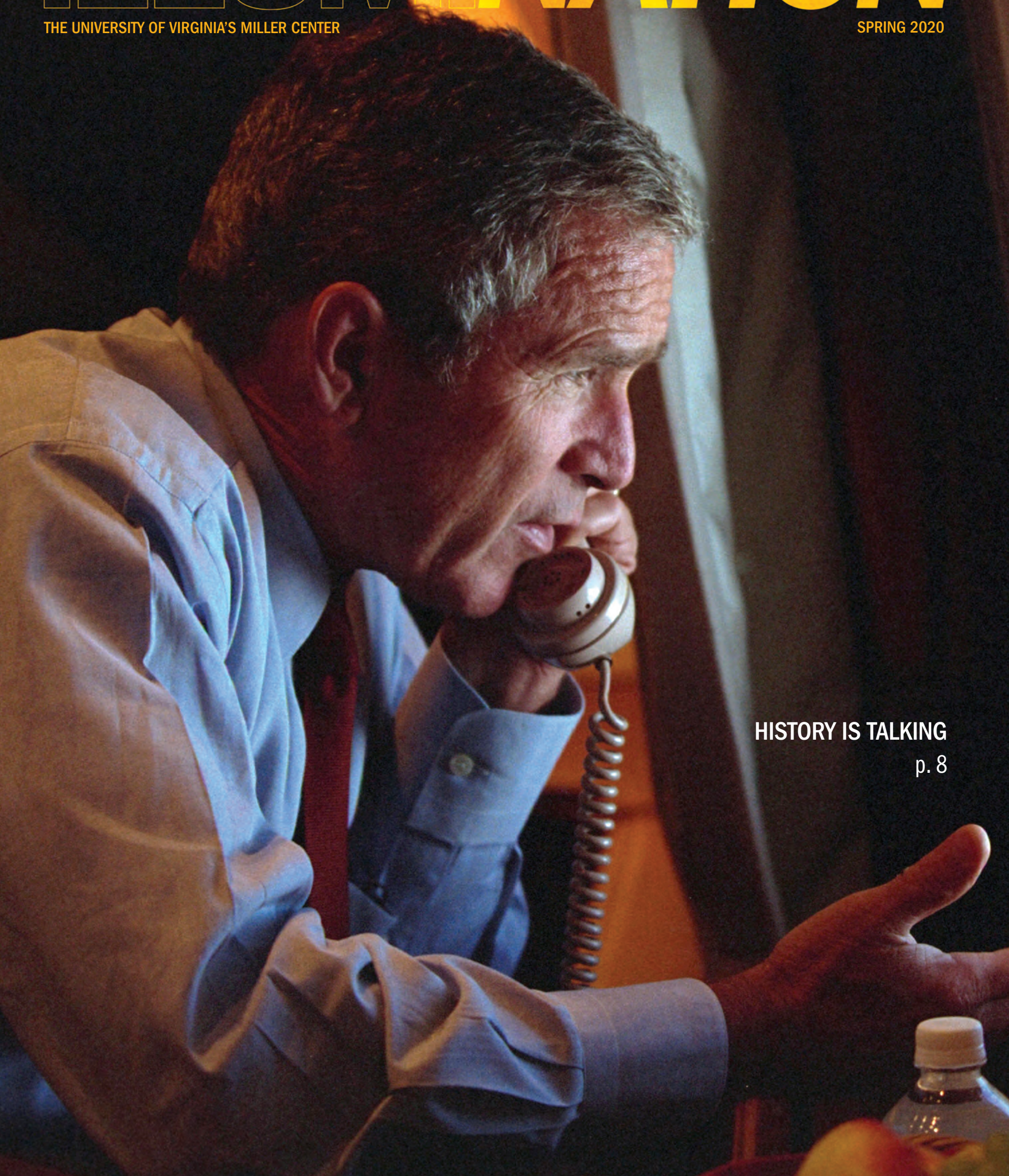


# ILLUMINATION

THE UNIVERSITY OF VIRGINIA'S MILLER CENTER

SPRING 2020



HISTORY IS TALKING

p. 8



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# WELCOME, NEW SCHOLARS AND FELLOWS

## JOHN BRIDGELAND

Practitioner Senior Fellow

- Founder and CEO of Civic, a bipartisan ideas company in Washington, D.C.
- Vice chairman of the Service Year Alliance
- Former director, White House Domestic Policy Council (2001–03), George W. Bush
- Expertise in domestic policy, volunteerism, education, environment



- Member, Hong Kong Committee for Pacific Economic Cooperation
- Expertise in China, Taiwan, Hong Kong, East Asia, international political economy, international finance and banking, innovation and entrepreneurship, privatization

## DAVID A. MARTIN

Faculty Senior Fellow

- Warner-Booker Distinguished Professor of International Law Emeritus
- Member, Homeland Security Advisory Council (2015–18)
- Principal deputy general counsel of the Department of Homeland Security (2009–10), Barack Obama
- General counsel to the Immigration and Naturalization Service (1995–98)
- Expertise in immigration and refugee law, presidential powers, international human rights, constitutional law



## ANNE C. RICHARD

James R. Schlesinger Distinguished Professor

- Adjunct professor in the School of Foreign Service at Georgetown University
- Served as assistant secretary of state for population, refugees, and migration (2012–17), Barack Obama
- Vice president of government relations and advocacy for the International Rescue Committee
- Expertise in immigration, refugees, foreign affairs



## ALLAN STAM

Faculty Senior Fellow

- Professor of public policy and politics at the University of Virginia
- Former dean, Frank Batten School of Leadership and Public Policy
- Former director, International Policy Center at the Gerald R. Ford School of Public Policy
- Expertise in war outcomes, war durations, mediation, alliance politics



## MARY KATE CARY

Practitioner Senior Fellow

- Former speechwriter for President George H. W. Bush
- Provides political commentary for NPR, CNN, Fox News Channel, and CTV (Canada)
- Executive producer of *41ON41*, a documentary about President George H. W. Bush
- Expertise in presidential communications, speechwriting



## EVAN A. FEIGENBAUM

James R. Schlesinger Distinguished Professor

- Vice president for studies at the Carnegie Endowment for International Peace
- Former deputy assistant secretary of state for South Asia (2007–09), George W. Bush
- Former deputy assistant secretary of state for Central Asia (2006–07), George W. Bush
- Expertise in China, South Asia, Central Asia, East Asia, nuclear nonproliferation



## SYARU SHIRLEY LIN

Compton Visiting Professor

- Faculty member at Chinese University of Hong Kong, Tsinghua University (Beijing), and National Chengchi University (Taipei)
- Former partner at Goldman Sachs
- Founding board member of Alibaba Group



# A LETTER FROM THE DIRECTOR

By BILL ANTHOLIS *Director & CEO, Miller Center*

As the Miller Center completes its fifth decade, the presidency and our democracy face challenges and opportunities similar to—and more daunting than—the period in which we were founded. With that in mind, we have been working on a new strategic plan for the years leading up to our 50th anniversary.

The Center opened its doors in 1975. America was divided about foreign and domestic affairs. President Richard Nixon resigned that August amidst an impeachment investigation. The nation was in tumult from a decade-long war in Vietnam. Global tensions with Russia and China raised questions about America’s role as the leading market democracy in the world. At home, Americans debated jobs, inflation, and equal rights for minorities and women.

