

Center for Ethics
and the Rule of Law

UNIVERSITY of PENNSYLVANIA

Annual Report 2020-2021



**A GOVERNMENT
OF LAWS,
AND NOT OF MEN**

~John Adams~



ANNUAL REPORT 2020-2021

About CERL.....	4
Letter from the Faculty Director	5
People	4
• Executive Board.....	6
• Affiliated Faculty	8
• The CERL Team	10
• Developments.....	11
Conferences and Symposia	15
• Protecting Democracy: Foreign Interference, Voter Confidence & Defensive Strategies in the 2020 Elections and Beyond	15
• Circling the Arctic: Security and the Rule of Law in a Changing North.....	17
• Roundtable on War and Peace in Outer Space.....	19
• Left of Launch: Communications and Threat Escalation in a Nuclear Age	20
• When Society’s Safety Is at Stake: A Post-Trump Review of the Goldwater Rule.....	22
• Beyond the Voting Provisions of S.1: What Does the For the People Act Do for National Security and Government Ethics?	24
Book Talks	26
• <i>How to Save a Constitutional Democracy</i> by Tom Ginsburg and Aziz Huq.....	26
• <i>Dark Mirror: Edward Snowden and the American Surveillance State</i> by Barton Gellman	27
• <i>Dare to Speak: Defending Free Speech for All</i> by Suzanne Nossel	28
• <i>American Nero: The History of the Destruction of the Rule of Law and Why Trump Is the Worst Offender</i> by Richard Painter and Peter Golenbock.....	29
• <i>Defending Frenemies: Alliances, Politics, and Nuclear Nonproliferation in US Foreign Policy</i> by Jeffrey W. Taliaferro... 30	
• <i>War and Moral Injury</i> edited by Robert Emmet Meagher and Douglas A. Pryer.....	31
• <i>How to Lose the Information War: Russia, Fake News, and the Future of Conflict</i> by Nina Jankowicz.....	32
CERL’s Impact.....	33
• Filings and Engagement	34
• Publications	34
• Blog Posts.....	37
• Media	40
• Public Presentations.....	44
• Other Contributions	44
2021 Summer Internship Program.....	45
Student Spotlight.....	48
2021-2022 Event Calendar.....	52
Benefactors and Sponsors	53

Cover photo:
Capitol Hill, Washington, D.C., United States
September 2022

ABOUT CERL

CERL is a nonpartisan interdisciplinary institute dedicated to preserving and promoting ethics and the rule of law in national security, warfare, and democratic governance. Affiliated with the Annenberg Public Policy Center at Penn, CERL draws from the study of law, philosophy, and ethics and unites scholars, policymakers, and legal practitioners to answer the difficult questions that arise in times of national dilemmas and conflict.

CERL's conferences and symposia focus on some of the most daunting issues facing our country and the world. Academics, legal experts, intelligence officials, journalists, public servants, and private sector professionals convene to engage in discussion and analysis, produce papers, identify needed policies and actions, and issue recommendations. CERL enjoys a particularly constructive partnership with the armed services and collaborates with the private sector's defense industry. It also partners with renowned public interest organizations and academic centers.

CERL also conducts ethics and policy briefings; drafts and disseminates policy papers; publishes volumes through an ethics, national security, and rule of law book series; presents book talks with high-profile authors; participates in podcasts; and engages with national and international media. CERL's summer internship program focuses on national security's next generation. Law and graduate students learn rule of law principles through research, writing, and conference planning to help ensure their future perspectives and decisions are ethical and grounded in the rule of law.

Since 2012, CERL has been raising public consciousness and influencing policy through varied activities that tackle serious and often complex threats to or violations of the rule of law. CERL does this to help academia, government, and the public cultivate a clearer understanding of the rule of law and play a role in the preservation of our country's democratic principles and institutions.



CERL Faculty Director Claire Finkelstein moderates a conversation with distinguished panelists at an event in February 2019 entitled “Presidential Power and the Current Crisis of Executive Authority.”



LETTER FROM THE FACULTY DIRECTOR

July 2022

Dear Friends of CERL,

To say that the 2020-21 academic year was a momentous one would seem a vast understatement. CERL's operations, like those of the broader University of Pennsylvania and most institutions of higher learning, were for the first time conducted entirely online. Yet continuing CERL's work was essential in the face of extraordinary threats to democratic governance the country faced in the wake of the 2020 election. On January 6, 2021, a violent mob breached the Capitol building, intent on impeding the certification of the 2020 election by force. At that moment, the country faced the very real threat that the constitutional processes dictating the transition of power from one administration to the next would be overrun by a lawless display of force. Following that, for the second time in the span of a single presidency and for only the fourth time in U.S. history, the country was rocked by impeachment proceedings and torn apart by political, racial, and economic divides.

Fundamental to the turmoil the country has faced in the past several years is a critical question: Will the United States continue to be a country governed by the rule of law? CERL's role in helping to promote and preserve the rule of law has become all the more vital as the threats to that core concept have grown and a badly divided country has increasing difficulty reaching consensus on even the most basic of legal and moral norms.

Despite the challenges posed by the COVID-19 pandemic, CERL did not slow its pace during the 2020-21 academic year. The center began the year with an impactful conference examining national security threats and voter confidence in the 2020 election—a timely if prescient topic in September of 2020! CERL then held a major event examining the challenge of climate change as a national security threat, a truly interdisciplinary effort that engaged scientists, academics, military, and national security professionals, among others. Two conferences in the Spring of 2021 continued CERL's important work on the foundations of democracy: one on the controversial “Goldwater rule,” that bars mental health professionals from offering public warnings about the mental fitness of elected officials and the second on the For the People Act, known as H.R./S.1, an act designed to secure voting rights as well as national security and government ethics. CERL also held a number of impactful book talks and other consultations focused on national security and the rule of law.

Against all odds, and with some initial trepidation, CERL decided to proceed with its 2021 Summer Internship Program—a year in which all interns were operating from home in front of their computers for many hours a day, yet in which we were able to engage high-level professionals to help guide their research. In short, we turned the Covid restrictions to the advantage of our excellent student interns by casting a broader net than the usual in-person format permits.

The online experiment bore fruit. As a result of the novel format, the summer internship produced CERL's most important publication to date: a report on the state of the Department of Justice under the leadership of Attorney General William Barr. In that report, written by a diverse group of attorneys and other professionals, and supported by the 2021 CERL Summer interns, the authors discuss the urgent need to restore the integrity of the Department of Justice and to identify the critical role the Department plays in maintaining the rule of law in U.S. society. The DOJ report was comprehensive, incisive, and had an immediate impact on political debate relating to rule of law values in the former administration.

Finally, in the end of 2021, the center had the extraordinarily good fortune to move its operations fully into the Annenberg Public Policy Center (APPC). As a partner center of APPC, CERL benefits daily from the great expertise of Professor Kathleen Hall Jamieson and her fellow researchers in communication science, the study of disinformation, the study of conspiracy theories, knowledge of social media platforms, and broad expertise in civic education and civic knowledge—expertise that dovetails well with CERL's work on the importance of the rule of law to democratic governance.

The many challenges CERL faced during the 2020-21 academic year unfortunately delayed the issuance of the current report until the end of the 2021-22 academic year. The accomplishments of the center are nevertheless well worth highlighting, and they maintain their relevance for the current academic year. We hope you take the time to familiarize yourself with the many achievements of the center and its distinguished members and affiliates during the 2020-21 academic year.

Sincerely,

Claire O. Finkelstein
CERL Faculty Director
Algernon Biddle Professor of Law and Professor of Philosophy
University of Pennsylvania

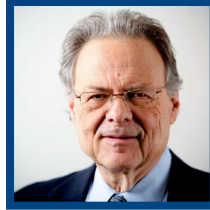
EXECUTIVE BOARD

The Executive Board, Affiliated Faculty, Advisory Council, and CERL Team pages reflect current membership and staffing and do not necessarily reflect the membership and staffing from the 2020-2021 academic year.



CLAIRE FINKELSTEIN

Algernon Biddle Professor of Law and Professor of Philosophy and Faculty Director of CERL



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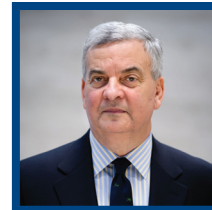
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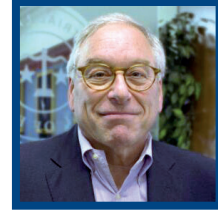
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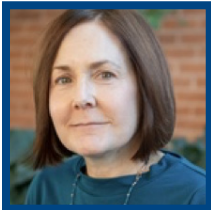
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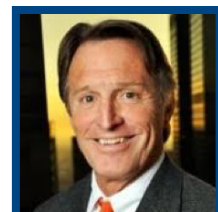
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MITCHELL BERMAN

Leon Meltzer Professor of Law and Professor of Philosophy, University of Pennsylvania



WILLIAM BURKE-WHITE

Professor of Law, University of Pennsylvania Carey Law School



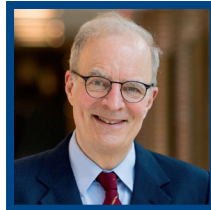
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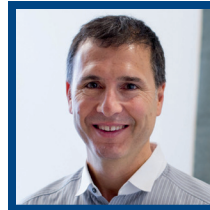
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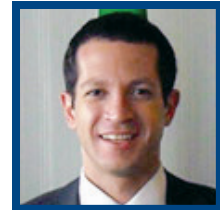
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Director of Perry World House and Richard Perry Professor [On Service Leave], University of Pennsylvania



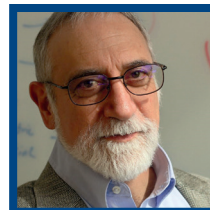
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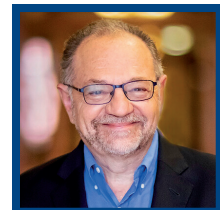
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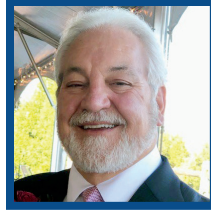
Professor Emeritus, University of Pennsylvania

ADVISORY COUNCIL



GEOFFREY CORN

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GEORGE CRONER

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Former Senior Executive, Department of Homeland Security; International Security Consultant



ROBERT FULLER, JR.

Captain, U.S. Navy, Judge Advocate General's Corps (Ret.)



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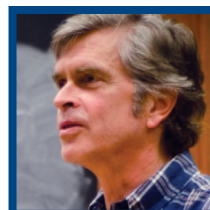
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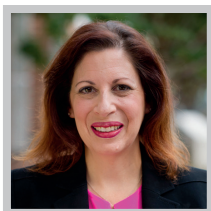


STEPHEN SHELLER

Founding Partner, Sheller P.C.

THE CERL TEAM

Leadership



CLAIRE FINKELSTEIN

Algernon Biddle Professor of Law and Professor of Philosophy and Faculty Director of CERL



DAVID JOANSON

Executive Director



JENNIFER COHEN

Director of Engagement

Fellow



ILYA RUDYAK

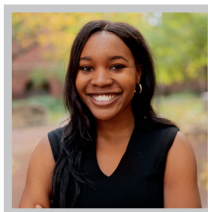
Senior Fellow

Student Staff



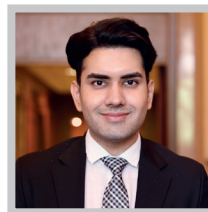
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University of Pennsylvania School of Arts and Sciences (BA'22)



EMILIA ONUONGA

University of Pennsylvania School of Arts and Sciences (BA'23)



VYOM PANKAJ

University of Pennsylvania Carey Law School (LLM'22)

DEVELOPMENTS

UPDATES ON THE ALLIANCE WITH THE ANNENBERG PUBLIC POLICY CENTER (APPC)

CERL and the Annenberg Public Policy Center (APPC) of the University of Pennsylvania formed an alliance in 2021 to promote and strengthen the rule of law in democratic institutions. The collaboration combines CERL's expertise in national security and the rule of law with APPC's nationally recognized work in policymaking and communication scholarship to enhance the institutions of democracy. Since partnering, the centers have worked together on numerous projects to add to conversations surrounding warfare, democratic governance, and national security. In January 2021, the centers released *Lessons from the Arctic: The Need for Intersectoral Climate Security Policy*, a report on critical climate-change security issues with recommendations written by Alexandra A.K. Meise, former Senior Fellow at CERL. The centers have also collaborated on conferences such as, "Left of Launch: Communication and Threat Escalation in a Nuclear Age," which took place in April 2021. CERL looks forward to continuing its collaboration with APPC on critical issues facing the United States and global community.



AFFILIATED FACULTY

CERL is pleased to introduce a newly convened body of Penn faculty who will lend their collective expertise to better direct the center's efforts. Affiliated Faculty will meet once per semester to advise on the direction of the center's work, share projects of interest, and coordinate interdisciplinary efforts on topics of common interest through conferences, Oxford volumes, and other written product. Advisory Council members Anita Allen, William Burke-White, Stuart Diamond, Michael Horowitz, Firoozeh Kashani-Sabet, Eric Orts, and Rogers Smith have transitioned to this new designation. CERL is thrilled to welcome Penn Professors Mitchell Berman, Rangita de Silva de Alwis, William Ewald, Eric Feldman, Kimberly Kessler Ferzan, Daniel Koditschek, Jonathan Moreno, Kermit Roosevelt, and Beth Simmons.

