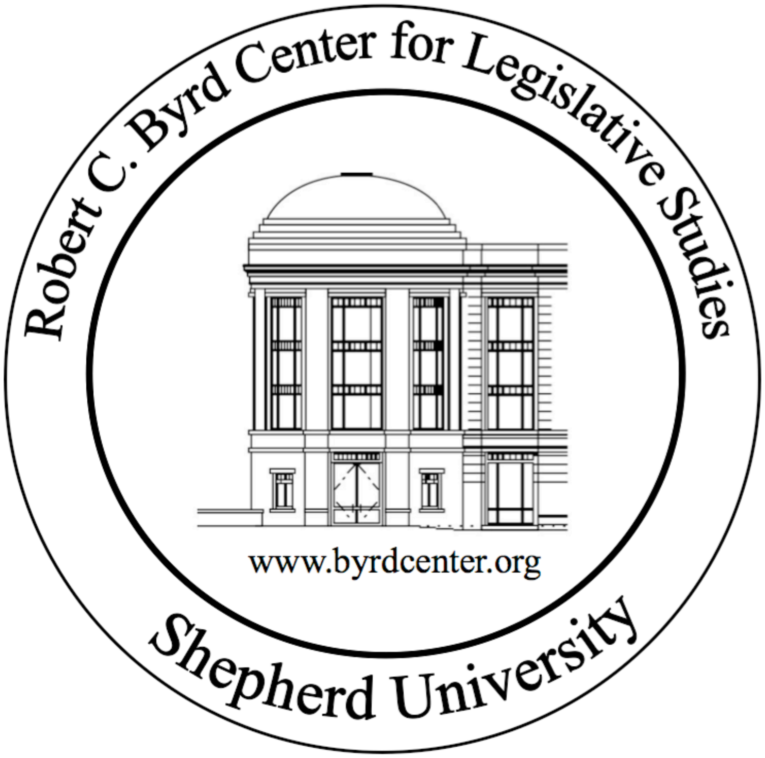
Robert C. Byrd Legacy Project

Oral History Interview

Judge Joseph R. Goodwin

November 9, 2012


Robert C. Byrd Center for Legislative Studies
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Preface

by Keith D. Alexander

Alan Sturm conducted this interview with Judge Joseph R. Goodwin in his chambers in the Robert C. Byrd Federal Courthouse in Charleston, West Virginia on November 9, 2012. The interview addresses Judge Goodwin's early political career, then moves to a discussion about his relationship with Senator Byrd and observations regarding the senator's leadership style and personal motivations. The interview concludes with several of Judge Goodwin's favorite stories about Senator Byrd, and a reflection on what his death means for the state of West Virginia.

Joseph Goodwin was born in Ripley, West Virginia in 1942. He studied theater at West Virginia University, then entered the army after graduating in 1965. After serving, he returned to WVU to study law, earning his JD in 1970. He opened his own law firm together with his brother, and worked for Goodwin & Goodwin for twenty-five years.

In 1995, on Senator Byrd's recommendation, President Clinton nominated Joseph Goodwin to serve as judge with the United States District Court in the Southern District of West Virginia. The Senate confirmed the nomination that same year. In 2007, Judge Goodwin became Chief Judge of the United States District Court for the Southern District of West Virginia.

About the interviewer: Alan Sturm is a retired educator, former teacher, principal, and assistant superintendent of Upshur County Schools. He also served for two terms on the Jefferson County Board of Education. He has a BA in history from West Virginia Wesleyan and an MA in Public School Administration from West Virginia University. He has made the study of West Virginia political history his lifelong hobby, and he has been working to collect interviews for the Robert C. Byrd Oral History Project since July 2012. He lives with his wife, Libby, in Shepherdstown, West Virginia.

Interview #1
Friday, November 9, 2012

Sturm: Today is Friday, November 9, 2012. I'm Alan Sturm. I'm working with the Robert C. Byrd Center for Legislative Studies on the oral history segment of the Robert C. Byrd Legacy Project. Today it is my pleasure to be talking with the Honorable Judge Joseph R. Goodwin in his chambers in the Robert C. Byrd Federal United States Courthouse in Charleston, West Virginia.

Judge Goodwin is the Chief Judge of the United States District Court for the Southern District of West Virginia. He was nominated in 1995 by President Clinton and confirmed by the Senate in the same year. Prior to his appointment to the federal bench, he was a partner in the law firm of Goodwin & Goodwin in Charleston. He also served as the state chairman of the West Virginia Democratic Party.

Welcome, your honor. I want to thank you for taking time to do this interview. As you know, this session is being recorded. Is that agreeable with you?

Goodwin: It certainly is.

Sturm: Judge, I'm going to ask you several types of questions today. Some will be about Senator Byrd, some about your experiences as chair of the state Democratic Party, and some will call for speculation on your part based on your knowledge of Senator Byrd and West Virginia politics. So let's start by having you tell us a little bit about yourself and your background and how you got to be the federal judge that you are today.

Goodwin: Well, that'll be the least exciting part of the interview.

Sturm: But it's important for us to know.

Goodwin: I was born in Ripley, West Virginia, halfway between Charleston and Parkersburg in 1942. My dad was the mayor of the town and a lawyer, and my mom was a housewife, and I grew up there. My dad died when I was very young, and my mom, two or three years later, remarried, and we moved to Columbus, Ohio. I graduated from high school there, but I wanted to come back to West Virginia, so I came to college at West Virginia University. I was a theater major at WVU and managed to make a reasonably poor academic record based on lack of attendance at class.

