A JUST CAUSE

The Impeachment and Removal of Governor Rod Blagojevich

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Southern Illinois University Press
Carbondale

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Prologue

On Tuesday, December 9, 2008, a gray dawn arrived over Illinois, bringing an intermittent rain and a chill in the air. It was one of those damp, early winter days when the struggle between fall and winter seems finally resolved, and people go on with a sense of acceptance. There was nothing special about the dawning of this day, but that would rapidly change. In the early morning hours an FBI arrest team arrived at the Chicago home of Governor Rod Blagojevich and took him quickly into custody. The arrest was conducted like a raid. The governor was not given advance warning or the courtesy of being able to turn himself in; rather, he was snatched in the night like a common criminal. Wearing a jogging suit and handcuffs, the stunned governor was photographed being led away by federal agents. Word of the governor's arrest quickly spread throughout the state and began a political crisis that would grip Illinois for the next seven weeks and three days.

With helicopters hovering overhead, broadcasting events on live television, news crews followed the caravan of police and federal vehicles transporting the governor through the streets of Chicago, first to a federal lockup facility on the city's near west side and then downtown to federal court. People were mesmerized by the chaotic scene playing out before them. Veteran reporters who rushed to cover the story could not believe what was happening.

The six years of the Blagojevich administration resulted in a steady stream of indictments and convictions of those close to the governor, exposed mismanagement and possible criminal activity within his administration, and fueled rumors of corruption and abuse by the governor. The Blagojevich administration was in constant conflict with the legislature, which frustrated the legislators and greatly dissatisfied the public. The governor's poor relationship with the legislators began when he first took office in 2003, the first Democrat to take the oath of office of Illinois governor since Dan Walker in 1973. In 2003 the Democrats had won the majority in both the state house and senate, and many anticipated being able to control the policy agenda. Instead, it marked the beginning of a political civil war.

The Blagojevich administration descended on Springfield with the promise of change from his predecessor, George Ryan. Ryan, who was under indictment, was tried in 2005 and found guilty of racketeering, conspiracy, and fraud. He was sentenced to six and a half years in prison. Under the Blagojevich administration, governance certainly *did* change, but not the way most anticipated. Blagojevich quickly sought to consolidate his power by controlling the hiring of staff and consultants and engineering decisions regarding state contracts in agencies under the executive branch. He consolidated facilities management, internal auditing, legal functions, and leasing decisions under the Department of Central Management Services (CMS), where his office could oversee who would be chosen to receive leases for state facilities and contracts.[1]

Blagojevich delegated the power to appoint people to state jobs and positions on state boards to people outside of state government—his political confidants and fund-raisers. There are few secrets in Springfield, and the obtrusive methods and audacity of the governor's intimates in raising campaign cash and kickbacks for themselves did not go unnoticed. Audits conducted by the state auditor general, released in 2005 and 2006, uncovered gross incompetence and possible pay-to-play activity. In late 2003, the *first* year of the Blagojevich administration, the FBI and the US

attorney began investigating those around the new governor.[2] The office of governor is an integral part of state government, and for practitioners of the political process, lobbyists, those with special interests, legislators, and legislative staff, government is a business. Those who engaged in the political machinations of Illinois government took note, but like the citizens of Pompeii, they chose to go on with their daily affairs, ignoring the ominous rumblings of Vesuvius.

In retrospect, the six years of the Blagojevich administration defined a time of moral disengagement. Initially, some legislators naïvely facilitated Blagojevich's administrative antics, but by 2007, the first year into his second term, the governor's relationships with most members of the legislature had deteriorated significantly. His remarks concerning the legislators became increasingly hostile, referring to the legislators as "drunken sailors" and taunting the house Speaker, Michael Madigan.

By the end of the 2007 session, the governor had failed to reach an agreement with the legislature concerning the state's budget. That summer marked the nadir of the relationship between the governor and the legislature. The Illinois Constitution authorizes the governor to call special sessions without pre-specified conditions by issuing a proclamation and stating the purpose of the session.[3] Throughout July and August 2007, Blagojevich issued proclamation after proclamation, repeatedly calling the legislature back into special sessions. Negotiations on budget matters between legislative leaders and the governor stalled, and consequently there were no policy proposals to debate and act on. The legislators could do nothing but travel to Springfield, commence the special session, and then adjourn. As soon as the legislature adjourned, the governor called another special session. It became a schoolyard game of one-upmanship, and the legislators were furious. They were away from their families, wasting their time, forced to cancel district events or vacation plans, and it was costing taxpayers thousands of dollars a day to have them in Springfield. Blagojevich enjoyed it. He stayed at his Chicago home, went jogging or to his campaign office, and rarely ventured to Springfield. During that frustrating summer, serious discussions took place among the legislators as they considered their options to solve the never-ending problems created by the governor. "We had to do something about this," State Representative John Fritchey recalled.[4]

