

Crusade Against Corruption: Kennedy vs. Hoffa

by Mickey Moran

In later times, when his self-awareness and sense of the complexity of life increased, Kennedy might have seen Hoffa in another context, appreciated his vitality, his impudence, his struggle and the material benefits he had won for the Teamsters. But, just as Hoffa never forgave Kennedy for having been born rich and for believing in the possibility of justice under capitalism, so Kennedy could never forgive Hoffa for his vindictiveness toward dissenting members of his own union, for his ties with the underworld, for his conviction that American society was irremediably corrupt. <1>

Obsession takes on different forms in different men. Some say it motivates, others say it corrupts. In a world of solid blacks and shining whites, people swiftly choose sides in a battle, cheering for their hero as he brings about the villain's demise. Perhaps the 1950s, with its fear of Communist infiltration and foreign bombs, established such a proper -- albeit illusionary -- battleground for the jousts of the virtuous and the contemptible.

Such was the aura that surrounded the struggle between Teamster President Jimmy Hoffa and Attorney General Robert F. Kennedy, a running duel that lasted seven years before a victor was declared. America was quick to take sides, but one man's God was another man's criminal. For many a truck driver, Hoffa brought respect to the union, establishing better wages and greater bargaining power. Some criticized Kennedy's unrelenting drive to convict him as a vendetta, an unseemingly and unjust quest for an Attorney General. Others praised Kennedy's efforts as a tough government stand against un-American mobster activity, viewing Hoffa as the epitome of union evil.

After eluding many indictments and a few convictions, Hoffa was finally found guilty in 1964 on counts of jury tampering and misuse of union funds. All evidence indicates that Hoffa was, indeed, worthy of the accusations made against him. But the question remains, was it within Kennedy's jurisdiction to pursue him so diligently during his tenure as Attorney General?

Congress initiated an investigation into the activities of labor and management on January 30, 1957, when the Senate unanimously authorized a committee to probe suspicious activity of the unions. Senator John McClellan was placed at the helm of the organization and was allotted \$350,000 and a staff of 20 investigators and accountants. <2> Robert Kennedy was named chief counsel of the McClellan Committee, which was instructed by labor reporter Clark Mollenhoff, head of the Washington Bureau of the *Des Moines Register and Tribune*, to investigate the Teamsters. Their first target was Dave Beck, as the committee uncovered evidence that led the committee to believe the Teamster president diverted more than \$320,000 in union funds for personal use. <3>

On trial, Beck took the Fifth Amendment 140 times during one session of testimony, refusing to comment on the union, his personal finances and any vague connection

between the two. In federal district court in Seattle, he was convicted on charges of embezzlement. Hoffa had seized the opportunity to leak information to the Senate committee investigators to rid himself of Beck. He knew he was next in line for the presidency. <4> Kennedy did not realize that, in causing Beck's demise, he allowed a bigger threat to assume the union office. "It was strange that all of Bobby's efforts to clean up the union should have resulted in propelling Hoffa to the top. Bobby was to learn the hard way that Hoffa represented an even greater danger to honest unionism than Beck ever did." <5>

When Kennedy learned of his mistake, he acted quickly to rectify the situation. An opportunity arose February 14, 1957, when John Cye Cheasty, a 49-year-old lawyer, claimed Hoffa hired him to spy on the actions of the McClellan Committee. Cheasty became a double agent. <6> On March 13, Hoffa was arrested as he clutched FBI documents recently obtained from Cheasty. On the surface, it appeared too easy:

Looking back, it is little short of amazing that a wary man like Hoffa, who had successfully climbed a path of power booby-trapped by his enemies within the union, should have walked innocently into a hoary snare such as the one planned for him by Bobby and the FBI. Yet four weeks later [March 13, 1957], having been softened up by Cheasty, who was playing his double agent role masterfully by slipping him FBI-vetted documents, Hoffa walked into the Dupont Plaza Hotel a half-mile from the White House and into the arms of a half-dozen G-Men. <7>

Kennedy, armed with concrete evidence, was convinced the case would be open and shut. But Edward Bennett Williams, serving as Hoffa's attorney, won an acquittal for the Teamster president July 19, 1957. Kennedy blamed poor legal work; others blamed swaying of the black jurors; some questioned the character of those who sat on the jury. He just didn't realize that "smart lawyers can get around the evidence." <8>

