

## Interview with Interviewee Abner Mikva

# Mikva\_Abn\_08

Interview # 8: October 22, 2014

Interviewer: Mark DePue

DePue: Okay. I think we're at the point now where I want to transition and ask you about your long association with Barack Obama. Where did it start? What were the circumstances?

Mikva: I had always tried to get more minority clerks to clerk for me and it was very hard because I wasn't willing to compromise on the quality and there just weren't that many black students graduating from the premiere law schools.

DePue: Now this would have been when you were at the D.C. Circuit.

Mikva: This is when I was on the D.C. Circuit. The example was I think the University of Chicago (which was doing better than it was when I was there where it had only three blacks) had gone up to eight blacks in a class of 150. Harvard had maybe 5 percent. The only school that did a little better was Yale because affirmative action was a little more aggressive than Harvard's or Chicago. Well, I had a Harvard clerk that year. It may have been Elena Kagan. I'm not sure. But she told me that the new president of the *Harvard Law Review*, who was by definition the top scholar, was African American by the name of Barack Obama. I didn't know him from a bale of hay but I said, "If you're going up to Cambridge soon, tell him I'd like to interview him for our clerkship." She had been going up to Cambridge in a couple weeks and she came back and said, "He doesn't want to interview with you," and I laughed. I said, "Oh, he's one of those bigotry blacks who only wants to clerk for a black

judge. Harry Edwards or some of the other black judges.” She said, “No. He said that if he wanted to clerk, he’d very much come interview with you but he’s going back to Chicago and run for office.” I didn’t know that he’d had any Chicago ties at that time. I didn’t know about his stint as a community organizer and I thought, “Boy, has he got a lot to learn. You just don’t go back to Chicago and say here I am. Elect me.” So I shrugged my shoulders. In fact, I think I met him at some event at Cambridge just before he graduated and teased him about it. He said well, he very much regretted not having the opportunity of clerking for me. I came back to Chicago in ’94. Is that right?

DePue: Ninety-five?

Mikva: Ninety-six. He was already a state senator and was teaching at the University of Chicago where I was teaching. He was teaching adjunct and I was and we started having breakfast together and became friends. He was a fabulous teacher. The students grade their professors at the end of the year from one to ten and his grades from all the students that he taught were always nines and tens. They just loved him as a professor.

DePue: What was your initial impression of him?

Mikva: Very impressed. He was smart. He was funny. He had a very outgoing sense of humor. We became friends and we started having breakfast a few times. He was in the legislature at the time and we could compare notes. He was even playing poker in the same game or the continuation of the game that I used to play in when I was there. He would tell me stories about the legislature and I

would compare notes. He was an incredibly effective state senator. I think people either don't know or forget how effective he was.

DePue: How so?

Mikva: Well, let me start. Emil Jones was the majority leader at the time. Emil was a nice old line Democratic organization senator. Not the swiftest boy in the crowd. I wouldn't want to stake my life that he never cut a corner on anything but a nice guy, a pleasant guy. Somehow Barack attracted him and Barack became his protégé. He would start giving Barack all kinds of good legislation to handle. The senate had a majority. The house was majority Democratic. One of the bills he passed was the televising of police interviews. He persuaded the law enforcement community to be for it on the grounds that this is a way of the police protecting themselves against accusations that they had beaten the prisoner when they got a confession out of them. Televising everything that goes on in the interrogation. He passed it. It's part of the law of Illinois. He passed public financing of judges through the senate. Paul Simon and I couldn't persuade Mike Madigan to go for it but Barack Obama passed it through the senate which is a much more difficult place to pass that kind of reform. He supported all kinds of civil rights causes and civil liberties causes. He was very much involved in various reforms of the criminal justice system and he was incredibly effective. He was basically a first term and second term senator from Chicago and here he was passing this really important civil rights and civil liberties legislation. So I was very impressed with him. And then he announced he was running for Congress against Bobby Rush. I was so

impressed with him and so overwhelmed with his talent and political skills and his personality that I don't think I even exercised any judgment or even tried to advise him not to do it. I know a lot of people claim that they urged him not to do it. I didn't so advise him. In retrospect, I don't know. Maybe that was a very important learning exercise for him.

DePue: What year was this? Do you recall?