Impeachment and a trial to remove Blagojevich were made problematic by the nebulous criteria for impeachment and removal contained in the 1970 Illinois Constitution: "the existence of cause for impeachment."[5]

Definite criteria for impeachment and removal had not been a major concern of the delegates who drafted the Constitution. The Illinois legislature had not employed the provision for 137 years, and there had been little discussion. John Marshall Law School professors Ron Smith, a delegate to the 1970 Constitutional Convention, and Ann Lousin, who served as a staff lawyer to the convention, both recalled that impeachment was not addressed as a major subject.[6] It also had not been an important topic for the delegates to the 1869–70 convention or the 1862 convention (which was never ratified) or during the deliberations of the 1847 convention.[7]

It is important to put Illinois' absence of an extended debate concerning impeachment into a historical context. The subject of impeachment was a central concern to the federal delegates who met in Philadelphia in 1787. They were men acting in their own time, who sought to reject England's heritage of monarchy and to establish a republican system of government that ensured a separation of powers as well as a balance of powers. They were well aware of potential abuses by the executive, but they also were very concerned with the actions of factions and the passions of majorities.[8]

The development of Illinois' constitutions did not follow the national narrative. The state did not have the kind of agonizing debates over impeachment and removal of the chief executive that took place during the drafting of the federal constitution. Illinois' constitutions were developed under different circumstances. The authors of its first constitution in 1818 were primarily concerned with Illinois becoming a state and drafting a constitution that would be approved by Congress. They spent little time struggling with republican ideals. Illinois became a Jacksonian state and was populated by men on the make. The communication revolution had begun, and the three subsequent constitutions drafted in the nineteenth century were undertaken in response to evolving economic, political, and technological events.[9] The subject of impeachment became less and less a concern, and in 1970 impeachment and removal became a prerogative of the legislature.

Despite the absence of definitions or standards, impeachment is a path that has been seldom traveled in Illinois; the legislature has shown great restraint in calling for impeachment. Before Blagojevich, the Illinois house held impeachment investigations only twice: in 1833, when Supreme Court justice Theophilus Smith was accused of selling public offices and other misconducts, and in 1997, when another Supreme Court justice, James D. Heiple, was investigated by the house for misconduct associated with

traffic stops and disregarding police instructions on multiple occasions. Smith was impeached by the house and tried by the senate. His defense team included future Illinois governor Thomas Ford, future US senator and Supreme Court justice Sidney Breese, and future US senator Richard Young. The trial was held at downstate Vandalia in January, and several senate members failed to attend the trial. The majority of those present voted to convict on most of the charges, but they failed to reach the constitutional majority of two-thirds. Smith stayed on the bench until 1842.[10] Heiple was not impeached and left office when his term expired, having agreed not to seek reelection.

The arrest of Rod Blagojevich in 2008 and the criminal allegations that followed ignited a series of events that resulted in the most consequential action the state legislature has ever taken. For the first time in Illinois history, the legislature, exercising its constitutional authority, impeached, tried, and removed a governor from office. The story of the impeachment and removal of Rod Blagojevich is a story of the workings of the legislative process, but it is also the story of the people involved, the legislators and legislative staff and their decisions and experiences. Not one of these people awoke on the morning of December 9 with any idea that their actions in the coming weeks would earn a place of significance in Illinois history. They are now a part of that history.

Chapter 1

The Crisis Erupts

For the Chicago media, the news of the arrest was like a fire bell in the night. Reporters rushed to find out what was happening, where the governor was, and where he was going. Was he being processed at a federal facility? When was he going to be taken to federal court? What did the arrest warrant allege? What was going on at the State of Illinois Building? The questions were endless. Most radio and television station newsrooms had heard of the arrest by monitoring the police radios. They scrambled resources and were soon broadcasting live from the field.

