

KUNHARDT **FILM** / FOUNDATION

JUDD MINER INTERVIEW
OBAMA: IN PURSUIT OF A MORE PERFECT UNION
KUNHARDT FILM FOUNDATION

Judd Miner
Attorney
October 22, 2018
Interviewed by Peter Kunhardt
Total Running Time: 35 minutes and 56 seconds

START TC: 01:00:00:00

MATTHEW HENDERSON:
Judd Miner interview, take one. Marker.

ON-SCREEN TEXT:
Judd Miner
Attorney

Meeting Obama

01:00:13:06

JUDD MINER:
I had been the corporation counsel, the city of Chicago. And it was a pretty trying period. Harold Washington was the mayor and we had gone through counsel wars and then he died, and I agreed to stay on with his successor. And I then left, and I was trying to determine what I was gonna do; gonna get back into the practice and to prove I hadn't aged too much during this, I was doing triathlons. And I read a newspaper article one day I had worked out

and I was tired and I was sitting around and there was an article in a Chicago paper, I think it was the Sun Times. It indicated that an African American lawyer was returning to Chicago. He had been Editor-in-Chief of the Harvard Law Review. He wanted—he was interested in civil rights, but he decided to join a silk stocking law firm in Chicago; having nothing to do out of curiosity I called some friends of mine on the Harvard faculty to see if they knew this fella.

And it turned out that nobody I called knew him, but they had heard very good things about him and so I figured, what the hell, I'll call him, see if he's really interested in civil rights, why would he join a silk stocking law firm? So I called the law review and asked for him. He wasn't there and as I recall, the young lady engaged me in conversation. She asked me after a while if this was a recruiting call and I said, "You know the truth is I'm not quite sure why I called him. But you can call it a recruiting call." And she said, "Ok, well I'm gonna give you a number." I said, "That's fine." She said, "Your number is 653." or some enormous number and I jokingly said, "Here's the deal. I'll give you—I'll let you keep my name, but you've got to promise to call me when my name starts percolating up to the top so I can get ready. I biked home and my kids decided they all wanted to take a bike ride. So we took a bike ride and we get home and my littlest one says, "You know, a guy had called you this afternoon with a very funny name." And it was so serendipitous having called him that I forgot all about having talk—called anyone. I had no idea what she was talking about. But then later I thought of it and I asked her if Obama sounded right. And she said yeah, she thought that was right. I said, "What did he say?" And she said, "He wants you to call him at home as soon as you

get home.” I said, “Did he give you—did he provide a vehicle for my doing that?” And she said, “Yeah, but I lost his telephone number. I have no idea where I put it.” She was little at the time. But she had a sense he wanted to talk so she apparently looked for it and that night woke me up and said she’d found his telephone number and I should call him and so I called him. And he came into Chicago that weekend and we had lunch. That’s how it—that’s when I first met him.

01:03:21:23

JUDD MINER:

He knew about the fir—he had been in Chicago. I had been the corporation counsel and I—it’s a recollection that one of the first things he said to me is, “You know, I was going to call you at your firm, but your name isn’t on the letterhead,” which it hadn’t gotten back on it yet, “so I assumed you hadn’t gone back there and I was trying to find out where you were.” So he knew about the firm and he said, “I’d like to come in and just talk to you.” And he indicated that it wasn’t really—he wasn’t sure what he wanted to do. He wasn’t coming in to interview the firm. But would I be willing to have lunch with him, just—just to talk? Barack is a very honest person. I want to say the fall—call I got was to confirm that it would be alright since another law firm—he said, “You know, every firm is recruiting me. So I—someone will pay me to come in. Is it ok if I let them pay for the plane trip, but then I talk to you?” “Sure, as long as you go to the firm. I—they don’t get to control everything you do.” So, I wanna say he came either that weekend or the next weekend and—and we just talked. Not j—and he made it clear when we first

met that he wasn't sure what he wanted to do. I had been a corporation counsel, I had had a fellowship to do civil rights work, so I'd done public interest work at a private law firm that did this kind of work we did; there was some feeling out. What do you really stand for, what do you represent, what are your values? And he then conclu—in light of your values and so forth, do you ever think that maybe you should have taken a different route or so forth. It was really that kind of conversation, someone who is trying to in a very thoughtful way think about what he wanted to do.

