues. During that period of time, I also had people who came in and briefed me on civil rights, in a number of different areas.

Young: Were these intellectuals or activists?

Kennedy: By and large, they were academics. And I certainly kept that up after I got out, in '64, trying to do what they would call an issue night.

Young: I'd like to hear a little bit more about that, those issue nights. Was this something you thought up?

Kennedy: I grew up in a house where we always had interesting people, on interesting subjects, talking about interesting things. My father had made that happen, and that was true of my brothers as well. They brought, by and large, friends who were doing interesting things. We had always been encouraged, if we traveled, to go to useful places and learn things. I mean, Bobby went to Central Asia with Supreme Court Justice Bill Douglas in I think the '50s, and after he graduated from Harvard, he went over to the Middle East and wrote a series of articles.

After the '52 election campaign, my brother Jack had recommended that I travel to North Africa, in 1954 and '55, when these countries were just emerging independents, Morocco and Tunisia, in the midst of the Algerian battle. I went actually with JFK staffer and Harvard tutor Fred Holborn. My father always thought if you take someone who's bright and smart with you, that can sort of be sort of a continued tutorial, which we did, and I think we've talked about this. That was really the basis of that speech that Jack gave in 1957, on independent Algeria, on the basis of a lot of the observations and conclusions and conversations that I had with him.

When Bobby was Attorney General, he had meetings at his house probably every six, seven weeks, where people would read a book or they'd have an interesting person who came out and

talked to him about interesting subjects. So this concept or idea was certainly one that I was familiar with. I adopted it and have followed it really closely, probably up to the last few years.

Young: But this wasn't entertainment or edification so much for its own sake, as it was about issues that concerned you, is that right?

Kennedy: That's right.

Young: Or things—

Kennedy: That's right, in the committee. One that was very memorable was one that Ken Feinberg had about sentencing reform, where we had Judge [Jack B.] Weinstein, who came down from New York, and made the recommendations about sentencing reform. We took that up and eventually passed legislation, but it was an idea that came out of one of these evenings. I had always gotten doctors together every year to talk about—you know, Patrick's [Kennedy] a chronic asthmatic—and got doctors together on Teddy's [Kennedy] cancer, sort of the same thing, the idea of getting people together who were gifted and talented, and know their subject matter. That was all a part of our climate and atmosphere growing up.

So I followed that while I was in the hospital, on different subject matters during this period of time. And then I get out in December, and I go down South for three or four weeks, and I come back at the start of '65. My brother Bobby is elected and he is in the Senate as well. We're both on the Labor Committee. You know, it wasn't usual to have people from the same states or having, I suppose, brothers—not that there have been that many brothers—but we were on the—and I worked on the education and health, and he did the community development programs, focused on the Bedford Stuyvesant Program and also on housing, and it was great fun.

He was the one who got me interested in the injustice on the draft, and I started offering amendments to eliminate the inequities in the draft, which began later on in '66. The summer of '65 is the summer of the immigration reform, and the dramatic event of the early part of '65 was the Edmund Pettus Bridge, the Bloody Sunday, and the Selma to Montgomery march for voting rights. We had done public accommodations, but the issue now that began to emerge is voting rights. Johnson had asked for the voting rights in '65, and I had met with a number of the civil rights groups, as I had been active in support of the civil rights issues, and the issue about the poll tax that came up. I became very immersed and engaged in it, and spent a good deal of time on it and eventually offered it. There are a number of different phases of the poll tax that we can talk about.

Young: The Selma march, going back just a bit. John Lewis was with them on that march, SNCC [Student Nonviolent Coordinating Committee] and this was when also [James] Reeb was killed. Do you remember that, the Unitarian minister from Dorchester.

Kennedy: Dorchester, yes.

Young: That happened in March of '65. It was the interpretation of a lot of the people who have written about this era that Johnson had not put voting rights at the top of his agenda for that year, but he did so in March, in a matter of days after these killings in the Selma march. Do you have any insights on that you'd like to say?

Kennedy: No. You know, I remember the Pettus Bridge, I mean that was so startling, and the Bloody Sunday on that part, and Malcolm X being killed was rather traumatic.

Young: So how did you get poll tax?

