It is a warm day in Michigan and Otis Milton Smith, '83hon, sits on a marble window seat in his cool, large, and elegant office, looking out at downtown Detroit. Smith is a tall, athletic man, who at 65 retains the sprightly awkwardness of a high school football player, an unexpected freshness that is disarming. He is precisely dressed in a dark business suit and silk tie, with not one wrinkle in his starched and pressed shirt. His ruggedly handsome face, with its fair skin and white hair, often and easily smiles. His eyes are wide and bright.

Lawyer, justice, businessman, civic servant. Otis Milton Smith brings to mind the playwright Robert Bolt's reference to Sir Thomas More in A Man For All Seasons: "a man with an adamantine sense of his own self. He knew where he began and left off..." Smith's sense of his own life demonstrates his singleminded determination to achieve a meaningful existence at his place in time.

Smith's multifaceted career began in Michigan as assistant prosecuting attorney in Genesee County. He came to statewide attention in 1957 when he was appointed by Governor G. Mennen Williams, J.D. '36, to be the chairman of the Public Service Commission. Two years later Williams appointed Smith as auditor general. In 1961, Governor John Swainson appointed Smith to the Michigan Supreme Court, making him the first black man to sit on that bench. After his supreme court tenure, Smith joined the legal department of the General Motors Corporation in 1967. In 1983, he retired as general counsel of the corporation, having been the first black corporate officer of the largest corporation in the world.

His voluntary and civic commitments are as impressive as his professional accomplishments. Appointed to fill a vacancy on the Board of Regents of The University of Michigan, Smith served during the turbulent years of 1967-71. He has served on the governing boards of numerous organizations, and received honorary doctorates from Fisk University, Syracuse Universi-
ty, the Catholic University of America, Western Michigan University, Southwestern at Memphis, Morgan State College, the University of Detroit, and The University of Michigan.

Smith was chosen to be a presidential elector in 1968, and the Michigan chairman of the Electoral College that met in the state capitol in 1969. A member of the American Arbitration Association, Smith served as a member of the Federal Commission on Executive Legislation and Judicial Salaries from 1980-81 at the request of U.S. Supreme Court Chief Justice Warren E. Burger.

Smith does not think he has done anything extraordinary, but merely what anyone else would have done, given the opportunities. He believes that if you “discount the racial factor” involved in his accomplishments and in the obstacles he had to overcome, you would see “that I haven't done anything that time and place have not allowed me to do.”

“Franklin Roosevelt, Abraham Lincoln, or Admiral Perry haven't done anything beyond what time and place allowed them to do,” rejoins Robert E. Nederlander, ’55, J.D. ’58, former U-M regent. “Otis Smith is one of the most capable persons I have ever worked with. He is a man for all seasons: sensitive, competent, understanding, brilliant, a person who is a strong advocate of what he believes in.”

We are all fascinated by the stories of people who seem to shape themselves into what they want to be. In a sense, Otis Smith began his own conscious development while an adolescent in Memphis, attending a segregated high school where the teachers strove to bring the world to their students in the form of the best literature, poetry, and music that could be taught and heard. “A lot of people think anyone going to a black segregated school during the 1930s and '40s could not experience a good education,” says Smith. “But we weren't necessarily being deprived of everything. We did learn, and the teachers brought a world of literature and music to the students. We started out with Shelley and Keats, studied Longfellow and Whittier. We were introduced to so much, and it stayed with me, waiting to be developed,” making the young Otis Smith “want to find what the larger world was all about.”

Often Smith and his older brother Hamilton would go to school hungry, but they were always cleaned, pressed, and starched. If one looked closely at the Smith brothers' shirts, it could be determined that what appeared to be starch was really a shirt stiffened with white flour, a less expensive and more common household commodity. Smith worked in the school cafeteria to earn his lunch and played football. He was elected junior class vice-president and senior class president. He worked as editor-in-chief of The Washingtonian, the student newspaper, and had the same position on the class yearbook. The brothers' young lives were rich and wonderous: “We always thought that we were middle class, when in reality, we were downright poor.” Perhaps what was so important was the belief in oneself and one's own capabilities which adults, no doubt all too aware of the world's harsh realities, nonetheless allowed these youngsters.