Many reporters had not yet arrived at work. Paul Meincke, a seasoned political reporter for Chicago television station WLS, was in the shower when his wife called out that the governor had been arrested. He quickly finished getting ready and rushed downtown. Meincke believed that the federal agents arrested Blagojevich the way they did to shock him and perhaps prompt him to start talking.[1] Andrew Porte, managing editor for WLS news, was not surprised that the governor had been arrested. In the days leading up

to the arrest, there had been a steady drumbeat of revelations concerning a federal investigation and wiretapping of Blagojevich's phones. But Porte was surprised at the way the governor had been arrested—whisked from his home in the early morning hours, with no advance notice and no time to prepare.[2]

Chuck Goudie, also a veteran reporter for WLS television, rushed to federal court and was waiting when the governor arrived. Although the governor was escorted by deputy US marshals, "he might as well have been in the company of political handlers, because he immediately began working the room, glad-handing with court staff, waving to spectators as he would at a rally," Goudie recalled. "It might have been the first time a criminal defendant ever used such an occasion as a campaign stop." Goudie asked himself, "Is he already looking for jury votes?" For Goudie the scene was paradoxical, with this man who thought he should be president of the United States standing under the American eagle inscribed on the wall overlooking the judge's bench.[3] Julie Unruh, a reporter for WGN television, was also in the federal courtroom, and her reaction was similar to Goudie's. Here was Blagojevich, as cocky as ever, smiling, shaking hands, seemingly oblivious to the seriousness of what was happening to him. For Unruh, a veteran reporter of political events, the scene was dreamlike, and she felt almost detached from the reality being played out before her.[4]

For members of the legislature and legislative staff, the startling news of the governor's arrest remains a frozen moment. Jim Durkin, a Republican state representative from a district that includes the western suburbs of Chicago, was just waking up. "I was groggy, just getting the cobwebs out," he recalled. His wife, Celeste, called out from another room, "Come in here—you have to see this!" As the ten-year veteran of the Illinois house watched the scene unfolding on Chicago television, it seemed surreal. The events of that Tuesday morning were unforgettable, and for Durkin the incident seemed comparable to the death of Chicago mayor Richard J. Daley, the explosion of the Challenger, or the terrorist attack on September 11, 2001. "I was watching the governor of Illinois being led out of the federal lockup in a blue jumpsuit, in handcuffs," he expressed with amazement. "This was the governor."[5] But the coming eight weeks would prove to be even more amazing.

Raised in a family of eight boys in Chicago and its western suburbs, the forty-six-year-old Durkin had followed a career trajectory that was familiar to many from the city's ethnic Irish community. His father was an accountant whose clients included Chicago-area labor unions. Many of his

relatives were Chicago police officers, and he was especially influenced by his uncle, Jim Keating, who was chief of detectives for the Chicago Police Department. Durkin wanted to be a police officer and majored in criminology at Illinois State University. But after graduating, he was influenced by his brothers Tom and Kevin, both attorneys and county prosecutors, to go on to law school. After law school, he worked for the state's attorney general and later as a prosecutor in the narcotics and felony trial units of the Cook County State's Attorney's Office.

The Durkin family, many of whom were Chicago police officers or had ties to labor unions, were Democrats. But national events in the late 1980s, the hostage crises, and dissatisfaction with President Jimmy Carter prompted Jim Durkin to become aligned with the Republican Party. In 1995 Judy Baar Topinka, the Republican senator from the Twenty-Second Senate District, was elected state treasurer. Tom Walsh, the state representative from the house 44th District, encompassed by the Twenty-Second Senate District, was moved to the Illinois senate. Jim Durkin was chosen by local Republicans to fill the house vacancy created by Walsh's transition. Durkin left the house in 2002, but after an unsuccessful run for the US Senate, he returned in 2006. One of his earliest conversations the morning of the governor's arrest was with Republican leader Tom Cross. For Durkin there was no other option but an impeachment investigation. "We have to do something about this," he thought.[6]

In Marengo, a small city northwest of Chicago and just a few miles from the Wisconsin border, Jack Franks was working in his home office. A Democrat from a rock-ribbed Republican county, Franks had served in the Illinois house since 1998. Franks was informed of politics for much of his life and was active in McHenry County Democratic organizations. After receiving a bachelor's degree from the University of Wisconsin and a general studies degree from the London School of Economics, he had gone on to earn a law degree from American University. Franks also studied abroad, first in Brazil, where he learned Portuguese, and while in law school he attended Beijing University for a semester. After his studies, he returned to Marengo and practiced law. In 1998, disenchanted with single-party dominance in McHenry County, he decided to run for state representative. In a year when Republican George Ryan won the race for governor, carrying 76 percent of the vote in McHenry County, the popular Jack Franks defeated his Republican opponent. Now married and the father of two sons, Franks lived on the family farm where he was raised.

