



ROBERT H.  
**JACKSON**  
CENTER

# NEWSLETTER

Spring 2020

## THE SCOPE OF PRESIDENTIAL POWERS: WHO HOLDS THE REINS?



Dr. Brian Harward, Jackson Day Lecturer.  
*Photo Credit: Lori Savaree.*

The prophetic wisdom of Justice Robert H. Jackson loomed large as Dr. Brian Harward skillfully outlined the shift in the scope of presidential power over the past 231 years during his keynote, “Presidential Power in the Modern Era,” at the Jackson Day in Warren County celebration on February 12, 2020. Harward is the Robert G. Seddig Chair in Political Science at Allegheny College and the director of its Center for Political Participation.

Beginning with an overview of constitutionalism, he guided the audience through a balanced, historical examination of executive power during times of crisis, and, finally, to the unitary executive theory of constitutional law which holds that the U.S. president possesses the power to control the entire executive branch. Harward observed that Article II of the U.S. Constitution, which establishes the executive branch of the federal government, does not explicitly define the president’s power with great precision. This lack of specificity has allowed several interpretations of the breadth of presidential power. For the modern American president, this has signaled a shift of power to the executive branch where presidents make law on their own, without the benefit of or ratification by Congress.

Harward cited numerous examples of U.S. presidents (i.e. Lincoln in the Civil War, Wilson during WWI) taking executive action without explicit constitutional authority, but noted that these emergencies had a finite end (i.e. Battle of Appomattox Court House, Treaty of Versailles). After the 9/11 attack, however, the United States entered a period of ‘permanent emergency conditions.’ Quoting Justice Jackson’s dissent in Korematsu v. United States, 323 U.S. 214 (1944),

wherein he warned: “A military commander may overstep the bounds of constitutionality, and it is an incident. But if we review and approve, that passing incident becomes the doctrine of the Constitution. There it has a generative power

“ **Presidential powers are not fixed but fluctuate depending upon their disjunction or conjunction with those of Congress.** ”

*Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952) (Jackson, J.)

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# A WORD FROM OUR PRESIDENT



Photo Credit: Lori Savaree

Dear Friends of the Jackson Center,

First, let me start by looking back on 2019. As someone new to the Jackson Center, I am amazed by the number of programs that we did in 2019. We delved into civil rights with Karen Korematsu and Judge Denny Chin and Kathy Hirata Chin. We educated students on internment camps, immigration, and civil rights through the lens of Harry Potter. We worked with teachers in Jamestown, Warren County, and around the state of New York to share Justice Jackson's story and wisdom with a new generation of students. We provided legal education for the practitioners in our communities. We brought interesting voices to the area – Kurt Graham, Director of the Truman Presidential Museum and Library, Donald Verrilli, Jr., former Solicitor General and 2019's Robert H. Jackson lecturer at Chautauqua Institution, and Bob Woodward, journalist extraordinaire.

But, we are not resting on our laurels. During 2020, we will commemorate the 75th anniversary of the International Military Tribunal at Nuremberg. This kicks off on April 2-3 with a program at the National Archives in Washington, DC, in partnership with the Truman Presidential Museum and Library and Chautauqua Institution. We hope you will be able to join us in person for this.

Our programming theme for this year is "The Other – Through Your Eyes," and we will explore how our differences shape how we view the world. The goal of this year is to foster understanding, help find commonalities in our varied experiences, and show how our diversity enables us to move toward solutions that benefit as many as possible. I look forward to seeing you at these programs.

We are also in the home stretch of our construction project. We are eager to show everyone our improved Prendergast entrance and to develop the visitor technological experience that will showcase our work, achievements, and history in a more interactive way.

Finally, we have kicked off our CivicSparx project with students from Jamestown High School's Justice for All class and the Success Academy with a focus on 'no-blame problem solving.' We are working to instill a sense of ownership in the civic process in these students to help them improve their communities. This course is being taught by two local teachers and it's been exciting to see the enthusiasm they and the students have. This effort was made possible by your enthusiastic support on Giving Tuesday, so thank you.