Smith observes, “Coming from a rigidly segregated society, as a kid I could never imagine I would do the things I have done... My vision is that people have not been robbed of anything. We are all born with individual mental and nervous systems that, depending upon the stimuli, will propel us in one direction or the other. What really makes the difference is that there is something down inside of everybody that drives one to do things. I wasn't trying to be nor did I have the ambition to become what I became. When I was a foolish kid in high school, fresh from my victories as junior class vice-president and senior class president, I had the vision of becoming president of the United States one day, or at least a United States senator. In the middle of a busy day, I decided to ask our principal, a great presence of a distinguished black scholar and a very wise man, having been well-educated at the best black southern colleges, what my chances were of fulfilling my dreams. I stopped him on the crowded steps, and said, 'Professor, do you think I could become president?'

"In his great thundering voice, he said, 'Of what, son?' "Of the United States, sir?'

'He gave me the damndest look, and began to hurry up the stairs. Then, he stopped, turned in the crowd of students and replied again in that thundering voice, directed at me, 'Why, son, yes!'

'I swear he was shaking his head in amazement as he got away in that crowd. That was a foolish, childish ambition." But in Otis Smith's community, dreams were allowed.

What the older Smith came to realize was that "my own country had to grow, to come to the point where everyone could be allowed to participate—the mood, the sensitivities had to change."

With all the wonder and promise of things to come, all the unknown possibilities, came also, however, assaults upon his own blackness,
upon his wholeness of identity. Smith's football coach urged him to go up north and pass for white, saying that life would be easier and there would be more opportunities. Smith saw this happen to others who did indeed enter the white line marked "NEGRO" to become a pilot. The young student learned that life would be easier and there would be more opportunities.

Finally, he could afford to enroll at Fisk University in Nashville and was greatly impressed by the sculptor Aaron Douglas, who taught art history like "no one else possibly could." The young student learned about Titian, Tintoretto, Rubens, African sculpture, and many of the beautiful things in the world. To think about them today still evokes great pleasure. Smith is still very much the art history student and can easily discourse on line, color, texture, focus, and theory in his favorite paintings.

And then the golden time ended. On 1 October 1942, Otis Milton Smith enlisted at the military depot in Memphis and walked down the line marked "NEGRO" to become a private in the 477th Bombardment Group Medium, Bombers, generically called the Tuskegee Air Men.

It wasn't until after the service, after undergraduate work at Syracuse University on the G.I. Bill, and graduating from law school at Washington, DC's, Catholic University of America in 1950 that the young Smith had clear goals in mind. His ambitions were: 'First, I wanted to be regarded as an honest, able lawyer. Second, I wanted to be able to support my family.

"All these things that have come to me, I have never asked for a single one. I was never ambitiously striding up the ladder, hoping to go from assistant prosecuting attorney in Flint to the Public Service Commission chairmanship, to auditor general, to the court. My ambition was to do a good job. Frankly, when I went to Lansing in 1957, and left my practice, I did it very reluctantly."

What happened, Smith acknowledged, was that "I was coming along. I had been chosen the 'Most Outstanding Young Man in Flint' in 1956. I had a busy general practice and I was associated with a man of great honor, Dudley Mallory, a University of Michigan Law School graduate, class of 1926. So, I am coming along, and Lansing sends me for me.

"They had spotted me and they decided that I was a fit candidate to be the chairman of the Public Service Commission. They sent in all the investigators to look up my background, to see if they offered me the job, whether I would be acceptable, would pass muster."

"Then came the day when the county chairman called me and said Gov. Williams wants to appoint you to the PSC. But I wasn't particularly interested. I checked into the pay. It was less than I was earning. I was flattered by the governor's decision that I would be a good risk. You have to remember that this was a generation ago, back in 1957. That was a long time ago.

"The governor's office called me and told me what they had in mind. I said, 'Let me think about it.' I talked to my mentor, the man who had given me my start in practice. He told me that I would have to make up my own mind. All I wanted him to say was that it was foolish and I would have stayed. I wouldn't have gone. It turned out that he was not in favor of my going, but he didn't want to tell me that.