Kennedy: Well, this was another civil rights bill, and we had a close relationship now with the civil rights leaders. They had raised this issue with me and I had indicated that I wanted to press forward with it, to a number of people that I talked to about it. I then went about trying to get this worked through, and I talked to a lot of people. We were in constant contact with civil rights leaders during this whole period of time, because there was so much that would sort of go beyond—

Young: Could you talk a little bit about who and how you got together, and how that came about?

Kennedy: I can with regards to the poll tax. Just during that period of time, because there was so much that was involved in civil rights, and it was such a dominant issue, we were in touch with civil rights leaders generally. As life went on during this period of time, there was recognition that more than public accommodations was going to have to be done. So I don't have specific memories about President Johnson holding back or going forward. It was after the Pettus Bridge obviously, he put this forward, but soon after he put this forward, there were a number of different features of the Voting Rights Act, registrars, and a number of different parts of it. One of them was on the issue of poll tax, were we going to continue to have the poll tax. Johnson's legislation didn't include the state and local election poll tax, although the federal election poll tax had effectively been eliminated by the 24th Amendment. I think it was Joe Rauh who was particularly worked up about this issue about the poll tax, and I became very much involved with it and offered it later on.

Young: How was it, do you know, that he would connect up with you on this, because Bobby had been very much involved in civil rights, and I assume had perhaps even longer relations with Joe Rauh and Clarence Mitchell and those people. I don't know.

Kennedy: I think it was primarily—I'm on the Judiciary Committee. That's the committee that's going to be dealing with these issues, and we had already had a good relationship, and I'm sure Bobby spent a lot of time with him, but this certainly was something that I was interested in and followed up on. I mean, there were a number of features in the voting rights area, but this was one that was of particular interest. You have the literacy issues and literacy tests, you have the poll tax. There are a number of other questions, the registrars. There's half a dozen different kinds of features of it, and this was one that was left out. Lyndon Johnson wasn't—I can't remember whether people thought it was going to be in or not in, but it was glaring that it was out.

Joe Rauh spoke to me about it and I spent a lot of time on it, and I spent a lot of time with him. I talked to Thurgood Marshall, who had been on the Second Circuit, about this. I talked to people at Howard Law School, Clarence Ferguson was the Dean, and I guess it's Jeanus Parks, from Howard Law School, and Professor [Herbert O.] Reid, who was Howard. And then I have Charlie Haar from Harvard, who had been an early supporter of mine, and up at the end, Mark

Dewolf Howe and Paul Freund. Freund was sort of the grand old man in terms of constitutional law at Harvard. And they were all very positive in terms of what should be done, and the importance of getting this done.

Young: So they came to your house?

Kennedy: Oh, they came out frequently. We had sessions on the weekends. We had a lot of questions and answers, and dry runs and debates on it. We spent a lot of time on this. They were very good and very helpful, very informed, and generous in terms of time and the willingness to spend that time.

Young: So this was you and the experts sitting down together, and you're mastering the subject or mastering the constitutional issues here. The activists weren't at these affairs, were they?

Kennedy: No. I think Rauh was probably an academic and an activist. He and Clarence Mitchell were the two principal figures in any of these kinds of undertakings. In any event, we spent some time, and I spent a lot of time on it. Then we offered it in the committee and were able to carry it on the committee, and then I made a strong pitch on the floor in April of '65, and had, I think, a very strong statement on it. The one line that I think always had a lot of resonance was that not only was the poll tax conceived in discrimination, not only has it operated in discrimination, but its effect is obviously effectively discriminatory. But we had opposition from the Justice Department, Katzenbach. There was the issue about whether we put that in, what would this do to the rest of the Voting Rights Act.

Young: Was that the real reason, do you think? You know, the ostensible reason was that this will screw it all up, so to speak, and we'll lose the more important issues if you insist on going ahead with this. So it was kind of a strange situation, and it seems to me a notable one, in which you and the administration were at odds on this question, and the civil rights activists were on your side of this issue. I just find that that's something that needs some insight from you, about the administration.

Kennedy: Well, I think you've got it. I think you said it. The question was how much could this train take, in terms of getting the votes. That was the judgment that was made on their part, that this might be enough to sort of tip it over, and there were differences within the civil rights community, and there were differences in the administration.

Young: But you didn't call it off yourself.