The morning of the arrest Franks was anticipating a busy day, with a new staff person scheduled to start work and a fund-raiser that evening in Chicago, when he received a call from his friend Steve Kling, who told him to turn on the television. Franks had a personal interest in what was displayed on his screen, and he was not surprised. He was intimately aware of the administrative antics of the Blagojevich administration. Franks was the chairman of the house State Government Administration Committee and over the years had held hearings on several questionable actions by the administration. In 2007 the committee, in response to an audit conducted by the Illinois auditor general, held hearings concerning the administration's purchase of flu vaccines and prescription drugs from a foreign country (the latter through the governor's I-SaveRx program). It is illegal to import drugs from a foreign country. Franks was an outspoken critic of the governor and had been urging the Speaker to form a committee to investigate impeaching Blagojevich for almost a year. The house leadership demurred; impeachment was an unprecedented step. With the governor's arrest, Franks's request had been justified. He did not hide his emotions; "I was happy he was arrested," he said. Now impeachment could go forward. He called Speaker Michael Madigan and told him that only the formation of an investigative committee would satisfy him.[7]

Like many legislators that morning, John Fritchey also received a telephone call informing him of the arrest. Fritchey represented the same legislative district that Rod Blagojevich represented when he had served in the Illinois house. An attorney, Fritchey came to politics by a different route than most Chicago politicians. He was born of modest means on a military base in Louisiana. His father was an enlisted man in the US Air Force, and his mother was a Moroccan immigrant. Moving to Chicago, Fritchey saw a chance for advancement. With the help of scholarships, he attended college and law school. Fritchey had a keen interest in government and became involved in Chicago ward politics. He was able to network with the power brokers of the city's north wards, and when Rod Blagojevich decided to move from the Illinois house to congress, Fritchey told Thirty-Third Ward alderman Dick Mell that he wanted to run for the Illinois house. He received the backing of Mell and the committeemen and found himself sharing a campaign office with congressional candidate Rod Blagojevich. At first Fritchey and Blagojevich were friends, but the amity did not last, although the two tolerated each other. Fritchey felt that Blagojevich resented him and was unnerved by his rise in Chicago politics, from humble beginnings

to the Illinois state house. "He thought I was taking something away from him," Fritchey said.[8]

The two men had little contact when Blagojevich served in congress, and by the time Blagojevich became governor, the resentment had given way to open hostility. Blagojevich had a few allies in the legislature, and Fritchey was certainly not among them. He chose instead to side with the Speaker and became a vocal critic of the governor. When he was informed of Blagojevich's arrest, Fritchey began calling legislative allies and drafted a letter calling for the removal of the governor. To show broad-based geographical support for the governor's removal, he strategically asked three other house Democrats, each from a different section of the state, to sign the letter: Thomas Holbrook, who represented a downstate district; David Miller, who was African American and represented a Chicago south suburban district; and Jim Brosnahan, who represented southwest Chicago and the southwest suburbs. Fritchey insisted that he be appointed to the investigative committee being contemplated by the Speaker.[9]

News of the arrest spread quickly through the state capitol building in Springfield. The arrest was a surprise, but to those who had experienced the legislative turbulence of the past six years, it did not come as a shock. Those working in the capitol building felt a special sense of involvement, as if they had a front-row seat to the drama now unfolding. Legislative assistants answered the many phone calls from legislators and constituents and made calls of their own. People gathered in groups. Many were smiling. Everyone was "in a twitter," remarked a senate staffer. The governor's office on the second floor was quiet, and there was a sense of foreboding as staffers passed by and took note of the empty outer reception area.