Warmly,

Kristan McMahon, President  
Robert H. Jackson Center

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## **THE SCOPE OF PRESIDENTIAL POWERS: WHO HOLDS THE REINS?**

of its own, and all that it creates will be in its own image.” Harward explained that the post-9/11 presidency has ushered in a new conception of unitary executive theory, fueling a ‘generative power’ to the discrete exercise of presidential emergency powers.

Where unitary presidential acts such as Truman’s decisions during the Korean War, Johnson and Nixon’s actions during the Vietnam War and Bush’s detainee policy have been pursued in the past, Harward pointed out that these policies were each challenged and, in some cases, limited by Congress or the courts. If Congress lacks the incentive or capacity or the courts refuse to impose constraints or are unable to enforce their rulings then the unlimited emergency power of the President can pose dramatic challenges to a system of limited government under the rule of law.



Crowd listens at the Warren County Courthouse as Dr. Brian Harward gives the 2020 Jackson Day Lecture entitled “Presidential Power in the Modern Era.” *Photo Credit: Lori Savaree.*

The audience took particular note when Harward pointed out it is the conditions under which presidents pursue unilateral strategies that are important to understand. As Harward explained, “The tension between the president’s dispatch of his authority and democratic accountability is not most keenly felt when presidents issue executive orders or issue signing statements, but when a president refuses subpoenas or impounds funds or wages a unilateral war.” In a time of heightened

political polarization, “major legislative action will require a supermajority which means congressional inaction on any particular policy is high and the likelihood of Congressional reaction to presidential unilateralism is very low.” From this, Harward concluded that ideological polarization invites presidents to extend unilateral executive power rather than bargaining to find common solutions to pressing policy issues.



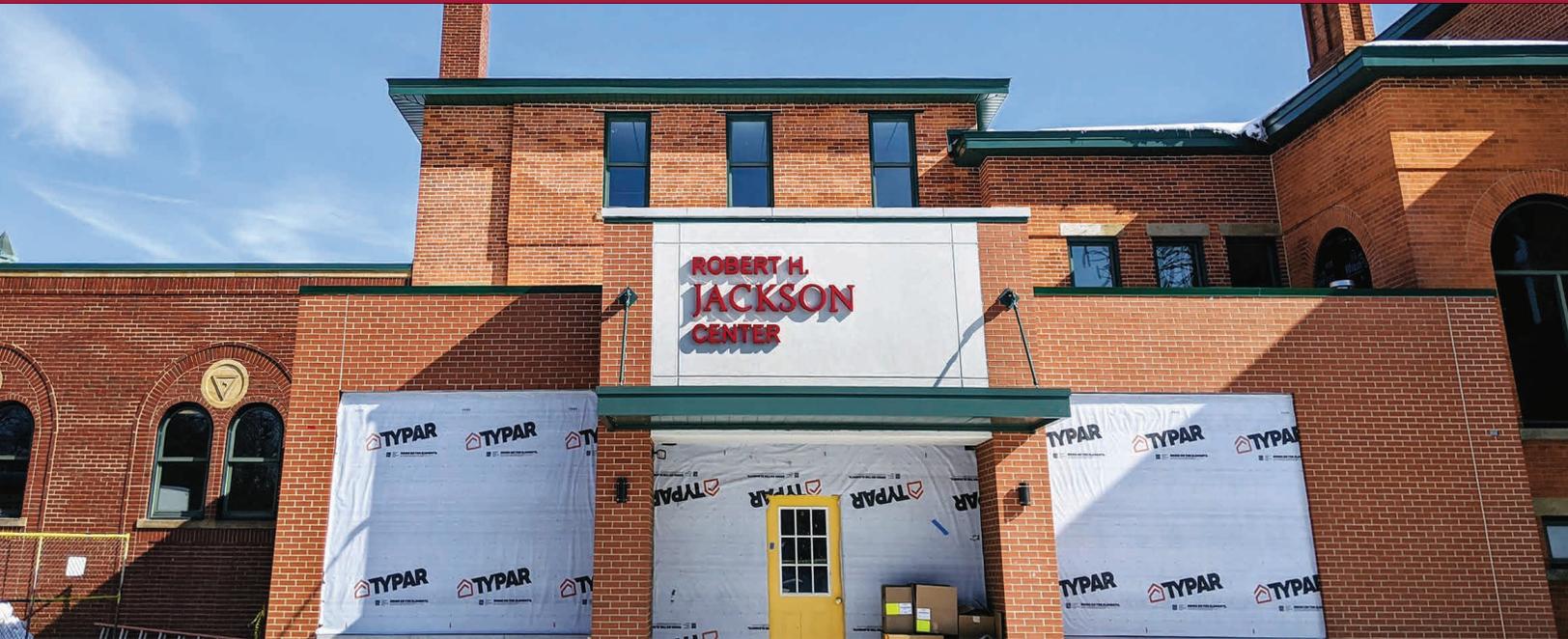
Closing with recommendations to the public with regard to what role they could play to invigorate the balance of power in government, Harward led a stimulating question and answer period following his remarks. The full video recording of the lecture is available on the Jackson Center’s YouTube channel.