After the acquittal, however, Kennedy began to work for Hoffa's conviction in earnest. He immediately called for a subpoena of the records of Teamsters Local 299 from 1950 to 1957. <9> The McClellan Rackets Committee called a congressional inquiry into the actions of the Teamsters. It produced 48 cases of "questionable conduct." Hoffa was called before the hearings, but Kennedy failed to pin down the head Teamster. Hoffa claimed forgetfulness when questioned about certain illegal actions, allowing him to escape from the hearing without admitting to any immoral activity, or perjuring himself. "Amnesia was his form of the Fifth." <10>

The hearings did not seem to affect his popularity in the union. In September 1957, Jimmy Hoffa was elected president by a margin of nearly 3 to 1. However, many in the labor movement saw him as a criminal, and the Teamsters were ordered by the AFL-CIO to rid their union of such corruption. They feared such increased government interest in the actions of Hoffa might lead to more restrictive labor laws. <11> George Meany eventually forced Hoffa and the Teamsters out of the AFL-CIO. However, the *New Republic* later indicated that the expulsion did little to hinder Hoffa's power. Rather, he quickly created a "transportation unity" pact with Maritime leader Joseph Curran and

Longshoremen head Captain Bradley. Other mutual aid pacts included the Machinists, Butchers and Carpenters unions. Hoffa would make his influence known. <12>

In the autumn of 1957, Hoffa was charged with wiretapping business agents' telephones and was indicted on five counts of perjury before the grand jury. But once again, he escaped unscathed as the first trial ended in a hung jury, the second in acquittal. The Supreme Court disregarded the prosecution's wiretap evidence, thereby eliminating the strongest evidence at the perjury trial. <13>

After this acquittal, the Hoffa situation became a continuing national saga. Beginning in May 18, 1959, *Life* published a three-part series on the International Brotherhood of Teamsters, which was, in the eyes of *Life*, "a national menace." It became a national pastime to speculate on the possible potential of the union to shut down a major portion of national transportation, if so inclined. *Life* pointed out that in 1959, 90 percent of all U.S. intercity trucks were run by the Teamsters. <14> They noted that with its dismissal from the AFL-CIO, the Teamsters left behind any restraining obligation from the rest of organized labor. They could, and did, ignore other strikes. Hoffa wielded tremendous power within other non-transportation fields as well. After all, he boasted, "we could control because raw materials must be transported in and finished products must be transported out." <15>

Robert Kennedy used *Life* to voice his concerns about Hoffa. In "An Urgent Reform Plan," he noted that the Teamsters had become "a union so powerful that it is certainly the mightiest single organization in the U.S. next to the federal government itself." After further listing his grievances with the union, he urged Americans to join the crusade. He mentioned how "mere disclosure of a sordid situation does no good unless it is cleaned up." <16>

As John F. Kennedy made his bid for the Presidency in 1960, the Hoffa topic remained a top priority for both Kennedy brothers. In a nationally televised debate with Richard M. Nixon, JFK declared, "I'm not satisfied when I see men like Jimmy Hoffa, head of the largest labor union in the United States, still free." <17> Robert Kennedy outlined his feelings for Hoffa and mobster action inside the union in his 1960 book, *The Enemy Within*:

Quite literally your life - and the life of every person in the United States - is in the hands of Hoffa and his Teamsters. But, though the great majority of Teamster officers and Teamster members are honest, the Teamsters union under Hoffa is often not run as a bona fide union. As Mr. Hoffa operates it, this is a conspiracy of evil. <18>

Indeed, the *New Republic* noted that "by 1960 the army against him [Hoffa] was the whole Department of Justice and the battlefield the whole nation." <19> Hoffa appeared before the Senate subcommittee hearings in the winter of 1961. He was accused of physically and verbally abusing those who questioned his alleged use of union funds. He was also charged with having failed to remove eight underworld figures from top union positions. Hoffa found himself unnecessarily attacked. He told McClellan, "Every time I

come up here, you castigate me and castigate the union, just so you can get a headline." <20>

The McClellan Committee hearings ended in 1961. During the three-year investigation, 141 Teamster officials were accused of dishonest union dealings. But David Previant, a Teamster lawyer, believed the committee abused its power:

