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**Keynote Speaker**  
JEH JOHNSON

**Panelists**  
RICHARD BRIFFAULT  
ESTER R. FUCHS

**Co-Moderators**  
WILMOT JAMES  
ROBERT Y. SHAPIRO

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# Dona and Carol Hamilton Distinguished Lecture: On the State of American Democracy

THE DONA AND CAROL HAMILTON DISTINGUISHED LECTURE SERIES was established by Charles Hamilton, Professor Emeritus of Political Science at Columbia University, as an annual event hosted by the Department of Political Science to honor the life and work of his late wife, Dona, and daughter, Carol. The Lectures present distinguished speakers to address compelling topics on justice and fairness in our contemporary world.

*The views expressed by speakers are their own and not necessarily those of any organization with which they are affiliated.*

**ROBERT Y. SHAPIRO:** The Department of Political Science at Columbia University welcomes you to the fourth annual Dona and Carol Hamilton Distinguished Lecture. The co-sponsors of this event include the Urban and Social Policy Program at the School of International and Public Affairs (SIPA) at Columbia University, the Columbia University Institute for Social and Economic Research and Policy (ISERP), Columbia Global Centers, and The Academy of Political Science. We are honored to have a very distinguished set of panelists today, including our keynote speaker, Secretary Jeh Johnson. Jeh Johnson is a trustee of Columbia University. He is also a partner in the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP. And as you all probably know, he is the former Secretary of Homeland Security (2013–2017), and former General Counsel of the Department of Defense (2009–2012). Secretary Johnson is the 2018 recipient of the Ronald Reagan Peace Through Strength Award, presented at the Reagan Presidential Library, for “contribut[ing] greatly to the defense of our nation,” and “guiding us through turbulent times with courage and wisdom.”

We are also privileged to have a distinguished set of other panelists. Richard Briffault is the Joseph P. Chamberlain Professor of Legislation at Columbia Law School. His research, writing, and teaching focus on state and local

government law. The news media often turn to him for analysis of issues central to democracy and the political process, such as campaign finance reform, government ethics, gerrymandering, and most important of all for this session, fair elections.

Our other distinguished panelist is Professor Ester Fuchs, who is Professor of International and Public Affairs and Political Science and is the Director of the Urban and Social Policy Program at SIPA. She served as Special Advisor to the Mayor for Governance and Strategy Planning under New York City Mayor Michael Bloomberg from 2001 to 2005. Professor Fuchs also serves as director of WhosOnTheBallot.org, an online voter engagement initiative for New York City.

I am Robert Shapiro, serving as moderator. I am a professor of Political Science and International and Public Affairs at Columbia University, and I am also the President of The Academy of Political Science. My co-moderator is Dr. Wilmot James. Dr. James is Senior Research Scholar at the Institute for Social and Economic Research and Policy at Columbia and is a former South African Member of Parliament. He also serves as a senior biosecurity consultant to the Washington, DC-based Nuclear Threat Initiative, and was recently appointed to the G7 Global Partnership's Africa Signature Initiative on Biosecurity. I want to now turn the proceedings over to Dr. James.

**WILMOT JAMES:** Thank you very much to Professor Shapiro for his generous introductions. It is my great privilege and honor to make some introductory remarks about the Dona and Carol Hamilton Distinguished Lecture Series. This series was established by Professor Charles Hamilton, and presently I am sitting next to him at his home in New Jersey. It is a great honor for me to make these introductory remarks in his company. The Dona and Carol Hamilton Distinguished Lecture Series is an annual event that is hosted by the Department of Political Science to honor the life of Dr. Hamilton's late wife Dona and his daughter Carol, who tragically died in a plane crash in the Balkans with Secretary of Commerce Ron Brown. She was his press secretary.

Dr. Hamilton has funded the annual lecture in honor of Dona and Carol Hamilton. The ethos of this lecture is to have distinguished speakers, such as Secretary Jeh Johnson, address compelling topics on justice and fairness in our contemporary world. Dr. Hamilton has a distinguished history in the area of scholarship that deals with inequality and minority rights. But he also has a history as an activist in those areas. He often talks about himself as somebody who is both a scholar and an activist. It is with great pleasure that I share these remarks with you. And with that, we would now like to turn to Secretary Jeh Johnson.

**JEH JOHNSON:** Good afternoon. I am pleased and honored to deliver this Dona and Carol Hamilton lecture. I knew both of them. To me, the Hamiltons are like family. Charles and Dona are and were the same age as my parents. Carol and I were about the same age before she died in 1996. I was with Charles and Dona the sad moment when an Air Force officer came to their home to explain the cause of the plane crash that killed both Carol and Commerce Secretary Ron Brown. Dona was like a gracious aunt—married to a scholar and an author, and a scholar and an author in her own right.

I am honored to be associated with anything with the name Hamilton on it. My respect for Charles V. Hamilton is bone deep. We all know that Professor Hamilton is one of the foremost political scientists in our country. Columbia knows Professor Hamilton as a longtime faculty member. The joke around the Columbia campus and the Columbia community is that Barack Obama avoided Professor Hamilton's classes because he was such a tough grader. But the Professor—as I affectionately refer to Chuck—is much more than that.

Through his co-authorship with Stokely Carmichael of the seminal 1967 book, *Black Power*, Professor Hamilton wrote the words that defined a movement. Professor Hamilton was and is a forward-thinking man, with views that were radical then, but conventional and widely accepted

now. It was he and Stokely Carmichael that first coined the phrase we hear often today, “institutional racism.”

For his views in the 1960s, this modest and mild-mannered man we refer to as Chuck was regarded by his own government as a dangerous subversive, targeted by the FBI for surveillance, and the creation of an FBI file that consists of several hundred pages. But, as the black sociologist Charles S. Johnson once told the House Un-American Activities Committee in 1949, “wanting the elimination of inequalities and racial discrimination is not wanting to subvert the government.” As a trustee of Columbia University, I am proud that our school had the wisdom and foresight to hire Charles Hamilton in 1969.

Charles V. Hamilton is living history. Through it all, the Professor is never bitter, always humble, gracious, and dignified, and is today an optimist about the future of our democracy and our country. As a reflection of Professor Hamilton’s humility, this lecture is named for his late wife and his late daughter, and not for him.

The Professor’s one failure in life as a teacher was his inability to teach me golf on Martha’s Vineyard. But Professor, you can still boast that you taught me the entirety of what little golf I know.