EXECUTIVE BOARD

CERL expanded its Executive Board with the addition of four new members, each with significant legal expertise: Brigadier General (ret.) John Baker, Stuart Gerson, Robert Kelner, and Harvey Rishikof. Brigadier General (ret.) John G. Baker is the Federal Public Defender for the Western District of North Carolina. BGen Baker most recently served as the Chief Defense Counsel for the Military Commissions Defense Org. Stuart Gerson is a Member of the Firm at Epstein Becker Green. Mr. Gerson was appointed acting Attorney General of the United States during the early Clinton administration, after having served as President G.H.W. Bush's appointee as Assistant Attorney General for the Civil Division of the Department of Justice. Robert Kelner is a partner at Covington & Burling LLP in Washington, D.C., where he chairs the firm's Election and Political Law Practice. Mr. Kelner is a leading authority on the Foreign Agents Registration Act, as well as federal and state campaign finance and lobbying disclosure laws. Harvey Rishikof is a Visiting Professor of Law at Temple University Beasley School of Law. Mr. Rishikof is the former Director of Military Commissions and Convening Authority at DoD and the co-chair of the ABA National Task Force on Cybersecurity and the Law.

CERL is delighted to welcome Morton Halperin as Chair of the Executive Board

Dr. Halperin succeeds Paul G. Haaga, Jr., who transitioned to emeritus status on the CERL Executive Board in 2020 to assume the chair of the Facebook Oversight Board Trust. Dr. Halperin is a renowned expert in U.S. foreign policy and civil liberties. He has led an accomplished career in federal government, having served in the Obama, Clinton, Nixon, Johnson, and Kennedy administrations, including as Director of the Policy Planning Staff at the Department of State (1998-2001). He is a member of the boards of the J Street Education Fund and the ONE campaign. "I am pleased and honored to serve as chair of the CERL Executive Board," said Dr. Halperin. "I look forward to working with the staff and Board on such issues as closing Guantánamo and reasserting Congress' constitutional role in national security matters including war powers and emergency powers."



DEVELOPMENTS

ADVISORY COUNCIL

There was one addition to CERL's Advisory Council, which serves in a subject matter advisory role. Geoffrey Corn is the George R. Killam Jr. Chair of Criminal Law at Texas Tech University School of Law. Previously, he was the Gary A. Kuiper Distinguished Professor of National Security at South Texas College of Law Houston in Houston Texas. Prior to joining the South Texas College of Law Houston faculty in 2005, Professor Corn served in the U.S. Army for 21 years as an officer, and a final year as a civilian legal advisor, retiring in the rank of Lieutenant Colonel.

STAFF

Rich Meyer, CERL's Executive Director, departed in the fall of 2021. Mark Fallon assumed the acting role in November and, in this capacity, led CERL and its team on research projects, publications, events, advocacy projects, and the summer internship program. Mark remains on the CERL Advisory Council. In June 2022, CERL welcomed David Joanson as the new Executive Director. CERL thanks Rich and Mark for their stalwart leadership and looks forward to an exciting new chapter under the leadership and guidance of Dave!

Introducing David Joanson, CERL's Executive Director

CERL is thrilled to welcome David Joanson, who served for over two decades in the Federal Bureau of Investigation (FBI). Dave entered on duty as a Special Agent with the FBI in 1998 and was assigned to the Philadelphia Division's general white collar crime squad where he was the case agent on some of the division's most significant white collar investigations and successful prosecutions. In 2007, he was appointed as a Special Assistant United States Attorney for the Eastern District of Pennsylvania. In 2010, Dave was promoted to the position of Supervisory Special Agent and Associate Division Counsel, and in 2014, he was promoted to the position of Chief Division Counsel for the Philadelphia Division of the FBI. Dave served as the Chief Ethics Officer for the FBI in Philadelphia and has attained a Leadership Professional in Ethics and Compliance Certification. He is an active member of the State Bar of California.



CERL Executive Board member Elizabeth Rindskopf Parker (left) and CERL Advisory Council member George Croner (right) connect at a February 2020 event featuring Michèle Flournoy, former Under Secretary of Defense for Policy

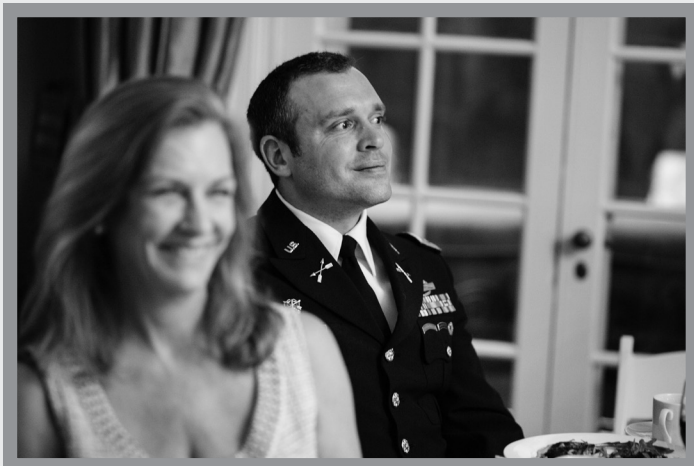
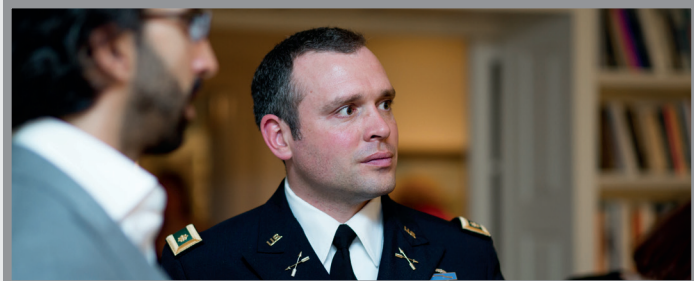
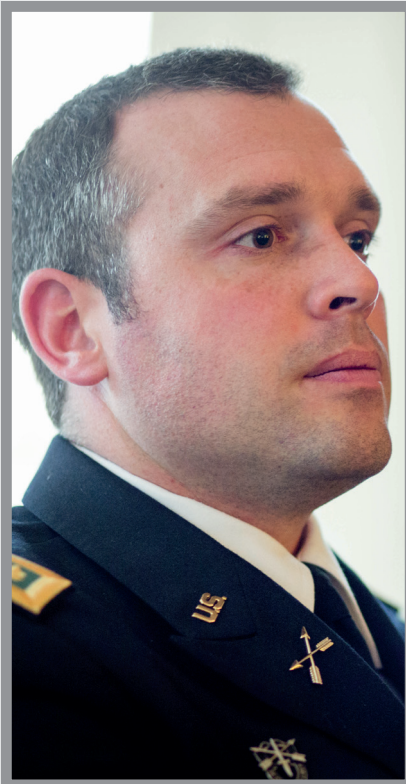
Remembering Ian Fishback

CERL pays tribute to the life and legacy of Major Ian Fishback. Ian was a valued member of the CERL community and participated in several CERL events and activities. Ian died on November 19, 2021, at an adult foster care facility in Bangor, Michigan.

Ian graduated from the United States Military Academy in 2001 and served as an Army officer until 2014. He gained prominence in 2005 when he reported systematic detainee abuse in Iraq to Senator John McCain's office. These allegations led to the passage of the Detainee Treatment Act of 2005. After separating from the military, Ian went on to receive a Ph.D. in Philosophy from the University of Michigan in 2021.

Senator Dick Durbin honored the life and legacy of Ian Fishback in a speech he gave on the Senate floor on November 30, 2021.

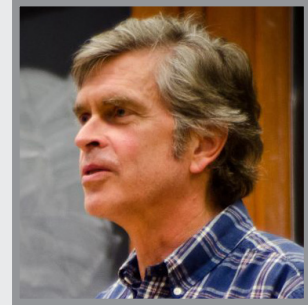
“Major Fishback’s courageous letter shed light on the atrocities that were being committed—shamefully—in the name of our nation. And he felt that he had ‘failed’ the service members under his command. The reality is: our leaders failed Major Fishback. In the wake of 9/11, the Bush administration tossed aside our Constitutional principles as well as the Geneva Conventions. By condoning torture, they dishonored our nation and actually endangered our service members,” Durbin said. “After reports emerged from horrific abuses at Abu Ghraib in Iraq, I tried for a year and a half to pass legislation to make it clear that cruel, inhuman, and degrading treatment of detainees was illegal. Two military heroes, my former colleague Senator John McCain and Major Fishback, turned the tide in this effort.”



CERL published a blog series showcasing Ian's contributions to justice, military ethics, and the rule of law, as well as illuminating the challenges affecting active duty military personnel and veterans. The quotes below are excerpted from this series on *The Rule of Law Post*.

“Because of his unique combination of moral, martial, academic, and personal virtues, Ian was one of the very few most admirable and impressive people I have ever known.”

During the last few years of his life, Ian's academic work had begun to shift from just war theory to the study of ways in which the resilience of liberal, democratic political and legal institutions might be reinforced. This work, which was partly philosophy, partly history, and partly political analysis, was motivated by his alarm at the erosion of democratic norms and the manipulation of credulous populations by aspiring autocrats in contemporary democratic societies, particularly the United States. I thought at the time, and still think, that because of his background and reputation among those who are committed to both truth and morality, his work had the potential to be unusually influential in combatting the drive towards ultra-nationalist, anti-democratic politics in Western societies.—*Jeff McMahan, Sekyra and White's Professor of Moral Philosophy at the University of Oxford and member of the CERL Advisory Council, “Eulogy for Ian Fishback” for The Rule of Law Post*



“Countless veterans are living the nightmare. We owe them what we failed to give Ian. This is the most critical way to honor Ian's memory, his brilliance, and his remarkable moral courage.”

Like many service members, Ian was often in denial about his mental suffering. When he had “fight” in him, he often resisted treatment or full compliance. If you asked him how he was doing, he would cock his head a bit to the side and with that Ian-twinkle in his eye, slyly say, “I'm living the dream.” I think he was, when he was doing philosophy. But he also was living the nightmare. We, as a nation, failed him grievously in not giving him the resources to fight his nightmare when he needed them the most and wanted them the most.—*Nancy Sherman, distinguished University Professor and Professor of Philosophy at Georgetown University, “Remembering Ian Fishback” for The Rule of Law Post*



“Over time, Major Fishback challenged the Army to live up to its principles, and he was increasingly marginalized. The Army he loved did not treat him the way he had been taught as a cadet and imagined it would.”

The facts came out that Ian's inner life had become a nightmare—haunted by moral injury, trauma, troubling relationships, and disillusionment. He needed top-tier therapy, and we could not arrange for it despite heroic efforts. We couldn't find experienced therapists that grasped the array of worries and anxieties that increasingly occupied his consciousness. And at the end, we could not penetrate the VA bureaucracy to land him in a safe setting and get him comprehensive treatment.—*Brigadier General (Ret.) Stephen N. Xenakis, M.D., psychiatrist and an anti-torture advisor for Physicians for Human Rights and CERL Executive Board member, “The Ian Fishback we knew and the nation failed” for The Rule of Law Post*



CONFERENCES AND SYMPOSIA



Protecting Democracy: Foreign Interference, Voter Confidence, and Defensive Strategies in the 2020 Elections and Beyond

September 17, 2020

Protecting Democracy: Foreign Interference, Voter Confidence & Defensive Strategies in the 2020 Elections and Beyond

September 17, 2020, Online

While foreign interference is not new, the methods have changed and amplified its impact. These include the advent of social media, the conversion to electronic records and communication as the primary mode of interaction, a sophisticated global financial system, and the ability to transfer large amounts of money in fractions of a second. These and other developments have enabled foreign interference in U.S. institutions.

The workshop was the culmination of a collaboration between the Center for a New American Security (CNAS), the Center for Ethics and the Rule of Law (CERL), and the Annenberg Public Policy Center (APPC). This short-term, high-impact project convened national security and legal policy professionals and academics at the forefront of research and engagement around foreign interference in democratic elections issues, foreign intelligence activities, and election administration and security. The project aimed to assess the level of foreign malign activities on the forthcoming 2020 elections, identify efforts to prevent such influence, and develop strategies that would help ensure voter confidence in the integrity of the election process and its outcome.

Participants assessed the threats to the integrity of U.S. elections from foreign powers in the run up to the 2020 elections.

Questions Addressed

What preventive measures have been implemented at the federal, state, and local levels to deal with foreign interference in U.S. elections?

Is it possible for the United States to limit foreign influence in elections, and would that be enough to restore voter confidence?

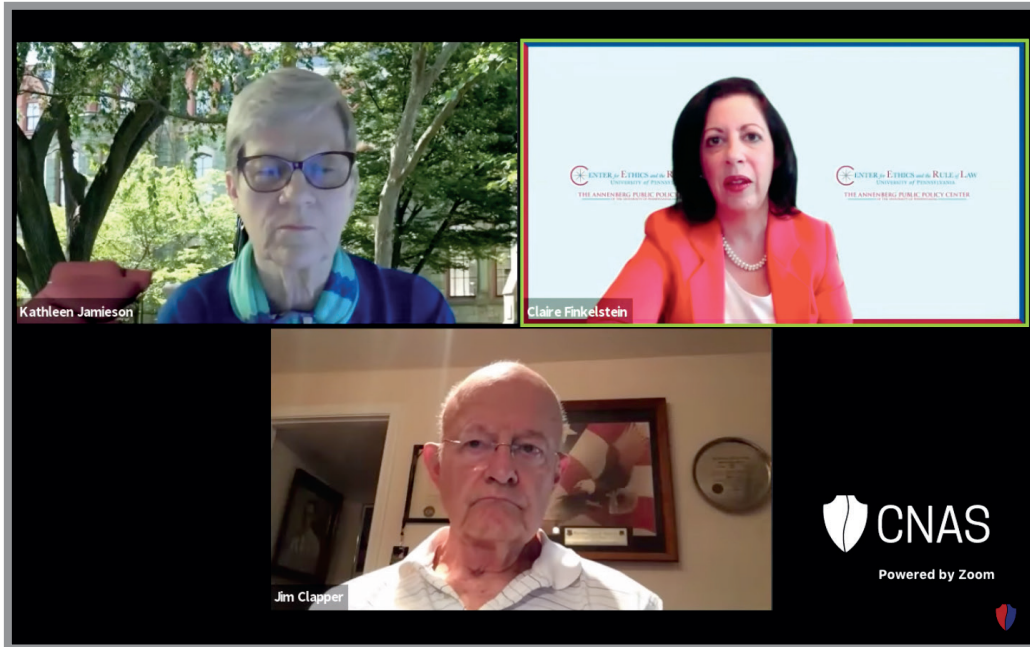
Are there legislative solutions that can bridge the partisan conflation of the terms “election security” and “election reform”?”