Mikva: This was 2000 I think. He ran a very lackluster campaign. I saw him in one African American church where he came across like a law professor. In fact, he came across like he comes across now in some of his press conferences. It was very hesitating and scholarly. He stroked his chin a lot and there was none of the fire and brimstone that he had when he ran for the Senate two years later. So maybe it took that loss for him to learn that if you want to campaign successfully in the black community or in any community, you've got to really put yourself into it. Fire people up.

DePue: Before you get too much farther, in your conversations with him, was it him who characterized the relationship with Emil Jones as very close?

Mikva: No. Emil Jones did.

DePue: Okay.

Mikva: I remember at the 2008 convention Emil Jones had left the senate under not cloudy conditions but not under the most favorable conditions and he was still bragging about his relationship with Barack. Of course by that time Barack was the presidential candidate.

DePue: Go ahead.

Mikva: Anyway, he ran for the Congress and he lost miserably. Rush just clobbered him and clobbered him in the black wards. Actually, Barack Obama did pretty well in the white precincts around the university and in the downtown precincts that were predominantly white and gold coast. But he got clobbered in the black wards.

DePue: Would you say that at that time that he seemed to be the kind of guy who had presidential aspirations?

Mikva: Yes. I thought of him even then as a possible first black President of the United States. He just was so good at the legislative process and seemed to be so good at every part of politics except, as I found out, in stirring up audiences. He was still very good at small meetings, parlor meetings and so on, and we hosted a couple of them for him and he was fabulous. People were just delighted with him. Anyway, when he lost that race...I think he finally must have realized toward the end he was going to lose. But it's pretty disappointing to lose an election. You always feel it's personal. I know because I've lost twice. He was seriously thinking of leaving politics. In fact, he called me and asked me what I thought about his taking on to be the executive director of a large charity here in Chicago and I urged him not to do it. I said, "No, stay with politics if you can." I understood the pressure on him. He was getting... I don't know what the senatorial salary is these days, but it wasn't enough to—the state senatorial salary. It wasn't enough to raise a family and he was drawing some money from the law firm but under pressure to not spend as much time in Springfield and spend more time practicing law. I'd gone through those pressures and

they're no fun so I can understand his thinking about leaving politics. But he was such a political natural that I thought it would be a loss and I urged him not to. I think it wasn't my advice particularly but he finally decided he loved politics too much. I'm sure that Michelle was actively trying to get him to leave the political arena and do something else which he could have done very successfully. But then along 2002 came, or 2004. I think he ran for Congress in 2002 because in 2004 he ran for the Senate and won. That was an incredible campaign. All the weaknesses of the congressional campaign he turned into strengths. I saw him again in black audiences and he could have taught Dr. King campaign lessons he was so effective and so charged up and so charged up the audience. As you remember, it was a three-way race and that's when I decided he was the luckiest politician in the world because about three weeks before the election, he was running third, a respectable third but third.

DePue: You're talking about in the primary.

Mikva: The primary. And all of a sudden, Hull, the leading candidate, blows up in this scandal involving some sexual scandal of some kind.

DePue: What was the name again?

Mikva: Pardon?

DePue: Hull you said?

Mikva: His name was Hull. Blair Hull. But the candidate running second was Dan Hynes. I assumed that at best, they would split the Hull vote and that probably more of them would go to Hynes because Hynes was the establishment candidate and Hull had spent a lot of money bringing himself to the attention

of the establishment. Miraculously, that whole Hull vote jumped over Hynes and came to Obama and in three weeks he went from third to first and won the primary.

DePue: How would you characterize the relationship that you had with Obama at that time then?

Mikva: I was an advisor. Zoe and I worked a precinct for him in the election. But more than that, I would sit in on his, not staff meetings, but political meetings where we decided strategy and so on. I remember that at the end after Hull had exploded, that's where I first met David Axelrod to work with him at all. Axelrod was pushing a big buy on television. By that time, Hynes was very much slowing down. I still didn't think that Obama would necessarily beat him but it seemed to me that there was nothing to be gained by plunging Obama into debt with a big television buy. Valerie Jarrett and I counseled him not to do it. He didn't and boy, I sure would have been embarrassed if he had lost.