Kennedy: No. I thought the case was a very compelling one. I mean, you have part of the Constitution that says the time, manner, and place for these elections will be decided by the state, and then you have to have that in an explicit, constitutional framework, versus the fact that it is being used in a discriminatory way. So it presented itself in that context, that it had been used as a way of discriminating extensively. There had been some court holdings and in certain circumstances it could be permitted, but it seemed to me at that time that it was a very strong case.

So we kept at it. We had letters from Katzenbach saying that although he agreed with the purpose, he didn't agree with the strategy. We had different meetings to see whether there could

be some other kind of compromise, and what eventually took place is the idea that this would get challenged early in the courts to find out its constitutionality, which was probably what we all wanted to get. Another question is whether you ban it or whether you void it, and there were constitutional scholars who thought by voiding it, by challenging it in court, you had a stronger case than banning it. I mean, that was sort of a drill on it. In any event, we went ahead and we did very well with it.

Young: You came close to passing it.

Kennedy: That's right.

Young: That was a great surprise to a lot of people. There's a lot of interest in this among the people who have written about you and about civil rights, and this poll tax, for several reasons. One is that it's seen as your own first measure, initiative. So there's a lot of interest in why you chose it, why it was important to you, as your way of getting into a civil rights issue. Up to now, after your brother's death, it was Lyndon Johnson's show—he was running it. And second because of [Adam] Clymer, Jim Burns, a lot have seen this as very important, and I think they're right because it shows you first, your way of preparing, your way of preparing for the floor, your way of mastering the issues, your way of working with outside groups and carrying the water for this. You were very good on the floor with this, it was really amazing, and I think that was recognized by the attention and the praise it got, and it was always, you did a heck of a lot of work on this, didn't you?

Kennedy: Yes.

Young: One-to-one work with other Senators, outside work, inside work. Mary McGrory said it was your Bar Mitzvah in the Senate. Is that all right?

Kennedy: Well, it did seem to me that if you're talking about voting, and that was the issue and that was the key, that this was a notorious device used for discriminatory purposes, and if we're coming to deal with the issues on voting, we ought to address it and not duck it. That was a rather powerful, powerful—I mean, there were two tests. One was the literacy and the other one was the poll. They were both out there, and we did it with regard to the literacy and it did seem odd to me to be wondering why we're not doing the rest of it with regard to the poll tax. I mean, there didn't seem to be an—there were complicated constitutional issues, but I thought the case was sufficiently compelling that it ought to be presented. We had what I thought were very gifted, talented, knowledgeable people in strong support of it. So I thought we were probably on pretty strong grounds on it, although there was obviously a case to be made the other way, as I mentioned, about banning it or challenging it.

Young: Do you feel that Mansfield and Dirksen had made an agreement not to proceed with this bill, without the poll tax provision? Was Mansfield's support of the administration on this and this turn down of your request to include it a surprise to you, or did it not sit well with you?

Kennedy: Well, they didn't have it in their proposal on it. You know, it's difficult for me to think what kind of emotion or feeling that I had. I had a pretty good sense about where I was going with it, and you want to work with them when you can, but I had a sufficient sense that we

were on the right track on it and they were off. It didn't bother me then and it doesn't bother me now, in terms of Senate leadership on these issues, but I think that they're not focused on it.

Young: Well, it's pretty feisty for a young Senator to do this, and to do it so well.

Kennedy: It was a major undertaking. We had good colleagues, they were good support on it, in support of it. I think you know, as the history points out, the civil rights groups were prepared to make some adjustment, even at the end, on it. History shows Mansfield wasn't ready to do it and we ended up having to vote on it, and almost won on it.

Young: Did the [Indecipherable, Overlapping]

Kennedy: No. The two votes on it that were the most troublesome were the fact that Gene McCarthy, who had opposed the poll tax previously, voted against us, and Vance Hartke voted against it, and I think those were the two that were very difficult trying to explain. McCarthy never gave a clear explanation on why he was that way, but those two were very difficult to explain.

Young: You came within four or five votes.

Kennedy: Yes.

Young: Of winning that day, on beginning the poll tax.

Kennedy: Yes, it was 45/49. Now we're into July, I guess, of '65. The House passed a slightly different version that kept in the poll tax ban, and we compromised on the poll tax. We have final passage of the Voting Rights Act in August of '65.