In the last 45 years, we have conducted oral histories for every presidential administration from Gerald Ford onward, as well as transcribing the secret Oval Office recordings of Presidents John F. Kennedy, Lyndon Johnson, and Nixon. More broadly, our bench of scholars and staff study the presidency, as an institution, from the nation’s founding and have built a set of online resources that are the most extensive and widely visited in the world.

Our scholars have demonstrated, through their research, that presidential powers are stronger than ever in our nation’s history. The presidency, and its powers, are also subject to even more intense partisanship. That poses real challenges for the office, as well as for our democracy.

We look ahead to our second half-century with the American economy at its most productive and robust ever, and the threat of nuclear war significantly reduced since 1975. And yet, unprecedented prosperity and peace are threatened by deep divisions at home and abroad. The nation has completed another presidential impeachment saga—the third in less than five decades, and one that produced an even more divided and divisive outcome.

We seem deeply split as a nation on a series of challenges at home—from health care to economic equity and opportunity, to deep racial and ethnic divisions, to a fractured media environment.

We also have been at war for nearly 20 years, with limited congressional authorization or oversight. That development raises both constitutional and policy questions. The Constitution’s framers envisioned shared war-making powers that now seem eroded. Our alliances with democratic partners are hanging on, but our ongoing wars and the return of rivalries with Russia and China seem to have splintered a public consensus on our role in the world. Global challenges that remain controversial at home—including migration, pandemics, nuclear proliferation, and climate change—only aggravate our partisan divisions.

The Miller Center alone, of course, cannot solve these challenges. But our scholars and staff can continue to live up to our founding mission. Working with talented faculty across UVA and our network of former government officials, the Miller Center can inspire our nation’s leaders and citizens with the lessons of history to make our democracy work for all Americans. If not now, when? If not us, who?

*Bill Antholis*



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**CONTRIBUTORS**  
Guian McKee  
Lorenzo Perez  
**PUBLISHED BY**  
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# THE ‘ETERNAL VIGILANCE’ OF DEMOCRACY

## DEMOCRACY INITIATIVE ANTICORRUPTION LAB LAUNCHED FROM MILLER CENTER STAGE

By Lorenzo Perez

“I myself have been subjected to death threats, kidnapping threats,” U.S. businessman and vocal anticorruption activist William Browder said as he shared, in unsparing detail, the human costs of a well-documented saga of Russian fraud and oppression.

Speaking by video link to a Miller Center audience in November because he lives under constant threat of assassination, Browder continued: “The Russian government has issued eight Interpol arrest warrants to get me back, and I’ve been sentenced in absentia to 18 years in Russian prison. Everybody involved in this has paid a very dear price.”

Browder had been invited to the Miller Center by University of Virginia professors studying corruption and its global threats as part of the Democracy Initiative’s Corruption Lab on Ethics, Accountability, and the Rule of Law (CLEAR). “While bringing greater attention to the robust research being done by the CLEAR Lab’s talented faculty, postdoctoral fellows, and visiting professors, the event also provided a riveting account of the real-world implications of corruption on democratic institutions,” said Melody Barnes, codirector for policy and public affairs for the Democracy Initiative.



COLLEGE *and* GRADUATE SCHOOL  
of ARTS & SCIENCES  
Democracy Initiative

Before a packed house, Browder told the story of how his company, Hermitage Capital Management, went from being the largest foreign investor in Russia in the 2000s to being dismantled on fraudulent charges. Browder and Hermitage became nemeses of Russia’s president, Vladimir Putin, as their efforts to expose the massive fraud of Russian oligarchs and senior government officials grew.

With David Gergen, CNN senior political analyst and founding director of the Harvard Kennedy School’s Center for Public Leadership, moderating, Browder described how his lawyer, Sergei Magnitsky, was jailed for his efforts exposing a massive fraud involving senior Russian officials. Magnitsky died 10 years ago, a victim of brutal torture and medical neglect while in Russian custody.

Browder later persuaded Congress to pass the 2012 Magnitsky Act. The law, which has versions in effect now in Canada, the United Kingdom, and several Eastern European countries, empowers the United States to sanction human rights offenders by freezing their assets and barring entry to the country.

The Magnitsky Act’s passage has led to sanctions against numerous officials in the Putin clique. In an attempt to get those sanctions lifted, the Putin government has tried to portray Browder as the criminal, repeatedly and unsuccessfully seeking his arrest by Interpol.

Like other research efforts within UVA’s Democracy Initiative, the new CLEAR Lab aims to support public conversations and new scholarship on pressing global threats to democracy. As the lab develops, faculty members, including politics professor Daniel Gingerich, law professor Michael Gilbert, and economics professor Sandip Sukhtankar, will plan academic courses, research, and events exposing the causes, methods, and consequences of corruption.

“Browder’s riveting recounting of his experience made plain that corruption leads to insecurity,” said Deborah Hellman, CLEAR Lab faculty member and professor at UVA School of Law. “And that when corruption by powerful political actors is backed by violence, it puts those who seek to check or expose it in very real danger.”

Watch a video of the event at [millr.cr/clear](http://millr.cr/clear)

*Lorenzo Perez is senior writer at the Office of the Dean in UVA’s College and Graduate School of Arts & Sciences.*

## CHINA: WHERE THINGS STAND

Last fall, Evan Feigenbaum, the Miller Center’s James R. Schlesinger Distinguished Professor and vice president for studies at the Carnegie Endowment for International Peace, sat down for an online discussion on Sino-American relations. The following is an excerpt from that session, which can be viewed in full at [millr.cr/china](http://millr.cr/china).

### HOW WOULD YOU CHARACTERIZE THE U.S.-CHINA RELATIONSHIP DURING THE TRUMP PRESIDENCY?

I think it’s changing rapidly, and that’s not just a function of Trump. It has to do with some structural factors that have emerged, first from the rise of Chinese power and also from a recognition in the United States that China is not the kind of power that many had hoped it would be for 40 years.

A lot of Americans believed that economic integration between the United States and China would mitigate security competition and obvious differences of political system and ideology. The United States and China are enormously integrated economically. They have a \$700 billion-plus trading relationship and a two-way flow of goods. With all of that economic integration, not only have the security competition and the differences not been mitigated, they’re getting worse. And security concerns are now affecting economics in ways that I think have the potential to really reconfigure the relationship.

### HOW SHOULD AMERICANS UNDERSTAND CHINA’S ASPIRATIONS?

It’s hard to question another country’s obvious revisionism when you’re a revisionist yourself. China is not a status-quo power, but in many ways the United States has not always been a status-quo power either, particularly under this administration. And that’s not lost on the Chinese.

I’ll give you one example. China set up a multilateral development bank called the Asian Infrastructure Investment Bank after the year 2013. This is widely seen as a challenger in particular to the Asian Development Bank (ADB) and in general to international economic and financial institutions that the United States and Japan have preferred.

But China is also the number three shareholder in the ADB, which is the very institution they’re said to be subverting. And it’s a major shareholder in the World Bank and the International Monetary Fund. China is a revisionist, but it’s not trying to overturn the entire international system wholesale. It’s been very strategic about how it does that.