DePue: You mentioned a couple of people: David Axelrod and Valerie Jarrett. Those two had a big role once he got the presidency. Who else were that inner circle of advisors at the time?

Mikva: Valerie, David, a young man by the name of **Ashfamorty (??)**, I forget his first name. He ran for office a couple of times. He was assistant treasurer. He was a young lawyer.

DePue: What was the last name?

Mikva: **Ashfamorty (??)**. He's of Indian descent and he was very much involved.

DePue: But not Emanuel at that time.

Mikva: Pardon?

DePue: Not Rahm Emanuel at that time?

Mikva: No. Rahm was in Congress and he was not supporting Barack. Rahm didn't get to be with Obama until after Hillary lost. He was supporting Hillary during the primaries. No. Rahm was not at all involved. In fact, I remembered Rahm, he wasn't even in Congress at the time I think, and I remembered him as this very profane, insolent young staffer with Clinton.

DePue: Okay, that gets us to the point where Obama's now got the Democratic nomination locked up and the next big step is going to the Democratic Convention in 2004.

Mikva: Well no. Before that, he had the general... That's right. But before that even, the Republican candidate had been a very attractive moderate by the name of Ryan.

DePue: Jack Ryan?

Mikva: Jack Ryan. He'd been an equity fund guy. Made a lot of money and then went to teaching school at a parochial school. Very good with young people. He had just wowed the heck out of the Mikva Challenge group when they met with him and I think he probably would have beaten Barack or he certainly would have given him a very, very tough tussle. But shortly after the primary he blew up in a sexual scandal. He dragged his wife to some pervert sexual club.

DePue: I think that was over in Paris and his wife was a well-known movie star of her own right, or a TV star I should say. Jeri Ryan.



Mikva: She ratted on him and at that point he dropped out and the Republicans came up with Alan Keyes.

DePue: Can you address at all the process of the court records for their child custody cases that this whole thing revolved around? I think there was a newspaper in town here (I'm not sure which) that was going through the court system to try to get these child custody records released. As far as you know, was the Obama campaign involved with that at all, in terms of getting those court records released?

Mikva: This is on Ryan?

DePue: Yeah. Jack Ryan.

Mikva: Not that I know of. Now obviously, I didn't know everything that went on and I have to say that Barack Obama is a hard-knuckled campaigner. I remember, this was before my time with him, but the stories of how he got Alice Palmer thrown off the ballot indicate that he's not some kind of babe in the woods when it comes to raw-knuckle politics. So I won't swear that somebody on the campaign didn't push that into the media. But as far as I know... Now I have to say, during a part of that time I was in Florida. We usually went to Florida between... Well, no. When did Ryan go off the ballot?

DePue: It was fairly late. I thought it was after the Democratic primary. I could be wrong in that case but it was fairly late because the Republican Party was desperate and Judy Baar Topinka was searching around everywhere to try to find a replacement.

Mikva: Absolutely. So it had to be after...The primary was probably in March or April so it would have to be after that. I think it happened shortly after the primary because he was held in...You know, Ryan really was considered a very formidable opponent and while we were delighted that Barack had won the primary, no one assumed that beating Ryan was going to be a piece of cake. Of course then along came Alan Keyes.

DePue: But also, along came his performance at the Democratic Convention.

Mikva: Which was fantastic.

DePue: Were you there?

Mikva: No. I was not but I claim credit in part for his getting the invitation. The manager of the '04 campaign was a former staffer of mine, a former campaign staffer named Jack Corrigan. He called me and asked me about Barack and I don't think I even knew what it was for at the time. I certainly didn't know they were considering him for the keynote but I said he'd be great. I didn't know they were thinking about him to make a speech but he was obviously a politician on the rise in Illinois and I told Corrigan he'd be great. Well, lo and behold, the next thing I know he's delivering the keynote.

DePue: What was your impression then of hearing the national response to that speech afterwards?

Mikva: Delighted but not really surprised. He was so good in that speech. He knows when he's making a good speech. This wasn't to me, but he apparently said to one of his friends who was there the day before, "I'm going to make a really good speech tomorrow night." And you know, the idea of facing this

nationwide audience at a convention...Think of how many mature, stable politicians have broken their pick on keynote speeches. Bill Clinton. There are a couple of others. A great candidate from Alabama. I forget his name. But anyway, it's a hard speech to make and Obama was fantastic. And he knew it. I realized it during the primaries but I knew then that he really was an incredible candidate. He proved it during the primary for Senate. He proved it in that speech. The general election wasn't much of a contest but he was great. And then when the national primaries came along, when he was running for president, he was fantastic.