Then I went into the army. It was bad timing because it was during the Vietnam War, but it worked out for me. I'd gone through ROTC, so I went in the service still not having any idea what I was going to do with my life. Kay and I had married, and my brother Tom, who was two years younger, convinced me to take the Law School Aptitude Test. I did that and got a really high score, which was the only thing I'd ever scored high on, as far as I knew. Based on that score alone, I applied to law school and was admitted. That was in the days when about a third of the students flunked out, and I truly did not study to be a top student; I studied to not be kicked out.

After my first semester, I made straight A's and I was first in my class, and I couldn't imagine why, but I liked it. That was the first time in my life that I'd been extraordinarily successful at something. So I continued to study hard, and after I got out of law school, my brother Tom and I established our own law firm, which was considered foolish at the time because we had offers with the big firms. By "big," back then, I think Jackson Kelly might have had thirty or forty lawyers. We decided we'd go out on our own. We opened an office in Ripley and one in Charleston. The economy was good enough and we worked hard enough, so we established ourselves.

I practiced law with Goodwin & Goodwin for twenty-five years, mainly trying cases, civil cases. I started with dog bites and drunk-driving cases and a few murder cases in between. Then as our practice got established and I could get out of the courthouse record room title work, I tried more complicated matters and got bigger clients. Twenty-five years went by.

Then Senator Byrd changes my life and recommends me for the federal bench. But in the meantime, I've dabbled in politics along the way.

Sturm: Well, that leads into the next question. When did you serve as chair of the West Virginia Democratic Party?

Goodwin: I believe it was '82 to '86. I certainly was chairman at the '84 Democratic National Convention.

Sturm: What caused you to take this position?

Goodwin: I was always interested in politics. My dad had been interested in politics. He'd been the county chairman of the Democratic Party in Jackson County. As I was opening my law practice Jay Rockefeller evidenced his interest in statewide office. I volunteered for his campaigns.

So I ran for chairman of the Democratic Party in Jackson County against a very nice lady named Imogene Williams, whom I'd known all my life. I didn't know any of the committee members, but I went to each of their houses and drank coffee with them and ate homemade pie and asked for their support. It was unusual to campaign for a county chairmanship, but I became county chairman. So from that position I met and got to know all of the statewide candidates.

My brother Tom became state tax commissioner and then later Rockefeller's top aide. Back then the top person in the office was called executive assistant. Jay decided to run for United States Senate after two terms as governor. J.C. Dillon, former state senator from Summers County, was the state chairman who'd been picked by Jay's predecessor, and he was not being very cooperative with Governor Rockefeller. Governor Rockefeller asked him to step aside, and he refused. Jay wanted his own state chairman, so he asked me if I would run against J.C. Dillon, and possibly the only major contested election for party chairman took place that year.

Rockefeller was my campaign manager; hence, I didn't have to put up a lot of money. [laughter] We went all over the state. He, out of personal funds, would pay for the state helicopter, and we would land in committee members' hometown football fields and take their children for rides on the Governor's helicopter and buy them dinner. Just a little campaigning on airport.

Then J.C. Dillon tried to fox us. He decided to treat the State Executive Committee to a meeting in Morgantown that had always been held in Charleston. He rented the Ramada Inn and bought buffet food and so forth, and basically spent every dollar that the Democratic Party had on paying for the hotel rooms for all the state committee members to come to Morgantown.

Nevertheless, thanks to Governor Rockefeller, I prevailed and became state chairman, and that's how I became more involved in statewide politics.

Sturm: I don't think I've ever heard anyone refer to Senator Rockefeller as a campaign manager before, so that's absolutely great. [laughter]

Goodwin: Well, I think I may be the only campaign he ever ran.

Sturm: And it was successful.

Goodwin: And it was successful. That's right.

Sturm: How did you come to know Senator Byrd, and when did you first get to know him?

Goodwin: Well, I became acquainted with him when I was county chairman of the Democratic Party in Jackson County. He would call, as he had a habit of doing to many, and after pleasantries, he would say, "What do you hear about Robert C. Byrd?" I'm sure your wife had many calls like that.

Sturm: She did. Yes, she did.

Goodwin: I would give him the local scoop, and he would listen patiently and inquire after my wife and answer any question I had about what was going on in Washington, not in any detail but just patiently and pleasantly. I got to know him there and at bean dinners and, you know, the typical encounters that come from being involved in party politics.

Sturm: Over the years, I know your relationship with him changed somewhat. Can you talk a little bit about how that happened and how it changed?

Goodwin: Well, longevity had a good deal to do with it. All through the eighties and as he got into a very difficult campaign against a one-term Republican congressman named Cleve Benedict, I was state chairman. This was, for Senator Byrd, the first real and maybe only difficult campaign. We became much closer then. His campaign manager was M. Blane Michael, recently deceased. Judge Michael served on the Fourth Circuit Court of Appeals, thanks to Senator Byrd, who recommended him to President Clinton. As a matter of fact, Judge Michael was recommended by Senator Byrd and was the first Clinton judge appointed and confirmed by the Senate. As you will recall, Senator Byrd was still Majority Leader when President Clinton took office.

So it was during that Benedict campaign that we became more than political acquaintances. We became allies in the same fight, spoke more often, got to know each other better. After that campaign, he stayed in close touch. My State Democratic Executive Campaign Director, Anne Barth, eventually went to work for Senator Byrd and she would let me know when he was coming to town. I would come over to the Old Federal Building, we would sit and chat. The phone calls continued.

Senator Byrd kept every letter that everybody wrote to him, so some of the correspondence will no doubt show up. Over time, I got to know Mrs. Byrd. I never knew his children well. They're older than I am, and I'll be seventy in a month. But to the extent that he had close friends, I became a pretty close friend of his.