Young: I think word came from Martin Luther King that he'd rather have a bill without the poll tax ban than no bill, when it was in conference, or about the time it was going to go into conference. There's nothing that I found, in any of the writings, that mentions what your brother Robert's feelings about the poll tax were. You said he was doing other things, more concerned with community issues, and there were some Vietnam issues he was also concerned with. It's noticeable, so I wonder what he was doing, if anything, in the poll tax area.

Kennedy: I think we were very supportive of each other, but if one got into it and was off and going on it, the other kind of—we found that there was an awful lot that needed doing, and we wouldn't duplicate. I mean, I think he was very supportive of what I was doing. I'm sure I talked to him during that time, and I'm sure I got encouragement to keep on moving from him. He was deferential when I had something like this, when he was working on some particular things. We kind of let him move ahead on some of the issues that he was most involved in.

Young: So the two of you, during that time in the Senate together, had your own projects. He had his and you had yours. Supportive, but there's a question that arises here that's important historically. Some people have written that you were working hand in glove on everything, and that was not my impression, that it wasn't a two-man thing, but it was your things and his things, and you supported each other but it was not a team effort. Is that generally correct?

Kennedy: Yes, I think that's an accurate description.

Young: You did co-sponsor some things, but that's different.

Kennedy: No, I think that's an accurate.... Bobby got me into the draft and about the inequities of the draft, but he didn't really participate. I offered the amendments, but he didn't participate. I mean, he really didn't have to. He was involved in some other things. So we knew what each other was doing and were supportive, but I think you've described it. We sort of did our own things on it.

So I don't know where you want to pick this up. Vicki, what do you want to do? Should we pick it up at the Watts riots, or what do you want to do?

Mrs. Kennedy: Do you want to just take a break?

Kennedy: We'll turn this off for a second, see where we are.

Young: Yes.

[BREAK]

Young: OK, now we're going.

Kennedy: So when we basically had this flap about the poll tax, and lost it narrowly, the final language that came out of the conference was going to permit the Attorney General to move ahead and challenge it in court, and then effectively, when they did that, they found out that the courts struck down the poll tax. We haven't seen the end of it. We've had it in the most recent times, the Georgia case, and now we're talking about spring of 2007, where we have a Georgia registration case with a $20 fee in order to be able to register to vote in Georgia. That was struck down by the career people in the Justice Department, and overridden by the Bush political people in the Justice Department. We had a similar situation on the restructuring of the Congressional districts in Texas, and that Texas plan, that was developed in Texas, was struck down by the career people, but it was overridden by the political people, and the political person, I think his name is [Barney] Schlozman, has been appointed as the U.S. Attorney in Missouri.

Mrs. Kennedy: In Missouri.

Kennedy: Which is part of the current story of today, about these appointments of these U.S. Attorneys, a major group of them appointed in states, in Florida, in Missouri, in Arkansas—Senator [Hillary] Clinton—in Minnesota, and the state of Washington, and California; all very important states in Presidential elections. That we'll put aside, but the point is, as we have been talking about the right to vote, we've been talking about the poll tax. We'll be talking about the 18-year-old vote, and we'll be talking about the work that Howard Baker and I were involved in, in 1967, to override the Judiciary committee bill that had been steered by Sam Ervin, that would

have basically overridden the one man, one vote Supreme Court decision, by permitting flexibility in these Congressional districts, up to 30%, 35%. Senator Baker and I overrode that committee bill to preserve one person, one vote. So you have this work during this period of time, of poll tax, 18-year-old vote, which we'll come to a better description, and the attempted weakening of the one person, one vote by the Congress after the Supreme Court decision.

During this period—now we're talking about the President signing the Voting Rights Act in 1965 in August of that year—we had been also working on the immigration law, which had the discriminatory provisions in it, with the National Origin Quota System and the Asian Pacific triangle, which we've struck down, and which we were actually able to get passed that year. Taylor Branch, the great southern historian and civil rights historian, rightfully comments that this knocking down the walls of discrimination is a major civil rights achievement and accomplishment.

In August, 1966, I was invited by Dr. King to go down to Mississippi, the Southern Leadership Conference convention in Jackson, Mississippi, which I did with Mrs. [Coretta] King. If we had thought that all of the problems had been over about the racism and the tension on this issue about knocking down walls of discrimination, you wouldn't know it at that particular convention, since we had demonstrators outside and we had people who threw nails under the car to try and halt the automobile. We were kind of rushed out, after we finished the speech, out of the back way to the airport, to get back to Washington.

