KEN MACK INTERVIEW
OBAMA: IN PURSUIT OF A MORE PERFECT UNION
KUNHARDT FILM FOUNDATION

Ken Mack
Classmate, Harvard Law
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Interviewed by Peter Kunhardt
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MATTHEW HENDERSON

Professor Ken Mack interview, take one. Marker.

ON-SCREEN TEXT:

Ken Mack

Classmate, Harvard Law School

Meeting Obama

01:00:13:09

KEN MACK:

I first met Barack Obama during our first year in law school. We were in the same section, so we probably met the first year of—sorry—the first day of law school. I don't remember a—a moment of meeting, but I do remember the first week seeing him around and chatting with him and getting to know him a bit. There was this unusual story beneath the surface but, initially, it wasn't evident at all. When I first met him, he seemed… he was a Black guy

from Chicago with this African-sounding name, and I had no idea of his unusual background. Yeah, he was smart, well-respected in our section; when he spoke, people listened and paid attention, and, you know, he had a very, sort of, wise presence about him. But—but he was very friendly, it's a… and—and we were friends.

Black population at Harvard

01:01:10:18

KEN MACK:

There was a… a—a quite significant Black population at Harvard Law School in those years. Our entering class, I think, had about 55 Black students out of a total class of about 545—so, somewhere in the neighborhood of about 10% or so. There was a large and a very cohesive group, and it really… Yeah, it really made a difference. It wasn't the only group you hung around with, but, you know, there was a large community to be engaged with.

Election as president for the Harvard Law Review

01:01:44:19

KEN MACK:

The election to the Law Review Presidency was something that symbolized a lot of pe—things for a lot of people. There were a lot of very ambitious people on Harvard—on the Harvard Law Review who wanted to be president for various reasons. It was also the case that the Black editors had been trying to get one of us elected to be president of the Harvard Law Review for

several years. Yeah, every year there would be a meeting in advance of the announcement of the candidates for people to just talk about: okay, what's it like to run? Why should you run? Or, why should you, perhaps, not run? Because some people who had run, maybe, had regretted the experience. But the object was to get somebody elected to the Presidency of the Harvard Law Review, and to encourage people to actually run and to understand the process. There had been one person, Crystal Nix, who had been elec—who would become a—one of the top officers of the Harvard Law Review the year before, so, that was regarded as some success but, you know, people had to throw their hats in the ring. So, when the day came to announce, a number of people were running. I think it was obvious from the beginning that Barack was gonna be a formidable candidate. As a matter of fact, when—I remember when I first got the list of who had been selected to be Harvard Law Review editors, you know, I saw his name. And we knew each other fairly well. And I looked at his name and I thought: okay this guy could be president of the Harvard Law Review. He just impressed people around him. He had a reputation for—for smarts and, kind of, wisdom and—and maturity. So, it's pretty obvious from the beginning he was going to be a very strong candidate. That particular day of the election is a… for the Harvard Law Review Presidency, is a, you know, a long and complex and time-honored tradition on the Harvard Law Review. The… the people who are running for president, and I was one of them, we go into a room that's separate from everyone else, and we prepared the meals for the day. The rest of the editors are in the main room—in the Ropes-Gray Room—and they discuss the

candidates. And there are a series of reports that are done on each of the candidates assessing their work.

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KEN MACK:

Then there is some discussion, and then there's a vote. After the vote, the results are tabulated and the results are anonymous, so we just see that Candidate A had so many first-place votes, and Candidate B had so many first-place or so many second-place votes, and—on down the line, and then the—the group votes collectively to cut off the candidates at a certain level, and then they just do it again. The current president of the Harvard Law Review comes to the room where all the candidates are gathered, you know, he tells the group which people have been cut off from the list and are no longer candidates, you know, "It's very important for us all to walk back to the room together, just as a show of unity, lots of people are ambitious, lots of people are disappointed, but that we're all supposed to respect the process." So, at each iteration, a group of people walk back to the room and join in the discussion. And, you know, I was one of the candidates, and, at some point, I come back to the room and we're looking at the results from the previous round of tabulations. And you can see that there's one candidate who has a huge number of first-place votes—'cause you had to rank your candidates, 1 through however many, and then there's a distribution of votes, and then… so, somebody could have a lot of first-place votes, or somebody could have a lot of second-place votes, and… But, there's some—somebody has just a huge number of first-place votes, and we don't know who that person was but it—it seems fairly clear to me, and it was clear to a bunch of people in the room

that that was Barack. I don't know if that was a surprise for me, because I knew that he was well-respected, but it was interesting—I didn't expect that many first-place votes. You know, race was, obviously, a huge issue in the Harvard Law Review, as it was everywhere else in the society, and I—I, frankly, was… was a bit surprised, but—but I assumed that that was Barack who had all the first-place votes, and I was happy about that. So, then we'd go through another round, and another round, and another round of cutting off candidates. And by the time it's over, it's nighttime. 'Cause there's a lot of discussion, and then we cut off candidates, and then there's a lot of discussion, and then we cut off candidates. There are two people left: Barack and David Goldberg. And… and there had been a lot of discussion about Barack in the room; a lot of people liked him, a lot of people respected him, you know, there had been some criticism, as well, and then some people responded to the criticism, and then we'd moved on. And, you know, I'd spoken at various times during the process.

