

## In Memoriam

### Remembrance of and Tribute to Walter F. Mondale

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The iconic Minnesotan Walter Mondale is a towering figure in American government, politics, and history. Of all his accomplishments as a political organizer, attorney general, senator, vice president, and ambassador, the most fundamental and enduring was the pivotal role he played in transforming America from a segregated, Jim Crow society to a multiracial democracy. He was at the crux of ushering in a new kind of America from an old kind of America.

At the Democratic National Convention in 1964, Mondale was in the trenches beside his long-time mentor Hubert Humphrey, trying to seat the Mississippi Freedom Democratic Party's integrated delegation over the white-supremacist delegation.<sup>1</sup> He was there when Fannie Lou Hamer powerfully asked America if it could still call itself "the land of the free and the home of the brave" if the delegation was not seated.<sup>2</sup>

Over and over again, Mondale used his power and position to defeat segregation and advance civil rights, including by co-authoring the Fair Housing Act of 1968; the Act's provisions were thought so radical that just a few years before, they had to be struck from the Civil Rights Act of 1964 so that bill could pass.<sup>3</sup> Passing the Fair Housing Act was so much harder after the 1966 midterm elections, which had seen a backlash against civil-rights legislation; Mondale was the only

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1. Tom Wicker, *Mississippi Delegates Withdraw, Rejecting a Seating Compromise; Convention Then Approves Plan*, N.Y. TIMES, Aug. 26, 1964, at A1.

2. Fannie Lou Hamer, *We're on Our Way* (Sep. 1964), available at <https://voicesofdemocracy.umd.edu/hamer-were-on-our-way-speech-text> [<https://perma.cc/M6TM-E36A>].

3. Nikole Hannah-Jones, *Living Apart: How the Government Betrayed a Landmark Civil Rights Law*, PROPUBLICA (June 25, 2015), <https://www.propublica.org/article/living-apart-how-the-government-betrayed-a-landmark-civil-rights-law> [<https://perma.cc/Q25R-YAJW>].

senator willing to sponsor it.<sup>4</sup> Undeterred, he enlisted Senator Edward Brooke, the newly elected Republican from Massachusetts, a former attorney general who was the first Black man popularly elected to the Senate, as a co-author.<sup>5</sup> They took advantage of the Kerner Commission's report to build support for the bill and were poised to pass it within a week of Dr. King's death, when segregationist opposition crumbled.<sup>6</sup>

But why did Walter Mondale take up this fight? He had no guarantee of success, and as senator from a Minnesota that was then almost entirely white, he was not trying to cater to a voting constituency. But on the floor of the Senate in 1965, he explained: "I was brought up by my father in a family which believed that everyone was a child of God and was entitled to the dignity that flowed from that concept. I was taught that a man's color was irrelevant. I will continue to press this cause, because unless we can sustain it, the promise of America will be lost."<sup>7</sup> He added, "Whatever the politics, I am one of those who believes that there can be no compromise on the issue of human rights, that this is one issue that is worth everything, including one's public office."<sup>8</sup> His steadfast belief in this greater good, and his fearlessness of any personal consequences of pursuing it, are what allowed him to stand in the crucible of the birth of America's multiracial democracy.

Walter Mondale is understandably best known to the public for serving as a transformative vice president. He created the modern role of the influential, powerful vice president out of a job that, until he took it, was widely regarded inside Washington as "not worth a bucket of warm spit," as one of Franklin D. Roosevelt's vice presidents notoriously called it.<sup>9</sup>

Less well known is the fact that Walter Mondale was also the original "People's Lawyer": he created the modern role of the attorney general as a progressive fighter for justice, fairness, and equality. There are many examples from the four and a half years he served as Minnesota's attorney general, but two stand out.

First, just two months into serving as attorney general, he

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4. *Id.*

5. *Id.*

6. *Id.*

7. 116 CONG. REC. 4,133 (1970) (statement of Sen. Walter Mondale).

8. *Id.* at 4,137.

9. Patrick Cox, *John Nance Garner on the Vice Presidency—In Search of the Proverbial Bucket*, BRISCOE CTR. FOR AM. HIST., <https://briscoecenter.org/about/news/john-nance-garner-on-the-vice-presidency-in-search-of-the-proverbial-bucket> [https://perma.cc/96GM-3C2Z].

released the results of an investigation into the executive director of a prominent charity, a former mayor of Minneapolis, for misuse of public assets and self-dealing. The investigation ultimately led to a criminal conviction for the executive director and a new set of laws regulating charities that became the national model for the oversight that many attorneys general around the country have today of charities and public assets.<sup>10</sup>

Mondale told me later that as a then 32-year-old attorney general—already a remarkable accomplishment in itself—he knew that if he failed at this very high-profile case this early in his tenure, his political career would have been over almost as soon as it had started. And he went forward with it anyway: he did the right thing in standing up to powerful people’s fraud and abuse, despite not knowing how it was going to turn out, because he had a clear vision of a just and fair society and understood his role in leading us to it.