Sturm: So then your friendship actually developed on a personal level as well as a professional political level?

Goodwin: I would say so. I mean, I was concerned about him as a human being. I think he cared about me as a human being. We would often just talk about West Virginia, and our conversations broadened from what was the current state of affairs in politics to bigger things, although they often had a political edge to them because we were both interested in it.

I can remember asking him if he went to the White House for the social events, and he said, "Well, you know, I used to. I went to one or two parties when I was Majority Leader, but I don't see much point in it. Erma and I don't like the social scene."

I asked if he went to the White House for meetings with the leadership.

He said, "Well, I did for a while, but I found that a waste of time. We would go there for what was meant to be a working session and a private discussion, and I would get run over as we left the door by other Senators and Congressional leaders headed for the TV cameras." He said, "I saw no point in going to a meeting just so a Congressional leader could go out and talk to the TV camera." He said he stopped going.

It reflected his attitude about the Senate and the separation of powers too. He said to me on more than one occasion, "I served under no president. I served with—," whatever the number happened to be at the time.

Sturm: I believe it was eleven, the last time I saw him.

During your discussions about West Virginia with him and about politics, did he ever reflect about his early days in politics when he was in the West Virginia legislature and then in the West Virginia Senate?

Goodwin: Not in any great depth with me. He somewhat took for granted that I knew about his history, you know. He had a substantial ego, I think that's fair to say, but it was not obnoxious in any sense. I asked him if he knew my dad, who had been in the House of Delegates at age twenty-one, and he said yes, and something like, "He was a fine fellow," and that was about the end of that conversation.

We didn't ever get into detail about his relationships with other people in the legislature, either the House or the Senate. He served in both. Not much either about governors. He mentioned some he liked better than others.

Sturm: Elaborate on that a little bit, if you would.

Goodwin: I can tell you that he had his good times and his not-so-good times with Senator Rockefeller, for example. The first time that Jay went to see him after he was elected as governor, Senator Byrd had him stand in front of his desk while he signed papers for a couple of minutes before Senator Byrd looked up and told him to have a seat. So he was very much the senior senator and exercised his prerogatives as the senior senator. But over the years, and particularly, I think, in the last couple decades before his death, I think he and Jay became much closer. You'd have to ask Senator Rockefeller about that.

Sturm: I hope to. Let's back up a little bit. You said that he was the senior senator. He wasn't always the senior senator.

Goodwin: No.

Sturm: Did he ever discuss with you his feelings about Senator Randolph being the senior senator from West Virginia and Senator Byrd being the junior senator?

Goodwin: I don't recall a specific conversation, but I certainly have an abiding sense that he *never* liked that. I think he thought that Jennings had slipped in and gotten sworn in first. He felt that wasn't right since they ran together and that he got more votes, as I recall, than Senator Randolph did.

Sturm: Did he ever mention the fact that he was the man who people went to when they needed something for West Virginia? Because, apparently, as I look at this, Senator Randolph, even though he was a long-term senator, really didn't have a lot of power. So when people wanted something done, they went to Senator Byrd. Did he ever talk about this?

Goodwin: I think that was more a question of style than it was actual power. You know Senator Byrd's history well. He took jobs that weren't powerful and made them powerful. Senator Randolph played the game in the Senate and became more powerful on paper or in the hierarchy quicker than Byrd did. Randolph was chair of Public Works and, therefore, he had roads and railroads and airplanes and airports and all those things under his jurisdiction, which were a great source of patronage.

Can I digress and tell you a story about Randolph?

Sturm: Absolutely. Absolutely.

Goodwin: When Vice President Walter Mondale was running, as the nominee for president, he made the obligatory trip to West Virginia and landed at what is now Yeager [Airport]. I picked him up and we drove to a coal mine for a photo op. He was going to go down in a coal mine and stand with coal miners, and that would be on the evening news. I don't remember the name of the mine we went to. It was a Kanawha County mine, but it was probably a thirty or forty minute drive. The vice president was hilarious. He never came across that way on television.

Sturm: No, he didn't.

Goodwin: I never had the feeling he was anything other than boring until I spent that time with him. He was hilarious. He regaled me with Jennings Randolph stories, one of which was, "You know, I needed a bridge in Minneapolis," and he said, "I was a young senator. I would make an appointment and I would go see Jennings, and I would make my case for this bridge."

Senator Randolph would always listen respectfully and then say, "You know, that sounds like a very worthwhile project, and we'll look into that." and "I never got the bridge, but every now and then Jennings would ask me to come to West Virginia to speak to one group or another, I always had something else to do, and I declined. One day he caught me in the Senate Office Building in the hallway and said, 'Fritz, will you come to Huntington and speak to the Democratic Women's Club?' And I said yes, before I thought. I came to Huntington, and I spoke to the Democratic Women's Club. The next week I got my bridge." [laughter] Tit for tat.

So Randolph had the power, but he didn't have the same dedication to constituent services that I believe Senator Byrd always did. Senator Byrd kept a tighter watch on West Virginia and on West Virginians. I don't mean that in any derogatory sense toward Senator Randolph. Byrd was just more keenly interested in the public pulse.

Sturm: Let's back up just a little bit again. You said that he never really discussed much about his days in the West Virginia legislature.

Goodwin: No.

Sturm: Did he ever talk about why he made the move from West Virginia State Senate and decided to run for Congress the first time?