For this lecture, I will discuss the state of our democracy. In honor of Professor Hamilton, I have decided to tackle a hard question. It is a painful question to ask even out loud: Are America’s best days as a democracy behind us? Or, are we still the civilization that Franklin Roosevelt spoke of in his final inaugural address in 1945, on a trajectory that is forever upward? Though he was a dying man with only a few weeks to live, in January 1945 Roosevelt was probably entitled to look out at our nation then and pronounce that we were a civilization forever upward. But, observing the events of just the past several years, many here and abroad must have doubts about our future.

In five days, Charles Hamilton will be 93 years old. Look at all that has occurred within the arc of his life, which has encompassed 16 presidents—more than a third of the total—from Herbert Hoover to Joe Biden. Born in Muskogee, Oklahoma, Charles Hamilton lived under Jim Crow. He suffered through the Great Depression. In the aftermath of Pearl Harbor and a long period of isolationism, he then saw our nation mobilize, defeat the Nazis in Europe and the Japanese in the Pacific, and lead a new world order. In the 1950s and 1960s, Charles Hamilton saw the protests, and saw our nation eliminate Jim Crow. He saw and heard a Southern president embrace the words, “we shall overcome,” and pushed a civil rights act and a voting rights law through Congress. He saw and heard John F. Kennedy challenge our nation to go to the moon, and we did.

Charles Hamilton saw the United States become the envy of the planet and the beacon of freedom and hope throughout the world. We proudly proclaimed we were a nation of immigrants. Then, in 2008 we took a major step toward a more perfect union—something happened in our democracy that Charles Hamilton did not expect to see in his lifetime, and I did not expect to see in my lifetime. Sixty-nine million American voters—the largest single popular vote then on record—elected this nation’s first black president.

But, along the way something else happened. There were cross currents stirring underneath the surface of the water. Through the Vietnam War, Americans learned that their leaders were capable of tragic mistakes. Through Watergate and the Pentagon Papers, Americans learned that their leaders were capable of lying to them. The once industrial heartland of our country became a rust belt. Many Americans, white and black, were left behind by an evolving economy. The so-called middle class has been replaced by a class that struggles to survive week to week. They came to believe that their government does not work for them, caters to special interests, and has

left them behind. Many Americans today are afraid, resentful, bitter, cynical, suspicious, and look for scapegoats among people culturally and racially different from themselves.

Social media, for all its strengths and virtues, has enabled much of this. As a young man, Charles Hamilton got his news and information from select conventional news sources—the local newspaper, the local radio station, Walter Cronkite, Chet Huntley and David Brinkley, or Eric Sevareid. They had journalistic standards. Now, a large segment of Americans, maybe even half by some accounts, get their so-called news and information from online sources, many of which have few barriers for entry or standards for exit; propaganda masquerading as news that does no more than reaffirm our own biases, prejudices, and fears.

In this environment, Americans have become more polarized. A recent poll by a firm called PRRI suggests that a full 15 percent of Americans, one in six, subscribe to the QAnon theory that the government, the media, and the financial worlds are controlled by a group of Satan-worshipping pedophiles. Other polls continually reveal that more than half of Republicans believe, against all credible evidence, and numerous court rulings and audits, that the 2020 election was stolen. Large segments of the American population have become unhinged from reality. The so-called “Great Replacement”—the theory that brown and black people are replacing white people in this country—motivates right-wing extremism.

The increased polarization across America is reflected among our nation’s elected representatives in Washington. Politicians have learned to pander to our fears and prejudices as a strategy for getting elected and reelected. They do no more than curse the darkness and find no political advantage or upside in offering to light a candle. Too many politicians today find comfort pandering to the political extremes rather than exercise the political courage and strength to reach across the aisle to get things done for the American people. The culmination of all this was the election of 2016, when the American electorate decided to engage in a dangerous experiment, by electing as our president a man with virtually no experience in public office, fascist impulses, and no sense of history or decorum.

We got what we bargained for. And, after four years of chaos, crisis, scandal, and dysfunction, the electorate then raced to the other extreme, and elected as president a man who is the most experienced in public office, after 36 years in the United States Senate and eight years as our vice president. Watching all of this, many Americans and many in the world are asking: Are America’s best days behind us? Was Trump’s election in 2016 an electoral anomaly, and Biden’s election in 2020 a return to normalcy? Or was Trump’s election a reflection of a longer-term trend, and Biden is the anomaly—the last gasp of the America we once knew? We must recognize that democracies can and do decline, and even die.

I am not Professor Hamilton. I am not a political scientist. But, the best answer I can offer to this question is: *it depends*. It depends upon we the people and what we do. It depends upon what we do now at this juncture. We can and should complain about the polarization in Washington. We can and should criticize our government’s response to the COVID-19 pandemic. We can criticize the media. We can criticize social media. But in the end, it all tracks back to we the people. Ultimately, in a democracy, the solution to our problems lies with us.

With citizenship in this country comes responsibility. Years ago, there was a federal judge in Manhattan named Edward Weinfeld. At the conclusion of every jury trial he presided over, Judge Weinfeld never thanked the jurors for their service, on the belief that no American should be thanked for fulfilling their basic responsibilities as a citizen. With citizenship comes responsibility to be informed and to participate.

If the American voters insist on it, we can elect responsible representatives in Washington who care more about bipartisan compromise to get things done for the American people, than

simply pander to a political base. By their nature, politicians are incentivized or disincentivized by the will of the voters.

If the American people had insisted on it, we would have all paid attention to the science and the danger signs around COVID, put on masks, and all got vaccinated, for the good of ourselves, our family, our students, our patients, our friends, and our communities. We Americans can each work a little harder to understand the issues, and not succumb to the temptation to accept as news some of the hysteria and paranoia on social media.

Over 30 years ago in his farewell address to the nation as President, it was Ronald Reagan who talked about the importance of an “informed patriotism.” So, for example, you say you are a patriot? Do you really understand the country to which you have pledged this patriotism? We are a nation built on diversity. Unlike other societies and other nations, there is no one race of American people. As Reagan himself said, you can go to China and never be Chinese. You can go to France and never be French. But from whatever place you come from on this planet, you can immigrate to America and become an American. The occasions when America is at its greatest, throughout the chapters of our history, are when Americans put self aside and unite for a common cause.

We are at a pivotal moment right now. Some might despair. But, despite all he has seen and experienced in his 93 years of life, I know that Charles Hamilton remains an optimist about the future. In these remarks, I also referred to another Charles, the sociologist Charles S. Johnson, a man Charles Hamilton has studied. Like Charles Hamilton, Charles Johnson was an optimist. Charles Johnson lived his entire life in the Jim Crow South, and never lived to see a single civil rights law pass our Congress. Despite that, one month before he died in 1956, Dr. Johnson said this to the *New York Times*, about the plight of civil rights in the South:

It is . . . expected that Negro Southerners as a result of their limited status in the racial system would be bitter or hostile, or patient or indifferent. Bitterness grows out of hopelessness, and there is no sense of hopelessness in this situation, however uncomfortable and menacing and humiliating it may be at times. Faith in the ultimate strength of the democratic philosophy and code of the nation as a whole has always been stronger than the impulse to despair.

