

# Finding Aid to The HistoryMakers® Video Oral History with Randall Kennedy

---

## Overview of the Collection

<b>Repository:</b>	The HistoryMakers®1900 S. Michigan Avenue Chicago, Illinois 60616 info@thehistorymakers.com www.thehistorymakers.com
<b>Creator:</b>	Kennedy, Randall, 1954-
<b>Title:</b>	The HistoryMakers® Video Oral History Interview with Randall Kennedy,
<b>Dates:</b>	April 24, 2013
<b>Bulk Dates:</b>	2013
<b>Physical Description:</b>	10 uncompressed MOV digital video files (4:51:41).
<b>Abstract:</b>	Law professor Randall Kennedy (1954 - ), the Michael R. Kline Professor Law at Harvard Law School, was awarded an honorary Doctor of Laws degree by Haverford College. He was also a Fellow of the American Academy of Arts and Sciences. Kennedy was interviewed by The HistoryMakers® on April 24, 2013, in Cambridge, Massachusetts. This collection is comprised of the original video footage of the interview.
<b>Identification:</b>	A2013_111
<b>Language:</b>	The interview and records are in English.

---

## Biographical Note by The HistoryMakers®

Legal scholar and law professor Randall LeRoy Kennedy was born on September 10, 1954 in Columbia, South Carolina as the middle child of Henry Kennedy Sr., a postal worker, and Rachel Kennedy, an elementary school teacher. Kennedy has two siblings: Henry H. Kennedy, Jr., a former United States District Court Judge for the District of Columbia; and, Angela Kennedy, a lawyer in the District of Columbia Public Defender Service. Kennedy's father often spoke of watching Thurgood Marshall argue *Rice vs. Elmore*, the case that invalidated the rule permitting only whites to vote in South Carolina's Democratic primary. His family moved from South Carolina to Washington, D.C. where Kennedy graduated from St. Albans School in Washington, D.C. and then enrolled at Princeton University where he received his A.B. degree in 1977. In 1979, he became a Rhodes Scholar in the Balliol College at the University of Oxford. Kennedy went on to earn his J.D. degree in 1982 from Yale Law School.

Upon graduation, Kennedy was awarded an Earl Warren Civil Rights Training Scholarship for African American Law Students. He served as a law clerk for Judge J. Skelly Wright of the United States Court of Appeals for the District of Columbia Circuit from 1982 to 1983 and for Justice Thurgood Marshall of the United States Supreme Court from 1983 to 1984. Kennedy was admitted to the District of Columbia Bar in 1983. He was also admitted to the Bar of the United States Supreme Court. Kennedy is a member of the American Law Institute, the American Academy of Arts and Sciences, and the American Philosophical Association. In 1984, Kennedy joined the faculty at Harvard Law School as a full professor where he taught courses on legal contracts, freedom of expression, and the regulation of race relations.

Awarded the 1998 Robert F. Kennedy Book Award for *Race, Crime, and the Law* (1997), Kennedy has written for a wide range of scholarly and general interest publications. He has also served on the editorial boards of *The Nation*, *Dissent*, and *The American Prospect*. Kennedy is the author of *Nigger: The Strange Career of a*

*Troublesome Word* (2002), *Interracial Intimacies: Sex, Marriage, Identity and Adoption* (2003), *Sellout: The Politics of Racial Betrayal* (2008), and *The Persistence of the Color Line: Racial Politics and the Obama Presidency* (2011). Kennedy was awarded an honorary degree from Haverford College and is a former trustee of Princeton University. He is also a Fellow of the American Academy of Arts and Sciences.

Randall LeRoy Kennedy was interviewed by *The HistoryMakers* on April 27, 2013.