Goodwin: Not with me, he didn't. He was a very ambitious man and intended, I think, from the time he was a first-grader to achieve and to achieve and to achieve. Personal improvement was at the center of his life. And the Senate became the place where he could combine that ambition and desire for personal improvement with real public service. I think everything before then was simply getting ahead. But I think that in the Senate he found an institution that he revered, came to know better than anybody, and it fit with his ambitions. There were plenty of things to do. The one true thing that is always written about him is he truly loved the United States Senate. Now, he came to think poorly of some of his colleagues in the last fifteen, twenty years, but he loved the Senate.

Sturm: Is that the reason that he turned down President Nixon's offer to appoint him to the Supreme Court, do you think?

Goodwin: I actually think he told me this. Since you haven't administered the oath, I won't swear to it, but I actually think in telling me that story, he told me that he decided to go home and talk to Mrs. Byrd about it after the Nixon conversation on Air Force One. Then he sent word back through, I think, John Connolly to President Nixon and declined. But he said to me, "I didn't think I was qualified, but now I know I could have done it." He did tell me that. I do remember for sure.

Sturm: That's a great story in itself. It's an unfortunate page in his history, the Klan. Did he ever discuss that with you?

Goodwin: Yes. This story has several versions because he's probably said it differently to different people. To me, he said there were two votes he most regretted. One was against the 1964 Civil Rights Act, and the second was the deregulation of the airlines, and I'm not sure which he put first. He hated flying. He was afraid of flying. That's why we have the best wind-shear detection technology at the Charleston airport.

But we never talked about the Klan beyond the fact that it was a youthful mistake, and, you know, he was always apologetic about it. His record on race relations was much better than that, although he had close associations, particularly with Senator Stennis and some other southern senators that became strained later on in his career. But let me give you a really good little story that reflects his thoughts about race, these dates you can check. I don't have them.

He came to Charleston, in his later years, not too long ago, to dedicate the Pharmacy School at the University of Charleston. I was a sitting judge, as was Judge Michael, his longtime campaign manager, as was Robert King. Judge King of the Fourth Circuit had been his personal lawyer in political disputes. I think there's no small coincidence that all of us were close to him politically. Some would like to say we were all appointed because of our legal brilliance.

In any event, we were sitting around a table downstairs in this building after hours, chatting, and while judges are not free to talk about politics in a general sense, when judges get together, they do. And when those three judges got together with Senator Byrd, we did. I said to him, "Senator, who do you think the Democrats will run in the next election?"

And he said, "Well, there's Mrs. Clinton, of course. I like her very much, but, you know, I like that young senator from Illinois." Now, that remark was made well before there was any major speculation, announcement, or anything from Barack Obama that he was considering running for president. There may have been the talk, but Byrd picked him.

Sturm: Did he talk more about him as the campaign went on, with you?

Goodwin: No, but typical Byrd, wouldn't have gotten involved at all in a primary. He really liked Hillary Clinton because she'd come to see him and sought his advice, and, as far as he was concerned, she had made a fine senator. She had worked in her jobs in the Senate, and he thought very highly of her. But as you'll recall, as that campaign came toward the end, Byrd supported Barack Obama.

Sturm: I remember that, yes.

Let's leave Senator Byrd for a minute and talk about the Democratic Party in West Virginia. Tell us a little bit about, at the time you were chair, the way the party operated on a statewide basis – who made up the party, where your funds came from, just a little history of the party at the time you were active in it.

Goodwin: As I think back on it now, it was a bit of a time of transition. We were leaving the era of the bought vote and the organizational machine in the South and entering a more modern, honest era of politics. That's not to say that everything was clean south of the Kanawha River, but to Senator Byrd's great credit and with the help of Judge Michael, who was still in the practice of law at the time when I was chairman, we moved from the era of factions and corrupt practices, for lack of a better word, toward a more sophisticated party.

Both Blane Michael and I were lawyers and we were advising Rockefeller. We weren't about to do anything dishonest. We wouldn't countenance the idea of sending money to the county factions. In the past, money, in particular cash, had gone to every significant political boss, and Rockefeller stopped it. The only money that went out was by check, and those checks were for a particular purpose. They would send some money to the County Executive Committee, depending on how effective they were and how big the county was. I suspect that Upshur County didn't get a big check.

Sturm: I would imagine not.

Goodwin: Jackson County did, however.

The factional leaders back then were in the newspapers all the time, the Ferrells and the Johnny Owens and the Chafins and the Godbees and all of those guys down south. When some learned that we weren't going to send cash, there was quite an outcry and a lot of protests.

So we had county chairmen submit a list of people who were going to be hired as poll checkers and as drivers. The state law at that time permitted you to hire people for the purpose of conveying voters to and from the polls and to be poll checkers and so forth. We cited the specific statute on each check, and what the purpose of the money was. We wrote the check to a person from the list. Our idea was that it would go directly to them and they would be paid for doing what they said they were supposed to do.

That changed the Democratic Party. Now, I heard later it didn't change it as much as we thought it did. Some of the folks were clever enough to have all the people who got the checks to come to their house and simply endorse the checks. They would then cash the checks and go back to their old way of doing business. But in any event, it was the beginning of the end of their control.

My son, who's the US Attorney now, has told me that election fraud in West Virginia today is more in the counting or the procurement of absentee ballots or that kind of thing than it is in any bought vote. That really just doesn't exist in numbers to make any difference in West Virginia.

Sturm: That's important to know, though, that the party changed while you were chairperson.

Goodwin: It did change, and at that time there was still a measure of importance to the elected party officials, county chairmen, county executive committees, and all of the candidates still paid attention to them. In the bigger counties, more attention was paid than in the smaller counties, but I am sure your wife, who was chairman of a county committee, received frequent calls from officeholders.