In 1963, Mondale also led nearly half of all attorneys general in asking the U.S. Supreme Court to support defendants’ right to have counsel appointed for them if they couldn’t afford it. It wasn’t common then, and it still is not all that common now, for leaders in law enforcement to support the rights of criminal defendants—and Walter Mondale did it anyway, because it was the right thing to do. A unanimous Supreme Court agreed with him and decided in favor of the right of poor defendants to free counsel. That landmark case, *Gideon v. Wainwright*, helped transform criminal justice in America—and once again, Mondale was on the right side of history.<sup>11</sup>

You might not expect someone with Walter Mondale’s record of accomplishment at the highest levels of American government, politics, and diplomacy to say that the most fun job he ever had was Minnesota Attorney General, but that’s what he told me one day, and given the joy with which he talked about it, I knew he meant it.

You might also expect someone with those accomplishments to be self-important or unapproachable. Walter Mondale was the opposite. On many occasions, I experienced his humility, generosity of advice, wisdom—and humor.

At an important fundraiser during my first campaign for Congress in 2006, he spoke jokingly about how he moved to Minneapolis from his tiny southern Minnesota hometown to attend college—when, he said, “I moved to Minneapolis to be with my fellow Norwegians.” It provoked a laugh because we all knew that then, as now, Minneapolis—and all of Minnesota—had changed. For Walter

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10. WALTER F. MONDALE, *THE GOOD FIGHT: A LIFE IN LIBERAL POLITICS* 15–17 (2010).

11. *Gideon v. Wainwright*, 372 U.S. 335 (1963).

Mondale, that was a cause for celebration, because it represented the kind of multiracial society that he helped birth. Another time during that campaign, he came to the Urban League in North Minneapolis for an event, and when he quietly walked in, people spontaneously started clapping.

He also gave me some of the best political advice I ever received. About six months after joining Congress, I was faced with the question of voting on a supplemental budget that would continue to fund the war in Iraq, but provide benchmarks for getting out of Iraq.<sup>12</sup> I had run against funding the war in Iraq.

I called Mondale for advice. He said, “You’re confused about tactics and goals. Your goal is to get out of Iraq, but the tactic of voting no on the supplemental conflicts with your goal, because most of the people who will vote no with you don’t share your goal—they want no benchmarks on the war and don’t want to get out of Iraq. You need to understand politics is a team sport: if you vote no, some folks will celebrate you, but you will not have been part of the team helping to get America out of Iraq.” The decision I made to vote yes was one of the best decisions I ever made, and his lesson about keeping my eyes on the prize and ego in check has guided me ever since.

Twelve years later, Walter Mondale was still willing to provide support, advice, and counsel during my first campaign for Minnesota Attorney General. I’ll never forget an event we did with him, former Attorney General Skip Humphrey—the son of the man Mondale served as top lieutenant—and former Minnesota Supreme Court Justice Paul Anderson, all of them sharing their wisdom. That day I felt I was among giants.

We cannot underestimate Walter Mondale’s role in transforming American politics and society. We cannot underestimate the political, professional, and personal risks Walter Mondale took in pursuit of a fairer, more just, more equal America. Nor can we underestimate the spirit of generosity, humility, and eternal optimism with which he knowingly took those risks. He took them because he believed America could and must leave Jim Crow behind and could and must become a modern, multiracial democracy—and he took them with no idea of personal gain or expectation of reward. He was a progressive in the truest sense of the word: someone always helping America make progress and move forward.

Our multiracial democracy—while far from secure and far from

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12. *Dems Plan Iraq Bill Minus Timeline But With Benchmarks*, CNN (May 22, 2007), [http://www.cnn.com/2007/POLITICS/05/22/war.funding/index.html?eref=rss\\_topstories](http://www.cnn.com/2007/POLITICS/05/22/war.funding/index.html?eref=rss_topstories) [<https://perma.cc/9CAE-WDAM>].

perfect—exists today because Walter Mondale was there and did the hard work to make it a reality. For this he is a towering figure in our history. I would say we owe him a debt that we can never pay back, but he never expected payback: he expected us to pay it forward. He fought for fair housing, democracy, and equality in his time. He expected us to advance the cause of human dignity amid the profound challenges our society is facing in our time: climate chaos, injustice in the criminal-justice system, the overconcentration of markets and wealth, unequal outcomes by race and zip code, intentional mass misinformation, and more. We honor Walter Mondale not with lavish praise, but with a new generation of attorneys, activists, policymakers, and regular folks dedicating themselves to finally pulling us out of our inaction and making progress toward the more just, more fair, and more equal America Walter Mondale dedicated his life to.