DePue: Well, he won overwhelmingly in that election in 2004.

Mikva: Yes.

DePue: As you just said, there was an incredible buzz. Lots of talk about "Well, are you ready for the next step, the presidency?"

Mikva: I didn't think that '08 was going to be a good time. First of all, I thought that Hillary was likely to run. That she would be unbeatable. Secondly, he was a freshman senator and I thought he needed at least one term in the Senate to get real national prominence of the kind that you could turn into the presidency. And he had plenty of time. He was barely forty years old I think at the time.

DePue: Were you still something of an advisor at that time once he got to the Senate?

Mikva: Yes. But obviously, when he went to the Senate and went to Washington, I didn't see very much of him.

Newton Minow and I did meet with him in November of...It had to be '06 because he started running in January of '07. Right? Yeah. So it was November of '06 that we met



Abner Mikva poses for a picture with Senator Barack Obama and Newton Minow. The picture is signed by Senator Obama and reads, "Thanks for your friendship, counsel, and encouragement all these years!" (This image is considered to be in the public domain. White House photo)

with him and he had already made up his mind that he was going to run.

Theoretically, he was asking our advice. I have a picture someplace of he and

Newt and me standing together. But as I say, he'd already made up his mind

and theoretically, we were advising him on the problems of raising a family in

Washington because I had been there for many years and raised a family and

Newt had been there for some years raising a family there. Our daughters had

all turned out very well and so we were telling him it could be done but it was

a problem. He was, I think, still facing some resistance from Michelle but more

because she thought that it was impossible. A lot of people thought it was

impossible. The first time we went out to campaign for him in the fall of '07,

we went out to Iowa in September or October of '07 and we'd go door to door.

I forget the town we were in but we'd go door to door and they'd say, "Who?

Barack who?" He just wasn't a national commodity at that time. But boy did

that change.

DePue: Well, tell me about your impressions of the campaign he ran for president then. Let's start with the primary. You had to be torn to a certain respect because you're an old Clinton guy.

Mikva: Yes, but I was so enamored with Barack Obama and felt he would be so good for the country that I was never torn. And if I had been, my wife would have un-torn me because she was very much an Obama fan. He charmed her the first time they met. I remember one night we had dinner at his house. This is when they were living in a tiny little apartment in Hyde Park and they'd had their first child. As we drove home, Zoe said, "He's going to be president." I said, "I wouldn't be surprised," She said, "We've got to help." She was a fan from there on in and this is while I think he was still in the state senate.

DePue: You'd had lots of exposure working with Hillary Clinton so was your feelings because you saw Obama as such a better campaigner or you thought he would make a better president than Hillary?

Mikva: Both. First of all, he was an incredible campaigner and is an incredible campaigner. It's just that he doesn't understand that a lot of that campaign style needs to be used in governing as well. But I thought he'd be an outstanding president. I liked his principles. I thought he was very smart, and he is. That he understands the legal system, and he does. And he understands government, and he does. But I think he came to Washington... He's, as you would imagine, a great admirer of Abraham Lincoln, as most of us are. But I think he so admired Abraham Lincoln's style of governance, of bringing your opponents into the government as Lincoln did. When Lincoln was in

Springfield as a legislator, he was very much able to handle the bipartisan end of things. He was able to work with the Democrats at the time. Yeah, he was a Whig and he was able to work with the Democrats. I think Barack Obama came into the White House convinced that he could bring the parties together. He was moderately successful in bringing the Clinton wing of the party into the camp in the '08 campaign and part of that was because he was such a good campaigner and made such an effort to bring them in. But it was like Lincoln thought he could negotiate with the southerners when he came in to be president and there was nobody left to negotiate with. That's what happened to Obama. After two years, there was nobody left to negotiate. By the time '10 came around, he'd lost the House and there's been nobody to negotiate with since.

DePue: I wanted to ask you a couple questions based on the conservative critique that occurred even in the midst of that first presidential campaign in 2008. One of the critiques you heard was they brought up his record while he was an Illinois State Senator, his propensity to vote present so much of the time.