Sturm: And visits.

Goodwin: And visits, because it was still perceived as being very important. My sense of it is that's no longer the case.

But then every office seeker sought the support of the party structure, and it was the perception that we were powerful that gave us any power at all. There were really no official duties. There was very little money and very little staff. As state chairman, I had one staffer, and we had an old rented house on the west side of Charleston as the state headquarters.

I said at one time of the state Democratic Party, "I've been to the top of the mountain, I've looked over the other side, and there's nothing there." [laughter] But we made something of it. We put out newsletters, we communicated one with the other, and the candidates did as well. In that sense, with the sponsored meetings and the "Meet the Candidate" nights and just the power of the people on those committees to talk to others in their community, the party remained important.

Now the party is more ideological—and I think that's true of both parties—and less organizational. That's the transition that I've seen. Back then, there was an organization, albeit not as strict, but there was an organization and there were people who held posts and performed functions. Now it's more just "I'm a Democrat, therefore I'm against Republicans" or "I'm a Republican, therefore I'm against Democrats."

I'll tell you this, in terms of relationship between the parties and civility, back then there were civil relationships, polite, kind relationships between the leaders of the parties, much of which no longer exists. That was true even when we had words in public. Kent Hall was the chair of the Republican Party. He and I would travel together in the same car to meetings. We'd take turns. If we were going to be on a TV debate show in Wheeling we would drive up there together. We'd get on the air and we would disagree mightily, and then we'd drive back, and we were great friends.

We even had a private joke, which I know is not public, but if he was called to get a reaction to something I had said politically, he would say, "I'm appalled," and then whatever else he wanted to say. If *I* got the same call, I would say, "I'm appalled," and then whatever I wanted to say. So if you were to trace the clippings from that era and what the chairman of the Republican Party said and what the chairman of the Democratic Party said, we were both always "appalled." It was our own private joke.

Sturm: And that could not, would not exist today.

Goodwin: Could not exist.

Sturm: That's so unfortunate.

Let's try to relate Senator Byrd to the Democratic Party. From your perspective, what was his relationship with the state party, and how did that relationship change over the years, if it did, in fact?

Goodwin: Byrd was a bit of a loner. He wasn't an integral part of the state party. He was the party of Byrd to some extent, and he remained a bit aloof from party affairs. Now, he was the fellow we could count on to get us the best speakers for the Jefferson Jackson Day Dinner. Usually the senators took turns getting the speakers, and he always was a little better at it than the — but beyond that and beyond his election, during the time he was Majority Leader, you may recall he didn't come to West Virginia very often and he was not involved much in the party affairs. He would answer every letter, he would be responsive to every phone call, but in terms of associating himself with other members of his party and being a booster, for example, for any other candidate, or helpful to any other candidate, he didn't do that. He figured it was their election, and he wasn't going to spend his political capital on somebody else. I say "he figured." I don't know what he thought, but the fact of the matter is he didn't do it.

Sturm: So, essentially, he had his own mechanism for his own elections when the time came.

Goodwin: That's right.

Sturm: Initially when he became a prominent West Virginia figure, the coal industry in West Virginia was not supportive of him, and since coal has always been so vital in West Virginia politics, how did he overcome this obstacle, and how did that change over the years?

Goodwin: Well, I think the coal people finally figured out they couldn't beat him and that he was going to win anyway. He never really had strong opposition, Cleve Benedict being the sole exception. I think John Raese did run against him once, but, I mean, he never had a serious race. He was Senator Byrd. He was *the* senator. In fact, if you heard somebody say, "Is *the* senator coming?" you knew they meant Byrd. They didn't mean Jennings or they didn't mean Jay. They meant, "Is Byrd coming?" I guess that's it.

Sturm: Why did coal oppose him initially?

Goodwin: Well, at this point, I'm more relying on David Corbin's recent and excellent book than I am my own personal memory.

Sturm: I saw it two weeks ago at the Byrd Center.

Goodwin: It's a great book. It's very academic in the sense that he doesn't do any interviews or history, which would have made it more lively. It's academic and researched.

Senator Byrd just stood up to the coal interests and John L. Lewis tried to beat him, Senator Byrd just took out his fiddle and went wherever two or three people were standing—this was back in the late forties, early fifties, whenever the early runs were — and simply went around the leadership. John L. Lewis swore that he would beat him and couldn't, could not beat him. They put money and effort and time into it, and they couldn't beat him. I think they gave up.

Sturm: Did his stand on black lung in the sixties in the mine reform movement of the sixties and seventies change coal's attitude toward him?

Goodwin: Well, I think the fact he became very powerful and the fact that they needed him a lot changed their attitude toward him. I think they were more self-interested. You know, back in those days, my law practice was heavily oriented toward representing coal companies, and I can tell you — they never were cheerleaders for Robert Byrd. But he didn't care, and it didn't matter. [laughter] They didn't like him at the end when he became much more interested in mountaintop mining and the environment and so forth. But he was evenhanded in his love for what he grew up with, and that was a traditional family living in a small coal mining community with the father digging coal and the next generation going to dig coal. He identified closely because that's where he came from. He identified with those working people and he fought for them. He believed in them, not so much the companies.

Sturm: You touched on what I wanted to discuss now a little bit earlier. When you were state Democratic Party chairman, you were dealing with individuals with, as you mentioned a little while ago, monumental egos, and I'm sure that all was not always as it should be between them. I'm sure as state party chairman you tried to do what you could to more or less keep the peace. You mentioned Senator Rockefeller and Senator Byrd had some trying moments. Can you talk a little bit about his relationship with Randolph and Rockefeller over the years and how that developed?