Andy Manar, deputy chief of staff for outgoing senate president Emil Jones and the newly appointed chief of staff for the incoming senate Democrats, had just settled into his office and had much to do—make new staff appointments, assign offices, and start thinking about the upcoming legislative agenda. His most immediate task was to plan the inauguration ceremony, just weeks away. Manar had worked for the senate Democrats for a decade and had acquired the insights of a veteran of state politics. His home was the small town of Bunker Hill. While in high school, he had met the influential senator Vince Demuzio from downstate Carlinville. Demuzio was teaching a course at a local community college, and Manar, wanting to get a jump on college courses, enrolled. Manar was already interested in politics and US history, and his acquaintance with Demuzio

prompted him to join the Macoupin County Democratic Organization. After graduating from Southern Illinois University with a degree in political science, he went to work for the Democratic senate, first as an intern, then on Demuzio's staff. He later was promoted to staff budget director and then deputy chief of staff. In November John Cullerton, the choice of the majority Democrats to be senate president, asked Manar to be chief of staff. Manar was surprised, but his budget acumen and staff experience, and the fact that he came from downstate and would balance the influence of Chicago, had led Cullerton to believe that Manar would be a perfect fit.

When Manar was informed of Blagojevich's arrest, his first reaction was one of disbelief. "That can't be true," he thought. Although rumors of investigations concerning the governor had been going around for years, and the rumors and newspaper stories had become more frequent during the past few weeks, this seemed incredible. After he verified the arrest, however, he began to realize that it had been inevitable.[10]

Clayton Harris, the governor's deputy chief of staff, was on his way to the State of Illinois Building in downtown Chicago. It was time for the regular morning meeting with the chief of staff, John Harris. John Harris liked to schedule morning meetings with his deputy early, to plan and go over the day's events. "Before the chaos," John Harris would say. As Clayton Harris was driving into the parking lot, he received a text message asking, "Is it true?" Another text a few moments later informed him, "They have arrested your boss." He was stunned, but as he pulled into the parking lot, his phone went dead. He noticed an ominous sign: John Harris's car was not there. The chief of staff always arrived early. He quickly made his way to the back elevator and to his office on the sixteenth floor. As he got off the elevator, he was greeted by a state trooper, who just shook his head. He was soon informed that both the governor and John Harris had been arrested. The former county prosecutor was greeted by a swarm of federal agents who demanded to know who he was. The agents showed him a search warrant and started taking files from offices. Clayton Harris described the scene with the word so many have used: *surreal*. He turned on a television. His cell phone was working again, and his first phone call was from former Speaker of the US House of Representatives Denny Hastert, a friend with whom he had worked on the Illinois Works Coalition. Denny Hastert was calling to see if his friend was all right. The second call was from his mother. She was worried about her son and, like so many that day, wanted to know what was going on. He told her he did too.[11]

Clayton Harris had joined the governor's staff in August 2008, after serving as chief of staff for the Illinois Transportation Department. He majored in aerospace technology at Middle Tennessee State University and then worked for an engineering firm at the Pentagon. He decided to go on to law school and graduated from Howard University in 1999. His work in government started after he moved to Chicago. He first worked as an assistant state's attorney and later for the city of Chicago. Although a seasoned government professional, Clayton Harris was not part of the governor's inner circle, had never contributed to the governor, and had never worked on his campaigns.[12]

Now, with the top of the organizational structure lopped off, confusion set in. Some people who should have come to work that day did not. People began to come into the deputy chief of staff's office asking what was going on. Some were crying. Harris instructed everyone to meet in a conference room on the fifteenth floor. "Someone had to step up," he later said. He told those present to calm down and carry on as if it were a normal workday. And he asked those who were crying to please stop. "I can take everything but crying," he said. He officially became the acting chief of staff one week later.[13]

For Illinois' longtime Speaker of the House Michael Madigan, the day started in an ordinary way, with a visit to his chiropractor. Madigan was contemplating an out-of-town trip and felt relaxed, and his doctor later remarked that he had seemed particularly happy that morning. He then returned to his home on Chicago's Southwest Side, oblivious to what was happening. He found that his wife, Shirley, had been trying to contact him and was somewhat agitated. She had been fielding calls from seemingly everyone. The methodical and controlled Speaker began returning the calls and made some of his own. Madigan spoke to his chief of staff, Tim Mapes; chief counsel David Ellis; and soon-to-be senate president John Cullerton. He decided to go to his political headquarters, the Thirteenth Ward office, on South Pulaski Road. The ward office was a familiar and comfortable place, out of the public spotlight, where the most powerful politician in Illinois could surround himself with trusted confidants, digest incoming information, and discuss and plan the reaction of the legislature.[14]