Mikva: I remember that issue came up but I remember many issues on which I voted present. I have no idea of whether these identified some of Obama's votes but sometimes you develop a sense of smell about certain issues. I remember one. There was mud guards. Paul Powell was pushing an issue to require truckers to put mud guards on their trucks. Well, it was being billed as a safety issue but because it was Powell and because there were a lot of little truck companies that were going to be affected by it, would have to go out of business, I

smelled a rat and I voted present the first time around. Well, it turned out that Powell had gotten this big hunk of money from the manufacturers of mud flaps and it was a piece of garbage. I did that several times when I was in the legislature when I couldn't really tell whether there was something besides the raw appearances of the bill. I suspect that case came up with Barack Obama in the senate. He was a reformer in a den of lots of inequity.

DePue: Well, this is something that came up in the midst of the primary campaign and kind of changed the tenor of the primary campaign and Hillary started to do better after: some of the clips of Pastor Jeremiah Wright giving sermons.

Mikva: Oh, that was terrible.

DePue: And then also the related issue of his association with Michael Ayers.

Mikva: Michael Ayers I know and that was just a very bum wrap. Michael Ayers and his wife Bernardine Dohrn went through that awful period of the Weathermen where the Vietnam War radicalized an awful lot of young people that one wished would have known better but didn't. Ayers was the son of an executive for Commonwealth Edison who I'd known for many years. A delightful man. Tended to be Republican. I think that Ayers just... This was part of the teenage rebellion, a lot of teenagers. It's like trying to figure out why these three young girls, these teenagers in Colorado, would go to volunteer to fight for ISIS. I mean, you just can't comprehend it except I remember some of the fights I had with my daughters when they were teenagers about all kinds of things. Not ISIS but all kinds of things. The time my middle daughter ended up with a tattoo on her arm which drove me up the wall. She's now a very distinguished

lawyer, a Commissioner of the Court of Claims, a professor at Northwestern University.

DePue: With that tattoo on her arm.

Mikva: With that tattoo on her arm. And her kids taught her... I revel in this. Two of my grandchildren have tattoos on their arms and it serves her right. Anyway, that was Ayers. Bernardine Dohrn had been a student of mine. Well, not a student. I wasn't teaching then. Had been an assistant of mine when I went to the legislature. She was an intern and she worked for me in one of my terms in the legislature. I think in '60 before the Weathermen became extant and she came down there. She's this very beautiful young woman and this is when the skirts were above the knees. And every time she'd walk into a room, all these smarmy old politicians would leer at her. But she was absolutely the middle of the road. Well, she wasn't middle of the road. She was a rock solid liberal Democrat, enthusiastic about what I was doing, about my causes. And then the Vietnam War came along and it just radicalized her. She graduated from the University of Chicago. Was a very good top student with a very reputable record and then she got hooked up with the Weathermen, as did Ayers. That's where they met and they both did things that they both regret.

DePue: Well, domestic terrorists. So is Obama deserving of being criticized because of his association?

Mikva: No, because at this point they are a good respectable family living in Kenwood involved in civic actions. They were involved in Obama's Senate campaign I think. And they're no more involved in terrorism than you are. They're



liberals. They're liberal Democrats. I've had dealings with Bernardine over the years. She's a very distinguished law professor. She teaches in the clinic at Northwestern and she's very, very good. Now Jeremiah Wright is another cause because I had heard about him even before I knew he was Obama's pastor. I don't know how much you know about the Chicago black religious community, but there are still an awful lot of storefront preachers, even those who have become more legitimate with mega churches and so on. It's not intellectually based and a lot of people around the University of Chicago belonged to Jeremiah Wright's church because there were a lot of the causes that he took part in that liberals and intellectuals agreed with. Now once I'd heard some of his sermons (as I did overwhelmingly during the campaign) I can understand why anybody who heard those sermons should have thought twice about staying in that pulpit. But Barack Obama says, and I believe him, that he never heard Wright make any of those incendiary speeches. "God damn America" and a couple of the others. There were other things. Wright was this very... Wright reminds me a lot of Father...

DePue: Coughlin? Back in the FDR era?

Mikva: Pardon?