### WHERE DO YOU SEE THE RELATIONSHIP GOING?

There’s no future for Asia that doesn’t include China. The last time I checked, China was the country actually sitting in Asia, and the United States, while a Pacific power, is not



an Asian country. China is geographically contiguous to every other region of Asia: Northeast Asia, Southeast Asia, South Asia, Central Asia.

When China went into the World Trade Organization in 2001 it was a \$1 trillion economy. It’s now a \$14 trillion economy—a lot larger. And it’s the number one trading partner for nearly every country in Asia. It’s also a major capital provider. So the question is not how do we turn back the clock to the Asia of the 1990s, but how do we adapt to a world where its role has to be different?

The United States needs to be smarter and more adaptive to the Asia that’s emerging. That’s not just about China. But if you want to be clear-eyed about Chinese power, you have to get the story of Asia right and adapt to it in that context. And that’s where I think we’re falling short.



SAKIB AHMED

*Front-end web developer and administrator*



## EMPLOYEE SPOTLIGHT

### HOW LONG HAVE YOU BEEN AT THE MILLER CENTER?

Almost three years.

### WHAT HAS BEEN YOUR FAVORITE PROJECT?

When I built an online registration system for our weekly free public events. I enjoyed working on this project because it brought together many stakeholders from around the Center. And with their input, I was able to build something that was simple for attendees to use, and with robust back-end features that helped our advancement and communications teams.

### WHAT ARE YOU WORKING ON NEXT?

My next project is to redesign the Educational Resources section of our website to better meet the needs of students and teachers who rely on the Miller Center for authoritative content on the American presidency.

### FROM YOUR PERSPECTIVE, WHAT MAKES THE MILLER CENTER AND ITS MISSION IMPORTANT?

The Miller Center’s work strengthens our democracy by providing content that is grounded in truth and rigorous scholarship, in order to combat the rapid spread of misinformation and the challenges that face our democratic system.

## WHY WE GIVE

**ALLEN HENCH**, attorney at law and adjunct faculty (*retired*) at UVA School of Law  
**ELLEN HENCH**, educator (*retired*)



### HOW LONG HAVE YOU BEEN INVOLVED WITH THE MILLER CENTER?

Shortly after we moved to Charlottesville from rural central Pennsylvania in 1999, I read about these free Friday morning discussions at the Miller Center. I went to one, with former Miller Center director Ken Thompson serving as moderator. The featured speaker would sit among the group, at the head of the large table in the center of the room, and all the guests scattered around. After the presentation, Ken opened the discussion. I went regularly each time I could. So when the Miller Center’s giving society, the Presidential Cabinet, was first started, we decided this was a cause we loved. And we have been members of the Cabinet every year since.

### WHY HAVE YOU DECIDED TO REMAIN LOYAL SUPPORTERS?

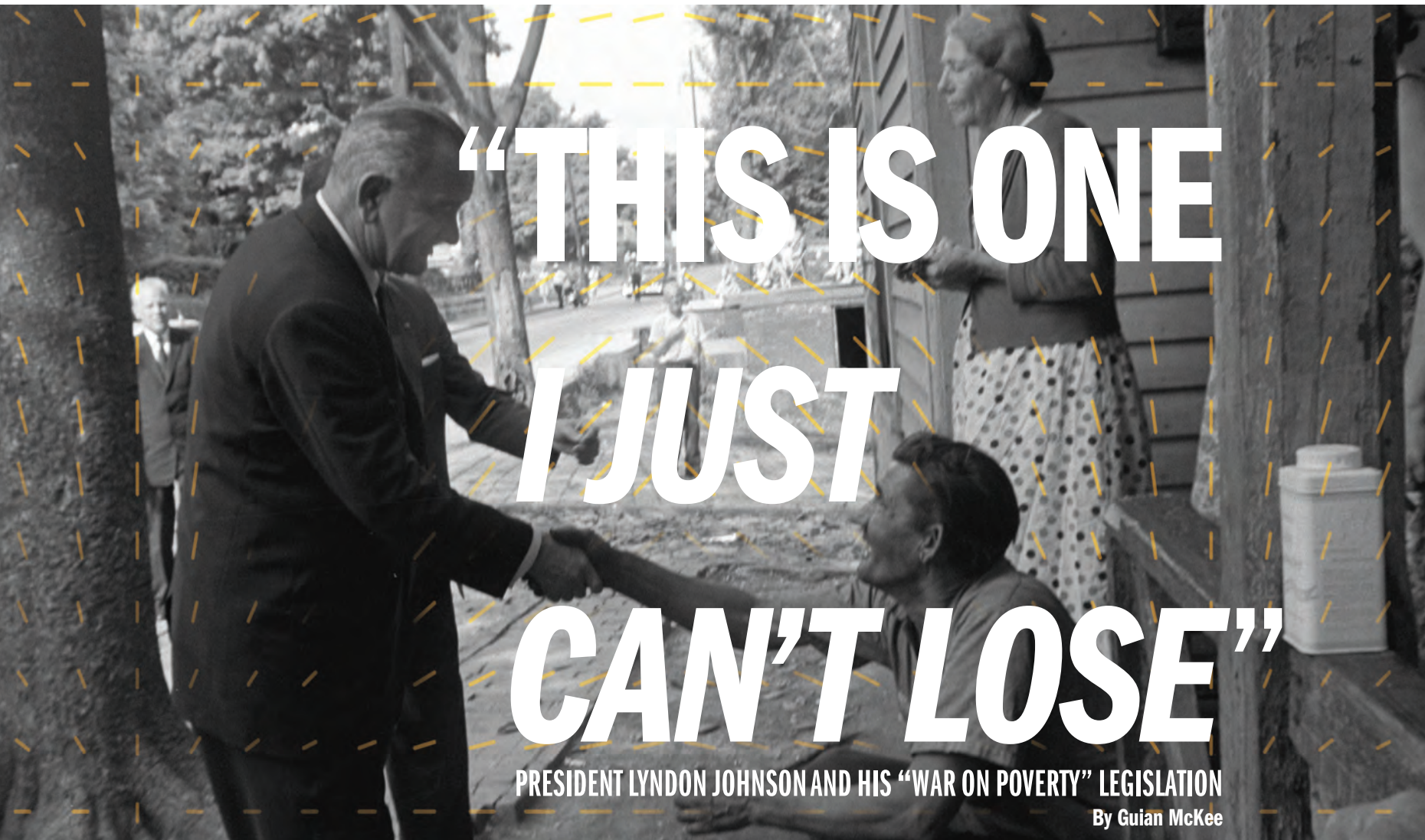
The opportunity for public presentation and discussion is just so cool! These are folks with fantastic back-grounds and experiences, with research, authorship, expertise. I have been blown away by the opportunity to sit with them and hear various viewpoints. As part of the Presidential Cabinet, we were invited to grand events—dinners, lunches, receptions, tapings, debates, etc.—over the years. These were people and places I had only dreamed about knowing and experiencing. This had a major impact. We felt like we were part of the “Miller Center family.”

