



Written by [Jack Kenny](#) on August 27, 2009

Evaluating Sen. Ted Kennedy's Real Legacy

The moment Sen. Edward M. Kennedy died, the gushing tributes started pouring in from both sides of the political aisle, many of them no doubt scripted beforehand and held in waiting for the opportune time to pay tribute to the fallen hero.

He was “the greatest senator of our time,” said President Barack Obama, while vacationing on Martha’s Vineyard, not far from the site of the senator’s enduring scandal. He was “the last lion of the Senate,” said Sen. John McCain, who co-sponsored a liberal immigration reform bill with Kennedy. “Ted Kennedy was an iconic, larger than life United States Senator, whose influence cannot be overstated,” chimed in Sen. Orrin Hatch of Utah.



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But his influence, while considerable, can be and has already been overstated. Several reviews of the senator’s lengthy career note that at a pivotal moment in last year’s Democratic presidential primaries, Ted Kennedy, along with JFK’s daughter Caroline and others of the celebrated Kennedy clan, endorsed Barack Obama over Hillary Clinton. Yet eight days later Clinton defeated Obama in Kennedy’s home state of Massachusetts. Even among voters in the Bay State, where he was elected to the Senate nine times, Kennedy’s influence could be overstated.

When he ran for president in 1980, Kennedy lost to Jimmy Carter in neighboring New Hampshire, where the Massachusetts senator was thought to have the “home field advantage.” Though he entered the fray as the apparent favorite against the increasingly unpopular president of his own party, Kennedy failed to gain traction in the early primaries in a campaign flawed by his rambling, unfocused rhetoric and his inability to make clear his differences on policy or principle with Carter. He won late primaries in New York and California but was unable to overcome Carter’s early lead. His campaign gave Carter the opportunity to fulfill what was arguably his most memorable campaign promise. The President had told reporters that if Kennedy entered the race, “I’ll whip his —”

In its lengthy obituary the *New York Times* notes that Kennedy, during his 46 years in the Senate, left his mark on laws regarding civil rights, health care, education, voting rights and labor. But it named only one specific piece of landmark legislation, the No Child Left Behind Act, the education bill President George W. Bush had made the centerpiece of his domestic agenda. It is a bipartisan legislation that has left partisans on both right and the left unhappy: the right resents further intrusion of the federal government into local education, while the left complains the measure is chronically underfunded.

Though he worked long and hard to establish a national program of health care for all (He called it “the cause of my life”), that effort has yet to succeed, despite the fact that during Kennedy’s long career he



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has often been part of substantial Democratic majorities. If national health care is enacted this year, it will pass in his absence, however much his colleagues pay tribute to his leadership and inspiration.

“He will be a president who refuses to be trapped in the patterns of the past,” Kennedy said in endorsing Obama last year. But Kennedy himself appeared trapped in the “patterns of the past,” patterns established in the New Deal/Great Society zeal for expanding the size and scope of the federal government. To Kennedy, every human problem cried out for a new program, funded by billions of federal dollars. The fact that crises in housing, education, health care and few score other matters have only grown more acute as federal involvement has increased fazed him not a bit. He carried his liberal faith with him to the end.

His Catholic faith proved far more flexible. Kennedy was in only one Senate race that was even remotely close. In 1994, the year of the “tsunami” that swept Republicans into majorities in both houses of Congress for the first time in 40 years, Kennedy was in a tough battle with Mitt Romney, who would later become governor of Massachusetts. One day, seemingly out of the blue, Kennedy announced his opinion that it was about time the Catholic Church started ordaining women priests, despite the church’s constant teaching that Christ established a male priesthood for all time. His motive became clear a short time later when he challenged Romney concerning the role of women in the Mormon Church, of which Romney is a member. It was about as cynical a maneuver as one can find in politics, making a political football of religious doctrines and practices in order to gain a temporary political advantage. And it was remarkably inconsistent with the one doctrine Kennedy truly cherished, that of a “separation of church and state” that permitted him to be “personally opposed” to abortion as a matter of faith and morals, while legislating to protect, promote and subsidize abortion as a matter of political expediency.

Kennedy was not always “pro-choice,” to use the politically expedient euphemism for politicians who defend the killing of innocent life. In 1971, he wrote to a constituent: “Wanted or unwanted, I believe that human life, even at its earliest stages, has certain rights which must be recognized, the right to be born, the right to love (sic), the right to grow old.”

Then came the Supreme Court’s *Roe v. Wade* decision, the rising tide of militant feminism and emergence of a powerful abortion lobby that could fill the party coffers while attracting new liberal voters. Kennedy, like other formerly pro-life politicians, had an “epiphany” on the subject. He opposed any restrictions on even partial-birth abortions, supported experiments on human embryos in stem cell research and is going to his grave with a 100 percent rating from the grateful National Abortion and Reproductive Rights Action League. It is one of the curious contradictions of liberalism: Kennedy’s vaunted compassion could be aroused on behalf of a worker employed at the minimum wage or a child not enrolled in a Head Start program. But not for a child being butchered in the womb.

“He was a tireless advocate for women’s equality,” Nancy Keenan, president, and Andrea Miller, executive director, of NARAL Pro-choice America said in a joint statement this morning. Yes, Kennedy was good on “women’s issues.” So good, it hardly seemed to matter that he left one woman in a car at the bottom of a pond and consulted with his lawyer and political advisors before reporting the incident to police, some nine hours after it occurred. At a time when members of the House and Senate publicly worry about young people being influenced by sports heroes on steroids, we now have senators and representatives tripping over one another in the rush to pay tribute to this sordid “role model” for aspiring politicians.

We get the kind of culture we celebrate. When Kennedy returned to the Senate after the



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Chappaquiddick event, then-Sen. Majority Leader Mike Mansfield spotted him standing in the doorway of the Senate chamber.

“Come in, Ted,” Mansfield said. “You’re right back where you belong.” Unfortunately, that says as much or more about the U.S. Senate as it does about Ted Kennedy.

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