---

## Scope and Content

This life oral history interview with Randall Kennedy was conducted by Larry Crowe on April 24, 2013, in Cambridge, Massachusetts, and was recorded on 10 uncompressed MOV digital video files. Law professor Randall Kennedy (1954 - ), the Michael R. Kline Professor Law at Harvard Law School, was awarded an honorary Doctor of Laws degree by Haverford College. He was also a Fellow of the American Academy of Arts and Sciences.

---

## Restrictions

### Restrictions on Access

Restrictions may be applied on a case-by-case basis at the discretion of The HistoryMakers®.

### Restrictions on Use

All use of materials and use credits must be pre-approved by The HistoryMakers®. Appropriate credit must be given. Copyright is held by The HistoryMakers®.

---

## Related Material

Information about the administrative functions involved in scheduling, researching, and producing the interview, as well as correspondence with the interview subject is stored electronically both on The HistoryMakers® server and in two databases maintained by The HistoryMakers®, though this information is not included in this finding aid.

---

## Controlled Access Terms

This interview collection is indexed under the following controlled access subject terms.

### Persons:

Kennedy, Randall, 1954-

Crowe, Larry (Interviewer)

Hickey, Matthew (Videographer)

### Subjects:

African Americans--Interviews

Kennedy, Randall, 1954- --Interviews

## Organizations:

HistoryMakers® (Video oral history collection)

---

The HistoryMakers® African American Video Oral History Collection

---

Harvard Law School

---

## Occupations:

Law Professor

---

## HistoryMakers® Category:

LawMakers

---

## Administrative Information

### Custodial History

Interview footage was recorded by The HistoryMakers®. All rights to the interview have been transferred to The HistoryMakers® by the interview subject through a signed interview release form. Signed interview release forms have been deposited with Jenner & Block, LLP, Chicago.

### Preferred Citation

The HistoryMakers® Video Oral History Interview with Randall Kennedy, April 24, 2013. The HistoryMakers® African American Video Oral History Collection, 1900 S. Michigan Avenue, Chicago, Illinois.

### Processing Information

This interview collection was processed and encoded on 5/30/2023 by The HistoryMakers® staff. The finding aid was created adhering to the following standards: DACS, AACR2, and the Oral History Cataloging Manual (Matters 1995).

---

## Other Finding Aid

A Microsoft Access contact database and a FileMaker Pro tracking database, both maintained by The HistoryMakers®, keep track of the administrative functions involved in scheduling, researching, and producing the interview.

---

## Detailed Description of the Collection

## Series I: Original Interview Footage

Video Oral History Interview with Randall Kennedy, Section A2013\_111\_001\_001, TRT: 1:28:53  
?

Randall Kennedy was born on September 10, 1954 in Columbia, South Carolina to Rachel Spann Kennedy and Henry Kennedy, Sr. Kennedy's maternal grandfather, Sellers Spann, died when Kennedy's mother was young. His grandmother, Lillian Spann, supported the family by working at a department store in Columbia and taking in laundry and sewing. She was devoutly religious and had high expectations for proper behavior. Kennedy's father was born in Baton Rouge, Louisiana. His mother died in childbirth, and he was raised by relatives in New Orleans. He briefly attended Southern University and Dillard University, and then served in the U.S. Army during World War II. Kennedy's parents met at Fort Jackson. They married in secret when Kennedy's mother was sixteen years old. She went on to attend the Colored Normal Industrial Agricultural and Mechanical College of South Carolina and New York University. After completing a master's degree, she returned to Columbia, where Kennedy's father worked as a postman.

Video Oral History Interview with Randall Kennedy, Section A2013\_111\_001\_002, TRT: 2:29:12  
?