KEYNOTE DISCUSSION

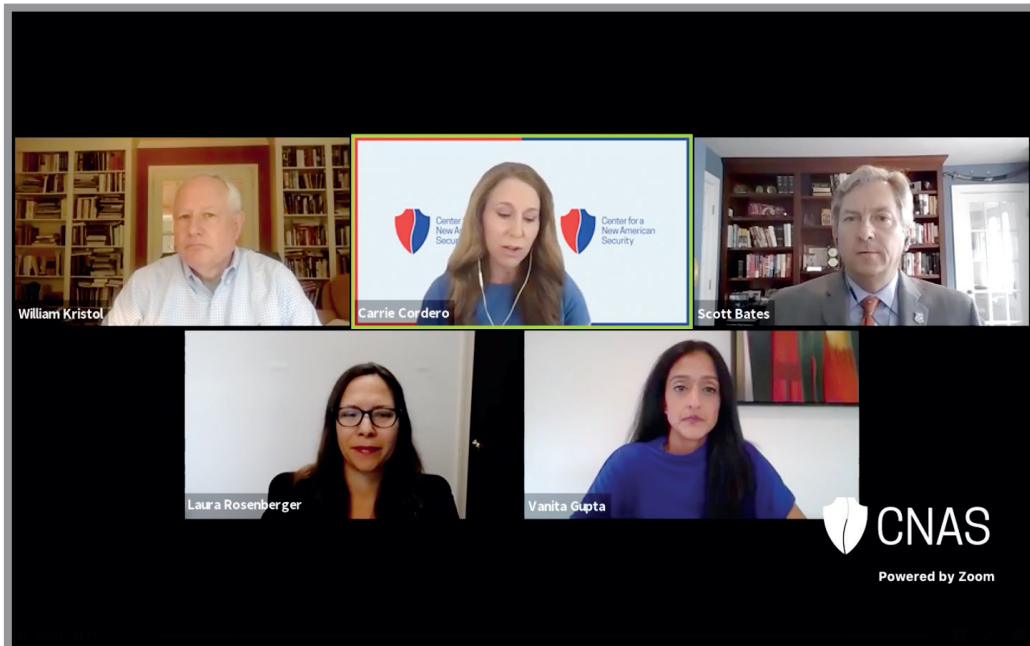
Former U.S. Director of National Intelligence and CERL Executive Board member James Clapper and Kathleen Hall Jamieson, Professor of Communication at the University of Pennsylvania’s Annenberg School for Communication and Director of the Annenberg Public Policy Center, participated in the discussion entitled “Patterns of Foreign Election Interference Since 2016.” CERL’s Professor Claire Finkelstein moderated.

CO-SPONSORS

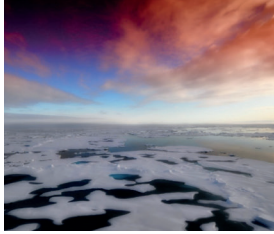




*(Top row) Dr. Kathleen Hall Jamieson, Elizabeth Ware Packard Professor of Communication and Director of the Annenberg Public Policy Center; moderator Prof. Claire Finkelstein, Faculty Director of CERL;
 (Bottom row) Dir. James Clapper, former U.S. Director of National Intelligence and CERL Executive Board member*



*(Top row) Dr. Bill Kristol, Director, Defending Democracy Together and Editor-at-Large, The Bulwark; moderator Ms. Carrie Cordero, Robert M. Gates Senior Fellow, CNAS; Mr. Scott Bates, Deputy Secretary of State, Connecticut;
 (Bottom row) Ms. Laura Rosenberger, Director, Alliance for Securing Democracy, German Marshall Fund; Ms. Vanita Gupta, President and CEO, The Leadership Conference on Civil and Human Rights*



Circling the Arctic: Security and the Rule of Law in a Changing North

October 1-3, 2020

Circling the Arctic: Security and the Rule of Law in a Changing North October 1-3, 2020, Online

Climate Change is affecting the entire planet, but it is the Arctic that is experiencing some of its most rapid and dramatic effects. A changing Arctic climate and landscape has security, economic, and geopolitical impacts that present significant challenges and opportunities. As the U.S. Department of Defense wrote in its June 2019 Arctic Strategy, it is imperative “to quickly identify threats in the Arctic, respond promptly and effectively to those threats, and shape the security environment to mitigate the prospect of those threats in the future.” Together with the Annenberg Public Policy Center, Wilson Center, and the Polar Institute, CERL hosted a conference entitled “Circling the Arctic: Security and the Rule of Law in a Changing North” which brought together approximately 35 top-tier experts to identify concrete actions and changes to soft and hard law governance structures that could address security challenges and threats arising from Climate Change’s effect on the Arctic.

Questions Addressed

- What should the highest priority be for U.S. Arctic strategy and policy?
- What is the greatest weakness of U.S. Arctic strategy and policy?

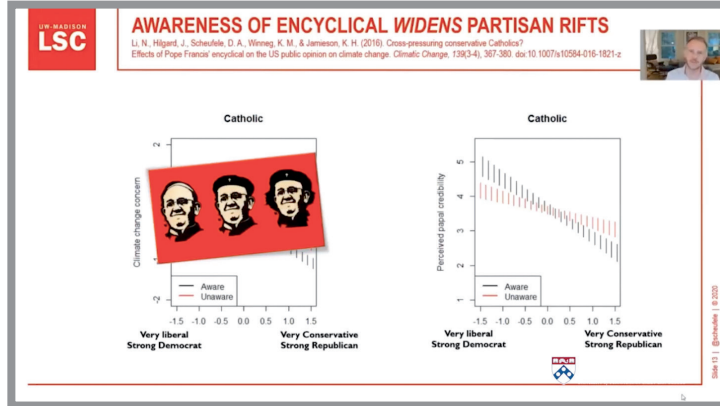
PUBLIC KEYNOTE PANELS

The conference featured four keynotes: “Engaging Arctic Nations: A Conversation with Security Leaders on Strengthening Arctic Security Cooperation,” “Communicating the Climate Change Security Threat: Are We Using Effective Language,” “Morning Coffee Talk on U.S. Arctic Strategy with Senator Angus King,” and “The Rule of Law? Maximizing Hard and Soft Law Arctic Governance.”

CO-SPONSORS



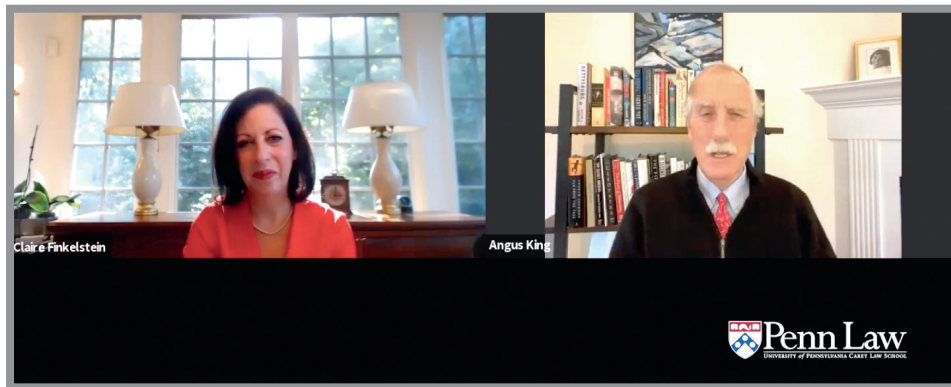
*(Top row) Ms. Alexandra A.K. Meise, former Senior Fellow, Center for Ethics and the Rule of Law; Mr. Björn Fagerberg, Head of Political Section, Embassy of Sweden;
(Bottom row) Gen. Joseph Votel, President and Chief Executive Officer, Business Executives for National Security (BENS), and CERL Executive Board member; Hon. Sherri Goodman, Secretary General, International Military Council on Climate & Security, and Senior Fellow, Polar Institute, Woodrow Wilson International Center*



Asst Prof. Bruce Hardy, Department of Communication and Social Influence, Klein College of Media and Communication, Temple University



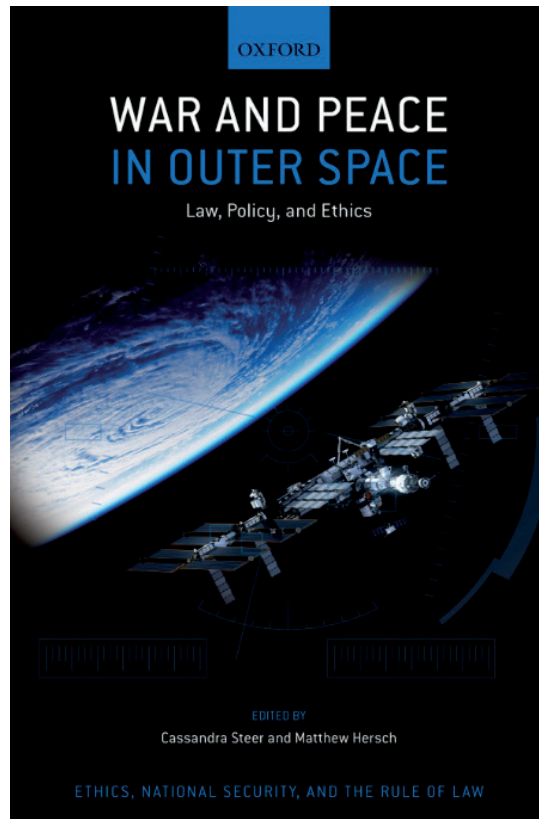
Dr. Kathleen Hall Jamieson, Elizabeth Ware Packard Professor of Communication and Director of the Annenberg Public Policy Center, University of Pennsylvania



Prof. Claire Finkelstein, Faculty Director, CERL, University of Pennsylvania; U.S. Senator Angus King (I-ME), Co-Chair, Arctic Caucus



(Top row) Hon. Inuuteq Holm Olsen, Head of Representation for Greenland; Amb. David Balton, Senior Fellow, Polar Institute, Wilson Center, and fmr. U.S. Assistant Secretary of State for Oceans and Fisheries; (Bottom row) Dr. Dalee Sambo Dorough, Chair, Inuit Circumpolar Council, and Senior Scholar and Special Adviser on Arctic Indigenous Peoples, University of Alaska Anchorage; Dr. Lassi Heininen, Professor of Arctic Politics, University of Lapland, and Editor of Arctic Yearbook



Roundtable on *War and Peace in Outer Space* March 23, 2021, Online

This book launch discussed the moral and legal issues of space security and the military uses of outer space. *War and Peace in Outer Space* features contributions from a range of experts, including academics, military lawyers, military space operators, aerospace industry representatives, diplomats, and national security and policy advisors from Canada, Europe, and the United States. Roundtable participants discussed how we have reached a new tension point in outer space and the need for better understanding and greater collaboration to examine the current international security scene.

CO-SPONSORS



*Dr. Cassandra Steer, Mission Specialist with the ANU Institute of Space (InSpace)
and a lecturer at the College of Law*



Left of Launch: Communications and Threat Escalation in a Nuclear Age

April 21-23, 2021

Left of Launch: Communications and Threat Escalation in a Nuclear Age April 21 - 23, 2021, Online

This conference addressed the international legal framework governing nuclear weapons, the efficacy of deterrence policy, and whether it is illegal to issue a threat that, if executed, would violate international humanitarian law. During five closed sessions, conference participants discussed the definition of a “threat” and the various forms of strategic communications employed by international actors: explicit signaling from statements; implicit but deliberate signaling through postures, force structure, and declaratory policy; and unintended signaling. Participants also evaluated the legality of threats and nuclear weapons in relation to the U.N. Charter, the 1996 opinion by the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons, and the Department of Defense Law of War Manual. Importantly, effective nuclear policy must recognize that not all nations adhere to these legal principles and that the nature of U.S. nuclear adversaries has changed.

PUBLIC KEYNOTE PANEL

A keynote discussion entitled “How Technology Advances Autocracy and What Democracies Can Do About It” was presented by David Cole, Legal Director of the ACLU and Professor of Law at Georgetown Law; Richard Fontaine, Executive Director, Center for a New American Security (CNAS); Marwan M. Kraidy, Professor of Communication and Chair in Global Media, Politics and Culture, Penn’s Annenberg School for Communication; and Kara Frederick, Technology and National Security Fellow, Center for a New American Security (CNAS). CERL’s Professor Claire Finkelstein moderated the discussion.

Questions Addressed

What roles will strategic communications and the rule of law play in de-escalating nuclear tensions?

Does international law continue to shape the boundaries of nuclear policy and strategy, or is the world beginning to fall back into a Cold War paradigm?

What does the expanding set of complications portend for nuclear non-proliferation and nuclear disarmament?