01:06:59:06

KEN MACK:

And… you know, so then it's Barack and David, and we do one last vote. And then Peter Yu, the president of the Harvard Law Review, goes out of the room, and he's going to come in with somebody, first, who's the number two person, and he's going to come in with somebody, second, who is the president. And… and, so, the first person who he walks into the room with is David Goldberg. And I shook David's hand, and I told him "congratulations," and… and then, of course, we all know that Barack is coming. And… you know, and I think there are a variety of emotions in the room. Lots of

people—Black editors, white editors, editors of various political persuasions—are… are happy that we've elected the first Black president of the Harvard Law Review. It's… yeah, it's—it's, you know, the end of the 1980's been—beginning of the 1990's, the country is very…There's a lot of racial issues going on in the United States, and everybody understood that this was going to be a huge symbol. And, I think we were happy for Barack, too. I mean, he was… yeah, he was just very well-respected by everybody. I mean, everyone understood that this was just—it was just a terrific choice—he is the right person for the job. And Barack and I had been friends, you know, since our first day of law school. I mean, I think, you know, we—we had little competition going on, as students do, but—but I think the—the more consistent thing is that we were friends. So, I was happy that my friend had been elected. Barack walks in the room, and he's a little awkward at that moment because, you know, what does one say? You know, there's no rehearsal or anything like that and—and how does one acknowledge that moment? And I think we were all a little awkward, 'cause we all understood that was no ordinary election of the president of the Harvard Law Review, and…And I just, kind of, spontaneously, sort of, stepped forward and Barack kind of stepped forward a little bit 'cause we're friends, and—and, you know, then, suddenly, we hug each other and, you know, that goes on for a long time. And people are applauding, people are emotional, some people are crying. And then we separate, and he goes and shakes a number of other people's hands, and… and he says a few words, and, by this time, I think it's probably almost midnight, so we all just have to [laughs] go home and go to bed [laughs].

Obama's biracial identity

01:09:29:18

KEN MACK:

Barack, I think, was very private about his background when we were in law school. It was a while before I even knew that he was biracial. I mean, I thought, you know, he was just this African American guy with an African-sounding name—which is actually not that unusual in the United States—from Chicago. And that was all I knew. And later on, I found out that he was from Hawaii—okay, I knew that—but it was sometime into the first year before I knew that… that his mother was white and his father was African. He didn't talk a lot about his background—he talked about the present; he talked a lot about what was going on in the world, what's going on with him, he talked about basketball. We—we talked about a lot of different things, but he did not talk about his background. I… I first learned of it when he published his book, *Dreams from My Father*, and I was actually surprised at the complexity of the story in "Dreams of My Father" because I didn't see that complexity…in… Barack Obama in law school. I saw a person who was very sure of who he was, who could interact with lots of different kinds of people. I understood he was from Hawaii—I figured it being from Hawaii was some part of the story. I understood he is biracial. But, I knew almost nothing of the story that he tells in "Dreams of My Father."

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KEN MACK:

The narrative of "Dreams of My Father" is not something I really saw at all in law school. He—he… the narrative of struggle for identity, conflict about who he is, conflict about what he wants to do in the world, conflict about his family background and his father—that wasn't evident at all in law school. He—whatever that struggle was, when he arrived at law school, he had worked that out, and what he projected, at least on the surface—and everyone's more complicated underneath, but what he… what he projected on the surface—was a… a very groundedness in who he was, a very groundedness of the things that he believed, a—a very groundedness of his approach to interacting with people and then the world. Very grounded views about race and identity and his own identity. The narrative of "Dreams of My Father" is this narrative of, you know, struggle. But I didn't see any of that at Harvard Law School; either that struggle was over, or if it was still a struggle for him beneath the surface, it didn't show at all.