The Center is grateful to our donors and the following sponsors of this event: Allegheny College, Northwest Insurance Services, Truck-Lite Co., Inc., Warren-Forest County Bar Association and the Samuel F. Bonavita Lectureship Fund.

RHJC Staff at Jackson Day in Warren County (from left to right): Marion Beckerink, Director of Development, Kristan McMahan, President, Nicole Gustafson, Communications and Program Administration Manager, and Sherry Schutter, Office Manager.

*Photo Credit: Lori Savaree*

# CONSTRUCTION UPDATE



The end of construction is in sight! We eagerly await the hammering of the last nail and seeing guests enjoy our new and improved space. New lobby carpeting and signage on our Prendergast Avenue entrance have been installed, and our new elevator to the second floor is ready for testing. We look forward to seeing you walk through our shiny new doors later this spring. All the elements are coming together, and we are excited to show off the beginning of the Jackson Center's next chapter thanks to the Downtown Revitalization Initiative grant from New York State. In the meantime, we are open during construction; stop in anytime for a preview!



## TAKE A DIFFERENT VIEW ON YOUR NEXT MEETING

We rent! The Robert H. Jackson Center is housed in a majestic 1860s mansion and includes a formal dining room, a theatre, and a banquet room. If you are interested in hosting a party, meeting, or deposition, we have a setting to fit your needs. We'd love to show you around, answer questions, and host your next event! Call 716-483-6646 or visit [roberthjackson.org/visit-demo/#rentals](http://roberthjackson.org/visit-demo/#rentals) for more information and a downloadable copy of our rental agreement.



# CIVIC ENGAGEMENT GROWING NEW ROOTS



Students from Jamestown Public Schools engage in no blame problem solving and work in groups to discuss issues in the community.

The Jackson Center’s mission derives from both the personal and professional legacy of our namesake. Growing up in Chautauqua County, the teenage Jackson had an early education in civics, lecturing to local social groups and taking an active interest in the function of government. We believe this fueled his desire and efforts to hold local, state and national government officials accountable to their oaths of office. As a Supreme Court Justice, he opined: “[I]ndividual thinking presents no danger to society,...because thoughtful, bold and independent minds are essential to wise and considered self-government.”

A new generation is picking up that mantle of responsibility from Justice Jackson. On February 6, 2020, a group of Jamestown High School and Success Academy students started the Jackson Center’s CivicSparx program under the guidance of their teachers, Betsy Rowe-Baehr and Michael Tuccio. The thrust of this educational model focuses on students’ understanding of how to use the tools of government to advance solutions to problems they have identified in the community. During this seven-week lesson plan created by The Citizens Campaign, the students are learning how local government functions and how they can participate in it, how to research and how to work effectively within the system. This ‘no blame’ approach to problem-solving invites innovative thinking and cooperation to effect positive change.