Michael Madigan is sometimes referred to as a master chess player, because he thinks several moves ahead. The arrest was a surprise, but the Speaker was prepared. For years the Chicago papers had been reporting on the corruption occurring within the Blagojevich administration. Some

of the governor's confidants had been convicted, and several more were under indictment. The reportage of the *Chicago Tribune* was particularly withering. On September 29 the paper had run an editorial titled "Indict or Impeach." Indeed, the possibility of removing the governor was being discussed as a real option. In June 2008 Republican senator Larry Bomke had written a letter to Michael Madigan urging him to begin an impeachment investigation, and the Speaker's staff had begun to compile evidence of the governor's indiscretions and maladministration.[15]

With his arrest, there were few options to consider. Blagojevich had to be quickly removed from office. The governor had been arrested and booked on suspicion of several criminal acts and was facing certain indictment and a trial. There was some hope that in the coming days, Blagojevich would consider his situation and resign from office. Another option, presented in the Illinois Constitution, was that the governor could temporarily step aside, and his duties would be assumed by the lieutenant governor.[16] The third option was that the Illinois house of representatives could immediately hold an impeachment investigation and pass an impeachment resolution. The senate would hold a trial to decide whether to remove the governor from office.

Madigan was hesitant to act immediately that Tuesday morning, conscious of the political repercussions of acting too soon. Lisa Madigan, Illinois' attorney general, was the Speaker's daughter, and there was talk of her possible aspirations to the governor's office. The following Monday, the delegates to the Electoral College would meet in Springfield and officially cast their votes to elect Barack Obama president of the United States. Madigan decided to give Blagojevich six days to resign or step aside. If the governor did not remove himself from office, the Speaker would announce an impeachment investigation on Monday after the Electoral College met.[17]

Madigan was managing events instinctively, thinking of moves three steps ahead of the current situation. His instincts and political skills were honed by years of involvement in old-fashioned Chicago ward politics. His family was involved in city politics and had an early association with Richard J. Daley, when the future mayor worked in the Cook County Clerk's Office. Madigan's political career had followed a charted course. He went to Chicago's St. Ignatius College Prep, a Catholic preparatory high school; attended college at Notre Dame University; and then earned his law degree from Loyola University. The young attorney was chosen by the Democratic organization to be a delegate to the 1970 Constitutional Convention. A year later he was elected to the Illinois house of representatives. He rose rapidly

in the house, and when the Democrats gained control in 1983, he was elected Speaker. Madigan served in this capacity until 1995, when the Democrats lost the majority in the first midterm election of the Clinton presidency. The Republicans held the house for only two years, and in 1997 Madigan again became Speaker. In 1998 he was elected chairman of the Illinois Democratic Party and still held that position in 2008.

The removal of the governor was a decision the Speaker did not take lightly. Madigan has a sense of history, and colleagues say that he has an almost religious respect for the legislative process.[18] Despite calls from both parties for an impeachment investigation during the year leading to the arrest, Madigan remained cautious. He knew that impeachment and removal from office would be an unprecedented action by the Illinois legislature. Never before in the state had the sovereign will of the people, as expressed through the ballot, been nullified—an executive office holder had never been removed by the legislative branch.

In December 2008 the legislature was completing the two-year cycle of general assemblies. The Ninety-Fifth General Assembly would end when the legislature adjourned in January, and the Ninety-Sixth would be sworn in. In November John Cullerton, a senator from Chicago's North Side, had been elected by the majority Democrat caucus to be the new senate president. Cullerton, a veteran legislator who came to the Illinois house in 1979, had served in the senate since 1992. Achieving the position of senate president had become the personal goal of the former public defender from Cook County. When he moved to the senate after an unsuccessful run for Congress, he set his sights on the senate presidency. Surprisingly, Emil Jones, the senate president since 2003, chose to leave the senate, and John Cullerton had his chance. Several senators vied for the spot. Jones worked against Cullerton, but Cullerton prevailed. After the November election, the Democrats again held a firm majority in the senate and elected Cullerton their candidate for senate president, a move tantamount to being elected by the full senate.