Effectively leading the Harvard Law Review

01:12:04:00

KEN MACK:

Barack had this, you know, he had this ability to, you know, listen to both sides, sympathize, and talk about where people agreed and how they could move forward. You could see that in the classroom. When he spoke, people listened. He always had something that was a little different to say that seemed a bit more well thought out than the other students. And that was very evident on the Harvard Law Review—I think that that was one of the reasons he was so appealing as a candidate for the Presidency of the Harvard

Law Review. Because we were very divided, you know, racially, ideologically, and people were ambitious, you know, and I think that makes people do things that maybe they wouldn't otherwise do. I think it was largely a… a—a positive thing. We had a lot of things we had to overcome—we had a lot of disputes within the Law Review, we had disputes that carried over into the larger Harvard Law School community, and, you know, they might seem small disputes…to the outside world, but, you know, you're young people and—and these things are very important to you, and he was very good at getting people to move forward, it… and it wasn't—it was never a kind of wishy-washiness or an—indecision; it was… it was, sort of, "Okay, this is a way to think about this problem, this is how we can, sort of, agree to disagree to move forward on the things we— we do agree on." And so, I think it helped us. It—it actually was not an impediment to getting the Review out on time, to selecting articles, and—and, more importantly, to getting us all to work together as… as one community, which was the most important thing.

Obama's study of Martin Luther King, Jr.

01:13:53:23

KEN MACK:

Barack was very interested in Martin Luther King. He'd clearly read a lot about him. He clearly read his biographies, he's clear… he's clearly read King's own work; he clearly thought about King and what King meant uh… a good deal. And he found Martin Luther King to be a very inspirational figure. There is this quote, which is now famous, but he used to say it when I was in

law school, you know, about the arc of the moral universe bending towards justice, and it was very meaningful to Barack. You know, he really thought that King stood for something that had a long history, and that was going to continue for a long time, and it was important to think about race in American politics that way. And I think it kind of fit within his, you know, the way he approached interacting with, you know, people who disagreed with one another. You know, he thought that, "Okay, the way to move forward is, you know, you move forward." Maybe, a little bit. And, you know, over time you make real progress. You know, he found that very, very inspirational. He used to say it. I remember him saying it in law school, this quote by King, and I remember him, otherwise, invoking Martin Luther King, just as somebody who really gave him hope that there was this long, you know, struggle for progress, on many fronts, throughout American history—much of that struggle was about race. It was important for people to be invested in that struggle, and there—it was important for people to think—and for Barack to think— that that was a… a long-term struggle, and you each had your own little bit to add, maybe, and that's how you—you proceeded.

Derrick Bell

01:15:44:09

KEN MACK:

Derrick Bell was a… my constitutional law professor in law school, I knew him somewhat-well, although, you know, I wasn't one of his m—his mentees. He was a figure of deep convictions. Bell had been the first Black professor to

get tenure at Harvard Law School, he had challenged the institution on various occasions to hire more Black professors, to think about its standards for merit. And, you know, Bell was a—he was an advocate of merit… of meritocracy, I mean, he deeply believed in merit. He just thought that his colleagues had the wrong definition. He was this person who felt things so deeply. I—I think that Bell's protest, when he wound up leaving Harvard Law School, had its origin in the—the Faculty Diversity Movement, which was a nationwide movement—lots of campuses, students were striking, protesting for greater faculty diversity, you know, more Black professors, more Latino professors, more women professors. You know, at that time there were gay and lesbian professors who were still in the closet in many universities, and so there was this, sort of, nationwide diversity protest movement and Bell wound up being wrapped up in it. I think it was April… April 4th, 1990. I—I have a—I know the date because I have a button that says "April 4th, 1990, National Student Strike Day." Students were supposed to… supposed to boycott classes, and have teach-ins, and advocate for a greater faculty diversity, and—and Bell was a strong advocate of—of those protests. And out of those protests, grew this big protest movement at Harvard; students marched, they sat-in in the Dean's office, and while this was all going on, Bell was teaching constitutional law to my class. At a certain point, I guess he decided that he couldn't stand on the sidelines, and he talked about it a bit in class, and then he announced that he was going to take a leave of absence until a woman of color was appointed to the faculty. Now, like most of Bell's actions, this was a very controversial thing. I say to my students now that, you know, Derrick Bell did things that other professors didn't do… because

he felt things more deeply than other professors—he was just a different kind of a person. And, so he felt, very personally, that the students were protesting for something that he couldn't supply; that there weren't women of color on the faculty—students were looking for that, he felt as though he wouldn't… he wasn't… couldn't adequately meno—mentor students those students who were looking for women of color, and that he felt as though he had to do something.

01:18:47:23

KEN MACK:

So, there's a big rally in front of the student center, we—which we call "The Hark," and I remember Bell sort of being at a microphone to announce it, and the students around him. There was a lot of discussion during the Diversity Movement, and the build-up to Bell's announcement, about whether and to what extent Barack should be involved. Barack and I were both on the Harvard Law Review, and, you know, it's kind of a full-time job, and—and you're a student, as well—there's only so many things you can do, you know. I mean, we had both been involved in the Black Students Association our first year, but, you know, we—b… the—there was a matter of time, and also there was a matter of: what are the appropriate things for the president of the Harvard Law Review to speak out on, and what are—are not? And some of the editors had spoken out about the Diversity Movement. One editor, in particular, had been very critical of it in—in public, and Barack had to respond in public because this person was perceived to be speaking for the Harvard Law Review. There are people who think that he shouldn't appear, that it's not appropriate. You know, he, obviously, was very sympathetic to

Bell, although, you know, they—they held very, you know, different views on—on various things, 'cause Bell, I think, is his own unique individual. There's nobody who's going to really agree 100% with Derrick Bell. But he decided to speak—and I had a lot of respect for him for making that decision—and he comes, and he gives the speech at the Derrick Bell rally where he announces that he's going to take a leave of absence.