In May 2020, the Jackson Center will accept applications for solution-based projects that will leave the community better than the student found it. Students do not need to have participated in CivicSparx in order to submit a project for consideration. The Jackson Center will award \$500 each to the top two proposals to help the students see their ideas through to the conclusions.

Thank you to all the donors who contributed to our 2019 GivingTuesday campaign! Because of you, the Jackson Center purchased the books, materials and learning tools necessary to launch this program, and to Cummins Jamestown Engine Plant for a grant of support.



Betsy Rowe-Baehr and Michael Tuccio, educators at Jamestown Public Schools, are overseeing RHJC’s CivicSparx program.

# THE ROBERT H. JACKSON CENTER PRESENTS THE 2020 TEACHER FELLOWSHIP PROGRAM



2019 Teacher Fellows with former Jamestown Mayor Samuel Teresi and RHJC Education Advisor Michael Baronich.

The Robert H. Jackson Center is calling all educators to design creative ways to educate students on the legacy of Robert H. Jackson. From August 17-21, five educators will work with the Jackson Center and local institutions to create meaningful and engaging educational experiences through the relevance of Justice Jackson's body of work. Educators will be encouraged to empower and inspire students to discuss and reflect on the universal principles of equality, fairness, and justice.

Fellows will be introduced to the Center's archival collection of Jackson material, and lectures on Jackson's relevance to the academic disciplines in which the teachers specialize. During the week, Fellows will develop their lesson plans or projects using research material available at the Center, through the Library of Congress and various other resources. The Jackson Center also invites leading scholars to meet with the Fellows to supplement their research. Finally, Fellows are invited to attend relevant programs and seminars on the grounds of nearby Chautauqua Institution and

at the Cummins Jamestown Engine Plant. The Chautauqua Region Community Foundation and Cummins Foundation funded the first year for a RHJC educational advisor and the Fellows program, respectively.

The cost of books, materials, gate passes, meals and lodging (if applicable) for each Fellow will be covered by the Jackson Center. Upon adequate completion of the program, participants will receive a \$1,000 stipend, half at the conclusion of the Fellowship Week (Friday, August 21, 2020) and the remainder following a thorough review of materials created by the Fellow. Educators will be asked to implement Jackson-related resources into their school settings during the 2020-2021 school year and provide a detailed reflection on the success of the implementation.

Fellows are expected to create and implement a project or curriculum material(s) about Justice Jackson and his role as a country lawyer, as a Justice on the Supreme Court, his influence on international law, his numerous speeches, or his leadership legacy. The projects will be available for use in schools, colleges, communities, or professional organizations. The Center will integrate the materials created on its website to share with educators across the world. All work produced by the Fellows will become the property of the Robert H. Jackson Center.

## Participant Eligibility:

- Any certified elementary or secondary level educator, including building and district administrators, working in Western New York or Northwest Pennsylvania with at least three years of classroom experience and scheduled to teach or administrate during the 2020 - 2021 school year.
- Exemplary educational accomplishments beyond the classroom.
- An engaging and inspiring presence that motivates students, colleagues and the community.

Interested educators must submit a letter of interest,

professional resume, and a short essay responding to one of the following prompts:

- List and discuss two units of study in which the life and accomplishments of Robert H. Jackson can be integrated into your current curriculum.
- In what ways could a local community benefit from Robert H. Jackson's legacy?
- Philanthropist J. Irwin Miller believed in fostering positive relationships between business and community. What opportunities are present in your community to continue Miller's vision?