Harold Lee Washington

01:05:15:06

JUDD MINER:

He had only met Harold once I think. I didn't know he was in Chicago at the time. I did not know who he was, which I thought personally was quite impressive, because we had plenty of folk—African American folk who didn't have nearly Barack's credentials, so forth, who demanded positions of—in the administration. And he never asked for anything. He had come to Chicago to be a community activist and that's what he did. He did not come knocking on the door to try to get into—into some position. But I think he was quite a fan of Harold Washington's.

Hiring Obama

01:06:01:19

JUDD MINER:

We spent almost two or three hours at lunch and then he left. Clearly, just was enormously thoughtful, cared a lot, very self-confident but not in an arrogant way. I'm just willing to talk openly about what his thinking was, what he was interested in and so forth. And then we were done. He said, "Can we do this again?" I said, "You let me know and I'll pay for lunch." A couple weeks later, he called me and said—this went on, we—I—we probably had three or four at least, lunches. And finally after the end of these lunches, it took a good portion of the summer, he said to me out of the blue, "Aren't you going to invite me to the firm?" And I reminded him that he insisted this was not a recruiting situation, that he was just ready to think about it and I honored—he didn't want me to talk about it much and I didn't—so I didn't talk to anybody and so I reminded him that and he said oh, he'd forgotten. That's right. And he would like to come meet folks at the firm. He spent a day interviewing and then he was leaving and I was walking out with him and he looked at me and said, "Well, are you gonna offer me a job?" I said, "Well, are you interested?" And he said, "Well, I—I think I am." I said, "Well, I don't make the decisions. I'm gonna have to bounce this off my brothers and sisters, but I suspect they'll be interested."

Davis, Miner, Barnhill & Galland Law Firm

01:07:35:11

JUDD MINER:

We have two components of our law firm. One is we represent a significant number of not for profits in the minority community. So, I don't know exactly what they do, it's not my practice but I always think of it as community

empowerment. We do work in the area of economic development, low income housing, medical related programs that exist in those communities, and we provide legal representation and he's a community organizer. And so he was on the other side of what we did. And so he knew we did that and he thought that would interest him. He also—I did nothing but civil rights work; employment discrimination, voting rights and the like, and that interested him. So—and he wanted to know whether—could he do both? I said, "Sure." You know, and so he—in fact he did both while he was here. And so I think it was that—the nature of that practice.

The University of Chicago

01:08:40:07

JUDD MINER:

So he worked for us full time, and then he was approached about running for the State Senate. And we talked about that and decided he would like to do that. Barack's an incredibly honest and honorable person. He was gonna go and we were gonna set up an office for him in Springfield. Everyone said this is part time work at most and he would—could work down there and after about a week, he called me and said, "Judd, this is a bad deal for you guys. I'm gonna be working full time and I'd rather not get paid. I'd rather—I'll keep records of anything I do do unless you and I just sit down at the end of the session and see if you owe me anything." And then it is clear it is full time for him so he then talked to the University of Chicago about getting a teaching position to where he could teach a seminar. The sessions run from October to March or April I think, which was really the law school year. And so he could

teach a course on Monday mornings. When the legislature was in session, he was teaching part time and then he came back and worked for the firm during the summer, and then when he ran for the United States Senate, he had to sever his relationship.

Dreams from My Father

01:10:02:20

JUDD MINER:

I told him the firm was interested in hiring him. And he shared with me that he had this contract to write a book. He joked that I— that he had the wrong story 'cause the story I had read was this Black kid who had grown up in a ghetto in Chicago in a housing project and gone off and become Editor in Chief of the Harvard Law Review. He had been approached to write that story and he told whoever it was ya know, “The truth is that’s not my trip, but I have thought a lot about my trip and I would like to try writing my trip.” And so they agreed and he was writing a book and he said to me, ya know, “I don’t want to start working while I’m doing this. It’ll be a distraction.” A lot of firms had offered to hire him and pay him and just let him write his book. And he said, “I—that’ll make me uncomfortable. I’d rather finish the book or at least be almost done with the book so that I could really roll up my sleeves and practice law and maybe finish it.” So, there was a period where he used to come in but he was really writing his book and he wasn’t on our payroll and he wasn’t working for us. And then he got to a point where he was comfortable coming to work. He was a wonderful writer and just very thoughtful. I mean those are two things that just struck me about—about

him, that—that it was obviously a very interesting personal examination of his life, how he—his trip.