Goodwin: He and Randolph were — and this is just my opinion.

Sturm: That's fine sir.

Goodwin: They were never more than cordial. They were never close, if I was to define it. In fact, I have heard Senator Byrd wonder aloud why they named Interstate 79 for Randolph. After they named many things for him. They were not close at all. It may have gone back to the senior senator business. I mean, he didn't detest him, and I don't think Randolph disliked Byrd. Somebody closer than I would know that. But they certainly were not friends. They were reasonably collegial in the interests of serving their constituents, but that's about it.

Sturm: With Rockefeller, you said they got off to sort of a rocky start, but how did that develop over the years?

Goodwin: It got better and better over time. I think Senator Byrd came to realize that Senator Rockefeller was a very good senator who was working hard and paying his dues in the Senate and not being a hot dog or a show horse, as Senator Byrd would call them, being a work horse, which he admired. Over time, I think they came to have a respect for each other and, by the end, an affection.

Sturm: That's fantastic. I hadn't thought about the term "affection" in the relationship. How about with the governors? You know he was there for a . . . I know you weren't active in politics during all of the terms, but how did he feel about Arch Moore, for example? How did they get along?

Goodwin: They got along fine. They got along fine. He recognized Arch's popularity and his influence in the state. They weren't great friends. I mean, there might have been a little competitive spirit there, but I don't think Governor Moore was ever inclined to test his political popularity against Byrd.

Sturm: I think you're right. [laughter]

Goodwin: I never heard Byrd say an unkind word about Moore. On the other hand, I never heard him brag on him either.

Sturm: During that time, how did he get along with the other members of the West Virginia Congressional Delegation? I know they had meetings.

Goodwin: Fine. Well, he didn't do much at the meetings. He kept himself apart to some extent. He really liked Nick Rahall. Nick Rahall had worked for him, and he was fond of Nick Rahall.

Sturm: How about Bob Wise? He would have had a dual relationship with him, both as a congressman and governor.

Goodwin: I think their relationship in Congress was just Bob Wise, a young kid in the House, which he thought was inferior to the Senate, maybe. Those are my words, not his.

Sturm: That's fine.

Goodwin: I think he thought well of Wise, and they got along well during the time that Wise was governor. Their relationship was good. I wasn't in politics then, but that's just an observation.

Sturm: Now, you've mentioned a couple times that Senator Byrd and his wife generally didn't socialize. He didn't seem to go to ballgames. He didn't play golf. He didn't do things that a lot of other individuals do.

Goodwin: He said he went to one football game.

Sturm: One football game. What did he do for relaxation?

Goodwin: He said, "Other people jog their bodies. I jog my mind."

Sturm: So it was intellectual.

Goodwin: I think so. He read all the time, and he had things he would do with certain activities. If he got his shoes shined or his hair cut, he memorized poetry during those times. He just read a lot. Here's the most revealing thing, and you probably heard this from others, but he said it to me and I believe it. He said, "Joe Bob, I made a career out of being underestimated," and I think that summarizes Senator Byrd more than any other thing I've ever heard about him. He said it, he knew it, he knew that people considered him a rube when he first went to Washington, he knew that people didn't know he was as smart as he was or as clever, and no one expected him to beat Teddy Kennedy for the Democratic leadership post.

Sturm: I think it was Whip. The Byrd Center has the actual tally that I believe Lloyd Bentsen kept during the vote. It's framed, hanging on the wall there.

Goodwin: Yes, he would have. Of course, as you know, he and Kennedy became extremely close, and he referred to Kennedy as his best friend in the Senate. I remember on Senator Byrd and Erma's fiftieth wedding anniversary, they went to the Greenbrier, and Teddy Kennedy sent fifty red roses.

Sturm: I can still remember his reaction when Kennedy died, on TV. It was obvious he felt very close.

Goodwin: He did. He loved him.

Sturm: It was a close relationship there.

Goodwin: He loved him. If there was anybody that he truly, dearly cared about, it was Teddy Kennedy, and they didn't always agree at all. Senator Byrd he was much more conservative than Senator Kennedy, but they had enormous respect for each other. I think it's a great tribute to Senator Kennedy that after Byrd taking him on and beating him and so forth, that he was willing to become friends with the man. Byrd was not an easy person to know, but their correspondence, I'm sure, will be one of the treasure troves that you guys find.

Sturm: Yes. At some point that will be digitized. That's the ultimate goal of the Byrd Center is to get — of course, the personal things people are requesting, help Social Security and that sort of thing, won't be, but all of the public things. The correspondence you've had with him, I'm sure at some point your grandchildren will be able to look online and read that.

Goodwin: I'm not sure. During the Iranian Hostage Crisis, I remember writing an impassioned letter to him urging the Senate and the president to attack Iran. So I kind of hope that letter gets lost somewhere. [laughter]

Sturm: You kind of touched on this too. You knew him on different levels. How did the private Senator Robert Byrd differ from his public persona as the senator, majority leader, extremely powerful leader of the Western world, for that matter? How were they different?

Goodwin: Not much.

Sturm: Not much?

Goodwin: Not much.

Sturm: So, he was basically the same person, regardless of what setting you met him in?

Goodwin: He was a good listener. If you put him in a situation where there were a bunch of talkers, he just wouldn't talk. He just let them talk. He never felt the need to assert himself in those situations. He just was perfectly happy to sit there and listen to others.