This was in August, and the central thought, impression you had was that after listening to Dr. King talk, you could sort of ask, "Why in the world were you down there?" Because he made a very moving and powerful, powerful talk. We had a very good one, about the importance of progress that was going to be made and why it was in the interest of not just blacks, it was in the interest of whites, it was in the interest in the country, and that we had to move on all of this together. We were beginning to see the beginning of a backlash and more violence in the country. It was against that background where we made this talk.

We had the Watts riots, where 34 people had been killed—that was in August—and we had the increasing tensions taking place in the country. In that same year, you had Stokely Carmichael, the head of SNCC, and black power rise, a more militant tone than before, in October of '66. Huey Newton, Bobby Seale, Black Panthers. Amazing, in the end of November of '66, Ed Brooke, my colleague, was elected as the first black Senator by popular vote in Massachusetts, virtually free from any kind of race connotation whatsoever in that state. Unlike the most recent election, which was 2006, where Deval Patrick ran and Kerry Healey had ads that showed a woman in a darkened garage, saying that Deval Patrick defended rapists, defended pornographers, defended felons. These defendants are entitled to a defense, but is Massachusetts entitled to a Governor who campaigns like that? I came out with strong statements and comments condemning that activity, and said we've seen this type of swift boating before. We've heard this, seen this play, heard this music, and we don't need it in Massachusetts, and Massachusetts rejected it. But Ed Brooke was elected in '66, without any problem.

As we come into '67, we have Thurgood Marshall being nominated to the Supreme Court, and he has a long, difficult fight but gets there by October of '67, makes it, but the tone of the questioning is a lot different for Thurgood Marshall than sometimes we had seen with regards to

other nominees, which was positive. Cassius Clay had had his title taken away, being opposed to Vietnam and refusing to join the Army, and you had Dr. King speaking against the war and encouraging civil rights and anti-war people to get together.

Young: That was later.

Kennedy: That was in late ’67.

Young: So now the two—civil rights leadership and the anti-war leadership—are moving closer together.

Kennedy: Closer together.

Young: Is your impression that the anti-war was overcoming an importance to the civil rights movement at this time?

Kennedy: Well, I think you had a sense that we had taken major steps now in the civil rights, with the public accommodations and the voting. You had some way still to go in the housing, but these were major, major achievements, and you’re getting a big backlash. You had all kinds of other things that were taking place at the time on civil rights, and the war issue was clearly rising in ’66, ’67. In ’68 the Tet Offensive and the draft. Key issues on this. They had the Kerner Commission that had been set up to look at the riots. They came to the conclusions that we were moving towards two societies—one black and one white. So you had these dramatic steps of inclusiveness in our society that were taken, and you have the backlash that’s coming up in response and reaction to it, and you also had the increasing focus and attention on the war.

I wonder if we ought to do the 18-year-old vote here.

Young: Sure.

Kennedy: We’ve got now, you know Bobby’s—we’re into March of ’68 and Johnson getting out in ’68, and Dr. King killed in ’68, and the Housing Act, which was rather weak legislation. I think all of us sort of knew about it but.... And President [Richard] Nixon winning. So we’ve got the third feature of this question of inclusiveness. We’ve got ’69, when I become Whip. I get elected in ’69 and I take over Bobby’s subcommittee on Indian education, and go around Alaska. The Republicans all leave because they say it’s part of a Presidential campaign, with the exception of Ted Stevens, who stays there. But at the end, the Interior Department is able to talk all the old Indian chiefs into saying that they want to remain within Interior, where the whole Indian education had been. So our focus and attention had to be for the Indians who lived off the reservation, where the greatest problem was, than the Indians who were on the base. We got basically sidetracked on those recommendations.

So I don’t know whether we want to do the 18-year-old vote.

Young: Well, we can do it. I think we don’t have all that much time, but we can do it if you’d like. I’m just wondering, to what extent this could be compared with your initiative on the poll tax, because some of the politics apparently was the same again. You found yourself sort of going against the leadership. Again, you had some powerful expert support for the position.

Again, there was a constitutional issue raised, and again, the saying was, "Oh, let's not do that because it will wreck the rest of the Voting Rights Act." On this one, I think, maybe some of the civil rights community was of two minds on it.