Obama at Davis, Miner, Barnhill & Galland Law Firm

01:11:38:03

JUDD MINER:

He did what associates do. He did research and he did discovery and he—I don't know that we ended up in a trial. We were working toward a trial together in a case, but I think it settled before, and then he went off and when he was teaching and in the state legislature it was hard to actually be involved in a trial. So there were cases where he worked up cases and he was involved and he—he engaged in the full range of work in our—the portion of our firm that represented community organizations. He was being sought after by lots of law firms and each of the law firms put their Black lawyer on them. Because I had been the city lawyer under Washington, I knew a lot of these folk and it turned out that he would share with me, confidentially, that a lot of these folk had warned him that he ought not to think about our firm, that we're on the outs, we're troublemakers and so forth, which sure surprised me 'cause I—I don't think of ourselves—I mean we litigate seriously, we do civil rights work and cities on the other side and I was not a big fan of the Daley folk here in Chicago. Barack was enormously comfortable in himself and that he was gonna make contacts and be carving—there were a lot of press people, wanted me to share with them that I opened doors for Barack and I said, “Ya know, nobody opened doors for Barack. You know, he -- People sought out Barack.”

Obama's personality

01:13:24:11

JUDD MINER

We did have a couple of opportunities to visit with him in the White House and talk to him and see him; and it was exactly the same person. It was sort of always stunning that he never seemed frazzled. He never seemed—he was always reasonably relaxed although I used to joke, there's a little patio outside the Oval Office and he seemed very relaxed and sort of-- so, every now and then he'd say, "Let's—why don't we just sit out here?" And we'd walk out there and he'd close the door and there'd be a sigh. There clearly was a relaxing that—when we'd sit down and talk outside. Well he's changed, he runs in different circles and so forth, but in terms of his personality, I think was sort of—was essentially predictable throughout his presidency.

White women voters

01:14:11:19

JUDD MINER:

Ya know, there was some issue, could a—how far could a Black candidate get? Although, it does turn out that Carol Mosley Braun worked in this firm as well so he had worked—she had worked so obviously a Black could win, but a woman was a little less threatening, I always thought, than a man. And we used—I used to joke, there are lots of white women in the suburbs who really believe they are—they're republicans, but they believe they're progressive, thoughtful, open minded, and that they could vote for a Black

and when they see your resume, Barack, they're gonna be hard pressed to think of who they could support if they were uncomfortable with this resume, and it turned out to be true.

Obama's reasoning

01:15:06:13

JUDD MINER:

He doesn't do things serendipitously. Barack thinks about what he does. He has a reason for doing what he does. You may disagree with it but it—it—it is very thoughtful and so that's—that's the way he functions, so there's nothing that is sort of—Barack is not incredibly spontaneous. In his own sort of way. I mean, he gets spontaneous ideas but he then—he—he's able to think things through very quickly, size things up very quickly and very—I always thought quite thoughtfully.

"Not being Black enough"

01:15:46:00

JUDD MINER:

Barack was accused of not being Black enough by a lot of Blacks. He was very comfortable in non-black circles. He had a—the background of—didn't have the background of your typical Black politician. You know, I think he was sensitive to the s—Barack sa—when Barack came to me and wanted to have lunch and talk about his—this opportunity to maybe run for the State Senate, he shared that, you know, he had an interesting politics, but because of where he came from and his credentials, it was real important that he start at

the bottom. He was gonna run for Alderman but he—starting at the State Senate was sort of a good opportunity and he was gonna work his way up. So he was—he was very sensitive to his position in Chicago society, Black and white.

Segregation in Chicago

01:16:46:14

JUDD MINER:

You know, he grew up in Hawaii, which—I don't know Hawaii, but I get the sense from talking to him that it was a much more integrated environment. Chicago's a spectacularly segregated city, and there's very little interaction up until really Barack's era, maybe somewhat before that—interaction between the Black community in Chicago and the non-black community. I was, I am, a white person and I was the corporation counsel for Harold Washington, and I had known Harold for a number of years and done some legal work for him, but I was always struck by the number of times I was asked to tend things with Harold or for him and there'd be these large crowds of middle class African Americans who I'd never seen before. And I did civil rights work and I—some activity but there—there really was very little interaction and I had a number of Black friends. That wasn't Barack's experience, I don't think. I mean, I don't know that much about his college experience, but I know in Hawaii he had plenty of non-black friends. I don't know there were many Blacks there.