Charles Hamilton Houston

01:20:32:06

KEN MACK:

Charles Hamilton Houston was the first Black editor of the Harvard Law Review, you know, the Law Review is, of course, sort of the Honor Society at Harvard Law School, and there had been Black students at Harvard Law School since 1868, but no one had been ever selected to be a member of the Harvard Law Review—selection was based on grades, it meant that he was near the top of his class, in terms of grades. But, more importantly, Charles Houston was someone who went out and involved himself in the Civil Rights Movement. And, I think, that's something that very much appealed to Barack, and something that Barack respected. Houston was the first lawyer who does… the first Black lawyer who really does sustained work for the NAACP in the early-1930's when the NAACP is beginning to do school desegregation cases. You know, Houston starts to do these cases, and then—then they, sort of, begin with Houston. He also became the vice-dean of Har—Howard Law School, the historically Black law school in Washington, D.C., and, you know, his star pupil of course was Thurgood Marshall, who would go on to be the

lead lawyer in Brown vs. Board of Education, and the first Black Justice of the United States Supreme Court. So, Houston had a lot of influence. He influenced the NAACP and the course of its litigation, although he died early in 1950, so he'd never live to see Brown vs. Board of Education. He influenced Thurgood Marshall, he set Marshall on the path that would lead Marshall to litigate Brown. And I think, for Barack's purposes, more importantly, he's somebody who was the first Black editor of the Harvard Law Review, and decided he wanted to go out and do something in the world to make the world better. And, I think, Barack found that particularly inspiring. When we were in law school, you would hear a bit about lo—Charles Houston on campus. His picture was in Pound Hall, and you'd see him, and you knew a little bit of his story, but he wasn't quite em—as embraced as—as heavily as he is now at Harvard Law School, and—and in the larger culture of American society. A lot of people didn't know who he was, but I think Barack made it a point to know who he was, and to be very inspired by his example.

Debating issues of race and law while at Harvard

01:22:57:11

KEN MACK:

Harvard Law School in the 1980's—late 1980's, early 1990's—was a time, a place, where people talked and argued about racial issues. Because it's a reflection of the larger society—that's what Americans were doing. So, for instance, affirmative action: the Supreme Court was deciding a series of cases cutting back on the scope of affirmative action and reinterpreting old Civil

Rights statutes in such a way that it made it harder to make a claim. It was doing the same thing with school desegregation litigation; it was basically putting… bringing to an end the ongoing school desegregation litigation. Affirmative action was being debated in the larger culture, as well. There were issues of race in policing, although they weren't nearly as prominent as they are today. There were issues around the Reagan administration, which was perceived by many African Americans as being hostile to civil rights. So, race was something that was being debated in America, and it was being debated at Harvard Law S—Law School. And, in particular, we debated the Supreme Court decisions cutting back on the use of race in government decision-making, and people were on both sides of that and we argued very fiercely about that. We debated the status of affirmative action more generally, you know, people were on various sides of that. Where were race-relations in America? And how much progress… progress had we really made? People felt those issues very seriously; they felt them through the cases the Supreme Court was being… deciding, they felt them through the legislation that was being passed in Congress—there was the Civil Rights Act of… of 1991, that was debated and passed when we were in law school, — and they felt them in the larger culture and… and we talked about it all the time.

Communication after college

01:25:00:05

KEN MACK:

Barack and I… when we left law school, we obviously weren't in as great of touch as we were during law school. Yeah, he had invited me to his wedding and, unfortunately, I couldn't go because I was in Europe when he got married and I—I couldn't get back. But we stayed in touch, you know, we would… if I was in Chicago, we would get together. Occasionally, we would talk on the phone. I… I came out to Chicago in 1994, in particular, three years after law school. I was applying to graduate school, I stayed in Barack and Michelle's house for a night or two. Barack and I talked when he was a State Senator, occasionally. I was in Chicago in the… it was probably the fall of 1999, and he told me he had just been re-elected as a State Senator, he is teaching part-time at the University of Chicago, and he felt like he was at a crossroads because the Dean at the law school wanted him to come in there f—as a full-time professor, and that'd be one decision about which way his career was going to go. And he was trying to think about what the next thing was. And I re—and I remember us having a long talk in Downtown Chicago about what the next thing was. And he—he wasn't sure what the next thing was. He called me…it could've been a year later? It was during his campaign for Congress against Bobby Rush, and I knew that he was running. He asked me to sign a fundraising letter. 'Cause, I think, he wanted a group of people who were respected by various classes and Harvard Law Review to sign a letter, and he thought that, "of people who were in law school with me," I'd be a r—an appropriate person. So, we talked about his campaign. I agreed to sign the letter, but I didn't get involved in the congressional campaign, either.