We had guilt by association, guilt by marriage, guilt by eating in the same chop house, guilt by the general counsel's amazement, guilt by somebody else taking the Fifth Amendment, guilt by somebody else refusing to testify. But we think the 'doozer' was the one that happened when the committee was taking testimony concerning a criminal case in which eight defendants were tried for eleven weeks; the jury was out only eight minutes and come in with the verdict of 'not guilty' The police detective who helped prepare the case said the prosecution felt it was not a fair trial. The committee nodded in sympathy and agreement. This is guilt by acquittal. <21>

But the end of the hearing gave Hoffa more time to pursue his normal activities. Once again, a new subcommittee was established, this time headed by Walter Sheridan, a former FBI agent. In 1962, Hoffa was charged with a federal offense, this time in violation of the Taft-Hartley Labor Act -- a labor-management relations law that barred payments by employers to union officials -- in Nashville. <22> An Associated Press story from Washington quoted Hoffa as saying, "There is no question the government is spending millions of dollars of the taxpayers' money to satisfy Bobby's vendetta." <23> Some truly began to question the determination of Kennedy to convict one particular alleged criminal. In an article that ran in the *Nation*, Walter M. Miller Jr. noted:

To tag this fox is now a politically necessary proof of prowess. A definitive and final failure by a Kennedy to bag a Hoffa would be a public cuckold, and Robert Kennedy's virility is something he wants the world to be sure about. <24>

Christopher Jencks in the *New Republic* further explained:

Let me emphasize that Hoffa is not the innocent victim of a Kennedy vendetta. In distributing pluses and minuses in this case I imagine an impartial observer would give a dozen minuses to the Teamsters for every minus he gave the justice Department. But even one minus is too many. In dealing with a man who has had a record of personal animosity and political conflict with the Attorney General, no amount of restraint by Federal prosecutors is too great. <25>

He continued his assessment in remarking, "Most people would imagine that removing a union president from office was a job for the membership, not the Attorney General." <26> In October 1962, Hoffa was once again acquitted. This time, however, he left behind a trail that would eventually lead to his downfall. <27>

Hoffa was charged with jury-tampering in the Nashville trial of 1962. The new battle began January 20, 1964, 58 days after John F. Kennedy was assassinated. The site was

moved to Chattanooga from Nashville, due to pre-trial publicity. <28> In March, he was found guilty. Finally, after seven years of chasing, Hoffa was sentenced to eight years in prison and a \$10,000 fine. Judge Frank Wilson stated: "You stand here convicted of having struck at the very foundation upon which everything else in this nation depends . . . and that is the administration of justice." <29>

Life was quick to rejoice in the victory, as Henry Suydam reported: "In the good-guys-and-bad-guys-only world that Walt Sheridan inhabits with Bob Kennedy, there is no room for doubt about Jimmy Hoffa: Hoffa is a corruptive influence on society, a dangerous symbol of the misuses of power, who had to be brought to justice before the law." <30> Meanwhile, Hoffa maintained his innocence, claiming that "nobody can say I have betrayed my trust because the record speaks for itself regarding the wages, hours, conditions and the fringe benefits, the pensions, welfare that has never before been attained in the history of this country." <31>

But Kennedy had watched Hoffa slip away on appeals too many times to rest with the case in Tennessee. In April, Hoffa went on trial in Chicago for misuse of union pension funds. He received a second conviction on July 26, 1964, adding an additional five years to his jury-tampering sentence. With two victories, Kennedy resigned as Attorney General on August 1. <32> Arthur M. Schlesinger claimed, "Hoffa's downfall brought Kennedy no pleasure." <33>

Ramsey Clark, who served as Attorney General from 1967 to 1969, would claim that Kennedy spent too much time in pursuit of Hoffa. "In those years, we filed more than 30,000 criminal indictments in one year alone. Spending too much time on one creates an inequality. Yet you talk about equal justice under the law." <34> Attorney Paul Jacobs in the *California Law Review* agreed that Kennedy overstepped his role:

It is a cliché and a truism that the most important civil rights are those of our enemies - of the people with whom we disagree. And so, although I have nothing in common with Hoffa the union leader, Hoffa the citizen is me. His rights are the same as mine and require the same protection. <35>