**Submit applications to [info@roberthjackson.org](mailto:info@roberthjackson.org). Applications must be submitted no later than Friday, May 1, 2020. For more information, visit [roberthjackson.org/teacher-fellows/](http://roberthjackson.org/teacher-fellows/).**

## INTERN AT THE JACKSON CENTER!



2019 RHJC Summer Interns with 2019 Robert H. Jackson Supreme Court of the United States Lecturer Donald Verrilli Jr., RHJC President Kristan McMahon, and RHJC board member, Elizabeth S. Lenna Fellow and St. John's Law Professor John Q. Barrett. *Photo Credit: Lee Stein*

The Robert H. Jackson Center offers internships for college students as an integral part of its mission. The Jackson Center is seeking applicants who have declared majors in a variety of fields, including Communications, History, Political Science, Community, and Justice Studies, Education, English, Pre-Law, Journalism, Marketing, Art History, Library Science, Museum Studies, Business, Management, or other liberal arts majors. Law students and graduate students are also encouraged to apply. All students currently enrolled in an accredited undergraduate or graduate school may apply. Students with a 3.00 G.P.A. or higher will be given priority. The deadline for the 2020 summer internship applications is Monday, March 30.

Interns will work directly with their academic advisors and the staff of the Robert H. Jackson Center to determine their project. Projects will reflect the skills and interests of the intern and the needs of the Jackson Center - including exhibit development, research, web design, content creation for newsletters, social media, videography, and resource organization. Summer interns work between Memorial Day and Labor Day for a period of up to 12 weeks on a schedule that will be agreed upon between the intern and the president. The president serves as a “coach” and there are regular opportunities to meet

with all staff members on a range of issues and topics pertaining to the intern’s assignments and interests. In addition to the project work, there is an academic component. This year will focus on the 75th anniversary of the London Agreement and Charter, which established the International Military Tribunal at Nuremberg.

The Robert H. Jackson Center does not provide housing, however previous interns have arranged for housing privately or through Jamestown Community College. We can facilitate that connection.

Please email your resume with references, latest college transcript, project proposal and a cover letter to [info@roberthjackson.org](mailto:info@roberthjackson.org). Please include in your cover letter 1) how the internship opportunity will serve your academic or career goals, 2) how the experience will build upon your previous experiences and academic program of study, and 3) how you will contribute to the Center’s success. Please keep the cover letter to one to two double-spaced pages and include email and telephone contact information as well as two on-campus references.

# RHJC OPENS ITS DOORS TO JAMESTOWN

Despite the dire weather predictions for the day, the Robert H. Jackson Center welcomed 139 people for Doors Open Jamestown, the annual citywide event featuring local attractions, on Saturday, January 18. The docents provided tours, our “Liberty Under Law” documentary aired at 11 am and 2 pm in the historic Cappa Theatre, and our guests hunted in Jackson’s timeline for the answer to the Center’s Doors Open Jamestown scavenger hunt question: What was the name of Robert H. Jackson’s boat on Chautauqua Lake? (Answer: C’mon now, you’ve got to visit the Center to find the answer for yourself!) An aspiring young justice, named after Robert H. Jackson himself, enjoyed the props for our newly minted selfie frame and proudly took a picture with his namesake!

Thank you to the Jamestown Renaissance Corporation and Jamestown Up Close for sponsoring and coordinating the event, and to everyone who came out on a wintry day to enjoy all that Jamestown has to offer! The Jackson Center’s doors are always open from 8:30 am-4:30 pm Monday through Friday, with docent-led tours available from 10 am-2 pm. You also can make an appointment for a tour outside of those hours. Visiting the Center is free, but donations are gladly accepted.



Jackson-namesake and grandson of Rolly Kidder, former Executive Director of the Jackson Center, stepped into the Justice’s robes during Doors Open Jamestown.

*Photo credit: Nicole Gustafson*

# THANK YOU!

Dear Jackson Center Supporters,

I write a note on every donation acknowledgment that starts with ‘Thank you for supporting our mission and our work’ because that is always at the forefront of my gratitude thoughts. Your support comes in a variety of forms – sponsorships, endowment funds, and our annual fund. Without these pieces, we could not do what we do.

This past year, I am excited to say that we grew our Jackson Society members by 20 percent and 20 percent of our donors to the annual fund were new donors in 2019. We will actively work to maintain those trajectories in 2020, and I could use your help with that. Talk about the programs you enjoy with your friends and family. Bring a friend with you when you attend an event. Let me know what people are saying about our work. Introduce us to those you think would be encouraged by what we are doing.