DePue: Father Coughlin? Back in the FDR era?

Mikva: No, no, no. This very anti-gun priest on the South Side. Pfleger. Father Pfleger who just is out front on gun issues and on other crime issues. He's white of an almost completely black church and he's going to be more progressive than anybody in his congregation. Cardinal George I think would have loved to

have defrocked him if he could. I think Wright is very much in that mold and until the speeches came out, those terrible speeches, I knew a lot of respectable people that were members of his church.

DePue: Would you think it's a fair assessment of that campaign that Barack Obama was running (especially in the general campaign) much more towards the center than his true political views were? That a lot of people viewed that campaign as they could impose whatever they hoped and envision would happen to America politically in the future.

Mikva: I think there was some of that. He learned... This is what made him such a successful campaigner. Bill Clinton is described as a centrist and in many respects he was on economic issues and on welfare issues. On race relations Clinton was as liberal and radical as anybody who has ever been president, more so than Obama. But Clinton knew how to speak to the voters in Kentucky and Arkansas and Georgia so that he could get those states despite his views. And it isn't that he changed his views. He just toned them down and I think Obama did that. For instance, to this day I don't know where Obama is on capital punishment. I think he's against it but have you heard him say anything about capital punishment? No.

DePue: No.

Mikva: Until the massacre at the school in New Hampshire?

DePue: Connecticut?

Mikva: Connecticut. I'd never heard Obama say anything about guns. I knew he was for gun control but he never touted the cause in Springfield and he certainly

didn't tout it as a federal candidate, either for Senate or for president. But when Connecticut happened and he thought there was a legitimate movement of the country in that direction, he charged in. He's a good candidate and a good candidate doesn't go out and say, "Let me tell you all of the reasons you shouldn't vote for me."

DePue: Okay. Just some reflections on the campaign that the Republican opponent in 2008 John McCain ran against him.

Mikva: Do I think what about him?

DePue: Just some reflections on the kind of campaign.

Mikva: I had liked John McCain because I thought he was a real maverick but I think he somehow felt he had to cater too much to the establishment Republicans and of course his choosing of Sarah Palin is inexcusable. You have to blame him for that because he was the final decision maker. The McCain that ran in that campaign was not of the caliber of the Senator that I had known before that and I thought that Obama beat him fair and square on the campaign. Actually, I thought McCain was a better candidate than Romney. I thought Romney just had no credibility left by the time the election was coming in. He'd been on so many sides of every question that he couldn't look anybody in the eye and say, "This is what I believe." I think McCain had maintained some of his core principles and I still remember one of the better moments in presidential politics was when this goofy woman started telling him that Obama was a Muslim and an Arab and a traitor. And he said, "No. Obama is a

good citizen and a good family man. We just have different ideas on how to run the country.” Do you remember that?

DePue: No, I don't.

Mikva: It was a very moving time. McCain was working the line and this woman came up and made these outrageous remarks about Obama and McCain straightened it out. Romney never had such a moment.

DePue: We've been talking a lot about your relationship with President Obama and his campaigning style so let's talk a little bit about your assessment of his leadership and as the president.

Mikva: Well again, I think that the biggest difficulty he has had as president has been that he does not—well, two things. One is he assumed that he could negotiate with the opposition. And while he was pretty good in negotiating with the opposition in the Democratic Party (witness the passage of healthcare), he couldn't negotiate with the Republican opposition because by the time of the 2008 election, the party has moved pretty far to the right. And by the 2010 election, the House went under Republican control and there's been nobody to negotiate with. I think he's been thwarted the same way that Lincoln was in thinking that he could negotiate with the Democrats when he got to Congress.

DePue: Well, the conservatives would say that he hasn't tried that hard or that he hasn't reached out to the legislators like an LBJ.

