

A battle in the heart of Dixie

In Roy Moore and Luther Strange, Alabama has a choice



In this Aug. 15, 2017, file photo, Sen. Luther Strange speaks to media after forcing a runoff against former Chief Justice Roy Moore in Homewood, Ala. Strange on Tuesday, Aug. 29, launched his first salvo against Moore in the contentious ... more >

By Allen Mendenhall - - Wednesday, September 6, 2017

ANALYSIS/OPINION:

Roy Moore and Luther Strange are headed to a runoff in the Alabama Republican primary to fill the Senate seat once held by Jeff Sessions. I worked for Mr. Moore and Mr. Strange, who inhabit different political communities.

I was Mr. Moore's staff attorney when Mr. Strange hired me to serve as an assistant attorney general. Because of my relationship with both men, people ask me what they're like. The answer is more complicated than predictable caricatures.

Mr. Moore is known as "Chief." He enjoyed taking his staff to lunch, sometimes for birthdays or holidays but often for no reason at all. He always paid for everyone. Once, at a local restaurant, his wife showed us a video she'd taken the previous weekend. In it, Chief was shirtless and leaning over the edge of a cliff, using a chainsaw to cut down a tree that grew over the open air.

The angriest I ever saw Chief was after his horse threw him. He returned to work with a backache, saying the horse "went up" while he "went down." He was lucky he wasn't stomped.

He was driving a state car one evening when he came across a domestic incident. A man was yelling and shoving his wife, who stood there crying. Mr. Moore flipped on the blue lights, pulled over and admonished the stunned husband while the wife got into her car and drove away, free for a time.

Every year, Chief employed interns from Handong Law School in South Korea, which has strict gun laws. Chief would call them into his office, where he kept an unloaded handgun. He'd pull out that gun and demonstrate how to disassemble and reassemble it. The Koreans watched with fear and awe.

Although depicted as a firebrand, Chief labored over opinions, meticulously editing them until every word was just right. On the back of his nameplate were the words of Micah 6:8. He began every meeting with prayer and instructed staff to consult William Blackstone's "Commentaries on the Laws of England" whenever possible.

His opinions sometimes upend expectations. He ensured criminal defendants were afforded all protections due to them and never hesitated to call out law enforcement or prosecutors for overstepping constitutional bounds. He had a soft spot for poor black defendants imprisoned for drug-related crimes and loathed sentences of life imprisonment without the possibility for parole for nonviolent habitual offenses.

He despised writs of mandamus from higher courts, believing that superintending judges shouldn't meddle with decisions of local courts. He dissented in nearly every case involving the termination of parental rights, believing rights of parents to their children are pre-political and beyond state authority.

He hung portraits of Lincoln and Jefferson Davis and displayed football calendars for Auburn and Alabama.

The area outside Luther's office exhibited University of Alabama paraphernalia. Alabama and Republicans share a mascot — the elephant — so these knickknacks and memorabilia had crossover appeal. Luther never went to Alabama: He attended Tulane on a basketball scholarship and graduated from law school there. It's possible the decorations belonged to someone else, or were left over from previous administrations.

I arrived at Luther's office after reports of inner-office conspiracies and clandestine phone recordings. I wasn't used to the security and secrecy. I was intimidated by the advice of one coworker: "Act as if you're being watched; you probably are."

Luther isn't the corrupt politician critics have painted him to be. He's kind, generous and soft-spoken, always the center of attention without trying to be.

When he walked by my office, his head was visible through windows that lined just beneath the ceiling. I could never see when others passed by; no one else towered 6 feet 10 inches.

In Birmingham to see him speak, I walked with Luther through the food line. He asked how I was adjusting and what I thought about his system of issuing opinions. To my affirmative response he said, "I want you to be happy working for me." I could tell he meant it.

Luther was a brilliant manager who surrounded himself with exceptional attorneys and effectively delegated tasks. He was involved or detached as necessary. His recusal from the prosecution of former Alabama House Speaker Mike Hubbard reflected political shrewdness and executive acumen: He needed to move out of the way for that case to run its course. His participation would have complicated the proceedings and discredited the result.

Anyone who's been around politicians knows the type: the narcissist who wants to exchange pleasantries but then looks around for more important people to talk to. Mr. Strange wasn't this type. He was genuinely engaged with interlocutors, no matter their wealth, connections or station in life.

When several Alabama lawyers attended a conference in Washington, D.C., I watched, amazed, as Luther worked large crowds. People stood in line to shake his hand. Each person walked away feeling special, as though Luther were truly interested in what he had to say. And he was. What they didn't know, and couldn't tell from his demeanor, was that Luther was suffering from a cold. Yet there he was, making people happy.

The Moore and Strange campaigns are running negative advertisements. These sadden me, but each man is dealing with political realities and possesses a sensitive, discerning mind beneath the performative campaign exterior. Although only one can win, both have won me over.

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