Cullerton was having breakfast in downtown Chicago when he heard of the arrest. He talked by phone with the Speaker. Emil Jones was still senate president, but Madigan did not want to talk to Jones; he dealt with Cullerton instead.[19] Both Cullerton and Madigan agreed that Blagojevich had to be removed quickly. The idea of Blagojevich remaining as governor while he went on trial, an event that could have been years away, was totally unacceptable. Cullerton understood Madigan's three options: the governor could resign, temporarily give up the office, or be impeached. On

the morning of the arrest, planning an exact schedule of events leading to removal was impossible, but the two men agreed that an impeachment investigation would begin in six days. If Blagojevich could be persuaded to resign or step aside, the legislature could avoid taking action and the state could avoid the trauma of impeachment and a senate trial. The last thing John Cullerton had on his mind as he sat down for breakfast that morning was commencing a trial to remove the governor as his first legislative act as senate president.[20]

The arrest of Rod Blagojevich occurred against a backdrop of partisan and personal hostilities that had played out in Illinois state government during the preceding sixteen years. In 1993 the Republicans had gained control of the senate, and James "Pate" Philip, from the solidly Republican DuPage County, was elected senate president. A veteran legislator, Philip had first been elected to the Illinois house in 1967 and moved to the senate in 1975. Philip was well liked, known to most as a regular guy, and accessible to rank-and-file senators from both parties. A former marine who in his early days sported a crew cut, he was unpretentious but could be rough and short with those who disagreed with him. He was staunchly conservative by the standards of the 1960s and 1970s and a rock-solid supporter of the business community. Upon becoming senate president, he had the audacity to offer committee chairmanships to two Democrats. Newly elected senate minority leader Emil Jones interpreted the move as an attempt to undermine his authority. The two Democrat senators declined the chairmanships, but the games had begun.

Emil Jones, in contrast, was a product of Chicago politics. He came to his position in a fashion well known among the city's legislators. Jones grew up in Morgan Park, a neighborhood on Chicago's far South Side. He worked as a newspaper carrier and then held a series of public jobs, first at the US Postal Service and then as a sanitary engineer for the city's South District Water Filtration Plant. He paid his dues, as did many public job holders in the 1960s and 1970s, doing political work in Chicago's Thirty-Fourth Ward. His work for the ward organization and his loyalty and political skills caught the attention of the Thirty-Fourth Ward committeeman and alderman, Wilson Frost, who appointed him ward executive secretary. In 1972 Frost picked Jones to be the candidate for state representative. Jones won and served in the house for ten years before moving to the senate in 1983. After an intraparty struggle, he was elected by the Democrats to be minority leader in 1993.

When Pate Philip became senate president, the Democrats had controlled the Illinois senate for eighteen years. Philip set out to change the way the senate operated and to consolidate control by adopting new rules and procedures that diminished the minority party's role in policy-making. The clash between Philip and Jones was immediate. The men knew each other from a decade of serving together in the senate, and there was a mutual dislike. Philip dismissed Jones and rarely consulted him on policy matters. During one yearly budget meeting, negotiations that occur at the end of each legislative session and are attended by the four legislative leaders and the governor, Philip suggested to Madigan that the senate Democratic leader be excluded, but Madigan insisted that Jones be included.[21] Jones was resentful and felt that Philip did not give him the proper respect. Mindful of his self-image, Jones informed his staff to call him Leader Jones.

The mutual dislike between Philip and Jones was manifest in all their dealings. Both men had prosaic personalities but diverged in their backgrounds and political views. They both approached politics as a personal enterprise to be manipulated and managed. They each shared a high concern for their individual self-esteem, and they both treated the political craft as a complex interaction guided by the constant influences of paranoia, struggle, and intrigue. Both men approached political leadership as a military battle. Jones often said that his personal heroes were Sun Tzu, author of *The Art of War*, and Machiavelli, author of *The Prince*. He would listen to a books-on-tape version of *The Prince* while driving from Chicago to legislative sessions in Springfield and often quoted passages from the book. Both Philip and Jones were directed by their own moral compasses. Their histories and their deeply rooted, distinct cultures proved to be barriers to understanding each other. Given their similar personalities but their differences in cultures and experiences, tension was predictable.

For ten years under two Republican governors, the Democrats remained the senate minority party. In 2003, when Rod Blagojevich was sworn in as governor, the Democrats gained the majority in the senate and Emil Jones attained the office he had long sought, that of senate president. In addition to his perceived mistreatment by Philip, Jones chafed at the authority and influence of House Speaker Michael Madigan. With the election of Rod Blagojevich and his own ascent to senate president, Jones felt that there were now three important—and most significantly, equal—Democrats in Springfield. An alliance with Blagojevich was a way, Jones believed, to check the power of Madigan.[22] With Pate Philip now retired, Jones directed his

built-up animosities toward Madigan and the newly elected senate minority leader, Frank Watson.