Mikva: That's in the eye of the beholder. Now he doesn't have LBJ's personalized pressure tactics. I remember hearing stories about how LBJ could pressure somebody into doing something just by leaning into their face and crooning to

them. But that's not Obama's style. But he made an effort. And this did surprise me. I thought that as a creature of the legislature, which he is, and of the Congress that he would understand how nice it is to be schmoozed by the president and would do more of that and he didn't. He assumed that the way to negotiate with the opposition was to discuss it on a principled basis and he had the opposition in all the time. They were meeting regularly. He had a grand bargain with Boehner that Boehner couldn't deliver on. Boehner doesn't control that caucus and he'd be the first one to admit it if you put him in a lie detector booth. His caucus that's been controlled by a group who really just want Obama to fail. It's awfully hard to negotiate with people who want you not to succeed. That was only half the problem. The other half is that that happened to Clinton, certainly, when Gingrich was elected. But Clinton still was able to maintain his popular support because he knew how to be cheerleader in chief. And after that couple month funk after the '94 election, he came out of it and he was charged up and ready to go. Obama has been... The best I can say about his presidency in terms of his style has been professorial. I just wince when I see some of his press conferences, it's "Well, um, oh. Well, I haven't yet...I'm evolving on this issue. I'm still thinking that through and I haven't yet developed a strategy on this." That's not the way to lead. Charge!

DePue: I think most people would say that his greatest success as president has been the passage of the Affordable Care Act, what's now been called the Obamacare. What do you think about the process in which it came about,

where there's not a single Republican that voted for it, where you have to have the Senate rules change before you can gain passage in the Senate?

Mikva: Well, that's the worst way to pass a bill, obviously. It's sort of like what Harry Reid did when he changed the filibuster rules. You do that only when there's no way of gaining cooperation from the other side. Now I think the substance of the healthcare bill is very good. It's not as good as I would have liked it to have been. I thought the process by which it was passed was awful and we had an awful lot of special interests putting or trying to put things in. Remember that terrible Senator from Nebraska who wanted to get several million dollars specifically assigned to Nebraska and he put in an amendment? He was the sixtieth Democratic vote so they were ready to give it to him until finally the public embarrassment obligated him to withdraw it. It was just a terrible process. I blame a lot of that on Max Baucus who was chair of the Senate Finance Committee. But again, the bill passed and if you think back to all the times since 1935 or '36 (whenever the first Social Security Act passed which originally had contained national healthcare in it) how many times presidents have tried and failed to pass a national healthcare bill, you have to say that Obama is entitled to a great deal of credit for passing the bill. Did it look like sausage? You bet. But sometimes that's the legislative process. He had a great first two years. He really did. (telephone rings)

DePue: We'll pause quickly.

(pause in recording)

DePue: Go ahead.

Mikva: He had a great first two years. He passed the Ledbetter issue. He got rid of “Don’t Ask, Don’t Tell.” He evolved on gay rights. They maintained the Voting Rights Act which people forget about. But it was I think in his first two years that they voted the extension which the Supreme Court knocked out. The stimulus package. We’d still be in the recession but for his pushing through that very, very expensive stimulus package. Probably to my mind as a believer in Keynesian economics it wasn’t enough but it was enough to get us pulled out of the recession. Holder has done some very good things in criminal justice reform. He hasn’t done a very good job on economic crimes and I think that’s his background as a white collar lawyer. So the first two years of the Obama Administration were pretty good but then came the 2010 election and since then, we’ve been stymied.

DePue: How about foreign policy? How would you rate him on foreign policy?

Mikva: Pretty good except that he, like most presidents, has tried to over-control the Middle East. I have become almost a semi-isolationist on what American policy should be in the Middle East. We’re not going to reform those countries from outside whether by bombing attacks or troops on the ground or anything else. Now, what do you do about ISIS? I don’t know but I don’t think we’re going to stop them with these air attacks and I worry very much. I think one of ISIS’s plans is to get us back involved full-time in the Afghanistan and Iraqi Wars. We’ve been there and we’ve done that and it was awful. So I’d give him a B on foreign affairs. I think elsewhere he’s done well. I think he’s done as much as can be done in the Ukraine. I think he talks a little too much about

what we're going to do to Putin. We're not going to do very much to Putin but we've indicated that they can't be our best friend if they're going to do things like the Ukraine. I think he's done well in maintaining our relationships with our European allies. He gets along well with the Brits and with the French and with the European community but I think that Africa and Asia are almost...I think that our mindset is wrong in trying to promote democracy in those continents. They're not ready for the kind of democracy that's imposed without and in many instances, they're not ready for democracy that's trying to impose from within. Witness Egypt. The only place where it has really been effective is when there's been an indigenous Democratic force like in South Africa where they brought the people to a position where they themselves want Democratic institutions to flourish. Now they had help in our promoting a boycott against the South African regime. But basically, the revolution in South Africa came about from within by an indigenous force that believed in Democratic institutions. I don't know where such forces exist elsewhere in Africa and certainly not in the Middle East. Even in Israel which prides itself on being a democracy. I have to say that there are many issues that they have taken on as part of their war with their neighboring states that are not very democratic. In fact, if it weren't for the Supreme Court of Israel, which has been a very activist court, they'd look a lot less democratic than they are.