Randall Kennedy's father, Henry Kennedy, Sr., was involved in political organizing in the 9th Ward of New Orleans, Louisiana, where he was often subject to discrimination and mistreatment by police. His family's farm was destroyed in the Great Mississippi Flood of 1927, and he decided to join the U.S. Army for economic security. The U.S. military was segregated at the time, and Kennedy's father witnessed the preferential treatment that white prisoners of war received during World War II. While stationed at Fort Jackson, South Carolina, Kennedy's father came to admire local NAACP leader James M. Hinton, whom he saw denounce Jim Crow at the opening of a segregated USO facility. After leaving the U.S. Army, Kennedy's father worked for the U.S. Postal Service. He carried a pistol for protection while delivering mail and was once threatened by a white police officer in a nearby town. In response to these experiences, Kennedy's father moved the family to Washington, D.C. in the mid-1950s.

Video Oral History Interview with Randall Kennedy, Section A2013\_111\_001\_003, TRT: 3:30:46  
?

Randall Kennedy's family moved to Washington, D.C. when he was young. They initially lived in the Southeast section of the city, but soon moved to Northwest Washington, D.C. There, Kennedy attended the Takoma Education Campus and Paul Public Charter School. His parents had strict rules about good behavior at home, and encouraged him to spend time outside in nearby Rock Creek Park. Kennedy was influenced by his older brother, Henry H. Kennedy, Jr., who taught him to swim at the Takoma Aquatic Center. They played tennis together at the local courts, and Kennedy became a nationally competitive tennis player during high school. During the summer, they attended Camp Atwater in Massachusetts and visited family in Columbia, South Carolina. Kennedy, his older brother, and their younger sister Angela Kennedy Acree were influenced by their father's passion for argumentation, and all three siblings succeeded in the law profession as adults.

Video Oral History Interview with Randall Kennedy, Section A2013\_111\_001\_004, TRT: 4:30:42  
?

Randall Kennedy grew up in Washington, D.C. during the 1960s. He watched Walter Cronkite and 'The Ed Sullivan Show' with his family and listened to soul music on WOOK Radio and WOL-AM 1450. He recalls significant moments

like the March on Washington and the assassination of President John F. Kennedy in 1963. He also remembers being sent home from tennis practice when Reverend Dr. Martin Luther King, Jr. was assassinated in 1968. During this time, Kennedy and his older brother, Henry H. Kennedy, Jr., worked at the St. Albans Tennis Club. They earned a reputation as excellent tennis players by winning doubles matches against Washington elites like Robert McNamara and Walt Whitman Rostow. This attracted the interest of tennis coach Albert “Allie” Ritzenberg, who offered Kennedy a scholarship to St. Albans School. There, Kennedy was mentored by history teacher John Foster “Jack” McCune, who introduced him to the work of Richard Hofstadter and C. Vann Woodward.

Video Oral History Interview with Randall Kennedy, Section A2013\_111\_001\_005, TRT: 5:30:15 ?

Randall Kennedy excelled as a student at St. Albans School in Washington, D.C. He was nominated for The Morehead-Cain Scholarship to The University of North Carolina at Chapel Hill, but his mother encouraged him to attend Princeton University like his older brother. He followed in his brother’s footsteps and enrolled at Princeton, where he had visited on several occasions. Kennedy began working on his undergraduate thesis project during his freshman year. His advisor was historian James M. McPherson, and his research focused on the work of Richard Hofstadter. He also worked closely with Eric Foner, who was a student of Hofstadter. During this time, Kennedy sought out interviews with notable historians and academics like law professor Sanford V. Levinson and sociologist Robert K. Merton, and developed a network of scholarly supporters. Upon graduating from Princeton in 1977, Kennedy received a Rhodes Scholarship. He spent two years at Oxford University before enrolling at Yale Law School.

Video Oral History Interview with Randall Kennedy, Section A2013\_111\_001\_006, TRT: 6:28:11 ?