And he was nostalgic in his later years. I can remember sitting in his office downstairs, and he had a bunch of pictures on the wall, and you've got them now in the archives. On the wall of his private office — Anne Barth would be a great source for this story — he had pictures of all the congressmen and senators he'd served with and some of the leadership and so forth. He would point that shaky hand to one of them and talk about them with considerable nostalgia. He had a benign tremor. Many thought he had Parkinson's Disease, but he did not. He worked in a shipyard during WWII as a welder and some believe the welding fumes caused the tremor.

This has nothing to do with the interview, but I've got to tell you this quick little story. I was up visiting with him during one of the campaigns when I was chairman. I guess he was running for reelection maybe at some point. Yes, he was. Benedict, yes. We were in the office in the Capitol, the one where the hole is made by the bomb that they'd set off outside the majority leader's office, I think. Senator Stennis was sitting in the waiting room, waiting while he was talking to us in the other room, and that didn't seem to disturb him at all to keep senators waiting. That's true. He did that with regularity. Martha Anne McIntosh could tell you. She probably might not tell you, but it's true. But when we came out, he introduced me to Senator Stennis, and he said, "Now, Joe Bob here is the chairman of the Democratic Party in West Virginia."

And Senator Stennis looked at me and said, “Well, of course he is,” like he knew. He was acting like he knew who I was. [laughter]

Sturm: That’s a great story.

You mentioned that he said one of the great regrets of his life was his vote on the Civil Rights Act.

Goodwin: Yes.

Sturm: Over the years, you look at the Senator, and he went from voting against the Civil Rights Act to having an A-plus rating with the NAACP. He was a hawk, very much a hawk on the war in Vietnam, but he wrote the War Powers Act and later was the leader of the opposition to the war in Iraq. Over the years, did he change? Did the issues change? How can one explain the difference in his attitude?

Goodwin: Well, I might be an apologist for him in this sense. I think that he voted on important issues in a way that he believed to be principled. I think his votes were principled and not politically expedient, and sometimes they would have appeared to be inconsistent to others, but to him they were consistent. He had voted for previous civil rights bills, but he was aligned with a lot of the southern senators.

He was a complicated man, and I don’t pretend to be able to plumb the depths of his rationale, but I don’t think he was ever a hateful racist person, ever. I think he was like a lot of people of his era, which would date back to my father, grandfather’s era, where it’s just the way things were. And should they have felt the guilt and the shame and known better? Sure. But they didn’t, nor did many good people. I think he was a bit like that. He had black staffers. He had black friends. I never believed that he had any hateful racial feelings, but maybe to some extent he had that residual social prejudice that is unforgivable, but nevertheless a part of our world.

Sturm: So essentially you’re saying, at least I think — I’m not trying to put words in your mouth — that his core beliefs as an individual probably remained the same.

Goodwin: Yes.

Sturm: But as he became mature, as he read, as he became more intellectually aware, his views on some social issues may have modified and changed.

Goodwin: I think so, although, I mean, he was a law-and-order guy and he was more against the Vietnam War protestors and the civil rights demonstrators —

Sturm: I remember that well.

Goodwin: More because he thought it was disorderly and they were violating the law, and he didn’t believe in people violating the law. They were a mob, and they were despicable because they were engaged in organized lawbreaking. So I think they could have been demonstrating illegally for any purpose, except maybe religious ones, and he would have condemned them. His deep religion might have given somebody a pass if they were demonstrating for the church.

Sturm: Talk about his religion just a little bit, if you would.

Goodwin: I guess it came from his youth and growing up. He was a very deeply religious man who, as he got older, wore it more on his sleeve, and as he perceived that there were — this is too arrogant. I don't know what he perceived.

Sturm: Was he a churchgoer?

Goodwin: No, not much. I don't think he was. He had a church, but I don't think he and Mrs. Byrd often went. Again, Barbara Videnieks, Anne Barth, Martha McIntosh, some of those long-term staffers would be better to tell you.

Sturm: I've heard reference to him being a Sunday School teacher.

Goodwin: Well, he was a Sunday School teacher back in West Virginia, back in his young days, and he was a great orator, so I think he was a very popular Sunday School teacher. But I don't know. In his later years, he couldn't understand why the Supreme Court would ban prayer in school, and particularly expansion of the doctrine to announcers at football games and things like that. It just didn't fit with what he understood from going to law school and so on. He knew our forefathers had mentions of the Almighty in many places in the founding documents, and he just didn't quite get it. As I say, his way of looking at issues was what he believed to be principled. That's what I think. I don't know.

Sturm: That's why we're here today, to find out what you think about him, because you knew him probably as well as most people.

Goodwin: Well, I don't know. He was hard to get to know. I can't say. If you asked me did I really know him, I couldn't say I did.

Sturm: Probably nobody did.

Goodwin: Yes.

Sturm: You touched on this a little bit too. What personal qualities did he have that enabled him to rise from his childhood and his very early beginnings as a meat cutter and all this sort of thing to one of the most powerful men in the United States?

Goodwin: He was the most motivated, hardworking person I ever knew in my life. He worked. He never didn't work.

Sturm: As you said, that was his relaxation.

Goodwin: Yes. Everything he did all day long was to work. He would outwork the young staffers even well up into his years.

When I said earlier he didn't have much of a sense of humor, I think that's true, but he did have a sense of humor. When we had the ceremony to dedicate this courthouse, he came after the ceremony up to my office, and he immediately started saying he would prefer my office to his, and he was going to see that it was changed, that mine was much nicer than his and he wanted it changed. [laughter]

Sturm: Probably larger.