DePue: You've already commented to a certain extent on this one but I did want to ask you specifically. Obama pledged during the campaign, his 2008 campaign, that



he'd be bringing us together and today American politics is even more divisive.

Mikva: That's sort of...He fell into the same mind trap that Lincoln fell into. Lincoln. Remember his speech? "If I could save the county half slave and half free, that's what I will do." He really came in thinking that he could persuade the Democrats to hold together and we'd work out the slavery issue gradually. Remember he had this idea he was going to send them to Liberia? No. Was it?

DePue: It would have been Liberia at the time. Yeah.

Mikva: Yeah. We were going to buy the slaves and the Federal Government was going to pay for the slaves and then send them to Liberia. Well, these are all ideas long before their time, if ever. And he came there and the first action was the secession resolution on South Carolina. So how do you negotiate with an empty chair? That's what Obama has found. He really wanted to negotiate with the Republicans. I think if the Senate had been controlled by a Bob Dole and the House Republicans had been controlled by a Bob Michel, I think he could have negotiated with them. But you're not going to negotiate with Mitch McConnell and you're not going to negotiate with John Boehner. It's not that they themselves are the evil but they don't control their troops.

DePue: One of the responses to criticism that has been levied against Obama (and there's always criticism against sitting presidents. That's part of the nature of American politics. Oftentimes not from the administration itself but from other committed liberals) is that these criticisms are based on racism.

Mikva: Well, is there racism in this country? You bet. And is it one of the factors that weigh into the people that dislike Obama so intensely? You bet. But is that the basis of his failures? That he's perceived to be a black man and therefore the people won't follow him? No, because he's won two elections with a substantial minority of white votes. Obviously, black people voted for him overwhelmingly but he's gotten a good minority of white votes. This isn't the black voter overwhelming the white voter by race. He's won states where there are almost no black voters. So I think racism has played a role in the intensity of the criticism on the part of some of his efforts but I don't think it's fair to blame all of the failures of the administration on the fact that he's black. I think a part of it is that he has just not remembered that the same style and the same enthusiasm and the same vigor that got him to persuade voters to vote for him in the 2008 and 2012 election are needed every day to persuade people to be for Obamacare, to persuade people to be for whatever our policy is in Libya and in Afghanistan, and to persuade people to be for the minimum wage. He just doesn't do that. Well, the minimum wage. "We have proved economically over the years." That's not the way to sell the minimum wage.

DePue: It's obvious that you've been disappointed with certain aspects of his presidency but how would you assess his presidency overall? We're three-fourths through it at this point.

Mikva: I would have assessed Harry Truman as one of the worst presidents we ever had when I was living under his presidency and in retrospect I assess him as one of our really good presidents. The same thing I think will be true with

Barack Obama. I think he will be judged historically as much more important in the creation of our policies, our basic national policies, than he's given credit for and one of them, of course, is national healthcare. This has been an eighty-year struggle that he finally brought to fruition. That's not chopped liver.

DePue: But in the unveiling of it, he's had to back away from a lot of the specifics of it.

Mikva: Yes, and it's not as good as it could be and it's not as good as it will be. Nor was Social Security. When we first passed Social Security, state employees weren't involved, teachers weren't involved, judges weren't involved.

DePue: Farmers weren't involved.

Mikva: Pardon?

DePue: Farmers I don't think were involved.

Mikva: Congress wasn't involved. We brought all those people under. There was all kinds of other restrictions on Social Security that we have since changed. We brought in a cost of living index that has made the difference. My pension from the state of Illinois for ten years of service is \$127 a month.

DePue: So your pension is not part of that \$100 billion hole we've got in our budget.

Mikva: Not much. (both laugh)