Charles S. Johnson happens to have been my grandfather. And this level of optimism about our country is in my own DNA. And I know it is in Professor Hamilton’s. I hope you feel the same way about our country. Thank you.

**SHAPIRO:** Thank you, Secretary Johnson, for your very thoughtful remarks. Next we have our first panelist, Richard Briffault.

**RICHARD BRIFFAULT:** Great, thank you very much, Bob. I am doubly honored to be invited to participate in this program, which recognizes the achievements of one of Columbia’s and America’s greatest political scientists, Charles Hamilton, and also to be on the same virtual podium as one of America’s most outstanding public servants, Jeh Charles Johnson. So thank you very much for having me today. Secretary Johnson’s lecture asks the question: The American democracy—are our best days behind us? And he gives the disquieting and disquietingly accurate answer: it depends. Like Benjamin Franklin—who, upon exiting the Constitutional Convention in 1787, was asked what kind of government the delegates had created, and who replied, “A republic, if you can keep it,”—Secretary Johnson tells us we have a democracy, but only if we, as citizens and voters, can keep it. And this, as he emphasizes, depends upon we the people, and what we do now at this juncture.

In my brief remarks today, I want to focus on one specific thing that we have to do now at this juncture to protect our democracy. That is to protect our system of election administration,

which is under siege. Democracy depends on elections. There could be no democracy without free and fair contested elections. Elections, in turn, require a trustworthy, fair, and objective system that makes it possible to have all qualified voters vote, to have their ballots counted accurately, and to be able to announce a true and honest result. Under Secretary Johnson's wise leadership, in one of his final acts as Secretary of Homeland Security, the Department of Homeland Security in January 2017 designated our elections administrative system a component of U.S. critical infrastructure, whose "incapacity or destruction . . . would have a debilitating impact on security, national economic security, national public health or safety." And that is absolutely right.

At that time, the main threat to our elections infrastructure consisted of hackers and cyber-attacks from abroad—foreign governments and their agents. While that threat surely remains, today, the enemy is in the building. Today, the greater danger comes from within—from partisans, ideologues, and interest groups dedicated to delegitimizing our electoral system in the eyes of the public, attacking the results, and replacing administrators who have shown dedication to doing their jobs with those committed to carrying out a partisan agenda.

The 2020 election was a surprising and extraordinary success, and I am not referring to the outcome. Indeed, the success of the election provides some basis for the optimism that is in Secretary Johnson's comments, which were not purely negative, to the extent that there is basis for hope about our democracy. The 2020 election provides evidence for it, not the results so much as the way the election worked. The 2020 election witnessed a record high turnout facilitated by a massive, unprecedented shift to early and mail-in voting undertaken in the midst of a once-in-a-century pandemic—with very few Election Day problems, fewer than in most "normal elections," no security breakdowns, and *no proven fraud*. This could not have happened without the work of thousands of state and local election officials, who adapted to the extraordinary circumstances of 2020 by: finding new ways and places to vote; addressing the public health concerns posed by voting in traditional polling places; making mail-in voting accessible to tens of millions of people who had never used it before; and recruiting hundreds of thousands of new and younger poll workers to replace the older poll workers, many of whom quit because of the risk from the coronavirus.

Our elections administrators showed their mettle again after Election Day, when many of them resisted pressures, often from members of their own party, to refuse to accept the outcome or to manipulate the results. And what has been their reward? Death threats and insults, which have been chronicled in many newspapers and studies; social media attacks; in some cases being hounded from office; primary challenges; audits designed to call into question both the work of election administrators and the legitimacy of the 2020 election (and by extension, the legitimacy of future elections whose results certain advocates or interest groups do not like); and in many states, like Georgia and Texas, the adoption of new laws stripping powers from election professionals, and imposing criminal penalties, not just removal from office, but criminal penalties for minor infractions of state election laws, including efforts to make it easier to vote.

Just as the election of 2020 and its great success are grounds for optimism, this unprecedented backlash against people who made the election work, I think, feeds the cause for anxiety. The media has given a lot of attention, and appropriately so, to laws and proposed laws that will make it harder to vote. But we also need to focus on and fight against what I think is an even more insidious threat to our democracy: the attacks on the honesty and integrity of the electoral process itself. I do not mean to over-valorize or over-glamorize our current system of election administration. All I need say to the people in this virtual room is "New York City Board of Elections" to signal my recognition that our current system is far from perfect. There are inefficiencies. There are problems. There are things that can, should, and must be done better.

But, the current wave of attacks on the election system around the country seeks not to improve it, but to corrupt it into a partisan and ideological tool. This affects its ability to function as a way of serving our democracy. As Secretary Johnson says, we are in a pivotal moment, and we have a responsibility to be informed and to participate. This is especially true for the people I believe are the audience for this program—the students and scholars of political science and public policy, and maybe a few from my field of law.

I would like to emphasize that we have a duty, as Secretary Johnson suggests, to work with our fellow citizens to help defend the free, fair, and honest elections that are essential for the future of our democracy. For those of us who are academics, that will involve our academic research. For those of us who are active in public life, that will involve working in legislatures, working with advocacy groups, working in court, and maybe most importantly, working in the court of public opinion. We have a duty to focus on these issues to help defend free, fair, honest, and independent elections, which are essential to the future of our democracy. So, let me say thank you to Secretary Johnson for his inspiring remarks, and thank you to the organizers of this program for allowing me to speak today.

**SHAPIRO:** Thank you, Professor Briffault. We will now hear from Professor Ester Fuchs.

**ESTER R. FUCHS:** Thank you so much, Bob, and thank you, Secretary Johnson. I, too, am honored to be part of this panel, and I was so moved by your remarks, and especially by what you had to say about our Professor Hamilton. Might I just add, since I have been and still am a colleague of Professor Hamilton’s—and he was an extraordinary senior professor when I was a junior colleague—there is no one like him, and frankly, no one has replaced him at Columbia or probably any place else in the American university system. His generosity of spirit should not be underestimated. Yes, he was tough in the classroom. As you remarked, President Obama did not take his course, and I would suggest that had he taken Professor Hamilton’s course, he might have not made so many mistakes in the early part of his presidency. He might have learned some very important lessons from Professor Hamilton. But he was not the only one who missed out. Others may have, but we all continue to benefit from his generosity and his brilliance.