CO-SPONSORS



*Congressman Adam Smith, U.S. Representative
for Washington's 9th congressional district*



Brigadier General R. Patrick Huston, U.S. Army Assistant Judge Advocate General for Military Law and Operations



Dr. John Harvey, retired Principal Deputy Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs



Dr. Amy Nelson, David M. Rubenstein Fellow in the Foreign Policy program and with the Strobe Talbott Center for Security, Strategy, and Technology, The Brookings Institution



When Society's Safety Is at Stake: A Post-Trump Review of the Goldwater Rule

May 11, 2021

When Society's Safety Is at Stake: A Post-Trump Review of the Goldwater Rule

May 11, 2021, Online

The campaign and presidency of Donald J. Trump triggered vigorous debate among psychiatrists about the Goldwater Rule. Set by the American Psychiatric Association (APA), the rule prohibits statements by psychiatrists about a public figure's mental health without a proper examination and patient authorization. The APA views such statements to be unethical and irresponsible. Many psychiatrists believe the rule erodes their duty to protect public health and puts society's safety at risk. Some also believe it marginalizes them from participating in the political process.

Questions Addressed

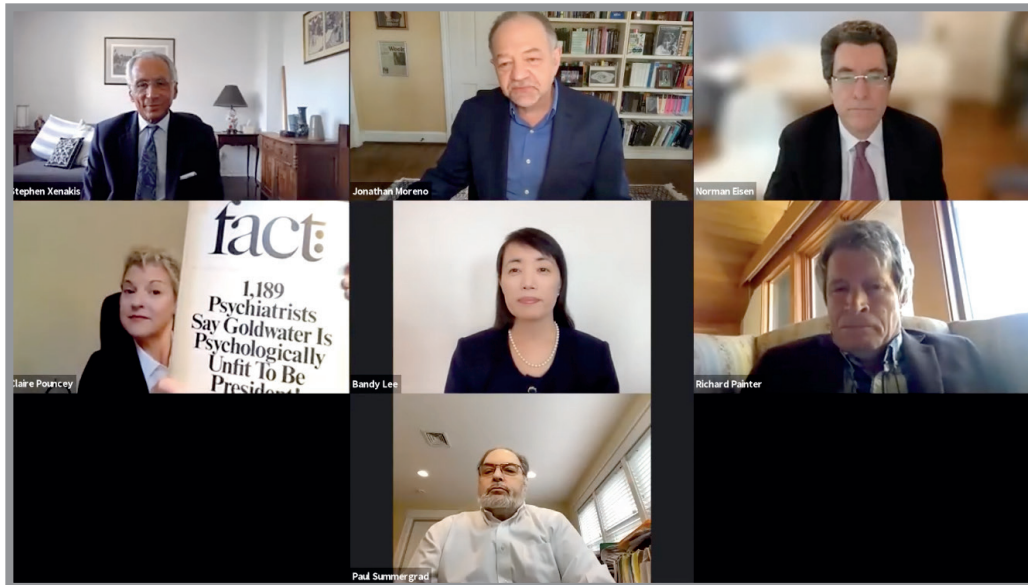
Is the Goldwater Rule a hard and fast prohibition or a guiding principle? Should it be modified?

Will American psychiatry be ready to play a role in the decision to remove a president under the 25th Amendment when the alleged incapacity involves mental impairment?

What is the nature of psychiatrists' public health obligation to alert citizens that a leader may pose a danger?



Brig. Gen. (Ret.) Stephen N. Xenakis, MD, member of the CERL Executive Board and an adult, child, and adolescent psychiatrist, speaks with students at a separate event



*(Top row) Brig. Gen. (Ret.) Stephen Xenakis, MD; Prof. Jonathan D. Moreno; Amb. Norman Eisen;
 (Middle row) Dr. Claire Pouncey; Dr. Bandy X. Lee, Prof. Richard Painter;
 (Bottom row) Dr. Paul Summergrad*



Prof. Jonathan D. Moreno, CERL Affiliated Faculty



Beyond the Voting Provisions of S.1: What Does the For the People Act Do for National Security and Government Ethics?

June 10, 2021

Beyond the Voting Provisions of S.1: What Does the For the People Act Do for National Security and Government Ethics?

June 10, 2021, Online

The For the People Act is the broadest reform of federal elections since the Voting Rights Act of 1965, with new provisions that address ballot box access, campaign finance, foreign interference, and government ethics. This nonpartisan panel of public policy experts and elected officials discussed the merits of the act including its novel provisions. The discussion focused on the S. 1 provisions that deal with national security, transparency, and government ethics—provisions that have been largely overlooked surrounding the bill's more controversial voting reforms.

Questions Addressed

Should there be more mandated disclosure of financial links by campaigns?

Should there be stronger prevention of U.S. citizens from becoming tools of foreign governments, including via the Foreign Agent Registration Act (FARA)?

Is there a need to develop rules that prevent coordination between Super PACs and campaigns?



Congresswoman Angie Craig (D-MN), representative from Minnesota's 2nd Congressional District



Gov. Arne Carlson, former Governor of Minnesota



Mr. Noah Bookbinder, President and Chief Executive Officer, Citizens for Responsibility and Ethics in Washington (CREW)



Amb. Norman Eisen, Brookings Senior Fellow; former special counsel to the House Judiciary Committee and U.S. Ambassador to the Czech Republic



Prof. Richard Painter, S. Walter Richey Professor of Corporate Law, University of Minnesota Law School; former chief White House ethics lawyer during the George W. Bush administration; CERL Advisory Council member



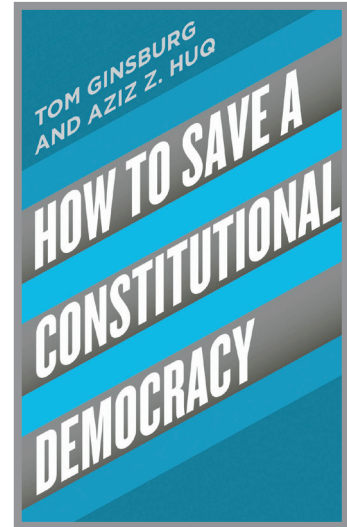
Congresswoman Mary Gay Scanlon (D-PA), representative from Pennsylvania's 5th Congressional District

BOOK TALKS

September 24, 2020

HOW TO SAVE A CONSTITUTIONAL DEMOCRACY by Tom Ginsburg and Aziz Huq

In this discussion with CERL's Professor Claire Finkelstein, authors Tom Ginsburg and Aziz Z. Huq talked about how the rising wave of populist leaders threatens to erode the core structures of democratic self-rule around the world. Profs. Ginsburg and Huq argue that we can no longer afford to be complacent. Drawing on other countries' experiences with democratic backsliding, Profs. Ginsburg and Huq show how constitutional rules can both hinder and hasten the decline of democratic institutions. The checks and balances of the federal government, a robust civil society and media, and individual rights often fail as bulwarks against democratic decline.

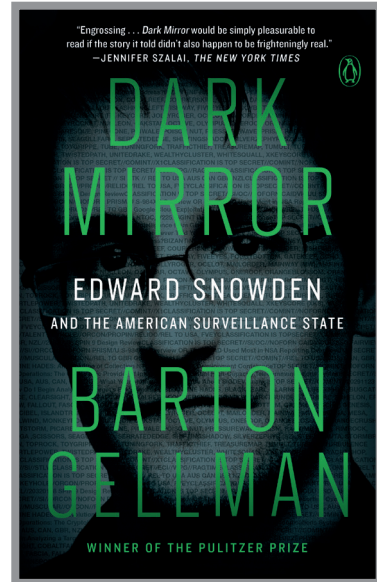


*(Top row) Prof. Claire Finkelstein, CERL Faculty Director; Prof. Aziz Z. Huq, Professor of Law, University of Chicago;
(Bottom row) Prof. Tom Ginsburg Leo, Spitz Professor of International Law and Professor of Political Science, University of Chicago*

October 29, 2020

DARK MIRROR: EDWARD SNOWDEN AND THE AMERICAN SURVEILLANCE STATE
by **Barton Gellman**

In this discussion, Emmy award-winning journalist Barton Gellman and CERL Executive Board member Shawn Turner talked about Mr. Gellman's experience battling unknown adversaries who forced him to mimic their tradecraft in self-defense. Mr. Gellman describes in his book the tumultuous events behind the scenes of his work in top secret intelligence facilities, Moscow hotel rooms, and Silicon Valley executive suites. Mr. Gellman narrates a compelling portrait of national security journalism and what it is like to feel pressure from legal threats, government investigations, and foreign intelligence agencies whose intent was to steal Gellman's files.



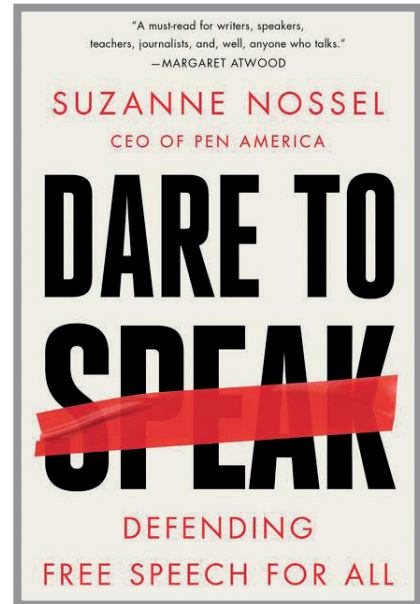
(Top row) Prof. Claire Finkelstein, CERL Faculty Director; Mr. Barton Gellman, author and journalist, The Atlantic and Senior Fellow, Century Foundation; (Bottom row) Prof. Shawn Turner, Professor of Strategic Communication, Michigan State University, and CERL Executive Board member

November 19, 2020

DARE TO SPEAK: DEFENDING FREE SPEECH FOR ALL

by Suzanne Nossel

In the discussion with Prof. Sigal Ben-Porath of the University of Pennsylvania, CEO of PEN America Suzanne Nossel reiterated on how we can live together in a diverse, digitized, and divided society without curbing free speech. In her book, Ms. Nossel presents that it is necessary to maintain a democratic debate that is open but, at the same time, is also respectful of the rich diversity of backgrounds. Ms. Nossel further argues that to create an open market of ideas, it is necessary to undertake steps that remedy exclusion and further ensure equal participation. The talk was moderated by Arlene Fickler, Partner at Schnader Harrison Segal & Lewis LLP and CERL Executive Board member, with welcome and introductions by CERL's Professor Claire Finkelstein.



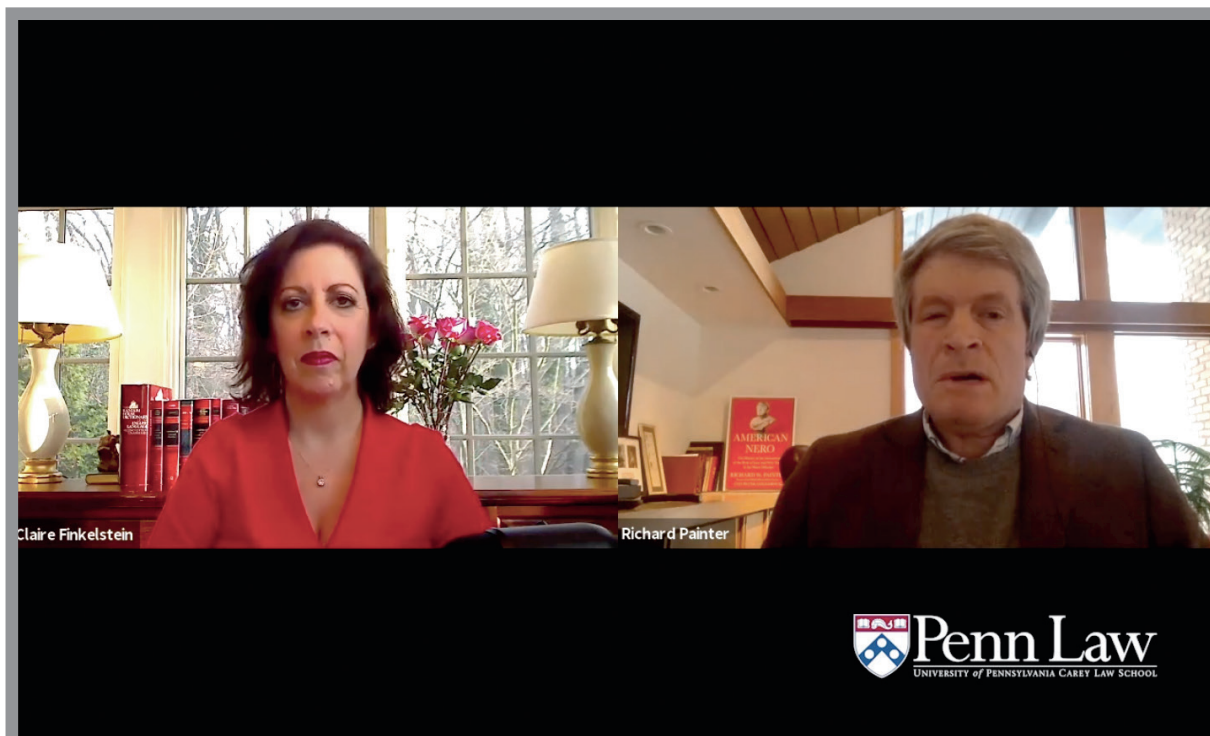
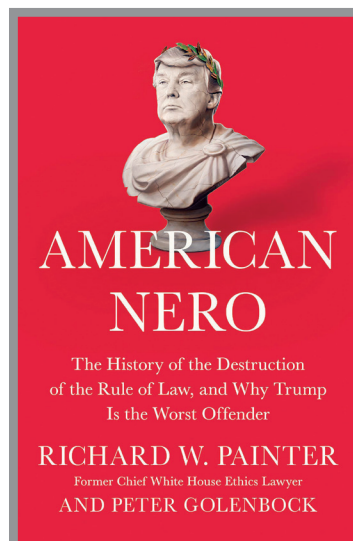
(Top row): Moderator Arlene Fickler, Partner, Schnader Harrison Segal & Lewis; Ms. Suzanne Nossel, author and the Chief Executive Officer of PEN America; (Bottom row) Prof. Sigal R. Ben-Porath, professor of education, philosophy, and political science, University of Pennsylvania

January 14, 2021

AMERICAN NERO: THE HISTORY OF THE DESTRUCTION OF THE RULE OF LAW AND WHY TRUMP IS THE WORST OFFENDER

By Richard W. Painter and Peter Golenbock

In a one-on-one discussion with CERL's Professor Claire Finkelstein, Richard Painter, S. Walter Richey Professor of Corporate Law at the University of Minnesota Law School and member of the CERL Advisory Council, discussed the legal principles on which the United States was founded. He emphasized the true meaning of the rule of law and its importance for the survival of the United States as a way of transcending partisan politics. Prof. Painter described the book as a call to action and laid the framework for returning to a society that respects the rule of law.