Although many argued that Kennedy's dogged following of Hoffa through seven years of investigation and trials was a personal crusade that had no place in the Attorney General's role, others indicate that he stayed within the law. "Under the broad canopy of a congressional investigation, Kennedy was entirely within the law when he interrogated witnesses and ticked off by question after question, all the crimes he believed they committed." <36> Arthur M. Schlesinger continues:

It was not as if Kennedy had decided to go after the mob and the Teamsters out of abstract prejudice. The Rackets Committee had dug up a mass of concrete information of lawbreaking. As Attorney General, he felt an obligation to pursue that information. The targets may have received disproportionate attention in the Department of justice. But selectivity is inescapable in any situation of limited resources, and the suspects received due process in the courts. <37>

Robert Kennedy could not tolerate Hoffa's moral code, a code that sometimes found corruption a viable route to reform. Hoffa demanded -- and received -- the respect of his union members as the Teamsters grew in numbers and influence. He acted for the benefit of the union's power, as well as his own. Nonetheless, some of his actions were illegal, and in the tradition of Al Capone, the mobster must be mastered by federal forces.

Call it obsession. Call it a moral crusade. But in Kennedy's world of good versus evil, the knight may not remove the armor until the country rests protected from the enemy. And Hoffa, with his gangster techniques, was a public enemy.

Notes

1 Arthur M. Schlesinger Jr., *Robert Kennedy and His Times* (New York: Ballantine, 1978), p. 174.

2 Victor Lasky, *Robert F. Kennedy: The Myth and the Man* (New York Trident Press, 1968), p. 103.

3 Dan E. Moldea, *The Hoffa Wars* (New York: Paddington Press, 1978) p. 70.

4 Moldea, p. 71.

5 Allen Roberts, *Robert Francis Kennedy: Biography of a Compulsive Politician* (Brooklines Village, Mass.: Branden Press, 1984), p. 39.

6 Lester and Irene David, *Bobby Kennedy: The Making of a Folk Hero* (New York: Dodd, Mead & Company, 1986), 96.

7 David, p. 97.

8 Roberts, p. 39-41.

9 Moldea, p. 73.

10 "The Case Against Hoffa," *New Republic*, 2 September 1957, p. 5-6.

11 "Hoffa and U.S. Labor," *Newsweek*, 14 October 1957, p. 50.

12 "Hoffa's Comeback," *New Republic*, 21 July 1958, p. 6.

13 Moldea, p. 75-6.

14 "Tough Jimmy's Union: The Power and the Danger," *Life*, 18 May 1959, p. 31.

15 "Tough Jimmy's Union," p. 35.

- 16 Robert F. Kennedy, "An Urgent Reform Plan," *Life*, 1 June 1959, p. 110.
- 17 Walter M. Miller Jr., "Bobby and Jimmy: Round Six," *Nation*, 7 April 1962, p. 301.
- 18 Moldea, p. 100.
- 19 Murray Kempton, "The Long Chase Through the Courts," *New Republic*, 14 March 1964, p. 6.
- 20 "Good Guys All," *Newsweek*, 6 February 1961, p. 29.
- 21 Daniel, p. 106.
- 22 David, p. 102.
- 23 Miller, p. 302.
- 24 Miller, p. 303.
- 25 Christopher Jencks, "Hoffa on Trial," *New Republic*, 22 December 1962, p. 13.
- 26 Jencks, p. 11.
- 27 David, p. 162.
- 28 Moldea, p. 171.
- 29 "The Real Corruption," *Time*, 20 March 1964, p. 28.
- 30 "Real Corruption," p. 24.
- 31 "Eight Years," *Newsweek*, 23 March 1964, p. 28.
- 32 Moldea., p. 174.
- 33 Schlesinger, p. 687.
- 34 David, p. 104.
- 35 Lasky, p. 113.
- 36 David, p. 105.
- 37 Schlesinger, p. 306.

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Now he has motivated Subramanian Swamy to join the movement against corruption and also head the Action Committee Against Corruption in India. Indeed it augurs well for the nation and common man hopes to live in a country free from shadow of corruption hereafter. Subramanian Swamy is an economist from Harvard who minces no words in calling a spade a spade. He is the proverbial one-man army and runs a segment of a political party named the Janata Dal as its President.