2004 Democratic National Convention

01:27:03:11

KEN MACK:

I watched Barack's 2004 Democratic National Convention speech, and I was impressed, like many other people. I—it was a little surreal, to tell you the truth. You know, he was a State Senator, and, you know, we chatted when he was a State Senator. He had run for Congress—we had chatted when he ran for Congress. I helped do a fundraiser for him when he was running for the Senate, you know, before he ra—before he won, and we chatted then. But this was like—this was a big stage. I mean, I had watched political conventions on television since I was a kid and, you know, those were other people on the screen. Those were not people I knew, or people I had any contact with, and suddenly, there was a guy I knew—it was on the screen! So, my wife and I watched it at some friend's house, and it's a, kind of, small screen T.V., the old style T.V., where you… there was Barack, it was very surreal to see him. I thought it was a very effective speech, at the time. You know, I didn't, sort of, predict or understand the—the huge groundswell of support that emerged after the speech. I… I watched it, it was surreal to see my friend, Barack, you know, at the Democratic National Convention giving a keynote address. And I thought it was a great speech, and I was happy for him, but I had no idea what was coming.

Not being "Black enough"

01:28:26:19

KEN MACK:

During Barack's Senate campaign, you know, Alan Keyes, his Republican opponent, who was also African American—although a bit out of, even, the Republican mainstream, mu… much less the… the… the African American mainstream—criticized Barack as being not Black enough. And… and… and what are we to make of that criticism? It's something that Barack had heard before. I mean, he said to me that when he went back to Chicago, having gotten a degree from Harvard is actually a minus, rather than a plus, in poor Black communities because it means that you're far from them, you know, they—they don't know anyone who's ever gone to a place like Harvard. So, it's something that Barack has heard over and over again. And, frankly, it's something that every Black leader in American history, from Frederick Douglass forward, has heard; they've all been called inauthentic because they've all been seen as, somehow, not Black because they have a—achieved some sort of, you know, some sort of status. Masses of African Americans have re—largely rejected those kinds of criticisms. There have always been lots of different kinds of African Americans. There have been biracial African Americans—Frederick Douglass was one. There have been well-educated African Americans all the way back. There have been African Americans who had their origins in the Caribbean. There have been all kinds of people, and they've all been called inauthentic, in one way or another, and I think the broad… sweep of African Americans have largely put aside those criticisms. I mean, being not Black enough… well, you know, he, you know, represented part of the Southside of Chicago, he made race and civil rights very prominent among the things he was interested in—I think these are the kinds of things that Black voters and the Black populous were interested in,

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and… and the critique of not being Black enough was something that's always available and that's always gonna be deployed, and it wasn't the first time that Barack had heard it.

Reverend Jeremiah Wright

01:30:45:01

KEN MACK:

The controversy over Reverend Wright and Reverend Wright's remarks clearly was a… a—a turning point for Barack's presidential campaign. Things had been going on along—I wouldn't say always smoothly, but at least since Iowa—since he won Iowa, there'd been a mostly upward trajectory. And, it was clear, you know, for anybody watching television, just as it was clear to everybody in the campaign, that, you know, this was a moment where the whole thing could, you know, go in another direction. Race is a very incendiary topic in America. It's—it's easy to demagogue it, it's easy to run those clips over and over and over again and to make Barack seem like something that he isn't. It's not clear how to respond to that, and… and, you know, what Barack did is, you know, he—he wrote his own response. Apparently, he told his speechwriter, Jon Favreau, that he wanted to deliver the speech. He told him that… when he was going to do it, and Jon tried to do a draft of it, and, but, you know, Jon—Jon's not really gonna be able to write that, as Jon would tell you, you know, Barack's gonna write that. And while Barack's on the campaign trail, he's scratching this speech out on yellow pads, as he scratches out his speeches, and…like many things in life, like "Dreams of My Father," like the Democratic National Convention speech, he,

sort of, pours his own life story into words and, you know, the words had a lot of appeal. In retrospect, you know, the speech turned out to be th—exactly the right response to the controversy—kind of locating it in larger, in a very complicated discourse of race in America, communicating that his own family story is very complicated, as America is very complicated, and that, you know, Reverend Wright's remarks… are remarks you could hear from lots of people in African American communities—it doesn't mean that Barack agrees with them all. I mean, so I think, you know, in—in retrospect, it turned out to be exactly the right speech to make. But, I think, at the time, among people watching on T.V., among people in the campaign… nobody knew that this was going to be the correct response, but, you know, Barack, he poured his heart into this speech, and it turned out to be exactly the right thing to do.