'I thought about it, and thought..."
about it in terms of the sacrifice I would have to make in terms of money. I had four little boys.

"What happened was that I saw Phil Hart [J.D. '37], who was then lieutenant governor, at the Jefferson-Jackson Day down in Detroit. I told Phil, 'Tell the Governor that I appreciate his even thinking of me, but I want to be taken out of consideration. I cannot afford to come.'

"Apparently what was conveyed to the governor was that I couldn't come because of the sacrifice of the money. However, the legislature just about that time had raised the pay of the PSC commissioners, including the chairman. I then received a call asking me to come over and talk to the governor again. When I got there, before I could tell Mennen that I had already told Phil Hart that I didn't want to come, the governor said, 'When can you start?' And, like a babbling idiot, I couldn't say no.

"Once I was there, I just wanted to do a good job. I didn't ask what the next step was."

There were no problems at the Public Service Commission. Smith decided that he was going to be a strong chairman. "I went in there and I wasn't going to apologize for being a black. I was not going to go tiptoeing around and act like a humble colored boy who happened to be there and was making his way. I was going to be what a chairman was supposed to be. I was going to run the commission not with an iron hand, but firmly."

According to G. Mennen Williams, who recently retired as Chief Justice of the Michigan Supreme Court, Smith "did an impossible job on the Public Service Commission. He determined the truth between consumers and producers. The mark of this man is that both the producers and consumers had praise for him all the time I was governor."

At only thirty-nine years of age, Otis Milton Smith was appointed to the Michigan Supreme Court, the first black justice of that court. He had grave apprehensions about serving on the bench. Smith recalls, "I wasn't moving along ambitiously, I was responding to the challenges handed to me. I wanted to make certain I wouldn't embarrass myself or my family or my race. That was a big part of it. You figured if you blew it, people would say, 'Oh, you give one of them a job and they can't handle it.' I was terribly conscious of carrying the race on my shoulders.

"Most people I know in my age group who were appointed to positions of that kind felt similarly. I think the young people today are more comfortable with themselves. They don't feel the same pressures."

"Thirty years have passed. It is a different era. I hope that along with some other guys who were in similar positions, I helped to destroy some stereotypes. I think we did. It was terribly important to do that. It was time."

Contrary to what some cynics might suppose, Smith never asked for any of the jobs to which he was appointed. "I never had any big committee going to the governor asking that I be appointed to the PSC, auditor general, or the court. It was always somebody else's idea.

"The only thing I ever asked for, I didn't get. It was when I lost my seat on the Supreme Court. I asked Senator Phil Hart, I even asked him before I lost, to reserve one of the federal judge spots for me because I thought I was in deep trouble because of the presence on the ticket of two very good Irish names, Tom Kavanagh and Tom Brennan. So I lost. I lost the election and I called upon my friend, Senator Hart, who I believed had quietly promised the federal seat to Damon Keith."

The decision to go to General Motors "was easy," he explains. "I lost an election." Indeed, the Detroit Free Press editorialized "Court's Loss Is General Motors' Gain." But, for Smith, it was still "a disappointing thing for me not to have been able to have gone to the federal bench."

"It was in 1973 that Smith was named the first black corporate officer of the General Motors Corporation. He was given the title of vice-president and then in 1974, he was made vice-president, associate general counsel. It was in 1977 that he was named vice-president, general counsel. Smith thinks that "as many people have observed, including Tom Murphy (former GM chairman of the board) and other people who have held high office in both government and business—the ones who are not egomaniacs, who have the capacity for reflection—I think almost invariably they will settle back in their chairs and tell you that their being there is in large measure a function of luck. It is fortuitous. You can recognize that many people who have the same or greater talents have, for one reason or another, not gotten the chance to occupy high office."