Harold Washington's Chicago

01:18:00:02

JUDD MINER:

King is pre-Harold Washington, and pre-Har—Harold Washington got—
notwithstanding the myth that he got a fair amount of white vote, turns out
that we do have white wards in Chicago that have pockets of Black
population and if you really carefully analyzed Harold Washington’s vote, it
was mostly the Blacks in those areas. He got very little of the white vote. And
it was very hard to get white support for him. Harold Washington was the
Mayor, a Black Mayor of Chicago because two white folk, Jane Byrne and
Richie Daley split the vote virtually perfectly. And he won with more—30—
37% of the vote or something like that I think, I don’t remember the
numbers. Harold Washington was a fascinating person and was really a
progressive—and while he had white friends—he didn’t have a lot of white
friends, I don’t think, but he was very comfortable with white progressives
and whites. A lot of the Black politicians weren’t. They just didn’t have much
interaction. Harold Washington started the bridging. And then when he—
and during his first term, which is his only term, but in the beginning of his
first term, ya know, there was spectacular hostility. If you just—it was very
much like the hostility that existed when King came—when King came. We
were going to have town halls. We were gonna go in some of the whiter parts
of the city, and he wanted me to come and we were gonna bring a couple of
cabinet folks and we were gonna meet people out there, we were gonna
answer questions. At one of these town halls, I think it was on the Northwest
side, the crowd was quite hostile to him, and this—quite outspoken, and this
one woman got up and just gave this sort of nasty little speech about how

upset she was with him as Mayor. He only cared about—he was only fair to Black people and she—she made other sort of derogatory comments about him. And he looked at her, he said, “Lady, I don’t know you. But you can run from me as much as you want, but I’m gonna find you and I’m gonna be fair to you.” And there was just complete—he said it so honestly, Harold just had this wonderful way about him and he said it and then everyone started melt—in this really hostile white crowd and that was sort of the beginning. All of a sudden—and he was comfortable with, ya know, confronting these folks. And so during his tour—his ter—first term, it got better and we had a special election. We had a redistricting case that ended up forcing the redrawing of a certain number of the city wards. Blacks and Hispanics won. He now had a--It was 50/50 but he could break the tie.

01:20:55:02

JUDD MINER:

And almost immediately, there were a number of white aldermen who were comfortable becoming Washington allies, and by the time he ran for a second term, he had bridged the gr—bridged that dramatically. There was—and that was one of the real tragedies of his death, was that it was really the first time I had ever seen a real bridging of the communities in Chicago. But he was a very smart, very smart guy. And very much like Barack in that way, a real policy person. Harold Washington put people off a little—I mean, I think scared some white folk, he was pure and so forth. There was nothing scary about Barack. Barack was very—I don’t like saying smooth because that has a bad connotation to it, but he was just easy and thoughtful and could—could

13

engage anybody in conversation at their level. So you know, he carried that forward a lot.

Obama's announcement to run for President

01:21:56:00

JUDD MINER:

I was surprised. We—it—I had just had surgery and I was home and I got a call from him to tell me that he was going to announce that he had decided—decided he was gonna run. And I was—I guess I didn't think he would. He was young, he had only been in the Senate for a couple years. Plenty talented, he certainly could do the job.

Reverend Jeremiah Wright

01:22:23:10

JUDD MINER:

There are plenty of Reverend Wright's in Chicago and I guess I—I don't think of them as threats to anybody. He's outspoken. And Barack's not a radical by any stretch of the imagination. You know, I was surprised to hear more about or as much as I learned about Reverend Wright's sort of philosophy, I mean that wasn't in my community, in my dealings with Barack, I had no sense that he was even a controversial player. It got so magnified when it—you know, they were looking for things to- to- to throw at Barack and that played into some natural fears that people had.