### WHAT ASPECT OF THE MILLER CENTER’S WORK IS MOST IMPORTANT TO YOU?

We’ve always loved public policy. And to be at the heart of the Center’s mission, as observer or participant, means so much. The Center’s research, special projects, presentations, and its role in informing the public and accepting input and analysis, is really vital these days. We are thrilled to be part of the endeavor, even in just a small way.

TO MAKE A GIFT TO THE MILLER CENTER, VISIT  
[millercenter.org/donate](http://millercenter.org/donate)





PRESIDENT LYNDON JOHNSON AND HIS “WAR ON POVERTY” LEGISLATION  
By Guian McKee



From left: President Johnson shakes a resident’s hand in Appalachia. Sargent Shriver is sworn in to lead an antipoverty task force. Recordings of LBJ on the phone demonstrate his unique communication style.



The second volume in the War on Poverty series at [prde.upress.virginia.edu](http://prde.upress.virginia.edu) traces the implementation of this core piece of Lyndon Johnson’s Great Society. Covering the period from January 1965 to December 1968, the volume documents Johnson’s continual struggle during these years to control the political and policy dimensions of the War on Poverty, even as he grew disenchanted with the program.

Herein lies the great value of the secret White House recordings. Documents housed at presidential libraries and at the National Archives highlight much of the daily discussions within the White House, and they reveal the ideas and information that the president encountered. They remain mostly silent, however, about the actual thoughts of the individual himself.

Like most modern presidents, Johnson left a very limited written record. Most of the available archival material consists of the memos, telegrams, and policy papers of aides and advisors. Johnson’s voice appears rarely in written form, as a scrawled note of approval or rejection across the bottom of a memo, or perhaps in a formal letter, or indirectly in an advisor’s notes about a conversation or meeting.

The recordings, in contrast, offer a record of the president’s words and thoughts—direct, unmediated, and unfiltered. Through the recordings and transcripts, we gain a sense of why Johnson so badly wanted the War on Poverty legislation passed, how he went about accomplishing this goal, and why the program proved so difficult to implement.

**READ MORE ABOUT JOHNSON’S WAR ON POVERTY AT**  
**[prde.upress.virginia.edu](http://prde.upress.virginia.edu).**

**TO OFFER FINANCIAL SUPPORT  
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“You help me, because this is one I just can’t lose. This is the only Johnson proposal I’ve got. The only bill, and it’s as sound as a dollar.” In a late afternoon phone call on July 29, 1964, President Lyndon B. Johnson implored a fellow Texan, House Appropriations Committee chair George H. Mahon (D-TX), to help pass the economic opportunity bill that would launch Johnson’s War on Poverty.

Although Mahon avoided a commitment during the conversation, he would eventually vote for the bill, bringing with him a number of other Democrats from Texas and the South. The recorded exchange, however, captured a key moment in the Johnson presidency—one revealed through the work of the Miller Center’s Presidential Recordings Program (PRP), which transcribes, annotates, and interprets once-secret tapes from six U.S. presidencies. This insight comes from its latest scholarship: a second volume in the War on Poverty series, published by UVA Press’s digital imprint, Rotunda, in the *Presidential Recordings Digital Edition* ([prde.upress.virginia.edu](http://prde.upress.virginia.edu)).

With the signing of the Civil Rights Act earlier in July 1964, Johnson had achieved a historic victory that might not have been possible without his leadership and legislative skill. Yet he remained deeply insecure. Worried about the upcoming Democratic National Convention in Atlantic City, the loyalty of many Democrats, the challenges of implementing the civil rights legislation, and managing the intensifying conflict in Southeast Asia, Johnson desperately sought a victory all his own. The economic opportunity bill, and the War on Poverty that it would initiate, represented a chance to establish a legislative and policy identity completely independent of his slain predecessor.

“Our aim is not only to relieve the symptom of poverty, but to cure it and, above all, to prevent it,” Johnson said at his State of the Union Address on January 8, 1964.

Johnson’s early thinking about the War on Poverty had two primary currents. The first was equipping the poor to take advantage of opportunity, while insisting that they then help themselves.

“What we’re trying to do—instead of people getting something for nothing, we’re going to try to fit them where they can take care of themselves,” he said to former Eisenhower Treasury Secretary Robert B. Anderson. “That’s our program. We don’t want them to get something for nothing. We want to get them where they can carry their own weight.”

Johnson’s second theme lay in his own experiences as Texas director of the National Youth Administration (NYA) during the 1930s. The NYA was a New Deal program that provided work-study jobs for students and work experience jobs for unemployed young people. Johnson envisioned the War on Poverty as a revived NYA, both in actual programmatic content and in administrative style.

In a late December 1964 discussion about the program with Walter Heller, who chaired the Council of Economic Advisers, the president reminded the economist that he’s an “old NYA man,” and pointed out that he had “the best record of any administrator in the nation. . . . I put a little steel in some statewide roadside parks. But I got 4,600 of them down there now . . . and they’re still lasting. And I got a dollar to show for every dollar I spent.”

The NYA experience shaped Johnson’s view of the War on Poverty, and in particular his view that such efforts could be facilitated by relying on innovative local and state administrators of the type he had worked with in Texas. As captured in the recordings, Johnson told Chicago’s mayor, Richard J. Daley, on January 20, 1964, to “get your planning and development people busy right now to see what you do for the crummiest place in town, the lowest, the bottom thing, and see what we can do about it. We’ll get our dough, and then you can have your plan ready, and we’ll move.”

For grassroots activists in poor communities around the country, community action would soon come to mean something very different: providing poor people themselves with the authority and resources to challenge the same local administrators whom Johnson saw as the core of his program.

In a series of four lengthy telephone calls on February 1, the president cajoled and even bullied Peace Corps director R. Sargent Shriver into accepting a second position heading the task force that would write the antipoverty legislation.

Johnson selected Shriver for two reasons. As the husband of Eunice Kennedy—the sister of John and Robert Kennedy—Shriver provided a link to the Kennedy clan and their supporters, many of whom were deeply alienated from the new president and posed a potential political threat.

Second, as the director of the successful and popular Peace Corps, Shriver had great credibility with Congress, the media, and, to a lesser extent, the public. He would be a valuable ally in securing passage of the bill. Having just returned from a tour of Peace Corps sites around the world, Shriver felt exhausted and rushed, telling the president at one point, “The more I really think about this, the more I really would like to suggest . . . that you give me a few more days to get this thing straightened out, so that when it is announced, I can make some sense about it.” Johnson refused and announced Shriver’s appointment at a press conference.

Despite his initial hesitation, Shriver threw himself into the planning work and quickly became the public face of the War on Poverty.

On March 16, 1964, Johnson delivered his message on poverty to Congress, and with it he officially submitted the antipoverty bill. In the message, the president noted that the War on Poverty would be “a struggle to give people a chance . . . to allow them to develop and use their capacities, as we have been allowed to develop and use ours, so that they can share, as others share, in the promise of the nation.”

*Guian McKee is an associate professor in Presidential Studies at the Miller Center.*



# HISTORY LESSONS

FROM THOSE WHO MADE HISTORY

## CRITICAL DECISIONS FROM THE GEORGE W. BUSH ADMINISTRATION

**T**he first president of the 21st century was at the center of several major American historical events: the contested 2000 election, the 9/11 terrorist attacks, the war in Iraq, the 2008 financial meltdown.