While everyone knows about his book, *Black Power*, Professor Hamilton wrote many other books and articles. As I thought about Secretary Johnson’s insightful and inspirational remarks, I also thought about how they connected to two of Professor Hamilton’s brilliant writings. Not just *Black Power*, but a textbook on American government, and an article he wrote about the Harlem political machine and New York city politics, “Needed, More Foxes.” These two works, I think, reflect Professor Hamilton’s belief in the power of American political institutions, and that is what I want to focus my remarks on this afternoon.

This provides some insight into the challenges of American democracy—the challenges that we are currently facing and that Secretary Johnson outlined. I think this is at the heart of Secretary Johnson’s remarks—that Americans have become more polarized and that this polarization is the greatest threat to our democracy. So, I will be back to this point in a minute about the connection between Secretary Johnson’s remarks and Professor Hamilton’s work.

None of us can dispute the urgency of the threat to our democracy. Our national institutions are fundamentally broken and susceptible to manipulation by the minority political party wanting to retain power. The brilliance of the American two-party system, when we compare it to European parliamentary systems, is that we have a model of umbrella parties. The umbrella parties were designed to moderate political discourse and public opinion, and the need to attract enough supporters during elections is critical to the way our party system works. You cannot win elections without creating a coalition during the campaign. This approach to creating a majority coa-

lition during elections has been subverted now—by other political institutions, by the electoral college, by gerrymandering election districts, by the state legislatures and their efforts at voter suppression, and by a perversion of federalism and partisan appointments to the courts. Our political institutions are all working together, in a sense, to produce minority rule as opposed to majority rule. Nothing could be more destructive, in my view, to democratic legitimacy than the act of subverting the will of the majority. It seems, as a consequence, every democratic institution of governance has been broken.

I know everybody understands and agrees with Secretary Johnson that the solutions to the problem are with “we the people.” But, Republicans have targeted many of the people who constitute “we the people” in an effort to, essentially, eliminate them from our political process, suppress their voice, and make it difficult for people in this country—specifically black and other minorities—to exercise their constitutional rights to vote. As Richard suggested, it goes beyond that in the attack on American political institutions.

Now, we have been essentially forced into a defensive posture about how “we the people” can take back our democratic institutions of government. So, is there any cause for optimism? While I think the solution is in “we the people,” it seems quite complex and difficult at this time to figure out how we might act to take back these institutions of governance.

I would suggest that Professor Hamilton provides part of the solution for us in both of the texts that I mentioned—in his textbook, *American Government*, but also in his wonderful piece, “Needed, More Foxes.” The two things that link this together are a belief that political activism at the local level must be connected to what people actually need in order to encourage them to vote. The first piece of the puzzle to getting us back on track is to link political activism to voting. I think what Professor Hamilton showed us by looking at Raymond Jones, the Harlem Fox, is that these political leaders of the old-style machines understood what people wanted and the incentives to get them out to vote.

This is something that our political parties have lost. While we need to have people believe that voting is part of their responsibility, we also know that people do not vote when they cannot see the linkages between voting and what they, and their communities, need in their daily lives. While we are not going to bring back the political machine and all its dysfunctions, I think the concept of how we mobilize folks in cities and connect them back to the political process lies in this idea: to educate the public and help them understand what voting actually has to do with their everyday life.

The other piece of that, of course, is political mobilization. The person, I think, Professor Hamilton has the most in common with on today’s political stage is Stacey Abrams. Stacey Abrams created an alternative political organization to mobilize people to vote, and it has been extremely effective. It is connected to the Democratic Party, but it has also worked on the ground to ensure that when people engage politically, they cannot stop without voting. Part of what was very important about the protests around the killing of George Floyd were these NGOs—community-based organizations that started to register people to vote and link people back to the voting process, and they explained that the change people needed and wanted could only happen if people actually vote.

I think that, fundamentally, the political institutions that are broken will only be changed if we start to understand better how to engage the public in a way that reflects what they need and what they want. Unfortunately, this has been the brilliance of the Trump presidency and his election campaigns in the past. He peeled off important constituencies in the Democratic Party majority coalition and convinced them that the Republicans could better represent their interests. I would not minimize that ability to mobilize people who are not just his, what I would call, dysfunctional base.



So, if we could join Stacey Abrams with Professor Hamilton in our efforts to regenerate voting and better understand the linkages between this and institution change, we could produce the majority coalition we need to fix these larger problems in our political institutions. In the end, what I think is that, yes, “we the people” are the solution, but we the people must educate, we must mobilize, and we must vote. Thank you.

**SHAPIRO:** Thank you, Professor Fuchs. In calling to mind Professor Hamilton’s work and its relevance to current politics, one other book that I think needs to be referenced here—and I hope Professor Hamilton will agree as he watches ongoing politics—is the book he co-wrote with Donna Hamilton, *The Dual Agenda*. *The Dual Agenda* had to do with the policy objectives of the civil rights organizations, and they were dual. One was civil rights issues. The other had to do with their economic interests and needs and the economic programs. That is currently front and center in the debate and strategizing in the White House, and the infighting in the Democratic Party. I would like to give the panelists a chance to talk to each other a little bit.

**BRIFFAULT:** I could not agree more with what Ester said about the importance of both local organization and organizations that focus on people’s everyday lives and people’s daily needs—organizations that help persuade people that government will work for them. I think that the highest levels of government have been detached from people in their daily lives. I think, in some ways, it is of critical importance for local government to do that. People do feel more connected, and that becomes a basis for organizing, for getting people involved in public life, and for giving a rebirth to the institutions.

In my work on election administration, it was quite striking just how much this was being done at the local level—how activists and administrators who are really dedicated to serving their constituents in places like Maricopa County in Arizona or Harris County in Texas get some remarkable results in terms of getting people to vote. Part of it is the inspiration that Ester talks about. Some of it is making government work in ways that make it accessible and useful. In many ways, I think Ester’s point is right—the key to democracy is making people feel that democracy is meaningful for them, and you need local organization for that.

**FUCHS:** Thanks, Richard. I could not agree with you more about the administration of the electoral apparatus. When you look at Trump’s rhetoric, his first attack was on the administration of the elections. Again, it is linking that to the public piece, as Secretary Johnson said, because as long as people believe the election could be subverted and is not legitimate, which was the rhetoric and the message, that message resonates, and Trump can win. The importance of the integrity of the election apparatus that you discussed is key to responding to that kind of messaging. I agree with what you said, and I think it is really important. And, I just want to add one point quickly.