*From the Jackson Center Board and staff – Thank you!  
Kristan McMahon, President*

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Fessenden Laumer & DeAngelo, PLLC

Forecon, Inc.

Heritage Ministries Management Co. Inc.

Hope's Windows

Jefferson Educational Society

Kafferlin Strategies LLC

Kessel Construction, Inc.

Key Private Bank

Lawley Insurance

Rodgers Land Surveying

Safety Compliance, Inc.

Sandhill Investment Management

Serta Mattress Co.

Targeted Pet Treats, LLC

UBS-Great Lakes Consulting Group

Warren/Forest County Bar Association

## >\$500

Double A Vineyards

Hall & Lee Yaw, LLP

Inscale Architects

Senior Life Matters.

UBS - Great Lakes Consulting Group

## ENDOWMENT FUNDS

Arthur N. Bailey Fund

Robert S. & Je' Anne Barger Fund

Samuel F. Bonavita Lectureship Fund

Al & Marge Brown Speaker Fund

Alan Y. Cole Fund

Isabelle C. Erickson Fund

Hon. Joseph Gerace Fund

Eugene C. Gerhart Fund

Gospel Opportunities Fund

Thomas Hagen Fund at  
Erie Community Foundation

Whitney R. Harris Lectureship Fund

Robert H Jackson Endowment Fund

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Stan Lundine Fund

Robert A. Maytum, Sr./  
Valley of Jamestown A.A.S.R.

Albert Neckers, Jr. Family Fund

Gregory L. Peterson Fund

Lyle S. Peterson Lectureship Fund

Salute to the Greatest Generation Fund

Paul W. Sandberg Speaker Fund

Glenn W. Snow/Wold War II Legacy Fund

Stanley A. Weeks Charitable Legacy Fund

Stanley A. Weeks Youth Lectureship

## FOUNDATION GRANTS

Donald H. and Barbara K. Bernstein  
Family Foundation

Chautauqua Region Community  
Foundation

Community Foundation of  
Warren County Inc.

Erie Community Foundation

Foundation for Jewish Philanthropies

Joseph and Anna Gartner Foundation

Lenna Foundation, Inc.

Ralph C. Sheldon Foundation

Toledo Community Foundation, Inc

△ Sheldon Foundation Director/Staff Discretionary Grant

○ Lenna Foundation Director/Staff Discretionary Grant

□ Gebbie Foundation Director/Staff Discretionary Grant

# UPCOMING EVENTS

## **March 28: Chautauqua County Mock Trial Finals 1:30 pm at The Robert H. Jackson Center**

The Robert H. Jackson Center welcomes Chautauqua County high school teams from both public and private schools to participate in this tournament. Each team, with the guidance and assistance of an attorney advisor and teacher coach, prepares for competition using a modified version of trial procedures. The highest-scoring team from the Chautauqua County Tournament finals will be awarded the Robert H. Jackson Cup. Come cheer on your favorite team and see our future legal leaders in action!

## **April 2 & 3: Courage, Character, and Justice: The Truman Years The National Archives, Washington DC**

Join us at the National Archives in Washington DC on the evening of April 2 and the afternoon of April 3 for a program in partnership with the Truman Library and Chautauqua Institution celebrating the accomplishments of President Truman and Robert H. Jackson in the 75th Anniversary year of the Nuremberg Trials and the United Nations.

## **April 8: Living Voices-“Hear My Voice” 9:00 am & Noon at The Robert H. Jackson Center**

A live, multi-media program highlighting the battle and ultimate victory for the women’s suffrage movement during the 100th anniversary year of the 19th Amendment. Free and open to the public, advanced registration required by calling 716-483-6646 or online at [roberthjackson.org/events](http://roberthjackson.org/events). The 10:30 am performance is already full, so be sure to register early to ensure your spot.

## **May 2: Nuremberg Play Read The Robert H. Jackson Center**

The Jackson Center welcomes the Warren Players as we commemorate the 75th anniversary of the Nuremberg Trials with a play read of “Jackson at Nuremberg: The Major War Crimes Trial.” More details are coming soon.