Randall Kennedy enrolled at Yale Law School in 1979. He was taught by professors like Owen Fiss, Robert Burt, and Burke Marshall, who headed the Civil Rights Division of the U.S. Department of Justice during the 1960s. He served as an intern at the NAACP Legal Defense Fund and as editor of the Notes section of the Yale Law Journal. Upon graduating in 1982, Kennedy began a clerkship under Judge James Skelly Wright at the U.S. Court of Appeals for the District of Columbia Circuit. He also wrote for popular publications like Harper’s Magazine, The New Republic, and New York Times Book Review. Kennedy was offered opportunities at the NAACP Legal Defense Fund and Harvard Law School, but decided to accept a clerkship under U.S. Supreme Court Justice Thurgood Marshall. He shares stories about Marshall, who was near the end of his tenure on the Supreme Court at the time. Kennedy also remembers his wife, Yvedt Matory, who he began dating during his first year at Yale Law School.

Video Oral History Interview with Randall Kennedy, Section A2013\_111\_001\_007, TRT: 7:28:44 ?

Randall Kennedy served as a law clerk for Justice Thurgood Marshall of the U.S. Supreme Court from 1983 to 1984. He often spoke to Marshall about his experiences during the Civil Rights Movement. During the clerkship, Kennedy accepted a position at Harvard Law School, where he joined the faculty in 1984. At the time, Chris Edley was the school’s only African American professor, as Derrick A. Bell, Jr. was serving as dean of the University of Oregon School of Law. They were later joined by Charles Ogletree, David B. Wilkins, and Lani Guinier. Initially, Kennedy focused on teaching contracts law. At the request of

the assistant dean, he began teaching courses on race relations law as well. Kennedy describes the syllabus of his course on American race relations law from 1776 to 1876. He also explains the landmark case of *California v. Bakke*, which established the legality of affirmative action in the United States.

Video Oral History Interview with Randall Kennedy, Section A2013\_111\_001\_008, TRT: 8:29:54  
?

Randall Kennedy joined the faculty of Harvard Law School in 1984. His courses on race relations law were noted by students for their provocative discussions. Kennedy had a close relationship his colleague, Professor Derrick A. Bell, Jr., who integrated the law faculty in 1971. Bell was an early supporter of Kennedy and often reviewed his manuscripts during the 1980s. Against Bell's advice, Kennedy published an article in the *Harvard Law Review* called 'Racial Critiques of Legal Academia' in 1989, in which he challenged arguments made by scholars of critical race theory. In 1997, Kennedy's first book, 'Race, Crime, and the Law,' was published by Pantheon Press and received the Robert F. Kennedy Book Award Grand Prize. He reflects upon the book's argument and subsequent scholarship by writers like Michelle Alexander. Kennedy also talks about the appointment of Justice Clarence Thomas to the U.S. Supreme Court in 1991.

Video Oral History Interview with Randall Kennedy, Section A2013\_111\_001\_009, TRT: 9:29:38  
?

Randall Kennedy wrote his second and third books, 'Nigger: the Strange Career of a Troublesome Word' and 'Interracial Intimacies: Sex, Marriage, Identity, and Adoption,' at the same time. His publisher, Pantheon Press, opted to publish the book on racial epithets first, and it became a best seller. As a result, Kennedy was tapped to serve as an expert witness in hate crime trials, which attracted criticism from prominent figures like Reverend Al Sharpton. Kennedy's fourth book, 'Sell Out: The Politics of Racial Betrayal,' was written around the time that his wife, Yvett Matory, died from cancer. Following the election of President Barack Obama, Kennedy taught a course at Harvard Law School that inspired his fifth book, 'The Persistence of the Color Line: Racial Politics and the Obama Presidency.' Kennedy also talks about his speaking engagements at the Federalist Society, where he critiqued conservative arguments on topics like affirmative action.

Video Oral History Interview with Randall Kennedy, Section A2013\_111\_001\_010, TRT: 10:25:26  
?

Randall Kennedy's sixth book, 'For Discrimination: Race, Affirmative Action and the Law' was forthcoming at the time of the interview. Kennedy describes his hopes and concerns for the African American community and shares his thoughts on African American identity. He also reflects upon his life, legacy, and how he would like to be remembered.