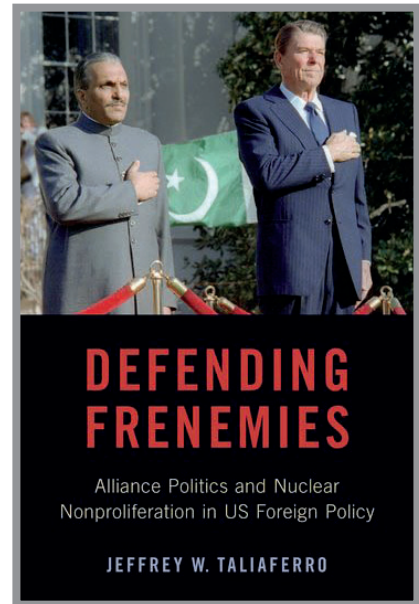
CERL's Professor Claire Finkelstein (left) in conversation with CERL Advisory Council member Richard Painter (right)

February 18, 2021

***DEFENDING FRENEMIES: ALLIANCES, POLITICS, AND NUCLEAR
NONPROLIFERATION IN US FOREIGN POLICY***

by Jeffrey W. Taliaferro

In his book, author Jeffrey W. Taliaferro explores the discussion around the nonproliferation strategies that have been pursued by the United States toward its vulnerable allies in three regions of the world—South Asia, the Middle East and East Asia—from the early 1960's to 1990's. In conversation with CERL Executive Board member Jules Zacher, Esq., Prof. Taliaferro argued that regional power dynamics and domestic U.S. politics have shaped the types of nonproliferation strategies that are pursued.



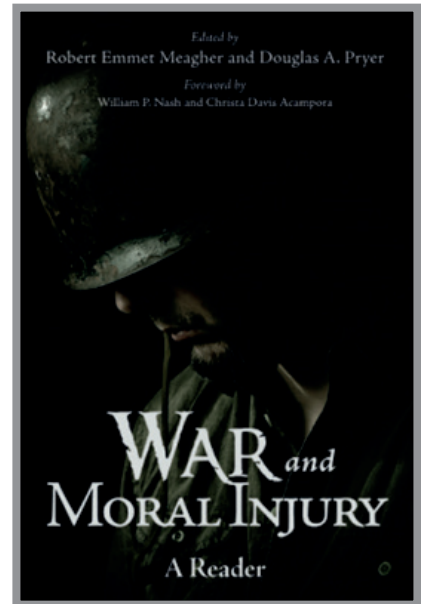
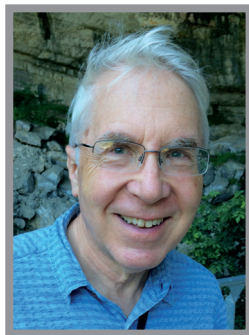
*Left: Prof. Jeffrey W. Taliaferro, Professor of Political Science, Tufts University
Right: Jules Zacher, Esq., President, Jules Zacher, P.C.; CERL Executive Board member*

March 3, 2021

WAR AND MORAL INJURY

edited by Robert Emmet Meagher and Douglas A. Pryer

Together with Aberystwyth University, CERL hosted a discussion with Professor Robert Emmet Meagher and Lt. Col. (Ret.) Douglas A. Pryer who elaborated on the concept of moral injury, its causes and consequences, and the measures that can be adopted to prevent or limit its prevalence among warriors. Prof. Meagher concluded the session by addressing the consequences of war and what can be done to help heal those who are afflicted.



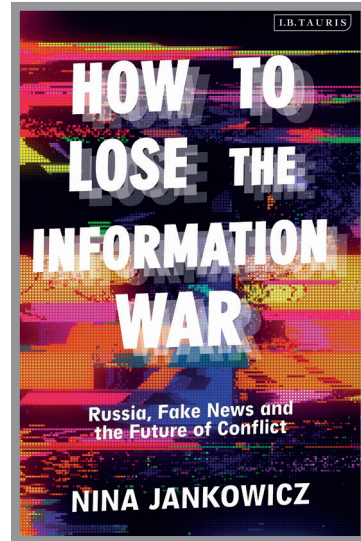
Zoom discussion among the authors and participants of the book talk

April 08, 2021

**HOW TO LOSE THE INFORMATION WAR: RUSSIA,
FAKE NEWS, AND THE FUTURE OF CONFLICT**

by Nina Jankowicz

The United States and other Western countries are grappling with the threat of online warfare and attacks by Russia. The question that arises is: What can the West do about it? Author Nina Jankowicz draws on her experience advising Central and Eastern Europe governments on the threat of information warfare to reveal disinformation campaigns and tactics, explain ways to counter them, and make course correction recommendations to the U.S. government.



Ms. Nina Jankowicz, Fulbright-Clinton Public Policy Fellow, Wilson Center (at time of talk)

CERL'S IMPACT

FILINGS AND ENGAGEMENT

USPS PRIVATIZATION AND POLITICIZATION ISSUES OF THE USPS

CERL Advisory Council member Richard Painter testified before the House Oversight Committee on recent actions taken by Postmaster General DeJoy. On September 13, 2020, Profs. Painter and Finkelstein submitted a letter to the Operations Subcommittee on the privatization and politicization issues.

HATCH ACT COMPLAINTS

Profs. Finkelstein and Painter filed two Hatch Act complaints against the Trump administration. The Hatch Act protects employees of the U.S. government from political coercion to maintain a nonpartisan workplace.

The first complaint was filed on August 26, 2020, with the Office of Special Counsel (OSC) and Inspector General of the State Department. The letter requested an investigation into potential violations by Secretary of State Michael Pompeo in connection with the taping of his RNC speech while the secretary was on a diplomatic mission in Israel. In response to this and other Hatch Act complaints, the OSC issued a report on November 9, 2021, outlining their investigative findings, including one that there were violations by 13 senior Trump administration officials.

The second complaint was filed on October 26, 2020, with the U.S. Department of Justice. The letter called for the investigation of President Donald J. Trump and any other individuals who in coordination with, or at the direction of, the president may have violated the Hatch Act. Public records contain evidence that President Trump has or has attempted to pressure federal employees, among them Attorney General William Barr, to assist in his reelection campaign.

COMPLAINTS IN CONNECTION WITH ALLEGED ATTEMPTS TO DISENFRANCHISE GEORGIA VOTERS

Profs. Finkelstein and Painter, together with former Director of the U.S. Office of Government Ethics Walter M. Shaub, Jr., filed a letter of complaint on November 18, 2020, urging the Senate Select Committee on Ethics to investigate allegations that Senator Lindsey Graham (R-SC) had encouraged Georgia's Secretary of State, Brad Raffensperger, to refrain from counting votes that were legally cast for the presidential election.

Letter of Complaint to the Office of Special Counsel and the Inspector General of the State Department

Regarding Alleged Violations of the Hatch Act by Secretary of State Michael Pompeo and State Department Officials

by Claire Finkelstein, Algernon Biddle Professor of Law and Professor of Philosophy, University of Pennsylvania Carey Law School, and Richard Painter, S. Walter Richey Professor of Corporate Law, University of Minnesota Law School

August 26, 2020

The views expressed in this article are the authors' own and do not necessarily represent those of any university or organization.

Claire O. Finkelstein
Algernon Biddle Professor of Law and
Professor of Philosophy
Faculty Director, Center for Ethics and the
Rule of Law
University of Pennsylvania Law School
3501 Sansom Street
Philadelphia, PA 19104

Richard W. Painter
S. Walter Richey Professor of Corporate
Law
University of Minnesota Law School
229 19th Avenue South
Minneapolis, MN 55455

Walter M. Shaub, Jr.
former Director, U.S. Office of
Government Ethics

November 18, 2020

Chairman James Lankford
Vice Chairman Christopher Coons
U.S. Senate Select Committee on Ethics
220 Hart Building
United States Senate
Washington, DC 20510

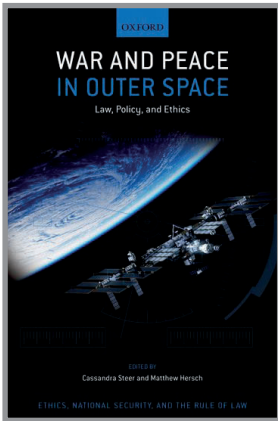
Via email to: mailbox_office@ethics.senate.gov

Re: Request for Investigation of Senator Lindsey Graham

Dear Chairman Lankford and Vice Chairman Coons:

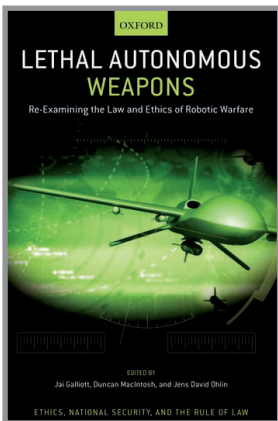
We write to urge the Senate Select Committee on Ethics to investigate whether Senate Judiciary Committee Chairman Lindsey Graham (R-SC) called Georgia's Secretary of State, Brad Raffensperger, to discuss his ongoing count of votes for the office of president. We further urge the committee to investigate whether Senator Graham suggested that Secretary Raffensperger disenfranchise Georgia voters by not counting votes lawfully cast for the office of president. Finally, your Committee should demand clarity as to whether Senator Graham has threatened anyone with a Senate investigation of the Georgia vote tally and or taken steps to initiate such an investigation.

CERL'S IMPACT PUBLICATIONS



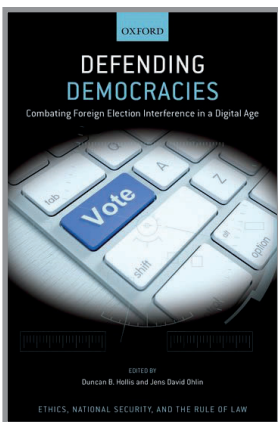
WAR AND PEACE IN OUTER SPACE: LAW, POLICY AND ETHICS

Published in January 2021 by Oxford University Press, this volume is co-edited by Cassandra Steer, former Nonresident Senior Research Fellow at CERL, and Matthew Hersch. It is the sixth installment of *The Oxford Series on Ethics, National Security, and the Rule of Law*, a CERL and OUP collaboration. The volume explores space security and evaluates potential areas of outer space weaponization.



LETHAL AUTONOMOUS WEAPONS: RE-EXAMINING THE LAW AND ETHICS OF ROBOTIC WARFARE

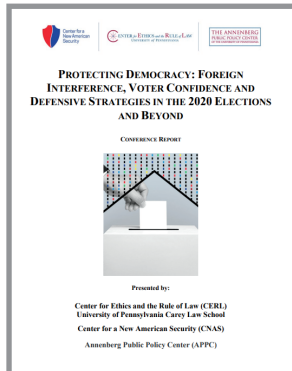
In the age of computers and an increasingly digitized society, robotic warfare is transforming modern armed conflict. Edited by Jai Galliot and CERL Executive Board members Duncan MacIntosh and Jens David Ohlin, *Lethal Autonomous Weapons* evaluates the law of autonomous weapons through nuanced perspectives to establish more proactive approaches. The volume was published in January 2021.



DEFENDING DEMOCRACIES: COMBATING FOREIGN ELECTION INTERFERENCE IN A DIGITAL AGE

Published in February 2021 by Oxford University Press, this volume is co-edited by CERL Executive Board member Jens David Ohlin and Duncan B. Hollis. It is the eighth installment of *The Oxford Series on Ethics, National Security, and the Rule of Law*, a CERL and OUP collaboration. Offering an interdisciplinary take on foreign election interference, the book focuses on the potential and problems of using international law as a regulatory tool by situating foreign election interference in historical, international relations, ethics, and international law perspectives.

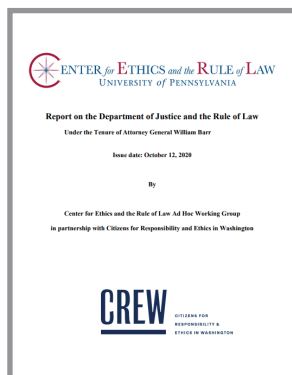
CERL'S IMPACT PUBLICATIONS



PROTECTING DEMOCRACY: FOREIGN INTERFERENCE, VOTER CONFIDENCE AND DEFENSIVE STRATEGIES IN THE 2020 ELECTIONS AND BEYOND: CONFERENCE REPORT

September 17, 2020

On September 17, 2020, CERL hosted a one-day conference in partnership with the Center for a New American Security (CNAS) and the Annenberg Public Policy Center (APPC) which addressed election security, foreign and domestic interference with elections, and voter confidence. Participants coalesced around the need for a comprehensive, multi-faceted approach to effectively addressing election security issues, which includes bolstering the security of election infrastructure, combating foreign and domestic disinformation, and implementing a robust voter education campaign. The conference comprised two public panel discussions and two closed sessions. The report distills key takeaways from these sessions.