Through the Miller Center's unparalleled Presidential Oral History Program, these stories emerge anew in the words of the people who lived them. More than 70 top officials were interviewed, and 44 of those transcripts were recently released, revealing surprising behind-the-scenes conversations and insights.

HERE ARE SOME HIGHLIGHTS FROM THE PROJECT, WHICH CAN BE READ IN FULL AT [MILLR.CR/43ORALHISTORY](http://MILLR.CR/43ORALHISTORY).

President Bush rallies rescue workers during an impromptu speech at Ground Zero on September 14, 2001.



Bush watched the horror unfold from a classroom in Sarasota, Florida.



Standing on the ashes of the World Trade Center, Bush waved an American flag.



International Atomic Energy Agency inspections in Iraq in December 2002.

### ON THE DAY OF THE 9/11 ATTACKS

**Stephen Hadley, national security advisor:** [My wife]

Ann tells me that I called in the afternoon about three o'clock and simply said, "Are you okay?" She said, "Yes, I'm okay. I'll talk to you when I can talk to you." But there are a million stories. Ann's story is, she's at work and she learns that there have been the attacks. She learns somehow, whether it's over the radio or someone comes in and tells her that there's a report, that there's a plane headed toward the White House—heading to Washington and it may be headed to the White House. What she does is she leaves her job, goes down, gets in the car to go pick up our two daughters, one who's at, I think, I have to work the dates, but I think they're at two different schools. Maybe they're both at St. Patrick's or maybe one is at St. Patrick's and one is at Holton-Arms. She says, "If the White House is going to be hit and the girls' father is going to be killed, I don't want them to hear about it at school in a room full of children; I want them to hear about it at home with me."

### ON THE IMMEDIATE AFTERMATH OF 9/11

**Robert Gates, later secretary of defense:** Who thought,

on September 12th, that we would go more than 10 years without another successful attack? Nobody believed that. All Americans believed there was going to be another attack. Much of what has been written about those months—the interrogations and the wiretaps and all those things—was a manifestation of the belief that the country was at war, was under attack, and we were going to be attacked again, and how you prevent that.

The reality is that on 9/11 we didn't know jack s--t about al-Qaeda. That's the reason a lot of this stuff happened and the interrogations and everything else, because we didn't know anything. If we'd had a great database and knew exactly what al-Qaeda was all about, what their capabilities were and stuff like that, some of these measures wouldn't have been necessary. But the fact is that we'd just been attacked by a group we didn't know anything about. In a way, the failure to appreciate Islamic fundamentalism is a far more valid criticism of the intelligence community in the '80s and '90s than the collapse of the Soviet Union.

Saddam was pretty clear with his U.S. interrogators that these weapon systems, or the thought that he had these weapon systems, were important to sustaining him in power. He was diverting tens of millions of dollars from the Oil-for-Food Program to keep together the infrastructure necessary to reconstitute all these programs when Western attention faltered.

### ON THE SEARCH FOR WEAPONS OF MASS DESTRUCTION IN IRAQ

**Josh Bolten, White House chief of staff:** I remember a

conversation with [speechwriter] Mike Gerson, who—he and I were on the periphery of the intelligence and the Iraq decision-making. We went out for a walk or were having lunch together or something. We had gone days without the inspectors finding anything, you know, finding any evidence of weapons of mass destruction. So there was doubt beginning to creep in about the existence of the weapons of mass destruction. At that point I was still convinced that they were there, but they had done a very good job of hiding them, or the inspectors weren't looking particularly hard.

I remember one of us making a comment that—I think I was making a political comment to the effect that if they don't find those weapons, the president's reelect is dead. Mike made the comment, "Reelect? If they don't find the weapons, he'll probably be impeached."

**General Michael Hayden, director of the Central Intelligence Agency:** When we look back on it, I think no one disagrees that it was mishandled. But I also point out that it's our fault, not the president's, not the vice president's. This is tradecraft on the part of the intelligence community.

[Former Clinton chief of staff and CIA director] Leon Panetta had written a little bit when he was out of government about the administration cooking the intel, and the very last thing I said to him as I left the building was, "Leon, that's just not right. We just got it wrong. . . . You've got to stop saying it. It was our fault. We just got it wrong. Nobody pressured us."

(continued next page)

Photo on right: Petr Pavlicek / IAEA

**WATCH A CONVERSATION ABOUT THE GEORGE W. BUSH ORAL HISTORY AT [millr.cr/criticaldecisions](http://millr.cr/criticaldecisions)**





An elections worker inspects a potential hanging chad following the 2000 presidential election.



Bush made a surprise visit to Al Faw Palace on Camp Victory in Baghdad on December 14, 2008.

ON THE CONTESTED 2000 ELECTION

**House Minority Leader Richard Gephardt (D-MO):** I'd always say to my members in Congress, in a democracy, process is everything. I said that because in a democracy if people feel there is a process that is legitimate and fair and reasonably well run, then they'll put up with bad outcomes, even though they are very angry. If you lose that process, people resort to violence. I always would say politics is a substitute for violence. As [Winston] Churchill said, "Democracy is the worst form of government on earth except for all the others." What he was really saying was the process allows people to govern themselves without resorting to violence.

So this [the contested outcome in Florida] was a clear, prime example of that. Even though all the cards were on the table. This was king of the hill, that's exactly what it was. You know, I think we evolved from animals—I'm deadly serious. We've evolved, though. That's the good news. What we've evolved to is self-government and democracy and a process that people can put up with when they lose. That to me was a memorable moment in my recollection of beginning to deal with George W. Bush. . . . Politics is a substitute for violence.

“Our enemies listen to  
**EVERYTHING**  
the President of the United States says. If they  
**DETECT**  
**WEAKNESS**  
it will affect what they do.”

ON PRESIDENT BUSH'S THOUGHTS ABOUT PRESIDENTIAL RHETORIC

**Ed Gillespie, counselor to the president:** The first meeting I had with the president was up in his study in the Treaty Room. He was behind his desk and it was after hours, just the two of us. He was excited. He said, "I'm glad this worked out. I'm looking forward to working with you." I said, "I'm looking forward to working with you."

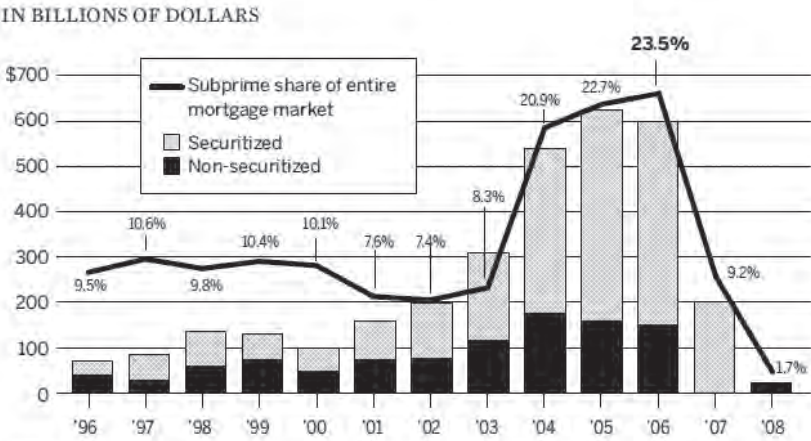
Then we talked about the nature of the job, what he wanted from me in it and all that. He said, "There's something you need to understand though. You are great at understanding the domestic audience and the American people and the voters and how to communicate with them, but when you take this job, the President of the United States has more than just the domestic audience and you're going to have to learn how to take the other audiences into account. Our enemies listen to everything the President of the United States says. If they detect weakness it will affect what they do. Our allies listen to everything I say as Commander in Chief, and if they sense any vacillation or backing away, they'll be gone tomorrow."