"The real question is what you do when you are there, how well you perform when you are given the assignment. I know there are a lot of people who told me that if I hadn't been really great, I wouldn't have been on the Supreme Court or I wouldn't have been general counsel. I can only smile and say, 'I really don't think that is necessarily true. I appreciate what you are saying. I appreciate the compliment.' But the truth is I admit to having certain skills. I'm not stupid. I know
challenging job I have ever had up in being general counsel for a whole damn thing. It’s all wrapped about law, judgments, ethics, the organizations, about government, major corporation. That is the most wonderful thing for me because ultimately I was going to be general counsel. I wasn’t promised anything.

When his career began at General Motors, Smith says it “was a wonderful thing for me because ultimately I got to use about everything I ever learned about people, about organizations, about government, about law, judgments, ethics, the whole damn thing. It’s all wrapped up in being general counsel for a major corporation. That is the most challenging job I have ever had because you sit there not only as the head of the staff of three hundred people with a very big budget, with a very big responsibility, but you have a client that is obviously one of the top corporations in the world, doing business all around the world and the bylaws are clear that the general counsel is responsible for the legal affairs of the corporation.

And so that’s your concern. Now you don’t do that alone because you have tremendous help not only from the inside but from the outside. But in the big matters you have to make judgments, one after another, as difficult as anything you do in the courts. And in a sense, you are a one-man court of appeals in the final say, and you have to be right, most of the time.

“It was fascinating being counsel to the board of directors, being counsel to two main committees of the board, the finance committee and the executive committee. It is something that took the best that was in me, and everything that was in me to be able to do it the way I thought it had to be done, which was completely, most thoroughly, reconnoitering everything. I had to know all these things. I feel I have to be on top...”

In 1983, Smith took an early retirement because of a recurring stomach disorder.

Today, he continues his civic involvement, sitting on the Board of Governors of the Rackham Fund, as well as serving as a trustee of the Catholic University of America, the University of Detroit, and Fisk University.

A man who does not forget his origins, he recently established a special fund with the Memphis branch of the Boy Scouts of America to enable boys to go to summer camp. The fund honors the memory of Smith’s own Boy Scout leader. Its special plaque stands next to the Silver Beaver Award he received from the Boy Scouts of America in 1966.

Now ‘semi-retired,’ Smith is “of counsel” to the corporate law firm of Lewis, White, and Clay. Officially, he is in his office on Tuesdays and Thursdays. But you might find him there on Wednesdays.

He is trying to do a little traveling and relaxing, and is even considering buying a sizable boat so that he can really enjoy the Michigan waters. And, he is doing some reflecting about his life: “My brother thinks that I should write an autobiography. His view is that his brother is a great man, that he has had unique experiences that have triumphed above all and that his brother is a heroic figure. I can see why he is totally unobjective about it. Besides, the inarticulated major premise behind anything I might do could be in the minds of some people, including my brother, ‘Look how well he has done despite the fact that he is a black.’

“And I guess my reaction to that is that I don’t find what I have done to be that special when measured in terms of what other people who have somewhat comparable difficulties have done. I measure myself not with some poor benighted soul who imagines that his difficulties were more difficult than anybody ever had because he is black and, therefore, for him to function normally was heroic. I don’t view myself that way. I view myself as having functioned reasonably well in the various positions that I have had in much the same fashion as anybody else would have functioned. And my being an Afro-American did not terribly inhibit me from doing what I did except insofar as it provided me with a lot of insecurities about what I was doing at the time. I never felt that I was really doing as much as I should be, or as doing as well as I could be.”

Like Robert Bolt’s character, Thomas More, Otis Milton Smith’s sense of himself allows space for proper human dignity and accomplishment, but also insists on limits, and not just for the sake of conventional modesty, but because he is a judicious man. Smith concludes, “But now that I have had time to reflect on it, I am willing to concede that I pretty generally measured up, not outstanding, but I was pretty good. Perhaps it was interesting, only if you add the element of race. If you take that part of it away, it is just a pretty conventional life.”

Bonnie Lee Moss Rattner has degrees in English from Wayne State University. Her play, “To Gleam It Around, To Show My Shine,” based upon Zora Neale Hurston’s novel Their Eyes Were Watching God, was originally produced by the Hilberry Theatre at Wayne State and was recently presented at the Atlanta New Play Project by the Alliance Theatre.