Election night 2008

01:33:29:09

KEN MACK:

Election Night 2008, I went to Grant Park, so I saw his acceptance speech live. But to tell you the truth, you know, it wasn't unexpected at that point that he was going to be elected. If you looked at the polling, you know, you were, you know, I… I was one is—firmly believe that I'll—I'll—I'll believe it when I see it, right? That there… you know, the, you know, America is a very complicated place, he's the first African American candidate, and it all, of course, in politics it ain't over until people vote. So, I just thought "okay I'm—I'm not going to say I'm 100% sure," but, you know, it—things looked pretty good; it wasn't an unexpected moment. But it was a great moment. It—it

seemed like the whole country was behind him. I remember waking up that day, flying to Chicago with my wife—we were happy. It seemed like everybody in the streets was—were happy. Like, we—we're walking down the streets in Chicago and we see these Chic—white Chicago police officers and, you know, the Chicago police force has subsequently gotten a somewhat-checkered reputation, and even the police were cheering for Obama. He was our guy and he was president. And if you're in Grant Park, it seemed like America had finally done something significant. I mean, not… not like everything—it's not like race was going to change overnight, but, for somebody like myself, I—I thought there would never be a Black president in my lifetime. When Barack was elected to the Senate, I thought he would never be president because I thought that America wasn't ready for that. By the time election night came around, you know, obviously this thing, yeah, I've had to backtrack on those beliefs, but, you know, to the—In the course of several years, thinking that something's never going to happen in your lifetime. Even though we're in a very different world than we had been thirty years earlier, you know, when I grew up–– when I was born, segregation was still the law in many states in the United States. You know, when–– 2008 is a very different world. Even though it was a very different world, I just thought the country wasn't ready for this. So– so I thought it was an affirmation of what America be–– could be at its best. America's not always at its best. In recent moments, we've seen America at—at, you know, less than its best, but I—I felt that night, election night, as a black man in America, that this is what America could be, this is what it aspired to be, and it was great that Barack seemed to encapsulate that in that moment.

Being the first Black president

01:36:12:18

KEN MACK:

it's—it's a complicated thing to be the first Black president in the moment of national crisis—of a kind of moment—the kind of moment that hasn't happened since the Great Depression. He both has to encapsulate America's highest ideals—he's president, he has to encapsulate its highest racial ideals, 'cause he's the first Black president—there's a lot of symbolic freight that comes with that. And, he's got to do something that nobody has done, you know, in—had to do, [laughs] since the New Deal.

Henry Louis "Skip" Gates Jr.

01:36:55:00

KEN MACK:

I think the Skip Gates incident was very pivotal in Barack's first year in office as president. He'd had to solve a number of crises—or, I wouldn't say solve, he'd had to address a number of crises, and… and that's what he had to do. And, there wasn't that much room to talk about race. You know, during the campaign, of course, it can seem like everything is possible, but then the financial crisis happens, and he's got to govern—he's got to govern in the midst of a national ever—emergency. But, he obviously thought about race, he's the first Black president. You know, everything he does is, in some measure, about race. And, he had obviously thought about Skip Gates' arrest. You know, it had obviously deeply affected him. You know, he knows what

it's like to be a Black man in the United States. But also, he has to symbolize something larger than just being a Black man in the United States, he's got to be president of the United States. So, you know, after Skip's arrest, you know, Barack is at that news conference and it's supposed to be about healthcare because they're trying to move the healthcare bills through Congress, and he's supposed to stay focused on that in that news conference, but it's just that one last question. He let his guard down a little bit and he said what he thought. And, you know, and controversy ensued. You know, one of the conundrums he faced as president that, you know, if he spoke about race, there was immediately a controversy. But people wanted him to speak about race, and he felt these things, too. So, there's no real right answer… and I don't know if he'd do the same thing if he did it over—all over—had to do it all over again. But I'm sure, in that moment, he was very happy to have said what he said.

Navigating race

01:39:01:22

KEN MACK:

I understand the—the… let's call it the left critique of Obama, or even the Black left critique of Obama, that… that America hasn't solved its race problem, that the president has immense power to talk about and to institute public policy to address that, that America hasn't solved its economic inequality problem, as we find out more and more every day, and, as president, there are a lot of tools to talk about and to think about that. And, I think, as a general proposition, for a president other than Barack Obama, I