Watson could not have been more different from Jones or Philip. A pharmacist from downstate Greenville, he was rooted in small-town America. His family had owned Watson's Drug Store for generations, a symbol of permanency on the Greenville town square. Before holding public office, Watson had been involved in local civic organizations. Soft-spoken, he was popular among members of both parties. Initially, Jones was cordial to Watson and would call him on session days and offer the courtesy of going over the legislative calendar. By the spring of 2004, however, budget contentions had forced legislative alliances, and Jones and Blagojevich were allied against Watson and Madigan. Having Watson allied with his old nemesis, Madigan, irritated Jones. According to Watson, one particular incident that vexed Jones occurred during a budget meeting of the four legislative leaders and the governor. Blagojevich opened the meeting by asking the Speaker, "Well, what do we do now?" Jones apparently became upset that the question had not been asked of him. The relationship between Jones and Watson rapidly deteriorated. Watson made an effort to cooperate: "I told Jones I was not Pate that I wanted to work together," he recalled, "but it did no good." He characterized Jones as "a very vindictive man." When Watson suffered a stroke in the fall of 2008, the Speaker called several times to offer support and encouragement, but Jones never called him.[23]

After 2004 the relationships between the governor and the members of the legislature also declined. Blagojevich shunned Springfield and most legislators. He refused to live in the governor's mansion, preferring to commute by state plane from Chicago to Springfield. On session days the governor was frequently absent. When the legislature was not in session, he seldom went to Springfield. He became disengaged from the legislative process and had little interest in policy details or even policy subjects. He was "a big-picture guy," Frank Watson recalled. Blagojevich seemed to have no interest in governance. Watson became exasperated when the governor walked out of meetings several times. After one particular meeting, when the waiting press asked what they had been discussing, the frustrated Watson replied that the governor had discussed whether the Chicago Cubs or the St. Louis Cardinals had the best third baseman in past decades. But on occasion, Watson said, Blagojevich could be an "engaging guy." He would have "heart-to-heart talks" with the senate Republican leader concerning personal matters: Blagojevich's disagreements with his father-in-law, Chicago alderman Dick

Mell, or matters involving the governor's wife, Patty. The governor's staff, surprisingly, informed Watson that Blagojevich was just trying to win him over in an attempt to get him to support Jones and oppose Madigan. Although Watson was aware of the governor's motives, he found the governor's behavior intriguing and, he admitted, "somewhat captivating."[24]

The Speaker tolerated Blagojevich as a Democratic member of the house and as a congressman, but the relationship was never amicable. Outside of being the son-in-law of a powerful Chicago alderman, Blagojevich, as the saying in Springfield goes, brought nothing to the table. He took little interest in legislation, his attention span was short, and he had no time for the details of governance. His relationship with the Speaker had steadily deteriorated since he had taken the office of governor. The two men could not have been more different. Blagojevich was a master at political gamesmanship, a tinseled circus ringmaster, driven by his ambitions and the desire for personal gain. He was obsessed with his appearance and spent an extravagant amount on expensive clothing. To him, politics was personal combat and public office merely a stepping-stone to the next higher office. "He was beyond egotistical," Clayton Harris recalled; "he was egocentric."[25] He traveled with a large entourage and a state police escort, and he governed by crisis, confrontation, and threats.[26] Some legislators who had worked with Blagojevich described him as bizarre; others characterized him as reckless and mean.[27]

Blagojevich alienated Michael Madigan, who, by contrast, was private, reserved, and thoughtful. He possessed a sense of history and, colleagues report, a respect for the legislative process. Madigan was unpretentious in both mannerisms and style. He lived modestly, preferred a small circle of confidants, and seldom mingled with legislators and lobbyists. He frequented a few familiar restaurants, ate restrictively, and traveled without an entourage or an escort. Michael Madigan could appear remote, and for many, he remains an enigma. But Madigan personified the leadership and trench values honed in the Chicago wards during the 1950s and 1960s. His leadership style was reminiscent of that of a ward committeeman. The ward committeeman was a powerful position in the city's Democratic machine, and to preserve political power, he remained inaccessible and skeptical. One had to keep the barons at bay. A strong work ethic, pragmatism, modesty, and loyalty were attributes ascribed to the culture of second-generation ethnics who populated Chicago's working-class neighborhoods at midcentury. Madigan's personal ethics and style paralleled those values.