And he said, "Our troops listen to the Commander in Chief and everything I say as Commander in Chief, and if they sense that I'm in any way undercutting them, that's bad for morale. It doesn't help them in the theater. There will be times when you'll want me to say something that is politically beneficial to the domestic audience but would hurt the morale of our troops in the field. You just need to know that I will never do that."

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Subprime Mortgage Originations

In 2006, \$600 billion of subprime loans were originated, most of which were securitized. That year, subprime lending accounted for 23.5% of all mortgage originations.



NOTE: Percent securitized is defined as subprime securities issued divided by originations in a given year. In 2007, securities issued exceeded originations.  
SOURCE: Inside Mortgage Finance

ON PRESIDENT BUSH'S REACTION TO THE 2008 FINANCIAL CRISIS

**Ed Gillespie, counselor to the president:** Bush was very jaded about the financial markets. He was mad. He has always had a strong populist streak; he doesn't trust the bankers. He thinks the credit default swaps and these instruments that got set up were all suspect and half illusory and he was really—he was mad at the notion of having to bail these guys out and felt like there was a gun to his head so he had to. And there was a gun to his head and he did it. There was confusion around what the TARP [Troubled Asset Relief Program] was going to do. . . .

Paulson is in here telling him one day we're going to buy bad paper and take it off of the ledgers of these banks, and that will give everybody confidence. Then he's back the next day saying we're not doing that thing where we're buying the bad paper anymore. We're just giving them an infusion of liquidity.

I remember Bush saying, "What are we doing?" It wasn't, "What are we doing because I don't understand what we're doing," it was "What are we doing? Don't come in here one day and tell me and tell Eddie to craft a speech based on that and then come in the next day and say we're not doing it." It was more that. It was a confusing situation.

BUSH 43 ORAL HISTORY IS RELEASED



The Miller Center's George W. Bush Presidential Oral History Project debuted with an on-site event on November 1, 2019. An all-star lineup of panelists reflected on the 43rd presidency from the perspective of a decade's distance. Joining Miller Center scholars **Barbara Perry**, **Russell Riley**, and **Michael Nelson** were Bush 43 alumni **John Bellinger** (Department of State), **Josh Bolten** (chief of staff), **John Bridgeland** (White House Domestic Policy Council), **Eric Edelman** (Departments of State and Defense), and **Frances Townsend** (Homeland Security Council), as well as journalist **Margaret Warner** (PBS NewsHour).

WATCH A CONVERSATION ABOUT THE GEORGE W. BUSH ORAL HISTORY AT [MILLR.CR/CRITICALDECISIONS](https://MILLR.CR/CRITICALDECISIONS)







WHAT HAS HAPPENED WHEN CONGRESS CHARGES THE PRESIDENT WITH MISCONDUCT?

Last December, Donald Trump became only the third president to be impeached. The same fate befell Andrew Johnson in 1868 and Bill Clinton in 1998. Richard Nixon was the subject of impeachment hearings in the House in 1974 but resigned before he could be officially impeached.

This latest impeachment was remarkable for its extreme partisanship—the vote was almost completely down party lines, with only three Democrats joining with Republicans to vote “no.”

To fully appreciate this moment for the U.S. presidency, the Miller Center is doing what it does best: looking back to gain a better understanding of the present.

DEBATING THE CONSTITUTION

“Some provision should be made for defending the Community against the incapacity, negligence, or perfidy of the chief Magistrate,” said James Madison during the Constitutional Convention in 1787. “He might lose his capacity after his appointment. He might pervert his administration into a scheme of speculation or oppression. He might betray his trust to foreign powers.”

Public debates on ratification followed, and several commentators referenced impeachment. In 1788, North Carolina’s James Iredell was one. “When any man is impeached, it must be for an error of the heart, and not of the head. God forbid that a

man, in any country in the world, should be liable to be punished for want in judgment. This is not the case here. . . . According to these principles, I suppose the only instances in which the president would be liable to impeachment would be where he had received a bribe or had acted from some corrupt motive or other.”

ANDREW JACKSON  
CENSURED BUT NOT IMPEACHED

President Andrew Jackson found himself in several battles with Congress, vetoing more legislation than all six of his predecessors combined. Lacking the authority to shut down the Second Bank of the United States, which he saw as a tool of the rich, Jackson simply withdrew all government deposits, effectively neutering the institution.

With Democrats in charge of the House, Whigs in the Senate censured Jackson in March 1834. But to the president, the move reeked of impeachment: “The resolution, then, was in substance an impeachment of the president, and in its passage amounts to a declaration by a majority of the Senate that he is guilty of an impeachable offense.”

In January 1837, Democrats, in control of the Senate, voted to expunge the original censure resolution.

ANDREW JOHNSON  
THE FIRST IMPEACHMENT

Like President Jackson, Andrew Johnson found himself in conflict with Congress. As Lincoln’s vice president, he became president after his predecessor’s assassination. Republicans expected him to share their vision of the federal government’s role in Reconstruction. When it turned out otherwise, Congress moved to limit his power, passing, among other things, the Tenure of Office Act, which prohibited the president from removing certain federal officials without senatorial approval. Understanding that he risked impeachment, Johnson challenged the act by dismissing Secretary of War Edwin Stanton on August 12, 1867, while Congress was out of session.

Six months later, the House voted to impeach Johnson without holding hearings first or establishing specific charges against him. Eventually, they would draw up 11 charges against him, including that his actions had brought disgrace and ridicule to the presidency. Just more than a month later, the trial in the Senate began.

Johnson’s legal counsel argued that he had fired Stanton to test the constitutionality of the Tenure of Office Act and that this constituted neither a high crime nor a misdemeanor. Voting on May 16, 1868, the Senate failed to convict Johnson by one vote of the two-thirds necessary—35 votes to 19 votes. Two subsequent ballots 10 days later produced the same results, and the Senate adjourned as a court of impeachment.

RICHARD NIXON  
THE SMOKING GUN AND RESIGNATION

Within 24 hours of a break-in at Democratic National Committee offices in the Watergate complex in Washington, D.C., on June 17, 1972, the FBI linked the burglars to the Nixon White House. Just less than five months later, President Richard Nixon was reelected by the largest margin of victory in the Electoral College (a record eclipsed by Ronald Reagan’s reelection 12 years later).

With the knowledge that White House and reelection committee staff were involved in the break-in, Nixon conspired to hide the connection from investigators and the public. Slowly, though, a special prosecutor and committees in both the House and Senate began to reveal the truth. Nixon continued to deny his personal involvement in press conferences and speeches, but everything changed when aide Alexander Butterfield revealed the existence of a secret White House taping system.