All of the dysfunctional institutions that we have spoken about, that have subverted our political system, cannot really be changed in fundamental ways without increasing turnout among the folks who want to make these changes. So, we are never going to be able to get rid of the electoral college if we do not increase turnout in very specific parts of the country. And we are never going to get non-partisan districting if we do not take back state houses again. We were all asleep at the wheel in the Democratic Party while the Republicans took over all these state houses, and now take over the districting process. The same thing of course holds for appointments to the courts. So, it all does come back to what Secretary Johnson said, which is that we the people must fix it.

**JAMES:** I have been working with Charles Hamilton in areas involving South Africa, and also other countries. We co-edited a book comparing South Africa, Brazil, and the United States. The book was called *Beyond Racism*, which was a real aspirational text that we published at the turn of the century. But, one of the things that occupied our attention was how political systems encouraged or discouraged individuals with democratic instincts to drive countries in a democratic direction. Of course we thought of referencing Nelson Mandela, but also a long list of American presidents, and some Brazilian presidents.

Henry Kissinger once said to not design political systems for great men or women, because in every generation you have to find one. The beauty of that quote is that political systems are one thing, and they should be designed to optimize the reaching of democratic values, but they are essentially a loose set of institutions, and leaders breathe the democratic oxygen into it. So, Nelson Mandela breathed democratic oxygen into South Africa's political systems. So did Jack Kennedy, and so did the list of other American presidents. One implication is to have a pipeline of leaders with the right kind of instincts and commitments to values. But the other implication is that democratic political institutions are imperfect, and they have to be constantly reformed.

You mentioned the electoral system, which is right, but other areas of reform are required. In Congress, how does it make decisions? Do the rules allow for decisions to be made? Or are we looking at a kind of paralysis in terms of decision making? What about the justice system? What about the Supreme Court? What about the system's optimal functionality? And so, the question is: What is the reform agenda for America? How do you make an imperfect system slightly more perfect? That is the question, and it is a question I would like to pose to Secretary Johnson. What is the political agenda for reforming the system above and beyond the proper management of an electoral system?

**JOHNSON:** I am going to tell you a story. During the summer of 1977 I was a Capitol Hill intern working for my local Congressman, a terrific man named Hamilton Fish, a Republican moderate who represented the Hudson Valley in New York State. Ham Fish was on the House Judiciary Committee back when it was far less polarized. He never would have had the stomach for today's House Judiciary Committee. One day he said, "Jeh, there's a very interesting Senate hearing going on—a subcommittee of the Senate Judiciary Committee on abolishing the electoral college—and I'd like you to go and take notes." I was very excited. It was my first time going over to the United States Senate, and my first time going to any congressional hearing.

I went over, and I remember it like it was yesterday. There was a Georgetown professor testifying about [the need to maintain] the electoral college. He had written a book about the electoral college, and his name was Martin Diamond. Senator Birch Bayh [sponsor of a proposed constitutional amendment for the direct election of the president] was chairing this subcommittee, and Senator Orrin Hatch, who was a freshman Senator from Utah, was the ranking Republican. [Moments after] his testimony, the professor had a massive heart attack and died. And I do not think there has been another hearing on abolishing the electoral college since.

Think about the reality. When it comes to political reform, there are too many entrenched interests dedicated to protecting their entrenched interest, which is why it is a long, hard struggle when it comes to wholesale political reform, various constitutional amendments, or how we vote. This is why I keep coming back to how critical it is for the voters to begin to disincentivize and incentivize certain behavior in our elected representatives in Washington. If we incentivized more behavior like those trying to broker a deal on an infrastructure bill or broker a deal on Build Back Better, versus just standing on the political extreme and playing to your own base, we would get somewhere.

When I was in Washington as Secretary, I as a Democrat had to work with a Republican Congress repeatedly to get stuff done. It was not going to serve anyone's homeland security interests if all I did was scream from the extremes and get nothing done. And so, politics, in my view, is an instrument toward an end. It is not the end in and of itself. I believe that the voters need to incentivize that behavior. Every time somebody stands for reelection, ask them: What have you got done? What have you actually done, as opposed to what your positions are on a pocket card? What have you actually done for us? And, I think that is how they should be graded.

**JAMES:** We can further discuss the electoral college. Certainly for an outsider looking in, it is an extraordinary anomaly that you can win the national vote, and not become president. And, how to fix that is something we should remind ourselves of constantly.

**JOHNSON:** Wilmot, think about how differently the candidates would campaign if they had to campaign for the popular vote, as opposed to campaigning to win Ohio, Florida, Pennsylvania, Michigan, and Wisconsin only, and all the rest of us are irrelevant.

**JAMES:** Exactly.

**SHAPIRO:** There was a question from someone in our audience about the likelihood of doing away with the electoral college, and it is obviously a kind of structural problem. Although, there is a piece of legislation making its rounds in the states for the state legislatures to allocate their electors to the candidate who wins the majority of the popular vote—which takes some coordination and raises counting issues. But even there, the entrenched interests seem to be strong.

We have a lot of questions, as you might imagine. We have two kinds: pointed political ones, and then we have thematic ones that touch on aspects of Secretary Johnson's lecture. I want to give priority to those. So here is the first one: Secretary Johnson has reminded us that vital functions of citizenship are to be informed and to participate. Enlightened participation is critical to sustaining our increasingly multicultural democracy. How effective are the media in contributing to this process now as we move toward a new demographic reality? Is there more that our traditional media should be doing to inform patriotism as urged by Ronald Reagan?

Now here, Secretary Johnson has his perspective that comes from the vantage point of being a person in office, and Ester Fuchs also had that vantage point when she was in City Hall. So, Secretary Johnson.

**JOHNSON:** The most favorite thing I did in office as Secretary of Homeland Security was to naturalize new citizens. These are citizens by choice. To get to that point where you are taking the oath of citizenship, you have to jump through a lot of hoops. You have to do a lot of things, including passing a test, learning our Constitution, learning separation of powers, learning the difference between the U.S. Senate and the U.S. House. And, every time I would hear about this test, I would think it would be great if our presidential candidates had to take the same test, or just basic citizenry.

I think when it comes to media, as was noted, voter participation now is at its highest level. One hundred fifty-five million people voted in the last election. I tend to believe a lot of that has to do with social media because more Americans are enabled to pay closer attention to who is running, what the issues are, and the like. However, I tend to believe that social media informs people only on a superficial level, with news alerts and the like, and it tends to be very biased in what is presented to each of us that consume it.