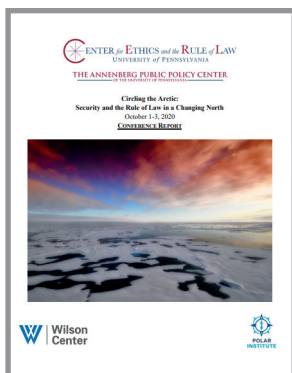


REPORT ON THE DEPARTMENT OF JUSTICE AND THE RULE OF LAW UNDER THE TENURE OF ATTORNEY GENERAL WILLIAM BARR

Center for Ethics and the Rule of Law Ad Hoc Working Group in partnership with Citizens for Responsibility and Ethics in Washington

October 12, 2020

In order to ensure that the United States remains a “government of laws, and not of men,” it is critical that our nation’s highest law enforcement office maintain both independence from partisan politics as well as a certain independence from the rest of the executive branch. Together with Citizens for Responsibility and Ethics in Washington (CREW), CERL convened a bipartisan group of experts comprising national security specialists, lawyers, retired military, former acting and deputy attorney generals, and law professors to address serious rule of law concerns about the activities of the Department of Justice (DOJ) under the leadership of Attorney General William Barr. Published on October 12, 2020, the report garnered significant policy and media attention for its package of recommendations that calls for a formal impeachment inquiry into the conduct of Attorney General Barr.

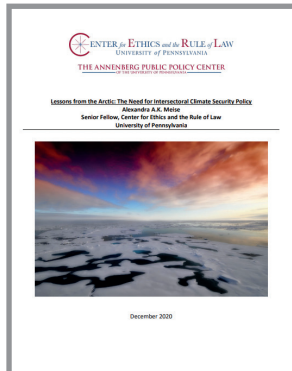


CIRCLING THE ARCTIC: SECURITY AND THE RULE OF LAW IN A CHANGING NORTH: CONFERENCE REPORT

December 9, 2020

The Arctic is experiencing some of the most rapid and dramatic effects of climate change. A changing Arctic climate and landscape has security, economic, and geopolitical impacts that present significant challenges and opportunities. On October 1-3, 2020, CERL, the Annenberg Public Policy Center (APPC), the Wilson Center, and the Polar Institute jointly hosted a two-day, nine-session conference, “Circling the Arctic: Security and the Rule of Law in a Changing North,” to identify a blueprint for soft and hard law governance structures that can address security challenges and threats arising from climate change’s effects on the Arctic. The report provides an overview of the key issues discussed during the conference sessions. It does not attribute specific comments to participants by name for closed sessions that operated under the Chatham House Rule.

CERL'S IMPACT PUBLICATIONS

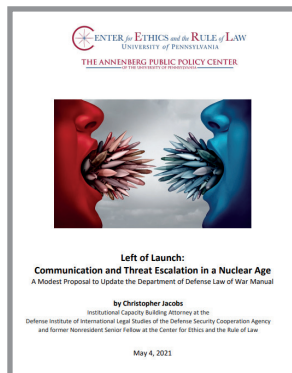


LESSONS FROM THE ARCTIC: THE NEED FOR INTERSECTORAL CLIMATE SECURITY POLICY

By Alexandra A.K. Meise

December 2020

Climate change is one of the most critical national security threats, yet the United States has failed to muster a comprehensive policy response proportional to the urgency of the climate threat. In this report, Professor Alexandra A.K. Meise, a former fellow at CERL, explores the economic, human, and hard security effects of climate change through the lens of the Arctic. In addition to identifying the ways in which current U.S. policy toward climate change is thwarting progress, she offers a multi-step process for the Biden-Harris administration to facilitate a whole-of-government, whole-of-society approach to implementing its climate agenda.



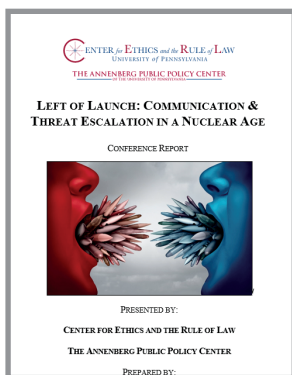
LEFT OF LAUNCH: COMMUNICATION AND THREAT ESCALATION IN A NUCLEAR AGE

A Modest Proposal to Update the Department of Defense Law of War Manual

by Christopher Jacobs

May 4, 2021

As the world deals with the combined threats of geopolitical realignment, global pandemic, revolutionary technological advances, authoritarian states, and climate change, it is important not to lose sight of what is quite possibly the greatest threat facing world peace—nuclear weapons. In this report, Christopher Jacobs, a former fellow at CERL, argues that it is necessary to initiate a new appraisal of U.S. nuclear policy by assessing the applicable law, namely that of the Department of Defense Law of War Manual (LoW Manual). Mr. Jacobs contends that the United States should amend the LoW Manual to bring it into compliance with the current state of international law as it pertains to nuclear weapons.



LEFT OF LAUNCH: COMMUNICATION AND THREAT ESCALATION IN A NUCLEAR AGE

On April 21-23, 2021, the Center for Ethics and the Rule of Law (CERL), in partnership with the Annenberg Public Policy Center (APPC), hosted a conference titled “Left of Launch: Communication & Threat Escalation in a Nuclear Age.” The conference addressed the international legal framework governing nuclear weapons, the efficacy of deterrence policy, and whether it is illegal to issue a threat that, if executed, would violate international humanitarian law. During five closed sessions, conference participants discussed the definition of a “threat” and the various forms of strategic communications employed by international actors: explicit signaling from statements; implicit but deliberate signaling through postures, force structure, and declaratory policy; and unintended signaling. The conference report distills key takeaways.

CERL'S IMPACT BLOG POSTS



CERL's blog, *The Rule of Law Post*, showcases articles written by policy experts, members of the military, lawyers, academics, and CERL fellows and interns who put forth thoughtful analysis, conclusions, and recommendations on current and often urgent ethics and rule of law issues in national security, warfare, and democratic governance.

Partnerships to protect democracy: States vs. nation-states, Scott Bates, September 9, 2020, also posted by the Center for a New American Security (CNAS)

#Protect2020, Christopher C. Krebs, September 15, 2020, also posted by the Center for a New American Security (CNAS)

Let's "never forget" to honor the U.S. Constitution, Mark Fallon, September 17, 2020

America needs a "we need you" message to counter foreign election interference, Dan Vallone, September 18, 2020, also posted by the Center for a New American Security (CNAS)

Proceed with caution: Why curtailing Section 230 immunity is not the solution to social media regulation, Ashley Fuchs, September 28, 2020

Climate change, Arctic security and why the U.S. should join the U.N. Convention on the Law of the Sea, Mark Nevitt, September 30, 2020

A case for mandatory contact tracing using FISA as the model for oversight protections, Peter Neal, October 30, 2020

Changing the rules for choosing electors: Lessons from the election of 1800, Gary Stein, November 2, 2020

The overlooked danger: The biohazards of climate change, by Jane Wang, Henry Scherck and Souvik Chatterjee, November 6, 2020

Arctic marine operations and shipping: A source of cooperation rather than conflict, Dr. Lawson W. Brigham, December 22, 2020

Arctic mobilities and the rights of Indigenous peoples: Ethics for a warming planet, Mimi Sheller, December 23, 2020

Why the Biden administration should stay out of the JCPOA, David S. Jonas, December 23, 2020

CERL'S IMPACT

BLOG POSTS

The Biden administration must rejoin the JCPOA, Naomi Egel, January 12, 2021

Revive the JCPOA: Unraveling five myths, David A. Koplow, January 20, 2021

Jamming the lines: The U.S. needs more legal options to deal with satellite interference, Clayton Keir, February 26, 2021

Reviving or revising the JCPOA?: Time for a new Iran framework, Firoozeh Kashani-Sabet, March 4, 2021

The Biden administration should think twice about walking away from prosecuting Julian Assange, George W. Croner, March 18, 2021

Psychiatrists' responsibility to society: Rethinking the Goldwater Rule, Bandy X. Lee, M.D., M.Div, March 31, 2021

Challenging the Goldwater Rule: When principles are in conflict, John Martin-Joy, M.D., April 1, 2021

Professional ethics, role of psychiatrists, and the Goldwater Rule, Stephen N. Xenakis, M.D., Brigadier General (Ret.), U.S. Army, April 6, 2021

The Republican Party's challenge to the rule of law, Christopher W. Morris, April 7, 2021

The essential role of fiduciary duties: Presidential politics, the medical profession, and the Goldwater Rule, Paul Summergrad, M.D., FRCPsych (Hon), April 14, 2021

In Trump's wake, psychiatry is challenged, Michael D'Antonio, April 15, 2021

Conjuring a 'First Amendment right of public access' to FISC court decisions is dangerous for U.S. intelligence, George W. Croner, May 5, 2021

Democracy needs mental health experts to speak up, Richard Painter and Norman Eisen, May 7, 2021

Is the Goldwater Rule out of step with medical ethics? How four past APA presidents morally justify the Goldwater Rule, Claire Pouncey, May 8, 2021

The Méndez Principles: A New Standard for Effective Interviewing by Police and Others, While Respecting Human Rights, Juan E. Méndez and Vanessa Drummond, June 7, 2021, originally published in *Just Security*

The Méndez Principles: Leadership to Transform Interrogation via Science, Law, and Ethics, Steven J. Barela and Mark Fallon, June 7, 2021, originally published in *Just Security*

The Méndez Principles: A New Standard for Effective Interviewing by Police and Others, While Respecting Human Rights, Juan E. Méndez and Vanessa Drummond, June 7, 2021, originally published in *Just Security*

The Méndez Principles: Leadership to Transform Interrogation via Science, Law, and Ethics, Steven J. Barela and Mark Fallon, June 7, 2021, originally published in *Just Security*

The Méndez Principles: Science Shows Interrogation is Too Serious for Amateurs, Shane O'Mara, June 7, 2021, originally published in *Just Security*

The Méndez Principles: Emergence and Global Expansion of Non-Coercive Interviewing, Ray Bull, Asbjørn Rachlew, and Mary Schollum, June 15, 2021, originally published in Just Security

The Méndez Principles: The Need to Update the Army Field Manual on Interrogation for the 21st Century, Susan Brandon and Mark Fallon, June 15, 2021, originally published in Just Security

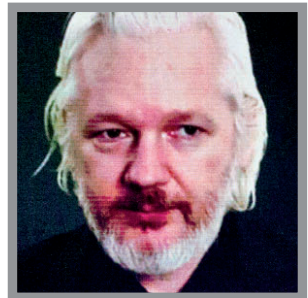
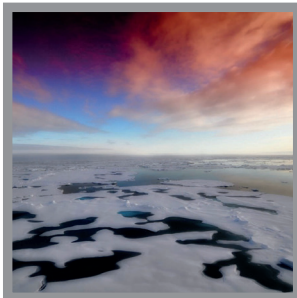
The Méndez Principles: Building Rapport and Trust in Interrogations to Elicit Reliable Information, Laure Brimbal, Steven M. Kleinman, Simon Oleszkiewicz and Christian A. Meissner, June 22, 2021, originally published in Just Security

The Méndez Principles: Sharpening the View on Interrogation and Utilitarianism, Steven J. Barela, June 22, 2021, originally published in Just Security

The Méndez Principles: A Focus on the Exclusionary Rule, Pavle Kilibarda and Gloria Gaggioli, June 29, 2021, originally published in Just Security

The Méndez Principles: Beware Crossing the Line to Psychological Torture, Nils Melzer and Steven J. Barela, June 29, 2021, originally published in Just Security

The Méndez Principles: The Case for US Legislation on Law Enforcement Interviews, Rebecca Shaeffer, June 29, 2021, originally published in Just Security



CERL'S IMPACT

MEDIA

OPINIONS

Faculty Director Claire Finkelstein and CERL Advisory Council member Richard Painter, "Pompeo's Unlawful RNC Speech for Trump Should Alarm All Americans," Newsweek, September 2, 2020

Executive Board member Stephen N. Xenakis and Affiliated Faculty Jonathan D. Moreno, "Trump's PR can't stop the virus," The Hill, September 9, 2020

CERL Advisory Council member Firoozeh Kashani-Sabet, "Iran's Isolation Continues: A Stranger Among (Feuding) Friends," The London School of Economics and Political Science Blog, September 30, 2020

Faculty Director Claire Finkelstein and CERL Advisory Council member Richard Painter, "McConnell's Rush to Confirm Barrett Ignores Crucial Questions of Principle," Newsweek, October 12, 2020

CERL Advisory Council member Richard Painter, "Good Governance Paper No. 15: Enforcing the Emoluments Clauses," Just Security, October 30, 2020

Faculty Director Claire Finkelstein and CERL Advisory Council member Richard Painter, "Senate Republicans' Georgia bullying failed. But Lindsey Graham's ethics violations stand out," NBC News, November 24, 2020

CERL Advisory Council member George Croner, "How to Revitalize the Intelligence Community: A Long, But Essential To-Do List," Just Security, December 4, 2020

Faculty Director Claire Finkelstein and CERL Advisory Council member Richard Painter, "Invoking Martial Law to Reverse the 2020 Election Could be Criminal Sedition," Just Security, December 22, 2020

Former CERL Fellow Alexandra A.K. Meise and Lucas Schleusener, "Making Inclusive Uniform Service More Resilient through Congressional Support," Just Security, March 12, 2021

CERL Advisory Council member Richard Painter, "Many Trump employees got away with power abuses. Mike Pompeo shouldn't be one of them," MSNBC, April 25, 2021

CERL Advisory Council member George Croner, "To Oversee or to Overrule: What is the Role of the Foreign Intelligence Surveillance Court Under FISA Section 702?" Lawfare, May 18, 2021

Faculty Director Claire Finkelstein and CERL Advisory Council member Richard Painter, "Trump had a sweeping view of 'executive privilege.' Now Biden is defending it," The Washington Post, May 29, 2021