Nixon tried to keep the contents of the tapes hidden. But as pressure continued to mount, he released transcripts of what he claimed were all Watergate-related conversations, including one that showed he had been discussing paying hush money to E. Howard Hunt. By May 1974, impeachment hearings were underway in the House Judiciary Committee, and in late July, the Supreme Court ruled unanimously that Nixon had to turn over the tapes.

Finally, in August, the White House released a tape revealing that Nixon and his chief of staff, H. R. Haldeman, had agreed to use the CIA to thwart the FBI Watergate investigation. The “Smoking Gun” had been found.

Republican Senators warned Nixon that he would not survive a trial in the Senate, and the president resigned on August 9, 1974.

For an in-depth look at Watergate, visit [millercenter.org/watergate](https://millercenter.org/watergate).

BILL CLINTON  
THE SECOND IMPEACHMENT

President Bill Clinton’s declaration on January 26, 1998, that “I did not have sexual relations with that woman, Miss Lewinsky” turned out to be a lie—and in light of his later impeachment, one of the most infamous lines ever delivered from the White House. Special prosecutor Kenneth Starr had been looking into allegations of misdeeds related to Whitewater real estate investments, the firing of White House travel staff, and misuse of FBI files, when a confidant of Lewinsky, Linda Tripp, informed him of the affair. Clinton and Lewinsky had lied about it in a legal proceeding—a sexual harassment lawsuit brought against the president by Paula Jones. With the approval of Attorney General Janet Reno, Starr began to investigate.

Like Nixon before him, Clinton attempted to invoke executive privilege. But after several members of his staff testified before the grand jury, he was finally forced to admit that his relationship with the intern was “inappropriate” and “wrong” during a nationally televised speech in August 1998. The president admitted to misleading lawyers—and the nation—but not to lying or asking anyone else to lie.

By early October, however, Clinton had agreed to pay Paula Jones \$850,000 to drop her suit and forgo an apology, and an impeachment investigation was underway in the House Judiciary Committee. With the Starr Report, Clinton’s own testimony in the Jones case, and records from previous grand jury proceedings as evidence, the House voted to reject a Democratic proposal to censure the president. And on December 19, 1998, he became the second president ever impeached on the counts of lying under oath and obstructing justice.

The Senate trial featured no public testimony, though excerpts from Lewinsky’s closed-door deposition were played by House prosecutors. On February 12, 1999, Clinton was acquitted on both counts, with neither earning the necessary two-thirds supermajority.



Our faculty and staff have been commenting on President Trump’s impeachment proceedings in real time. Here, Miller Center experts gathered at UVA’s Rotunda in January.

FOR A COMPREHENSIVE COLLECTION OF  
IMPEACHMENT RESOURCES, VISIT  
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MARCH 1788	JUNE 1788	MARCH 1834	JANUARY 1837	FEBRUARY 1868	JULY 1974	DECEMBER 1998	DECEMBER 2019
In support of constitutional ratification, Alexander Hamilton argues in Federalist No. 45 that the Senate is the proper venue for impeachment trials.	The U.S. Constitution, and the impeachment clause within it, is ratified by the minimum nine states required for adoption.	A Whig majority in the Senate censures President Andrew Jackson, who calls the move “in substance an impeachment of the president.”	A Democratic majority in the Senate officially expunges Jackson’s censure from the record.	With no specific charges, the House impeaches President Andrew Johnson. Eleven specific charges are enumerated later; the Senate declines to remove Johnson by a single vote.	The House Judiciary Committee passes three articles of impeachment against President Richard Nixon. Nixon resigns in August before a vote on impeachment in the full House.	The House of Representatives impeaches President Bill Clinton for perjury and obstruction of justice. Clinton is acquitted in the Senate.	The House of Representatives impeaches President Donald Trump for abuse of power and obstruction of justice. Trump is acquitted in the Senate in February 2020.



# IN MEMORIAM

## THE GREATEST GENERATION

Saying goodbye to some of the Miller Center's most influential benefactors

Sadly, over the past year, we marked the passing of many of the Miller Center's founding supporters and leaders. "At the Center, we're interested in the founding fathers of the United States because we're interested in how our government works in the constitutional structure," said director of Presidential Studies Barbara Perry. "But in this esteemed group, we get to talk about the founding mothers of the Miller Center, too."

**MORTIMER CAPLIN**, a UVA School of Law professor emeritus, was a major benefactor of UVA and of the Miller Center, having served on the Governing Council from 2002 to 2014, and also on the Board of Visitors. His support for the Caplin Conference and Caplin Endowment have helped the Miller Center work on a wide range of issues.

**ROSEMARY GALBRAITH** and her husband, John, were honored for their support in 2008, when the Miller Center's Forum Room was named in their honor. Together they grew and developed their mutual fund business, and also immersed themselves in philanthropic work, including John's service on the Miller Center's Governing Council and Foundation Board from 2002 to 2007.

**ANDREW D. (A. D.) HART JR.** was a member of the Miller Center Foundation Board and the Miller Center Governing Council from 2002 until 2012. He was a founding partner and advisory director of Russell Reynolds, a global recruiting firm.

**ELIZABETH SCOTT** was a member of the Miller Center's Governing Council from 1988 to 1996. In 2003, in recognition of her longtime support, the Miller Center dedicated its north terrace garden to her and honored her as the first recipient of the Elizabeth Scott Award for Exemplary Leadership, which is awarded annually. She was also a recipient of the Center's Burkett Miller Presidential Award.

**ANNE R. WORRELL** was a former newspaper executive and noted community leader with a strong interest in historic preservation. She and her late husband, Gene, established the Genan Foundation in 1986. The Center recognized Worrell's philanthropic commitment and dedication by naming the building's anteroom in her honor in 2009.

## "ONWARD"

A tribute to Jim Lehrer from fellow journalist and Miller Center board member Ann Compton



*Jim Lehrer, known to millions of Americans as the former cohost of the PBS NewsHour and the moderator of dozens of presidential and vice-presidential debates, died January 23 at the age of 85. Lehrer had a deep interest in history and politics and found a natural home at the Miller Center, where he served as a member of the Governing Council since 2016. Here, fellow journalist and board member Ann Compton remembers her friend:*

While it was a great honor to be invited for a second time to be a panelist on a major presidential campaign debate,

it was an even greater pleasure to sit on that stage with moderator Jim Lehrer, who had become the gold standard in political moments of importance.

It was the first debate of 1992 and the beleaguered incumbent president was sagging in the polls, with not one but two challengers joining him on the stage for a highly unusual three-way general election clash. Jim sat us panelists down the night before the broadcast and gently steered us over, under, around, and through the landmines that awaited for such a complex debate.

Jim had the gift of being able to envision the big picture, free of distractions, and help us all keep the debate's focus on the kinds of issues that mattered to voters

watching at home. He did it all with humor and grace. And did it so well that in future years, the Commission on Presidential Debates invited Jim to be the sole questioner.

Jim Lehrer was a constant North Star—not only on the air, but over a friendly informal dinner or at the boardroom table as the Miller Center faculty, staff, and Governing Council worked on important presidential projects. He and his enchanting wife, Kate, were always the most popular people in the room. His warmth and generous spirit will live on with us, as will his favorite line when ending a letter, an email, or a phone conversation: "Onward."