I think whether it is social media or traditional media, cable or PBS—if more Americans took the time to go beyond the headline, to go beyond the first paragraph, and to think about the issues, we would all be better off because we would all be making more informed choices. There are precious few places now where one can go to get that kind of information and to enable that kind of thinking and scrutiny. Cable news does have a point of view, very definitely. A lot of it is editorialized. Social media presents you things that the algorithms tend to believe you want to see. So, this is the challenge. But in general, I believe that the more informed we are as an electorate, the better, smarter choices we make.

**FUCHS:** Your experience is certainly helpful in this context. My experience was in city government, but Bob and I have been engaged in a lot of research around voter information and what mobilizes people to vote. Bob has done work on media impacts, so he can talk about that, too. But, it is very clear to me that people cannot get through the morass of what is out there, even when they want to. That is part of the reason I created WhosOnTheBallot.org 15 years ago, which is only for New York City voters, but it does do national elections. So, it is just difficult to find nonpartisan information on elections that people trust anymore.

To the extent that we can offer this, this may be a very important role for the university to take. In New York we have the so-called good government organizations, like Citizens Union and Common Cause. Their role was partly to provide this nonpartisan information. They have not gotten deeply into the twenty-first century when it comes to figuring out how to inform the public. I really do think that this is going to get worse over time. The siloing of the media, and people choosing those silos for partisan information, has become an increasing problem. And, this is a chicken and egg problem. We need leadership from elected officials in helping to regulate social media, which it has not been doing.

**JAMES:** To add to the comment about superficiality and the lack of proper understanding, we are paying the price for that with lives lost today because of the pandemic and the response to it. We cannot emphasize enough Jeh's point that cultivating a public understanding of the issues is fundamentally important, as is getting beyond superficiality and getting beyond the news headlines. One of the things we have learned from this pandemic is that the public's misperception, misunderstanding, and misinterpretation—sometimes malicious—is quite extraordinary.

**SHAPIRO:** I have a question that has to do with mobilization and the legal protection of rights. Professor Fuchs has raised important points regarding the vote, particularly that people have to see value and that there must be mobilization. But is mobilization enough to overcome voter suppression and election subversion? Dr. Hamilton's early work included his contribution to a Supreme Court brief in the landmark *Gomillion v. Lightfoot* gerrymandering case. Given the recent Supreme Court retreat from a consideration of disparate impact as proof of an intent, is the best strategy to protect rights in the courts or in Congress?

**BRIFFAULT:** There are other avenues. The courts and Congress are not the only choices. There are state legislatures and state politics, which is where the problem is coming from. I think right now, neither courts nor Congress will provide the solution that your questioner is asking for, because the courts are not interested, and Congress is deadlocked. So, I think the answer is Ester's answer, which is mobilization, but at the state and local level—to change the composition of state legislatures, which is possible. I mean, it is the Stacey Abrams example, because I do not think we can look to either courts or Congress on this right now. Maybe there will be some modest things from Congress, but I think ultimately the answer is state and local politics.

**JOHNSON:** Let me say a word about the courts. In general, I think the courts have behaved objectively and have risen above politics. If you take the most recent round of attempts to set aside the results of the 2020 election, the judges, Republican and Democratic, were not buying it. So, if we want to look for a ray of sunshine, I think our courts for the most part have withstood a lot of the political pressure and have come out the right way in a lot of these ridiculous challenges, state by state. I do not believe that our democracy should be resolved through litigation. I do not believe election results should be resolved through litigation. But, when put to the test, I think that, with maybe one or two exceptions, the judges in state and federal courts have come out the right way.

**BRIFFAULT:** I certainly agree that the courts, Republicans and Democrats alike, were repelled by the most brazen attacks on the legitimacy of the system, and things that had no credibility within legal thinking. Indeed, there were some wonderful opinions by some Trump-appointed judges. I am thinking about one on the third circuit, which was devastating to the so-called “legal arguments” that the challengers to the election were making.

But, I think what you are seeing now, and I assume the author of the question is talking about the Supreme Court’s opinion on gerrymandering or the Supreme Court decision on the Voting Rights Act, reflects just a view about the role of the courts in the political process. It might correlate with being Republican-appointed, but I would not say necessarily part of a Republican agenda, or at least not a part of a 2021 currently-in-politics agenda. I think it is not that extreme—just very skeptical about judicial intervention to change the rules of politics, or to change the rules of the game.

In some ways, the Trump attack was to change the rules of the game. The majority in the court now see those challenging state gerrymandering or state-level voting restrictions as asking the courts to change the rules of the game. This is something the courts in the past were more inclined to do in light of certain deeper values about equality and inclusion. The current majority in the Supreme Court, and a lot of the lower courts, would say, no, this is for the political process. It correlates with a certain political background, but I do not think it is part of a political agenda necessarily.

To go back to the question, if you want to change these laws, change the lawmakers. I do not think there is going to be a *deus ex machina* for this.

**SHAPIRO:** Speaking of lawmakers, here is a question about the party system: Is the primary system part of the current problem because of the emphasis it places on the party base—the most dedicated and ideological elements of each party?

**JOHNSON:** Yes.

**FUCHS:** Yes. It is ironic because the democratization of the nominating process, at least in the presidential races after the McGovern reforms, was designed to give people more of a say in the nominating process, to make it more democratic. Yes, what Secretary Johnson just said, is exactly right in my view. Because the nominating process gives disproportionate influence at this point to smaller states and to the more rural states. The nomination is locked in, and it is over before we even get to the more urban states, and the more diverse population centers. So, this needs to be fixed also.

**JOHNSON:** I heard a former member of Congress tell me yesterday that of the 435 congressional districts in the country, there are maybe 20–25 that are truly in play, Democrat versus Re-

publican. The rest of them all live scared to death of a primary challenge from their right or their left.

If you are a Republican, and you start behaving like a moderate, you are worried about a challenge from the far right. If you are a Democrat—and you start behaving like a moderate, you start cooperating with Republicans, or you are seen shaking a Republican’s hand on the House floor—then you are worried about a challenge on your left. And that is what they all live in fear of. I have heard members of Congress, Republicans and Democrats, say that time and time again. And that is what is incentivizing a lot of the behavior we see now in Washington.

**FUCHS:** Of course, that is partly a consequence of the fact that turnout in primaries is so low. And of course, the extreme members of the party are more likely to turn out, so you are certainly right about that. That is another thing that needs to be fixed—and that is actually fixable.

**BRIFFAULT:** What do my co-panelists think about the so-called top-two system, or maybe top-four, where instead of using party primaries to narrow the range of choices in the general election, which is one of their functions, you have a wide-open election, and you then have the second round. I guess one consequence in a place like California, sometimes the top two could be two Democrats, or conceivably two Republicans, but that would be a way of addressing the extremism within the party.