## **May 9: Battle of the Books 10:00 am at The Robert H. Jackson Center**

Watch middle school students in a dynamic, literature-based competition vie for team supremacy by answering trivia questions about the chosen books. Registration will be capped at 8 teams and we are now at 5, so register today by calling 716-483-6646 or online at [roberthjackson.org/events](http://roberthjackson.org/events).

## **May 19: Young Readers Program & Essay Contest 10:00 am or 1:00 pm at Reg Lenna Center for the Arts in Jamestown, NY**

The 16th annual Young Readers keynote speaker is author A.S. King, who will engage students in a 40 to 60-minute high-energy assembly on “Being a Superhero.” Ms. King asks students to consider their past experiences, including trauma and explains how they can shape their future and learn from mistakes rather than be defined by them. Students are encouraged to read *The Year We Fell From Space* (2019) and *Still Life with Tornado* (2017) before attending this free assembly. Advanced registration is required by calling 716-483-6646 or online at [roberthjackson.org/events](http://roberthjackson.org/events).

In conjunction with the Young Readers program, the Jackson Center annually sponsors an essay contest for students in grades 6-12 who live in the states of New York and Pennsylvania. This year, students are asked to respond to critical questions based on their reading of either *The Year We Fell From Space* (high school) or *Still Life with Tornado* (middle school). The

Jackson Center will select four essays for specific recognition: two from high school students and two from middle school students. Essay winners are invited to a private dinner with A.S. King at the Jackson Center on May 18, 2020. The essay questions are available on our website, with a deadline for submission on April 6 by midnight.

## **June 11: Give Big CHQ The World Wide Web**

A 24-hour online giving event for Chautauqua County nonprofits. As the date approaches, learn more about our plans on our Facebook, Twitter and Instagram pages!

## **June 16 & 17: Living Voices: “Through the Eyes of A Friend” & “New American”**

9:00 am, 10:30 am and Noon at The Robert H. Jackson Center Live, multi-media programs on the Holocaust and immigration as seen through the eyes of a young adult. Free and open to the public, advanced registration is required by calling 716-483-6646 or online at [roberthjackson.org/events](http://roberthjackson.org/events).

## **July 6: 16th Annual Robert H. Jackson Lecture on the Supreme Court of the United States 4:00 pm at Chautauqua Institution, Hall of Philosophy**

This year’s lecturer is Ruth Marcus, the highly acclaimed reporter who has covered every major institution in Washington, including the Supreme Court, the White House, and Congress. Her most recent book, *Supreme Ambition: Brett Kavanaugh and the Conservative Takeover*, was described by Bob Woodward as being “very tough, but fair-minded.” She has written about judicial confirmation battles for more than thirty years, starting with Robert Bork in 1987. She is the deputy editor of *The Washington Post’s* editorial page and a syndicated columnist. Gate passes to Chautauqua Institution are required for this event, which can be purchased at the Main Gate Welcome Center. Check out [chq.org](http://chq.org) for more details.

## **August 7-9: International Humanitarian Law Roundtable (IHLR) London, England**

We will commemorate the 75th Anniversary of the London Charter, which created the International Military Tribunal at Nuremberg, with the IHLR in London. Please contact us for more details.

## **September 17: Debbie Cenziper and *Citizen 865* The Robert H. Jackson Center**

This year’s Al & Marge Brown Lecture will feature 2007 Pulitzer Prize winner Debbie Cenziper, an investigative reporter for the *Washington Post*. She is speaking on her most recent book, *Citizen 865: The Hunt for Hitler’s Hidden Soldiers in America*.

## **September 18: Investigative Journalism with Debbie Cenziper The Robert H. Jackson Center**

Debbie Cenziper will speak on the ins and outs of investigative journalism.

## **December 14: Founders Day The Robert H. Jackson Center**

Join RHJC staff, Board and friends, as we celebrate the 20th anniversary of the founding of the Robert H. Jackson Center.