CERL'S IMPACT

MEDIA

MEDIA COVERAGE

“DeJoy Never Should Have Been Approved as Postmaster General, Expert Witnesses Tell House Oversight Committee,” by Ramsey Touchberry, Newsweek, September 14, 2020

“House panel looks into campaign finance law allegations against Postmaster General,” by Samantha Manning, Cox Media Group, September 14, 2020

“Trump's doctor's comments on symptoms, care spark confusion,” Lauran Neergaard, Associated Press, October 4, 2020 (also ran on ABC News)

“Louis DeJoy Divesting From Former Company That Contracts With Postal Service,” by Alison Durkee, Forbes, October 16, 2020

“O'Brien's travels to swing states days before election raise ethics concerns,” by Paul Sonne, The Washington Post, October 27, 2020

“Amy Coney Barrett to be confirmed to US Supreme Court nine days before election,” ABC's RN Breakfast with Fran Kelly, October 27, 2020

“What you can expect if this election ends up being contested,” Scripps National, October 28, 2020

MEDIA COVERAGE FOR THE CERL-CREW REPORT ON THE DEPARTMENT OF JUSTICE

“The Daily 202: Investigations ordered by Barr could have chilling effect on intelligence gathering, new report warns,” by James Hohmann, The Washington Post, October 7, 2020

“Barr Violated Election Law, Ethics Groups Say in Call to Impeach,” by Greg Farrell, Bloomberg, October 12, 2020

“U.S. ethics groups say Barr uses DOJ as political tool, call for his impeachment,” by Mark Hosenball, Reuters, October 12, 2020

“Two ethics groups call on House to begin impeachment inquiry against Barr,” by Brooke Seipel, The Hill, October 12, 2020

“U.S. Ethics Groups Say Barr Uses DOJ as Political Tool, Call for His Impeachment,” U.S. News & World Report, via Reuters, October 12, 2020

“Barr broke elections law, ethics groups say in call to impeach,” Portland Press-Herald via Bloomberg, October 12, 2020

“Barr broke elections law, ethics groups say in call to impeach,” Stars and Stripes via Bloomberg, October 12, 2020

“Ethics Groups Call For The Impeachment Of Attorney General William Barr,” by Matthew Rose, OurPolitics.net, October 12, 2020

“U.S. Ethics Groups Call For Attorney General William Barr To Be Impeached,” HuffPost via Reuters, October 13, 2020

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“William Barr: Two ethics groups seek impeachment inquiry against attorney general,” by Mayank Aggarwal, Independent, October 13, 2020

Blurb by Just Security, October 13, 2020

“Bipartisan Group of Legal and Ethics Experts Call for House to Open Impeachment Inquiry into Bill Barr ‘At Once,’” by Jerry Lambe, Law & Crime, October 13, 2020

“Ethics Groups Call for Impeachment inquiry against William Barr,” by Tom Ozimek, The Epoch Times, October 13, 2020

“Barr Must Go’: Ethics Groups Demand Congress Impeach Attorney General for Using DOJ as ‘Vehicle’ to Advance Trump Reelection,” by Jake Johnson, Common Dreams, October 13, 2020

“Calls for Congress to impeach Bill Barr grow: DOJ now a ‘vehicle’ to advance Trump’s reelection,” Salon via Common Dreams, October 14, 2020

“Ethics groups accuse AG Barr of misusing office, call for impeachment inquiry,” WBS Radio (Atlanta) via Cox Media Group by Theresa Seiger, October 14, 2020

“Ethics Experts Recommend Impeachment Inquiry of William Barr, Free Speech, with Sonali Kolhatkar,” interview with Claire Finkelstein, October 16, 2020

“Ethics Groups Say Barr’s Use of DOJ is Shredding its Essential Independence,” by George Croner, Just Security, October 26, 2020

YubaNet.com – reproduced press release

“How to Repair the Damage Done by Donald Trump,” by Austin Sarat and Dennis Aftergut, Justia Verdict, November 2, 2020

“US Department of Justice monitoring polls in key states for voter rights violations,” by Emily Beeken, Juris, November 3, 2020

IN THE NEWS

Faculty Director Claire Finkelstein interviewed on, “How AG Barr Distorted the DOJ,” by Paul Rosenzweig, Checks & Balances: Threats to This American Election, September 21, 2020

Faculty Director Claire Finkelstein interviewed on, “What to expect in November – and what to do about it. What should happen?” Reality Team, October 1, 2020

Faculty Director Claire Finkelstein appeared on, “President Trump in legal, financial jeopardy after leaving office,” ABC News, November 16, 2020

Faculty Director Claire Finkelstein interviewed on, “Trump continues to challenge election results,” WHYY Radio Times, November 24, 2020

Executive Board Member Stuart Gerson interviewed on, “Amid Presidential Transition, Trump Expected to Issue Additional Pardons,” The Takeaway, WNYC Studios, December 7, 2020

Faculty Director Claire Finkelstein interviewed on, "'Safe harbor' deadline underscores futility of Trump challenges to 2020 election," KYW Newsradio, December 8, 2020

Faculty Director Claire Finkelstein quoted in, "Trump has asked judges to overturn election. So far, all have declined," The Christian Science Monitor, December 10, 2020

Faculty Director Claire Finkelstein interviewed on, "Electoral College: In 1796, Samuel Miles Became The 1st Faithless Elector," NPR, December 14, 2020

Faculty Director Claire Finkelstein interviewed in, "Capitol attack: Where does American democracy go from here?" Penn Today, January 7, 2021

Faculty Director Claire Finkelstein interviewed by Dan Abrams on, "The Dan Abrams Show," SiriusXM POTUS, January 29, 2021

Executive Board member General Joseph Votel interviewed by Tom Temin on, "How can the US prepare better when things go wrong?" Federal News Network, February 4, 2021

Faculty Director Claire Finkelstein interviewed on, "What still works in our government?" Just Ask the Question with Brian Karem, February 4, 2021

Faculty Director Claire Finkelstein quoted in, "Legal Experts Say Rudy Giuliani, Mo Brooks Can Still Face Criminal Charges for Capitol Riots," Newsweek, February 10, 2021

Faculty Director Claire Finkelstein quoted in, "After acquittal, Trump says 'our movement has only just begun,'" Al Jazeera, February 14, 2021

Faculty Director Claire Finkelstein interviewed on, "Trump's second Senate impeachment trial wraps-up," Radio Times, February 16, 2021

Former Fellow Xander Meise interviewed on, "Climate Change and the Law," Northwestern Undergraduate Law Journal, March 2021

Faculty Director Claire Finkelstein quoted in, "Targeted killings: Is taking out terrorists beyond the battlefield a legitimate tactic?" CQ Researcher, April 9, 2021

Faculty Director Claire Finkelstein interviewed by Craig Williams on, "Cyberwarfare, U.S./Russia Relations, and Ukraine," Legal Talk Network, April 16, 2021

Executive Board member General Joseph Votel interviewed on, "Irregular Warfare Podcast: The Daughters Of Kobani - How A Group Of Women Brought The Fight To The Islamic State," Small Wars Journal, June 5, 2021

PUBLIC PRESENTATIONS

Advisory Council member Richard Painter, Presenter, “Emoluments and other Financial Conflicts of Interest in the Age of Trump,” Carhart Lecture, Petit College of Law, Ohio Northern University, October 29, 2020

Former Fellow Xander Meise, Presenter, “2021 Climate Change, Law and Legal Education Conference,” Center for Professional Legal Education, Bond University, February 26, 2021

Former Fellow Xander Meise, Moderator, “Fireside Chat with Zaid Zaid,” co-hosted with Out in National Security and Truman National Security Project, February 24, 2021

Faculty Director Claire Finkelstein, Panelist, “Unilateral Presidential War Powers,” The Federalist Society, March 19, 2021

Former Fellow Xander Meise, Lecturer, Lecture analyzing the Biden administration’s climate security policy and strategy, Uppsala University, March 24, 2021

Former Fellow Xander Meise, Lecturer, Lecture on the intersection of human rights and national security, with a focus on climate security, Georgetown University Law Center, April 20, 2021

OTHER CONTRIBUTIONS

Faculty Director Claire Finkelstein, Contributor, *If it’s Broke, Fix it: Restoring Federal Government Ethics and Rule of Law*, The Brookings Institution, February 24, 2021

Former Fellow Cassandra Steer, Author, *Who Has the Power? A Critical Perspective on Space Governance and New Entrants to the Space Sector*, 48 GJICL 751 (2021).

2021 SUMMER INTERNSHIP PROGRAM

In 2021, CERL held its ninth summer internship program for students. The Summer Internship Program prepares professional, graduate and undergraduate level students interested in the national security field by providing an ethics and rule of law foundation so that future perspectives, leadership, and decision-making are always rooted in the rule of law. Our interns help further CERL's mission as well through research, writing, and conference planning, and gain valuable insights through conversations with national security experts on the critical issues facing our nation today.

A VIRTUAL EXPERIENCE

This year, 14 students—nine from graduate programs, including Penn Law, and five from undergraduate programs, including Penn Undergrad—participated in the nine-week program. Led by CERL's former executive director, Rich Meyer, the entire program was held virtually for a second year due to the COVID-19 pandemic. CERL's leaders expanded on the creative digital curriculum they had developed one year prior to create a valuable learning experience for the students.

THE PROJECTS

Summer internship projects comprised research, writing, and other projects stemming from the subject matter of future CERL conferences and current critical national security and governance issues that demand CERL attention and action. Each intern served on teams that examined the ethics and rule of law issues around closing the Guantánamo Bay detention facility. Interns worked closely with members of the CERL Guantánamo Bay Working Group to establish a report regarding the status of the detention facility and a blueprint for the future. The students also researched and wrote memoranda, reports, and blog articles for CERL's blog, *The Rule of Law Post*.

DIALOGUE WITH INDUSTRY EXPERTS

Interns had the unique opportunity to hear from leading authorities in national security. The “Breakfast with the Board” series connected students with members of the CERL Executive Board for discussion around relevant topics. At the end of the program, internship teams provided brief virtual synopses of their research to members of the CERL Executive Board and CERL Advisory Council, as well as to other special guests.

The 2021 CERL Summer Internship Class



*Top row: Morgan Blomberg, Luke Elegant, Ashley Fuchs, Meg Frankenberger;
Middle row: Natasha Hill, Natalie Heller, Iqra Ishaq, Gloria Lyu, Mihir Mulloth;
Bottom row: Claris Park, Isabelle Terranova, Anya Tullman, Mark Antonio Williams, William Winter*

“

In the coming weeks, Congress must work with the Biden administration and embrace the renewed political vigor to shutter GTMO. Debates surrounding the NDAA are critical to making this long-awaited policy objective a reality.

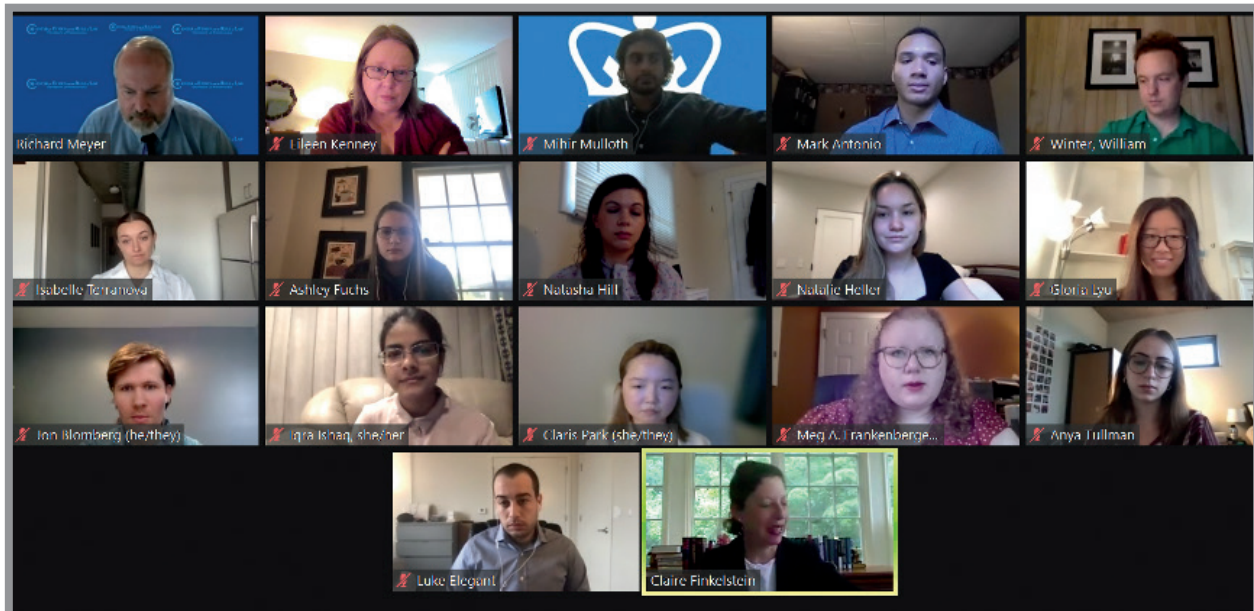
CERL BLOG

"Congress must exclude the provision banning transfers from GTMO to the U.S. from the 2022 NDAA" by Ashley Fuchs, Natalie Heller, Gloria Lyu, and Anya Tullman

THE
Rule of Law
POST



CERL blog post by Ashley Fuchs, Natalie Heller, Gloria Lyu, and Anya Tullman: "Congress must exclude the provision banning transfers from GTMO to the U.S. from the 2022 NDAA"



CERL's Professor Claire Finkelstein (bottom row, right) leading a virtual session with interns

GUEST SPEAKER SERIES

CERL thanks its guest speakers for their valuable contributions to CERL's 2021 Summer Internship Program.