**JOHNSON:** Right. Just have one open primary where everybody interested in the office runs, and then you have a runoff between the top two.

**FUCHS:** I love that. Of course, we tried to get that in New York City through a proposition, and it failed because the parties hate that. That is a hard reform to get because of the party stranglehold. But I think top-two, I would not even go top-four, and then in a general election have the two top vote getters face off.

**JOHNSON:** Incidentally, the party people in New York City will tell you the reason special elections are held on these really odd obscure dates—the conventional wisdom was the lower the turnout, the more the incumbent has a chance to prevail because they only have to get their people out. Joe Crowley found out differently when Alexandria Ocasio-Cortez (AOC) came on and got her people out. So, you ask a question: Why is this special election being held on April 16, as opposed to an election when there are a lot of people on the ballot at once? Because very often the entrenched interests do not want high voter turnout.

**FUCHS:** I think that still holds true despite the AOC upset defeat of Crowley, who deserved to be upset. I do not know if it was by her, but he had other problems—he did not even live in his district and he never showed up for anything. I think your original point is still correct, that they are against it because they have got their predictable vote.

**SHAPIRO:** Professor Fuchs, we got ranked choice voting instead of the top-two or top-four. The evidence is still open with regard to whether top-two or top-four moderates politics. But what it does do is potentially give candidates a fighting chance with regard to being worried about being primaried.

I have a different question. Now, this is a good question for the former General Counsel of the Department of Defense. Does the recent case of General Mark Milley raise the question of the role of the military? We are shifting gears a little bit here.

**JOHNSON:** Yes, that is a good question. Let's first have a clear understanding of what the Chairman of the Joint Chiefs of Staff does. The Chairman of the Joint Chiefs does not command anything, except maybe his own Joint Staff in the Pentagon on the second floor. And, I think he has some oversight role of the National Defense University. But that is it. He is not a combatant commander. He is not in the military chain of command. He cannot order somebody to drop a bomb. He is for the most part an advisor to the President, the Secretary of Defense, the National Command Authority, and the Cabinet. The Chairman of the Joint Chiefs and the Joint Staff are also responsible for being the communications conduit between the National Command Authority, the President, the Secretary of Defense, and the commanders in the field. They are the ones that transmit the orders.

General Milley found himself in office during extraordinary times. I cannot tell you that, if I had been Chairman of the Joint Chiefs at that moment, I would have done anything differently. I probably would have done the same thing, which was to let the commanders in the field know that there is a protocol for the President passing down orders, and we need to follow it. A Chairman of the Joint Chiefs, or Secretary of Defense, or anybody else cannot say, constitutionally, "Do not follow this order from the President, unless you know I concur." Because no one in the chain of command, constitutionally, can be a veto over the Commander in Chief.

So, what General Milley was trying to say to the command center, to the people in the field was: if you get a crazy order from Donald Trump, let's widen the aperture so that we all know what is going on. Bring the lawyers in, like the General Counsel of the Department of Defense, to make sure that this is not a crazy idea.

Ultimately, the Department of Defense has to follow the President's orders. Apparently, the Secretary of Defense and Chairman all recommended that Trump keep 2,500 in place in Afghanistan. And, the President said he was not doing that. He is the boss. So they all left. I cannot say I would have done anything differently had I been in General Milley's shoes, and I suspect most former chairmen would say the same thing.

**SHAPIRO:** Now, this is a thematic question that gets into the political: In his recent book, *Last Best Hope*, George Packer also claims that the outcome for democracy is up to us, "we the people." However, a central theme of that book is criticism of what he calls, "Just America." Has the left of the Democratic Party overemphasized diversity?

**JOHNSON:** The mistake that too many of us in the Democratic Party make is to view people by demographic—to believe that there is a women's vote, a black vote, or a Hispanic vote. Therefore, we will only talk to Hispanic people about immigration. Therefore, we will only talk to black people about the issues we think they care about. Therefore, we will only talk to women about women's issues. And, these large voting blocs are not a monolith. Notwithstanding the hundreds of times in four years that Donald Trump said and did something that, in my judgment, ought to offend someone of Hispanic heritage, he got a larger slice of the Hispanic vote this time around than he did in 2016. Go figure. He got a larger slice of the black vote in 2020 than he did in 2016. So, I think it is a mistake, increasingly so, to view voters by their demographic and to talk to voters principally because of their demographic.

**FUCHS:** Again, there is not that much in political science that I think is relevant to real-world politics. I know that is a sad thing to say, but Bob knows me, so he is expecting me to say it, so does Professor Hamilton. But, there is one thing related to this issue that I think is important. And it comes from old voting studies about what used to be called cross-cutting cleavages

As you said, we are not monoliths in terms of our political identity and political views. So, I really want to agree with what you said, which is, it is not that these issues are not important and should not be addressed. In my view, they need to be addressed broadly to everyone—not just viewed as a black issue, a Hispanic issue, or a women’s issue. But we need to understand within the context of everybody’s multiple identities, are what we call “cross-cutting cleavages.” They can see where they fit into this viewpoint in terms of their own interests. And, I think you are right, it has just been so narrowly focused and missing the mark. We actually have research that supports the point you made.

**JOHNSON:** My daughter canvassed for Joe Biden in 2020 in a black precinct in West Philadelphia. And at least once, maybe more, she knocked on the door, and she encountered a black man who was going to vote for Trump. She could not get her head around that. How can this be? It is because the voter, irrespective of skin color, shared a lot of the same grievances that white Trump voters share. For a lot of people, that is difficult to imagine. But it is an increasing reality, I believe.

**SHAPIRO:** We are talking about very small percentages of voters. What these voters who switched over seem to have in common is that they were working-class voters, for whom the Trump themes and arguments had some resonance, for the reasons that your daughter discovered. But, the striking thing about the election was that Biden was able to win because he was able to pick off additional suburban white voters just to offset that—despite the fact the Republicans substantially expanded their base in 2020, in ways that were completely surprising.

I have one final question that I think speaks to the interest of all the panelists. And it has to do with the “we the people” theme. This is a question that comes from the astute insight, I think, of an outsider. The questioner is not from the United States. The questioner asks: Is it fair to talk of U.S. democracy as a monolithic existence while states have their separate constitutions? And I will throw in, people, too. What are your thoughts?

**FUCHS:** I have written in the past on what I like to call dysfunctional federalism. So, we are certainly not a unitary government because we are a federal system, but the divisions that are reflected in the states are now more and more profound. I think over time, there was some expectation that states would start looking like each other in some sense, and that we would be able to talk about a national interest that was not separate from state interests, but reflective of this amalgam of state interests.