Communication

01:23:14:16

JUDD MINER:

One of my roles, key roles in the campaign was when Barack started running for the Senate, and they would have a—someone would have a coffee or something in a white area, and he wasn't sure there were any blacks around, there was always sort of a little uncertainty whether anyone would show up so I used to get these calls. "Any chance you and Linda would just come out just so—in case, and if people show up, you guys can go?" So—and it was fun. I used to just love to watch him interact with people who had not met him, but you could just see that attachment as they talk to him, as he—he's very engaging and he listens and he responds. I've heard any number of what I would characterize as just wonderful little speeches. They could be little speeches at some of these events where somebody would ask him a provocative question, and he would just give a very spontaneous, thoughtful response, so you sort of came to expect it.

Being "too Black"

01:24:16:15

JUDD MINER:

I mean keep in mind this was all political stuff. When someone says he's too Black, that doesn't mean he's too Black, it means I don't control him and there are other Black guys I can control that are in--within the Black power structure. That was an issue for him. How does he not be a threat to those folks who really—they wanted the candidate, whatever it was to be someone they could influence for good or bad and that wasn't Barack. They were folk

who—who took great ... pride in characterizing roles they played in the advancement of Harold Washington that were wildly exaggerated.

Obama could have been more aggressive

01:25:04:01

JUDD MINER:

Barack, during periods of his presidency, lost his voice. “presidents don’t do this, presidents don’t speak out here. We’ll lobby this for you, we’ll push that for you,” and with Barack that was a mistake. Nobody was the advocate that Barack was. If they wanted to change direction in healthcare and Barack had been the spokesperson and been out there, I always was the believer that he could’ve done it without people accusing him of flip flopping. He could very thoughtfully say, this is where we are but we could move over here and so forth. But I think that Barack could have been a more aggressive player in selling his policies and his programs than he was. But I don’t know that that is what gave us Trump. There’s always been that undercurrent of—of racial animus in this country, there’s nothing new about that. It became much—people had become much more comfortable talking about it. But I don’t know that that all—and Trump has brought that out into the open so ya know. But it was certainly there. The whole birther thing. The fact that that took—had traction. I remember I was with Barack when the first—that first came out, and he belittled it. He sort of made fun of it. I said—ya know, to him, “I am not your political advisor by a long shot, but the fact that this—they’re still talking about this, Barack, I’d take this seriously. There’s traction there, something—there are people who are comfortable believing that.” And so it

was real clear from early on that there was an element of that, that there was a hard core that was always there.

01:26:48:08

JUDD MINER:

I think there were people who felt that Barack should have been more outspoken and more aggre—Barack is not an aggressive person. Barack is not—I mean I had friends who just were really quite—who I think quite highly of who were quite distressed that Barack wasn't more aggressive when he got in holding accountable some of the people who were responsible for the financial crisis. Barack really believes that—Barack's a peacemaker, and he really believes he can work things out and I think there were people who thought that—it's a little naïve that, you know, he had these superhuman skills but they weren't gonna surmount some of these problems and that he could have been more—a more aggressive advocate advancing an agenda that was clearer along some of these lines. That's some of the sense I got.

A Black president

01:27:45:14

JUDD MINER:

I mean, Barack had—was in a tough position and he was not—Barack didn't think of himself as the Black president. He wa—he was very aware he's Black. I mean, it wasn't that he was pretending otherwise. Barack never thought of himself as anything other than a Black man, but he wasn't the Black president, the Black people's president. He really thought he could

work with everybody and that he could bridge these things and he could make sense, whatever—he could work this stuff out. I think that’s ingrained in him. That’s what—how he—that’s originally my sense of how he viewed everything. I used to joke with Barack as a lawyer. He was—he would—he would—we would get a brief and he had this incredible urge to make the best arguments for the other side and then show them why they were wrong. It wasn’t that he was arrogant. “This is crazy, Judd, I—let me—I’ll—here’s the argument they should have made and I can show them why that’s wrong. And he was almost always right. But you’d have to say, “Barack, that’s not our job. We’re not sure—we’re not being paid to make their argument. We don’t lie about their argument, but let’s focus on our side of the equation here. But that’s the way he was and so I think that—I think there—there were lost—maybe lost opportunities where he could’ve—and he would’ve—the reality is that had he done that, there would have been some peeling off of some white folk. People are very sensitive to that, but that’s the price you pay to take positions.

Trayvon Martin

01:29:16:14

JUDD MINER:

The reality was that, you know, Black folk are in jeopardy. His question was, how do I bridge it without creating more antagonism or more tension? And he really believed he could do that. There are some of these things you’re better off just being straight at and recognizing this is—people don’t like this but here’s the reality.