would be inclined to the left-of-center view. So with Obama, the only question is: does it make any difference being a Black president, does that make you more or less obligated to speak out on issues or some complicated al… you know, alternative formulation? And I think on that there's no real answers. One of the things we do know is that every time Barack spoke about race in a context in which Blacks and whites would disagree…whether it was the Skip Grate—Gates arrest, or whether it was Trayvon Martin, he got immense blowback from… from many white Americans for doing that. So we don't have the counterfactual in which Barack spoke about race and spoke about race and spoke about race—that didn't happen, so we don't know what would've happened. But we know in the few instances where he did it, you know, it didn't seem to produce very good results. We also know that, throughout his presidency, that many people in the Republican party were trying to tag him with race that, you know, you have Newt Gingrich talking about food stamps, you know, he's the Food Stamp president—there's all these ways in which people are trying to racialize him as an instrument of politics, 'cause politics is rough, you know, Washington is rough, and… and, you know, people used race to… you know, not everybody—I wouldn't s—you know, the—there—there are opponents who can be genuinely opposed to Obama, but it's clear that also this race—racial discourse is in the air. What is the first Black president to do? Maybe he could've spoken out about race and done more race-based public policies. From what we know, there would've been immense blowback against those things, and he would've had to have contended with that immense blowback as a cost of doing that. Maybe his decision was the right decision? I would say I don't actually know.

I just know that every decision he makes, because he's the first Black president, is going to garner sustained criticism that he should've been doing something else, and there's no real right answer and he's just got to choose the one that seems right in the moment he's in.

Racist opposition

01:42:17:01

KEN MACK:

There's this question of how much of the, just sort of, strident opposition to Obama, from the moment he takes office, has to do with race, right? So, on the Friday—Inauguration Day is a great day, is a great day, great day—that Friday, he meets with the Repu—Congressional Republicans, and they've already all de—decided the—the—the leadership has already decided they're all going to vote against the Stimulus Bill. Okay, so… didn't take very long to get from this moment of, kind of, national unity to the moment of strident opposition to Obama and everything that he opposed… that he proposed. So, how much of that is about race? You know, part of it; I—I don't think that everybody who's oppo—opposed to Obama has to be opposed because of race. Race and American politics have become, you know, intertwined. You know, ever since Nixon's, you know, Southern campaign, you know, politicians have used race to mobilize whites… to… vote and act on the assumption that Black people are getting something they shouldn't get, and that government—what government does is it gives these undeserving minorities things they shouldn't get. And so that's part of the political discourse, and that's part of the opposition to Obama. So, I don't think you

can… you can have that discussion without it being, in part, about race, but I will say that there are clearly some people who are very strategically using race to unify the opposition against him. You know, I think we know—we know just a little bit of the Koch brothers-funded strategy against him, but a lot of the language that's used about, you know, government and government taking over your lives—it was very strategic language. They thought about it and they thought about what would work. And, you know, the reason that some of it works is that it's very racialized language, so there's really part of the opposition that's thinking about how to use that kind of rhetoric, and is very strategic about using it. Although, clearly, it doesn't explain everything, and you can be opposed to Obama without… without it being about race.

Trayvon Martin

01:44:43:14

KEN MACK:

I think the Trayvon Martin incident was a transformative moment for both Obama and for the country at large because I think these two things are connected to one another. I think, you know, … whether it's election night 2008, or Inauguration Day 2009, you know, there… there was a moment where Obama seemed to bring out America at its best—the best face of America. But there's all this stuff that's still there behind the scenes, sometimes on the surface, and for a long time, Obama can't talk about it, but—but most Americans aren't talking about it either. I think people were very hopeful after his election that, you know, maybe we could be in a new… in a new discourse about this. Trayvon Martin just sort of brought out all

these feelings. You know, Blacks and whites were very divided in their attitudes about it, and their interpretations of what it actually meant. For many African Americans or people who see the United States as having a long way to go about its race prothem—problem, it really symbolized that the problem was still with us. And, you know, I think for Obama, you know, he clearly feels these things, I mean, he's, you know, he's president, he's a Black man, and he clearly feels these things. And—and, at some point, he feels like, you know, you've got to get the Stimulus Bill passed, you've got to get healthcare passed, and you've got to deal with the Republicans who are let—who are willing to shut down the entire government, and have the United States, not honor its—its financial commitments, in order to get what they want. But at some point, you know, I think those feelings bubble up to the surface. So, I think for both Americans at large and for Obama, the… the Trayvon Martin incident brought something to the surface that had been suppressed since his inauguration.

Amazing Grace

01:46:40:14

KEN MACK:

The Charleston shootings, you know, they're—they're profoundly important, profoundly tragic, for Obama and for the country. Charleston shootings come in the middle of all of these mass shootings in which Obama has had to give a speech. And, you know, I think it's Cody Keenan, his speechwriter, is the one—the one who winds up writing a lot of these speeches where he has to comfort people at the end of all these mass shootings. You know, but the