## GERALD BALILES: 65TH GOVERNOR OF VIRGINIA

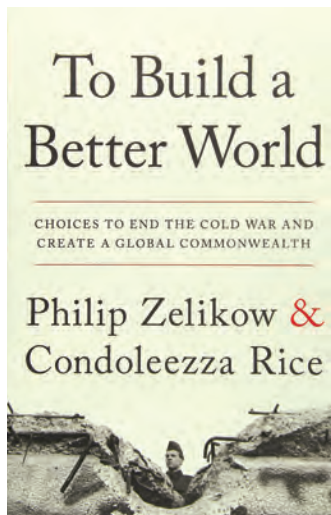
Former Miller Center director passes at age 79



**Gerald Baliles**, former Virginia governor (1986–90) and Miller Center director (2006–14), died in October at age 79. "In the Commonwealth, we knew Governor Baliles as a public servant of the highest caliber, working on behalf of all Virginians," said Miller Center Governing Council chair Alice Handy. "Here at the Miller Center, we also knew him as our former director and we knew him as a friend."

A look back on his life and career reveals a steadfast dedication to public service. His term as governor featured a particular focus on education—culminating in a historic National Summit on Education at the University of Virginia in 1989. He also established the National War Powers Commission, cochaired by James Baker and Warren Christopher. The group developed a proposed revision of the War Powers Act, which was submitted for consideration by Senators Tim Kaine (D-VA) and John McCain (R-AZ). Baliles also initiated the David R. Goode National Transportation Policy Conference, which led to a commission report presented to President Obama in the White House Rose Garden.

In 2018, the Miller Center established the Gerald L. Baliles Professorship in Presidential Studies to honor his service and to promote nonpartisan study of the institution of the presidency. "To have an endowed chair is the highest honor a professor can have," said Barbara Perry, the Miller Center's director of Presidential Studies, when she became the first to hold the title. "I have had two chairs previously, but this is the first I've had that is named for someone who not only hired me at the Miller Center but whom I considered to be a mentor and friend."



Here, a couple of short takeaways on the fall of the Berlin Wall and turmoil in the Middle East:



**RICE:** I think we are in a period in which we're facing a new systemic crisis. The reason that we wanted to write this book was that we wanted to reassure people that we have seen ourselves and the world come through crises that in retrospect might have ended in conflict, might've ended in violence. When you think

## TO BUILD A BETTER WORLD

CONDOLEEZZA RICE AND PHILIP ZELIKOW ON THEIR NEW BOOK ABOUT THE END OF THE COLD WAR

Former Secretary of State Condoleezza Rice and Philip Zelickow, the White Burkett Miller Professor of History and the J. Wilson Newman Professor of Governance at the Miller Center, recently appeared together onstage at the University of Virginia for a fascinating conversation based on their new book, *To Build a Better World: Choices to End the Cold War and Create a Global Commonwealth* (Twelve, 2019).

about the collapse of a country with 30,000 nuclear weapons and four million men under arms, when you can think about the decision to reunify Germany with all of that history and concerns on all sides, when you think about the liberation of Eastern Europe, there was no certainty that this was going to turn out to be peaceful. Philip makes the point that there were five great transformations in recent times. All of them were transformed by war, with the exception of this one. It was peaceful.



**ZELIKOW:** The Marshall Plan [a \$12 billion American initiative passed in 1948 to aid Western Europe after World War II] wasn't a military program at all. So when we think about the kind of investments that we need to make to help a broken society slowly heal and without withdrawing that preventive effort too quickly, we need to think about investments that are sustainable

over the long haul with the American people. But investments that aren't just confined to thinking about military hammers, because there are going to be other tools needed in the kit. These countries are going to need to become more resistant and stable amid the implosion of the Arab and Muslim world.

## SCHOLARS IN THE MEDIA

MILLER CENTER EXPERTS CONSISTENTLY ADD CRITICAL PERSPECTIVE TO CURRENT EVENTS, APPEARING IN THE MEDIA ON AVERAGE ALMOST TWICE A DAY. HERE ARE SOME RECENT EXAMPLES. TO SEE THE LATEST, VISIT [MILLR.CR/MILLER-NEWS](https://millercenter.org/miller-news).

"PARASITE WAS A TRIUMPH FOR A FILM INDUSTRY TRAPPED BETWEEN THE U.S. AND CHINA," *WASHINGTON POST*, FEBRUARY 11

"After Korea's 2016 decision to host the U.S. Terminal High Altitude Area Defense (THAAD) missile system, China has blocked a wide range of Korean cultural products from being exhibited publicly, from pop concerts to films," wrote faculty senior fellow **Aynne Kokas**. "Before [the Oscars], winning best picture seemed like an impossible dream for South Korean filmmaking."



AYNNE KOKAS

"GREECE IS AT THE NEXUS OF AMERICA'S GEOPOLITICAL CROSSROADS," *NATIONAL INTEREST*, FEBRUARY 7

Greece aspires to replace Turkey as a regional diplomatic and economic hub, wrote Practitioner Senior Fellow **Eric Edelman** and co-author Charles Wald. "The United States must take advantage of this budding relationship, as part of a renewed strategic focus on the region."



ERIC EDELMAN

"WHERE TRUMP'S ACQUITTAL FITS INTO THE HISTORY OF IMPEACHMENT, ACCORDING TO HISTORIANS," *TIME*, FEBRUARY 6

As one of a panel of distinguished scholars, **Barbara Perry**, the Center's director of presidential studies, noted the implications of President Trump's legal arguments during his Senate trial: "The result would seem to be that whatever noncriminal action a president defines as beneficial to his election, and therefore automatically in the public interest, is allowable."



BARBARA PERRY

"WHAT DEMOCRATS CAN LEARN FROM LYNDON JOHNSON'S GREAT SOCIETY," *CNN.COM*, FEBRUARY 3

"Lyndon Johnson's Great Society offers a compelling case study of what the federal government can achieve and how grassroots activists can help move Washington toward a better place if animated by a clear purpose," wrote **Melody Barnes**—a Miller Center professor of practice and co-director of UVA's Democracy Initiative—and Princeton University's Julian



MELODY BARNES

Zelizer. Barnes also hosts the new PRX podcast *LBJ and the Great Society*.

"WHAT TO WATCH FOR DURING TRUMP'S 2020 STATE OF THE UNION ADDRESS," *CNN*, FEBRUARY 4

A former speechwriter for President George H. W. Bush and a Miller Center practitioner senior fellow, **Mary Kate Cary** reminded CNN viewers that President Trump's 2020 State of the Union "would potentially be his largest audience between now and election night, other than the Republican National Convention address."



MARY KATE CARY

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# NOTES FROM THE PRESIDENCY

Before he became president, Theodore Roosevelt owned two ranches in Dakota Territory, allowing his cattle to roam free. In *Ranch Life and the Hunting Trail*, Roosevelt wrote, “[A]ll the land north of the Black Hills and the Big Horn Mountains and between the Rockies and the Dakota wheat-fields might be spoken of as one gigantic, unbroken pasture, where cowboys and branding-irons take the place of fences.” This White House note is from January 20, 1902.





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and

triangle                      

T. R.