“International Humanitarian Law (IHL) and Treatment of Detainees” by Gary Solis, U.S. Marine Corps (Ret.); Adjunct Professor, West Point

“Military Commissions Personnel, Organizations, and Process” by Gary Brown, Professor of Cyber Law at the College of Information and Cyberspace, National Defense University

“Representing Guantánamo Detainees” by Rick Kammen, Partner, Kammen & Moudy, LLC

“Treatment and Continuing Needs of Guantánamo Detainees” by Stephen Xenakis, Brigadier General (Ret.), U.S. Army; CERL Executive Board member

“Human Rights vs. Civil Rights and How These Apply to Guantánamo” by Alka Pradhan, Adjunct Professor of Law, University of Pennsylvania Carey Law School

“NGOs and Guantánamo” by Adam Thurschwell, Resource Counsel, Military Commissions Defense Organization

“Proper and Improper Interrogation” by Mark Fallon, CERL Advisory Council member; former NCIS Special Agent and senior executive at the Department of Homeland Security

“Intelligence Operations; Promoting Civics Education” by Elizabeth Rindskopf Parker, CERL Executive Board member

“Establishing the Military Commissions” by John Altenburg, former Army Acting TJAG; first President & Convening Authority for the Military Commissions

“The Role of Veterans in Society” by Joseph Votel, General (Ret.), U.S. Army; CERL Executive Board member; President & CEO, Business Executives for National Security (BENS)

“Civic Education” by Kathleen Hall Jamieson, Elizabeth Ware Packard Professor of Communication; Director, Annenberg Public Policy Center, University of Pennsylvania

“GTMO Human Rights Violations and John Yoo’s ‘Torture’ Memo” by Alberto Mora, CERL Executive Board member; immediate past Associate Executive Director for Global Programs, American Bar Association

“Re-Establishing the Rule of Law in the DOJ” by Stuart Gerson, CERL Executive Board member; Member of the Firm, Epstein Becker Green

“The Role of Allyship in American Counterterrorism: Foreign Negotiations and Extradition of GTMO Detainees” by Dell Dailey, Executive Board Emeritus; President, Dell Dailey and Family; former Ambassador-at-Large, Department of State

“Terrorist Psychology” by John Horgan, Distinguished University Professor, Georgia State University

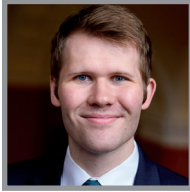
“Piercing the Security Wall Using Litigation” by Jules Zacher, CERL Executive Board member; Attorney, Jules Zacher, P.C.; Board Chair, Council for a Livable World

“The Facebook Oversight Board and Private Companies’ Efforts to Combat Terrorism” by Paul Haaga, CERL Executive Board Emeritus; former Chair of the Board, Capital Research and Management Company

“Violent Extremism” by Shawn Turner, CERL Executive Board member; WKAR Interim General Manager and Director of Broadcasting; Professor of Strategic Communication, Michigan State University

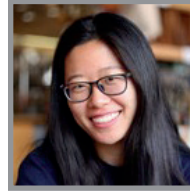
“Intelligence and National Security” by James Clapper, CERL Executive Board member; Former U.S. Director of National Intelligence

THE 2021 INTERN CLASS



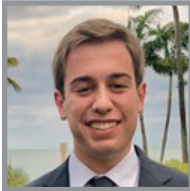
Morgan Blomberg

*University of Pennsylvania Carey Law School
Academic Program: J.D.*



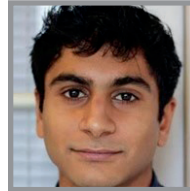
Gloria Lyu

*Yale College
Academic Program: B.A.*



Luke Elegant

*University of Pennsylvania College of Arts and Sciences
Academic Program: B.A.*



Mihir Mulloth

*Columbia University School of International and Public Affairs
Academic Program: Master in Public Administration*



Ashley Fuchs

*University of Pennsylvania College of Arts and Sciences
Academic Program: B.A.*



Claris Park

*Georgetown University Law Center
Academic Program: J.D.*



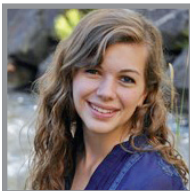
Meg Frankenberger

*Fletcher School of Law and Diplomacy at Tufts University
Academic Program: M.A. in Law and Diplomacy*



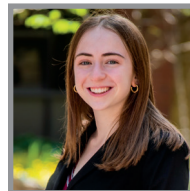
Isabelle Terranova

*Georgetown University Law Center
Academic Program: J.D.*



Natasha Hill

*Fletcher School of Law and Diplomacy at Tufts University
Academic Program: M.A. in Law and Diplomacy*



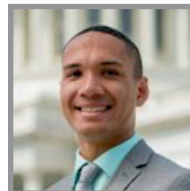
Anya Tullman

*University of Pennsylvania College of Arts and Sciences
Academic Program: B.A.*



Natalie Heller

*University of Pennsylvania College of Arts and Sciences
Academic Program: B.A.*



Mark Antonio Williams

*The Fletcher School at Tufts University
Academic Program: M.A. in Law and Diplomacy*



Iqra Ishaq

*Boston University School of Law
Academic Program: J.D.*



William Winter

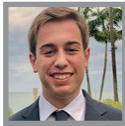
*The George Washington University Law School
Academic Program: J.D.*

WHAT CERL INTERNS HAD TO SAY ABOUT THE SUMMER PROGRAM



“The CERL internship was an incredible opportunity to collaborate with people from an array of different backgrounds and disciplines. In addition, it provided extensive insight into the ways that national security professionals in the United States approach and view international issues.”

– **Morgan Blomberg**, *University of Pennsylvania Carey Law School, J.D. program*



“Interning at CERL last summer, I had the unique opportunity to collaborate with and learn from world renowned experts as well as contribute to pertinent national security law research that I believe can create positive change. As an undergraduate, I gained invaluable mentorship and insight into the legal field that has impacted my career path.”

– **Luke Elegant**, *University of Pennsylvania School of Arts & Sciences, B.A. program*



“I am thankful for the ability to hone my research skills and learn more about important topics through work with my fellow interns, as well as the experts and practitioners that CERL interns have the ability to interact with. I gained colleagues, skills, knowledge, and connections for my future in ways that only CERL can give.”

– **Meg Frankenberger**, *Fletcher School at Tufts University, M.A. program*



“My experience as a CERL intern was both challenging and incredibly rewarding. As a student interested in national security work, I loved that the internship put me in direct connection with so many national security experts on a range of key issues from FOIA litigation to the law of war to torture policy. Learning directly from these experts immensely enhanced my perspective on Guantánamo Bay but also on so much of American security policy. I’ve felt more equipped to engage in conversations about national security and to express opinions on current U.S. security policy and how it might be improved. In addition, contributing to the working group’s report as a research assistant helped hone my research, writing, and analytic skills.”

– **Natalie Heller**, *University of Pennsylvania School of Arts & Sciences, B.A. program*



“During my internship with CERL, I carried out legal research in a variety of legal fields, including international humanitarian law, national security law, international human rights, and the jurisprudence on prisoners’ rights, which was all particularly valuable for me given my interest in international criminal law.”

– **Iqra Ishaq**, *Boston University School of Law, J.D. program*



“The CERL internship was an incredible experience. I had the opportunity to be mentored by experts in the national security field and engage in hands-on work that will make a difference long after the internship is over. I was able to grow as a professional and connect with amazing individuals during my time with CERL.”

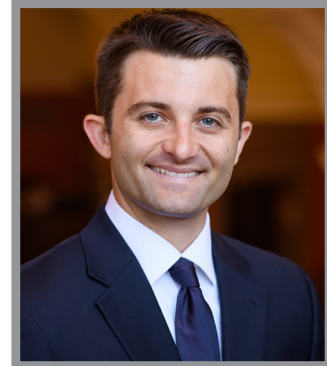
– **Mihir Mulloth**, *Columbia University School of International and Public Affairs, M.P.A. program*

INTERVIEW WITH QUINN DUNKAK

Former CERL Intern

“I never once felt that my work as a CERL intern was unimportant or discounted; CERL allowed us to contribute substantial work product right from the jump and that dynamic never changed. I also felt a great deal of respect from the senior fellows. I enjoyed working with them very much.”

– **Quinn Dunkak**, University of Pennsylvania Carey Law School, J.D. program



Quinn Dunkak is a 2015 graduate of Johns Hopkins University, where he earned a Bachelor of Arts in International Studies with Honors in three years. Following graduation, Quinn served as a Management Consulting Analyst with Accenture and a Corporate Sponsorship Liaison with Splashes of Hope. During law school, Quinn worked as an intern with the Center for Ethics and Rule of Law, the U.S Army JAG Corps, the U.S State Department, and the Philadelphia District Attorney’s Office.

Quinn graduated from the University of Pennsylvania Carey Law School in May 2022. Quinn describes his time at CERL as one of the pivotal moments at Penn. He will be joining the Department of Justice as an attorney in 2022.

This interview was conducted on May 3, 2022 prior to his graduation from the University of Pennsylvania Carey Law School.

Q: What activities are you engaged with at the University of Pennsylvania Carey Law School?

I was on the board of the Public Speaking Society during my second year. In my last year at law school, I served on the board of the Journal of International Law as Comments Editor. I have also been on the Wellness Committee at the law school for all three years. We discuss initiatives we can pursue to lift the mood in the building and provide resources that students can lean on through the highs and lows of a school year. Our goal is to build community and a culture of trust and openness between the student body and administration.

Q: What inspired you to join CERL?

I knew I was interested in government service going into law school, but I did not know much about national security outside of what I read in the news. In particular, I did not know how it intersected with the law and the career opportunities it offered. I was also drawn to CERL for their focus on rule of law issues. This is a subject not frequently touched upon in most law school classes, so I felt that CERL provided a necessary forum to think critically about what the rule of law means in theory and in practice.

Q: What is your current position and how did CERL prepare you for it?

I will be working as an attorney with the Department of Justice in their Honors program and will rotate through different areas of law. Some of these assignments will focus directly on legal issues stemming from developments in national security. CERL was helpful because it introduced me to different areas of national security and the important and varied roles that lawyers play in the space. We had several guest speakers during the internship, and many of them were either current or former JAG attorneys. I was blown away by the breadth of legal areas that JAGs are involved in and the amount of responsibility they take on so early in their careers. This is what inspired me to pursue a summer internship with the Army JAG Corps and what ultimately prepared me for the next step with the DOJ.

CERL does important work—they are nonpartisan and focused on a variety of issues touching on national security. I particularly appreciated their focus on using facts and data to inform the public and to promote civil, intellectual discourse on otherwise highly politicized issues. I feel that my CERL experience served as a critical first step in helping me find a legal career path that is the best fit for me.



Quinn Dunkak as an intern for the Army JAG Corps in Colorado Springs, CO during his 2L Summer

Q: What skills or knowledge did you learn during the CERL program that you find most useful?

I supported planning efforts for the CERL conference on nuclear deterrence, which was one of the workstreams they were focused on that summer. This involved working with the lead attorney and lead fellow, Chris Jacobs. He wrote a policy brief on why and how the United States should change its nuclear policy, and I helped Chris refine this paper. I also assisted with the planning of conferences. This included updating the conference proposal, offering different recommendations for topics and panels to consider, and working on the logistics of planning an event.

At CERL, I learned how to collaborate not only with attorneys and practitioners in the national security space but also with my classmates. I was able to sharpen my research and analysis skills by working on policy papers and research projects on topical issues in national security.

Q: What has made you feel a part of the CERL community? What made the CERL space enjoyable?

The ongoing support from Professor Finkelstein and staying current on CERL events and publications. I took a class this past semester with Professor Finkelstein called National Security Law which helped to synthesize a lot of what I learned at CERL with more concrete legal concepts. Otherwise, I stay in touch with other students and colleagues whom I worked closely with during our summer together. I also try to attend CERL events such as the recent panel event where we heard from former detainees from Guantánamo Bay. CERL always seems to be on the forefront of emerging issues in national security as well, so I use their scholarship as a resource to stay abreast of such developments and to keep my knowledge current.

2021-2022 EVENT CALENDAR

Hybrid Book Talk – November 11, 2021

Reign of Terror: How the 9/11 Era Destabilized America and Produced Trump

By Spencer Ackerman

Co-sponsored by the Annenberg Public Policy Center (APPC) and the Middle East Center

Hybrid Conference – November 11-12, 2021

The Future of Guantánamo Bay: Recovering the Rule of Law in the Detention Facility and the Military Commissions

Co-sponsored by the Annenberg Public Policy Center (APPC) and the Middle East Center

Virtual Panel – March 10, 2022

Moral, Legal, and Tactical Issues in the War in Ukraine

Book Talk – March 16, 2022

The Afghanistan Papers: A Secret History of the War

By Craig Whitlock

Hybrid Panel – March 23, 2022

The Legacies of Guantánamo: Twenty Years after Military Commission Order No. 1
Presented as part of Professor Claire Finkelstein's National Security Law class at the University of Pennsylvania Carey Law School

Hybrid Book Talk – April 1, 2022

Poland's Constitutional Breakdown

By Wojciech Sadurski

Co-sponsored by the Department of Russian and East European Studies

Hybrid Panel – April 27, 2022

Reclaiming the Rule of Law: Guantánamo's Forever Prisoners and the Fate of Liberal Democracy

Co-sponsored by Georgetown University Law Center

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- Journal of International Law, University of Pennsylvania Carey School of Law
- Duncan MacIntosh
- Christopher Morris
- Cynthia Paul, PhD
- Secure World Foundation
- Villanova University Ethics Program
- Gen. Joseph Votel, U.S. Army (Ret.)
- John and Eileen Welsh
- Alicia Ramirez Wyld
- Brig. Gen. Stephen Xenakis, M.D., U.S. Army (Ret.)



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