Kennedy: I think this whole 18-year-old vote issue that came up in '70 was really the result of the Vietnam War, clearly. It was tied in the back end of this, that we had had a draft system that worked to the disadvantage of the poor and minorities, and that had been highlighted as really a civil rights issue, and the country changed and went to random selection so that everybody would serve. That was 1968. Nixon wins but the war continues, even though Congress had taken action to try to cut off the funding. There was still a lot of turmoil about who was serving and what their rights were.

The issue that came forward in February of '70 was the issue of whether we shouldn't extend the 18-year-old vote to people who were going to go fight in Vietnam. The general emotional as well as the political argument was if they're old enough to fight, they're old enough to vote. So there was really the question about did it meet muster in terms of the Congress being able to lower the age by statute instead of having to amend the Constitution. I again went and talked to people who—Archie Cox and Paul Freund—who were knowledgeable obviously, in terms of the Constitution. They said it could be done. This was going to be my amendment. This was going to be my [1970] amendment to the '65 Voting Rights Act. So the question was whether this amendment would do damage to the '65 Act, rather than just having an extension.

Young: This is the Voting Rights Extension—

Kennedy: Voting Rights Extension.

Young: —of 1970.

Kennedy: Of 1970. And so we have Congressman [Emanuel] Celler, who was the Chairman of the House Committee, who felt very strongly that we shouldn't go ahead and do it. We had Nixon, who asked that we have a separate legislation to try and do this. Barry Goldwater and I testified before the Senate Judiciary Committee, saying that Congress has the authority. State and local leaders aren't happy. We had notified our leadership about this, at that time Senator Mansfield, and I found out, when I came back from making a speech over in Ireland, which was in March, Trinity College, that Mansfield and [Warren] Magnuson were putting the 18-year-old amendment on the legislation, and I ended up being a co-sponsor on it.

Young: But it was your issue, wasn't it?

Kennedy: It was, but that happens at times, as we have seen.

Young: Especially when you're away in Ireland.

Kennedy: In February, I had given the leadership the memo. I had given a memo, in February, to Celler, who was opposed to it. In any event, it eventually got included in the House bill, even though Celler had been opposed to it, and we called to get a test on this at the District Court. Then I argued this issue, as a friend of the Court, in the District Court in Washington, and the District Court agreed. And then eventually, in December of that year, the Supreme Court ruled

on it and Hugo Black broke the tie by saying the 18-year-old vote was OK for the federal elections, but not for state and local elections. By March of the next year, a constitutional amendment passed to extend the 18-year-old vote to all elections.

Young: The 26th Amendment.

Kennedy: Yes.

Young: Giving the vote.

Kennedy: Eighteen-year-old vote.

Young: Can I go back a little bit, back to the beginning of this whole thing. Carey Parker had come on your staff by then—I think he wasn't there during the poll tax—and he had clerked for Potter Stewart. I think he was as hot for this issue as I think Burke was for poll tax or something on civil rights. Here again, I think the issue was being framed as yes, we're all for the 18-year-old vote, but it has to be done by constitutional amendment, if you're going to extend it. You made the argument with Paul Freund and others, I think, that there was ample ground—Archibald Cox—for recognizing this could be done by legislation through the power of Congress.

So my question is, in terms of preparing for this and getting on top of those issues, were you doing more or less the same thing that you had done on the poll tax? That is, calling on the experts, having them out to the house, arguing it back and forth, listening and getting yourself steeped on the constitutional issue, because your speech on this has some very impressive elements in it, on the constitutional arguments for this.

Kennedy: I think all of that was true. You see, the fact is I argued it in the District Court, so we spent a good deal of time going over the arguments, because we knew there were going to be persons on the other side who were going to dispute it, and we knew that in the Court, that there were going to be a lot of questions that would be raised about the history of it. So I spent a lot of time, and since this was rather—I hadn't argued before. I've argued since then but not before that. We wanted to have it as effective and knowledge based as we could have had it, so we spent a lot of time. I spent a lot of time reviewing the material and working with people who could be helpful on it. There were a number of people who wanted to help, and I used them all.

Young: Why do you suppose, given the opposition to including it as an amendment to the Voting Rights Act, did it end up with such a large majority for it? I mean, who was against 18-year-old vote?