This is where this institutional argument I was trying to make comes in. Politically, we have created a politics of division. And, a lot of that division gets exacerbated by the ability to focus on state governance and the role of states in the federal system—which creates a different set of policies, a different politics, and appeals in a different way to interests that vary across states. So, the institutions of governance in the United States, I think, now exacerbate state differences instead of bringing us together as a nation, which I think was the intention of the founders. They did this compromise, but wanted a national government that could reflect everybody. I think we have a big problem right now, because federalism has ended up exacerbating our differences rather than bringing us together.

**JOHNSON:** I will answer the question this way. The question prompted me to think of this: If you go to the battlefield of Gettysburg or the World War II Memorial in Washington, you will see all the markers—the predominant identity is what state you come from. In the nineteenth century: Pennsylvania this, Massachusetts that, Maine this, New York that. That was true, even



when we were fighting the civil war, North against the South—regiments identified themselves principally by the state from which they were from. That is less true now. Now, I think it is more complicated even within states. If you take a state like Pennsylvania, you have Philadelphia and southeast Pennsylvania, which tends to be very blue; and then you have everything west of Harrisburg, which tends to be very red. Same thing with Ohio. Same thing with Florida. We are more polarized, as the question implies, but not so much by state.

**BRIFFAULT:** I would take Ester’s point and reverse it. The states have been taken over by national politics. There have always been divisions among the states. The Civil War is the ultimate example. Even in the twentieth century there was the rural south, the industrial north, the west, and the industrial Midwest. There were huge regional stereotypes and big differences among the states. Now we are getting the red states and the blue states, and maybe some purple states in between. What you are seeing is that half or a third of the states become the government in exile. When a Democrat is in power in Washington, Texas leads the government in exile, and challenges everything with a little help from other southern and western states. When a Republican is president, California, maybe with a little help from New York, leads the attack.

There have been an incredible number of lawsuits in the Supreme Court in the last couple years with the caption “California v. Texas” or “Texas v. California”—depending on which presidential program is being challenged. As the Secretary knows, all the immigration cases look like California v. Texas or Texas v. California. The attacks on Obamacare or the attacks on the Clean Air Act—they are all states versus states. One set of states embraces the national administration and the other attacks it. And it flips.

In some ways, this I think goes back to the George W. Bush, or maybe the Bill Clinton years. The states are almost like iron filings magnetized. So, the national government is not a monolith. Anybody who looks at Washington today knows that. States are not either, but the sense of wild diversity among the states has become reduced, at least in terms of a lot of politics, to two or three major camps that are out there—which parallel or overlap with the divisions in national politics.

**JOHNSON:** My point would be that even within states, you have red, blue, and purple regions. I was just in Atlanta, Georgia this past weekend. Fulton County, Georgia is about 80 percent Democratic. It is as deep blue as Essex County, New Jersey.

**JAMES:** Another way of addressing that question is to ask, as an outsider, whether we are looking at the beginning of the breakup of the union itself. Are the seeds being laid for that? Given the way in which this federation came together, and where there is a strong sense of the national interest only in terms of defense. But in terms of achieving domestic objectives, there is a very weak sense of national interest. Jeh spoke about the end of a particular direction in American history. Given the current level of polarization and fracturing, are we also looking at the seeds being laid for the actual breakup of the union?

**JOHNSON:** We are too intertwined geographically to make that happen.

**FUCHS:** And, economically. They depend upon us too much for tax dollars. It is like Staten Island trying to secede from New York.

**BRIFFAULT:** American mobility has traditionally been very high. Think about most of our recent presidents. Biden, he is from Delaware, but he is originally from Pennsylvania. Trump, he is

from New York, but now he is in Florida. Obama was born in Hawaii, but elected from Illinois. Particularly in the modern era, there is a lot of mobility in our politics. So, I think it would be hard to find clean lines for the basis of the separation.

**SHAPIRO:** Well, we are at the end of our allotted time. I would like to thank Secretary Jeh Johnson for helping us frame a very interesting session on the state of American democracy. A quick thank you to Marianna Palumbo and Loren Kando for helping us orchestrate the session. And, I would once again like to thank our panelists, Jeh Johnson, Richard Briffault, Ester Fuchs, Wilmot James, and also professor Charles V. Hamilton, who has taken in this excellent discussion. Last of all, I want to thank the audience for joining us for the fourth Dona and Carol Hamilton Distinguished Lecture. Thank you all.

## About the Panelists

**JEH JOHNSON** is a partner in the law firm of Paul, Weiss, Rifkind, Wharton & Garrison, LLP and the former Secretary of Homeland Security (2013-2017) and former General Counsel of the Department of Defense (2009-2012). Earlier in his career, Johnson was General Counsel of the Department of the Air Force (1998-2001), and an Assistant United States Attorney in the Southern District of New York (1989-1991). Johnson is the 2018 recipient of the Ronald Reagan Peace Through Strength Award, presented at the Reagan Presidential Library, for “contribut[ing] greatly to the defense of our nation,” and “guiding us through turbulent times with courage and wisdom.” In private life, in addition to practicing law Johnson is now on the board of directors of Lockheed Martin, U.S. Steel, the Council on Foreign Relations, the 9/11 Memorial and Museum in New York City, the Center for a New American Security, and is a trustee of Columbia University.

**RICHARD BRIFFAULT** is the Joseph P. Chamberlain Professor of Legislation at Columbia Law School. His research, writing, and teaching focus on state and local government law; the news media often turns to him for analysis of issues central to democracy and the political process such as campaign finance reform, government ethics, gerrymandering, and fair elections. Briffault has written more than 75 law review and journal articles as well as books and monographs, including *Dollars and Democracy: A Blueprint for Campaign Finance Reform* and the 5th, 6th, 7th, and 8th editions of the casebook *State and Local Government Law*.

**ESTER R. FUCHS** is Professor of International and Public Affairs and Political Science and is the Director of the Urban and Social Policy Program at Columbia University’s School of International and Public Affairs. She served as Special Advisor to the Mayor for Governance and Strategic Planning under New York City Mayor Michael R. Bloomberg from 2001 to 2005. Professor Fuchs serves as Director of WhosOnTheBallot.org, an online voter engagement initiative for New York City.

**WILMOT JAMES** is Senior Research Scholar at the Institute for Social and Economic Research and Policy (ISERP), Columbia University. As a former Member of Parliament in South Africa and spokesman on health, Dr. James developed an enduring interest in global health security policy formulation. He also serves as a senior biosecurity consultant to the Washington, DC based Nuclear Threat Initiative. He was recently appointed to the G7 Global Partnership’s Africa Signature Initiative on Biosecurity.

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