Charleston one is—is—is going to be very significant for Obama because, you know, he certainly sees himself as a child of the Civil Rights Movement, right? He grows up just as that movement is over, and—and he is, you know, having the life that he has because of what that movement did. And the symbolism of Charleston, you know, in many ways, the cradle of the confederacy, the symbolism of a Black church. He really felt this way—this one, and—and he felt something that was more complicated than in the other mass shootings where he's had to give… give a speech and comfort the victims and—and the survivors. You know, he has to decide what he's going to say, and, you know, he—he writes it, and like many other really important personal ones, you know, he has to write a lot of it himself with his speechwriters. But when—when I saw Barack give that speech- I—I grew up in exactly that kind of church. I know the rhythms, I know the cadences, I know how to sing "Amazing Grace" in the way you sing it in a Black church. And when he's there, he's got it, he feels it. He feels it so deeply. You know, this is the culture in which he's—he's found himself, and grown, and there's been an attack on it. This is symbolism… symbolic of the Civil Rights Movement. So, when you see him giving that address, you know, addressing, you know, the congregation and the people gathered, you know, you can feel that, you know, he's immersed in this culture that he knows very well and that it's just so important to him. And that decision to sing "Amazing Grace," of course that's the, … you know, the most profound thing about the address. And I know he said that he, you know, he had to think about it, like is he, … you know, and this is the way, you know, Black churches work, right? Like, it's things… you do things in the moment, you know, it's a very inspirational style

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of service, and if he hadn't felt it, you know, if the moment hadn't felt right, he wouldn't have sung. But the moment did feel right, and he thought okay, you know, this is what he feels and—and—and—and how do you comfort people? How do you express the tragedy of it? But also, how do you express the, you know, the… the profound sense of hope that Black churches have been at the center of ever since slavery? "Amazing Grace, how sweet the sound," you know, "I once was lost, and now I'm found." You know, that's a journey, and he feels that journey. So, I think the speech was all about that. It's the most personal speech he's given as president and it's because of the setting and how it resonated so much for him.

Donald Trump

01:50:19:03

KEN MACK:

Following Obama... one can talk about it historically. I mean, what is the analogy to Obama? I mean, maybe the analogy is reconstruction. I mean, for the first time, African Americans, you know, hold political power in Washington; there are African American Senators, Congress—members of Congress, and then there's a reaction to that. You know, for every advance, you know, you step back, and there are people who can use that advance for political purposes, and maybe that's the analogy with Obama. People have been using, kind of, racial discourse to figure out a way to a—to oppose him for a while. Not everybody but, you know, some people are—are doing that. You know, his election and his governing is a sign of how far the country has gone, but it also has brought out all of these, sort of, manifestations of racial

hatred. You know, the letters that he receives the… you know, the—the threats that have been made against—that were made against him as the first Black president. You know, the country also showed a side of itself that, you know, that wasn't so pretty, and that's there as well. So, I think that, … you know, there had been people who had been deliberately mobilizing the racial imagery to try to vote—oppose Obama. There is the fact that Obama's election also symbolizes something larger, which is that the country appears to be on a journey to having a non-white majority and lots of people feel that to be profoundly disruptive. And there's the fact that all that's happening at the—at a time of—of economic uncertainty. Certainly, Obama contributes to the, … you know, the… the polarizing, the racializing rhetoric that has given rise to Donald Trump and—and the rhetoric that Trump uses. If you hadn't had a Black president, maybe you don't get that result. Although, clearly part of it has to do with trends that are larger than Obama, but the fact that there is the P—Black president who produces this response also helps to usher in that result.

Obama's legacy

01:52:39:21

KEN MACK:

One of my students, after the 2006—2016 election, said to me that he had written a tweet to Obama. Now, I—I'm not trying to write a tweet to Obama 'cause I'm a… Anyway, but he'd—he can writ—writ—written a tweet to Obama, and he said: "they can repeal the Affordable Care Act, they can repeal everything you've done, but they could never take away the fact that you've

been a Black president." There is that, right? Just the fact that he was president, and the way he governed, you know, without scandal, really encapsulating in his person—in his personal demeanor, in his personal habits, in his personal ethics—the highest ideals of what America really stands for. Donald Trump could never undo that. Now, there's also a specific policy. It turns out that a lot of the policies are harder to undo then… then they might. I—I know that one of the reasons that Obama pushed for the Affordable Care Act, and also was willing to accept some compromise, I mean, he said this to me directly that, I mean, part of the job is to convert…access to healthcare and health insurance into a right that Americans expect to have. Even the Republicans have to draw lip service b—gi—give lip service to the proposition that… pre-existing conditions, lots of things, don't seem to be—be negotiable. Now, they might still try to negotiate them, but—but the—the political discourse in the country has changed around that issue, and I think that will be hard for Donald Trump to undo. Obama was criticized for doing a lot of things through rulemaking, environmental policy, things like that but—and Washington rulemaking is a process, it takes a long time. You can't just undo a rule, you've gotta actually lay the factual basis. To… to—so—so, it takes a while, and politics is a l—is a long-term game. So, you know, I think it's too early to see—say how much of Obama's legacy Trump will undo in terms of policy.

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