Kennedy: It was politically difficult because of the war. For people to say that they were going to be old enough to fight and die, and not be able to participate in the vote is a very powerful case, let alone you had the constitutional issues that had to be taken seriously by the Court. But once they made that decision that we could do it by statute for federal elections, I think five states passed the constitutional amendment the day this passed the House. So people were all ready to go for it, and I would think that this was ratified probably as quickly as any constitutional amendment.

Young: It was quite rapid.

Kennedy: From March to June.

Young: So it's kind of ironic, isn't it, that you fight both these issues as a legislative issue and it ends up that all the constitutional arguments that were applied on both issues, against your initiative, end up being vindicated by the Courts, and very soon afterwards.

Kennedy: No, I think that's right. And I think, the other one, which was about this time, was the rejection of the conference report. Actually it was before this.

Young: Yes. Do you want to talk about that?

Kennedy: I guess in late '67, after *Baker v. Carr*, which said that there's one man, one vote, there were a number—I guess there were more than 200 districts that were going to be affected by this. Sam Ervin had worked with a number of people in these districts, particularly down in the South and other places, where they said if the population discrepancy between the districts was no more than 30%—and House Judiciary Chairman Emmanuel Celler eventually wanted to get it up, he wanted 35%—then you could preserve those districts and kick this off to another time. And that effectively was done [30% in the House bill, expanded to 35% in Senate Judiciary].

We, Senator Baker and I, defeated it on the floor, substituting tighter requirements, but after it went to the House-Senate conference, it came back as a conference report, we were again able to defeat it. In the conference, they had allowed a discrepancy of up to 30% and it was so clearly unconstitutional. We were able to get that sent back, and eventually they came back with a conference bill that reflected that they had to go ahead and do it the way that the courts had prescribed. The defeated versions would have delayed people's ability to vote, or have their vote effectively counted, for another four or six years.

So all of those elements worked together, in terms of the preservation and the integrity of the right to vote: stopping the poll tax and its ability to interfere with the vote, the 18-year-old vote in terms of the expansion of the vote to people who could make judgments that were responsible judgments in terms of the democracy, and having the vote count because it hadn't been effectively gerrymandered, so that it was a true, meaningful vote, in that case with Senator Baker. In a period of seven or eight years, these were probably the three most important decisions made by the Congress and the courts in terms of the sanctity to vote for future generations.

We see, even now, on the redistricting, the efforts that were made by the Justice Department and the restructuring of the Congressional districts, which was a Texas reconstruction under this Justice Department of [Alberto] Gonzales, in this year of 2007, and how that was rejected by the career people, based upon and back to those judgments and decisions that were made in the '60s, and how that was overturned by the Bush political personnel. So these issues, even though you think they're resolved and decided at that particular time, come back again, and if we hadn't gotten it right at that particular time, we wouldn't be getting it right today.

Young: Because you certainly couldn't do now what you were able to do in the '60s.

Kennedy: No.

Young: Even with all the old southern opposition. Was that period a hopeful period, the '60s, even though there was the—

Kennedy: Oh yes.

Young: —backlash and all that? You still look to the future with some optimism.

Kennedy: Yes. I mean it was—and I can't give you the year. I remember when President Nixon went over and spoke to the elderly people, it was around '66, '67. I mean, we passed the Older Americans Act during this period. We passed the Community Health Service Act, you know, that's looking at 17, 18 million people now. I remember President Nixon going over and speaking at a hotel—the President was elected in '68, so this is probably in '70/'71—talking to the elderly group, how he's going to propose a program for nutrition for elderly people. I remember he did that at 10:00 in the morning, and I went to Chuck Percy and I said, "This is what the President said—why don't we put in $100 million in appropriations, and start this program to feed the elderly." Percy said fine.

We went in, we had 45 minutes to debate $100 million. A hundred million dollars came out and we started the Meals on Wheels. Starting a program in one day. You know, things were happening then. I mean, you had all the turmoil, but you had—things were going on. Institutions were functioning and working then. People on both sides of the aisle were working then. You didn't have this kind of—

Young: And you had the Presidency pushing for progress or at least, even under Nixon and your brother, and Johnson, they were really providing what might have been necessary to take it over the top, as far as legislation is concerned. And even Nixon is not totally—and now it seems to me, what you've got is a Presidency and an executive working against all that. Working against, rolling back, stopping, limiting.

Kennedy: That's right.

Young: That makes it very tough, but that's for later. OK?

Kennedy: OK. No, it looks good.