Obama's influence on the perspective of Black people

01:29:49:06

JUDD MINER:

Barack, I think, was one of the first people that a lot of folk knew who really clearly demonstrated that there are Black folk who are very smart. And he then put together an administration of very talented Black folk so that—so to the extent that for the first time America saw a lot of very thoughtful, articulate, bright Black folk, it had to have a lasting impact. In some cases a positive and in some cases it frightened people. To me, it's inconceivable that anyone watched the Obama family on television and wasn't impressed. There was a level of -- This Black family that had such class and dignity and so forth had to influence a lot of people. It's hard to imagine how it didn't have a positive impact on a lot of people.

Balancing work and family

01:30:44:03

JUDD MINER:

I can tell ya, we used to talk about that. I mean how—he used to wanna talk, “How did you—you were corporation counsel, you had three kids. How did you balance it?” We'd talk about how, you know—he was very much attuned to that. And Michelle—there were some issues. Michelle wanted him home more. I always wondered whether Michelle was happy he went to our law firm rather than to a firm that would've sort of solved their economic problems more effectively than our firm did. But he—this was—this was—

this was a balance. We used to go play golf but we used to go off and have dinner, and he went home. It was—it was—he had gotten permission to get off and do this, but he wasn't going to abuse it or say I can't make it, I—I'm gonna get home. So oh yeah, there was just no question he was very—he was proud but he was very—it was very important to him that he play an appropriate role in the family.

Obama's legacy

01:31:47:10

JUDD MINER:

Well, he'll never undo the quality of the human being. There are real differences and there are—Barack told the truth and Barack was an honorable, thoughtful person. That whole—and the quality of his family and his values and so forth. I think that Barack is most—is plenty proud of the Affordable Healthcare Act, and I think that he believes that having introduced the concept into political life, into America, that it'll never disappear. That it's—may—it may retract some, it may but—he felt that it was—that health insurance was a right, healthcare was a right and that this was a dramatic step in that direction and it's not gonna change. And he—he felt that he—I have to believe that he felt that his alerting and taking seriously the whole climate issue and just the environment and being sensitive to those kinds of things, well you know, were important and they can roll back some of these regulations, but people aren't gonna like dirty water, they're not gonna like dirty air. And people remember that Barack Obama was the guy who said, "This matters and we should be thinking about it and we should be paying

the prices that we have to pay to actually try to accomplish those things.” And he can’t—not gonna take the fact that a Black man can be president of the United States and do a good job.

Opposition to Obamacare

01:33:30:15

JUDD MINER:

Well, it’s socialism. I mean it’s a so—safety net, it’s just part of the comprehensive safety net that a civilized society should have and that somehow, you know, it’s the minority folk who are lazy and take advantage of it. If they really were good people, they’d be out there working and they’d be paying for their insurance, and Barack would’ve been a wonderful spokesperson for highlighting how pervasive the need for these things is. It’s not the Black community that needs this. It’s plenty of folk in the white community that need it just as badly and there’s a disconnect unfortunately. I—I remember vividly watching after Kerry lost, there was this incredible show on one of the television stations, I don’t know whether it was NBC or CBS and they sent all these reporters into West Virginia, and they interviewed these—one white family after another with a tragic story. The coal industry had disappeared, family members had black lung disease, they had all kinds of serious mental health—they couldn’t work, they desperately needed their healthcare—or their food stamps, there wasn’t healthcare then. They desperately needed all this—all the public aid that was out there, they took advantage of it. Each one was sort of embarrassed that they needed it as they told their story, but they were thankful. And in each case the reporter

would say, “Well I take it then you supported Kerry, because this was all in your interest.” And they say, “Oh no, I couldn’t vote for a liberal from Massachusetts.” And there’s these mindsets, and I think Barack could have been an invaluable voice in bridging that, going into some of these areas and saying, “Come on, this is not about race. This is not about—Black folk are no lazier than you are, they sure would like to be work—I can speak for them, I can tell you that.” So I think that he would have been an incredibly powerful voice for a lot of the bridging. Just—everyone assumed a Black president automatically bridges all of this stuff. Well that wasn’t gonna happen. He—he needed to be out there advocating what—what was going on.

END TC: 01:35:55:22