Goodwin: Then I took him through into the courtroom, he and Mrs. Byrd, and my wife was there, and I showed him the courtroom. He was really proud of the building. I opened the door back into where the jail, the holding cells are, where we bring prisoners up for trial and sentencing and arraignment and all that. That was open and the jail cell doors were open, and he was very interested in seeing that, and we were all in there. He got in one of the jail cells and he closed the door on himself, and he took his handkerchief out and pretended to be crying and said, "Erma, you've got to get me out of here. I've done nothing wrong."

Sturm: And no one took a picture of that?

Goodwin: No.

Sturm: Oh, what a shame.

Goodwin: I've got a picture of him in there sitting at my desk when he was demanding quiet in the room. He's got my gavel in his hand, and he's banging the gavel, telling me that. [laughter]

Sturm: Okay. We're almost to the end, and you've touched on this, but—

Goodwin: I've gone on far more than I should have.

Sturm: No, this has been a great interview. It really has. Here's a man, though, who was elected to the United States Senate nine times, probably a record that will never be surpassed anywhere in the United States. How did he manage to do this?

Goodwin: He never met a person that he didn't connect with or try to, and he worked at it. Just like everything else in his life, he worked at it. When he was running for office, he would drive fifteen miles up a hollow to see one person. I mean, he just flat worked at it, and he continued that with his letters when he was in the Congress and the Senate, with his phone calls that you're very familiar with. He flat worked at it all the time.

I'll tell you something I've omitted to mention, and, unfortunately, you can't interview him. I suggested, or you did, he didn't have many close friends, and I think that's absolutely true.

K.K. Holst [phonetic] certainly comes to mind as one. But Blane Michael was a close friend and they talked all the time. Even after Judge Michael had been on the bench for years, they talked very frequently and were very close.

Sturm: Unfortunately, we're getting to the point where a lot of the people who knew him well —

Goodwin: Are gone.

Sturm: — are gone, yes.

Goodwin: It is a shame. I honestly will tell you — I'll tell you something else after we turn off the tape recorder. [laughs]

Sturm: Okay. You've told us several, but everybody who ever knew him has a favorite story. Do you have a favorite?

Goodwin: I have two favorites. One is when he told me he wanted to make me a judge, came to my office, which he never did. Normally, Anne would let me know he was in Charleston, I'd come to the Federal Building, but I got a call from her one day and she said, "Senator Byrd wants to come to your office." Well, I thought it very odd, but I had no clue, and I hadn't even thought of being on the bench. I was fifty-two years old by that point. I was making a good living. I wasn't used to a Democrat being in the White House, you know. [laughter] Reagan had been there.

He came in and we just engaged in polite conversation for a little while, caught up. Then he just looked at me and said, "Joe Bob, I'd like to make you a federal judge. What do you think of that? Bob Maxwell told me at Blane's investiture that he will step down in Elkins, and I would like to recommend you."

You could have knocked me over with a feather. It meant I would have to move to Elkins, and I didn't really want to do it, but I was kind of tired of practicing law. I'd made a good little bit of money that year and the year before, and my son was in his last year of law school and my house was paid for and my car was paid for. So even though it was a big pay cut, I thought, it's prestigious. I'm academically inclined anyway to the law.

So twenty-four hours later, I told him yes, and I thought I was going to go to Elkins. Within a month or two, hadn't heard much, I got a call from him and he said, "Joe Bob," he said, "I don't think we ought to say anything about this until after the election," whenever that was.

I said, "Fine." Nothing more happened.

Then later I got another call and he said, "Joe Bob, Bob Staggers has told me he's going to take senior status down there in Huntington. Now, would you rather go to Elkins or would you rather go to Huntington?"

Well, I can be honest and completely truthful now. I was happy to go to Elkins, but that meant selling my house and completely moving to a new part of the state for me. And I liked Judge Maxwell very much, but being in Huntington was a lot closer, so I told him Huntington. Now, I never confessed that to Judge Maxwell, because Judge Maxwell always assumed I was forced to go to Huntington and didn't go to Elkins.

But, anyway, my other favorite story is the one I told you, is, "I made a career out of being underestimated."

Sturm: I've interviewed half a dozen people, and that's the first I've heard it, that he said that, but that's a great line.

Goodwin: Yes.

Sturm: Is there anything else you'd like to add?

Goodwin: No. I mean, you've heard the quote. He soured on the people in the Senate and the bickering, and gave wonderful speeches about them, railed at them, shamed them on the floor. I can see him shaking his hand and rubbing his finger in shame, and he would shout it, "Shame!". He said, "You know, I used to serve with giants, and now I serve with pygmies." [laughter]

Sturm: I remember that line well.

Goodwin: I've really probably said a lot more than I should have said, but I loved him. I think we will not see his like again. I think West Virginia has no idea how much we have lost. I don't think the voters, the people of this state have the slightest idea just in raw terms how much damage has been done to the future of this state through losing Robert C. Byrd.

Sturm: Thank you for your time, sir.

Goodwin: You're welcome.

Sturm: Now, I want to explain the ground rules here. A complete transcript of this interview will be sent to you—

Goodwin: That'll be embarrassing.

Sturm: — at which time you can go over it, make any changes you want, and then send back the edited copy.

Goodwin: Do I have to turn everything into complete sentences?

Sturm: No, no, no. [laughter] Well, after you return it, you'll be asked to sign a Deed of Gift stating that it will become part of the Robert C. Byrd Oral History Collection at Shepherd

University. Until that happens, everything we have said today is private and confidential and subject to your control until you're completely satisfied with it and you sign it over to the Center.

Goodwin: I agree. Now that I recognize that and know how much editing I have to do, I wish I hadn't talked so much. [laughter]

Sturm: Thank you, again, for your time.

[End of interview]