

**CENTER FOR NATIONAL SECURITY LAW**

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**The Center for  
National Security Law**

presents

**The  
NATIONAL SECURITY LAW  
INSTITUTE**

at the  
University of Virginia  
School of Law

Charlottesville, Virginia  
and  
Washington, DC

Annually  
The First Two Weeks of June



THE FIELD OF NATIONAL SECURITY LAW IS AMONG THE MOST EXCITING AND RAPIDLY EXPANDING AREAS OF STUDY IN AMERICAN LAW SCHOOLS TODAY.

Beginning with a single course taught by Professor John Norton Moore at the University of Virginia School of Law more than thirty-five years ago, courses and seminars dealing with national security law are now being taught at most accredited law schools. The Association of American Law Schools now has a thriving Section on National Security Law, and several other law schools have established research centers and/or graduate programs concentrating on this new field or its subcomponents like terrorism law.

National security law encompasses a broad array of legal issues: national issues like the separation of constitutional powers involving war, foreign affairs, and intelligence; and international issues like the scope of the 1949 Geneva Conventions and treaty obligations involving the initiation and conduct of hostilities in a post-UN Charter world.

Since the terrorist attacks of September 11, 2001, newspapers around the world have featured front-page stories about the PATRIOT Act, the Foreign Intelligence Surveillance Act (FISA), the treatment of detainees at Guantanamo Bay, and a range of other once obscure issues of national security law. The American people are struggling to understand these issues, and law students like never before are lining up to study national security law.

## THE NATIONAL SECURITY LAW INSTITUTE

More than twenty years before the terrorist attacks of 9/11, two University of Virginia legal scholars – John Norton Moore and Robert F. Turner – established the nation’s first “think tank” devoted to the study of legal issues pertaining to United States national security. The first priority of the Center for National Security Law (CNSL) was teaching, and the first major project was the preparation of a major law school casebook so that others might teach the subject as well. The first edition of *National Security Law* was published in 1990, and the following summer the Center held its first National Security Law Institute (NSLI).

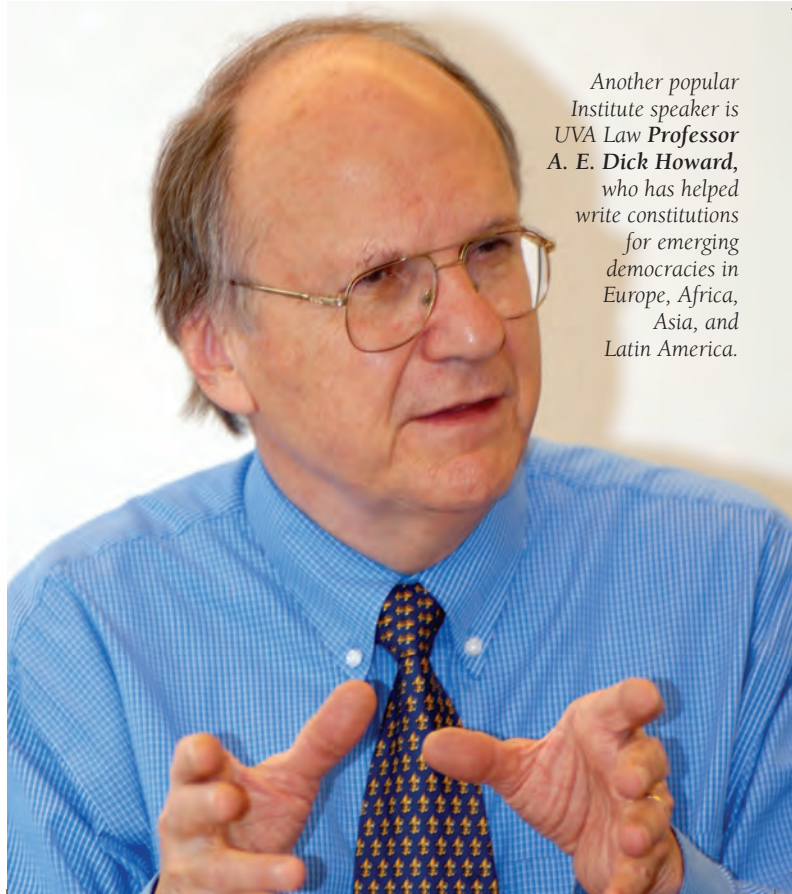
## WHO SHOULD ATTEND?

The National Security Law Institute was originally conceived as a means of offering advanced training for legal educators who were teaching or wished to teach national security law. Those with a strong foundation in American constitutional law might expand their expertise concerning national security aspects of international law, and the relatively few law professors at that time with strong credentials in both areas could get an update on contemporary issues from leading scholars and government practitioners to keep their courses current. When word spread of the planned new Institute, great interest was expressed by several government national security departments and agencies that saw opportunities for advanced training of their own legal staffs; and from the very first Institute government attorneys have taken an active part in the program. Professors in related disciplines like international relations and politics have also taken part.

*Major General Charles Dunlap is currently the Deputy Judge Advocate General of the Air Force and a regular speaker at the National Security Law Institute. He attended one of the first National Security Law Institutes.*



*Another popular Institute speaker is UVA Law Professor A. E. Dick Howard, who has helped write constitutions for emerging democracies in Europe, Africa, Asia, and Latin America.*



While the primary Institute objective is to train scholars who intend to teach national security law in law schools and other graduate programs, the Institute has also trained more than one hundred lawyers from virtually every federal department and agency with national security responsibilities, including all of the military services and most of their war colleges, service academies, and JAG schools. In addition, foreign government lawyers from six continents have attended the program.



*Former Secretary of State Lawrence Eagleburger addresses contemporary foreign policy problems following a dinner in Thomas Jefferson's historic University of Virginia Rotunda during a recent institute. In 1976 the American Institute of Architects selected the Rotunda as the finest achievement of American architecture during the previous 200 years.*

The Institute is open to educators and government practitioners at all levels. Past participants have ranged from assistant professors to chaired professors from academia, and government attorneys from entry level to and including the Legal Counsel to the U.S. Coast Guard and the General Counsel to the Defense Intelligence Agency.

## BENEFITS OF ATTENDING

All participants receive copies of the 2005 edition of the 1400-page *National Security Law* casebook and the supplementary volume, *National Security Law Documents*, along with a large amount of additional written material. The highly-intensive program of

lectures and debates will benefit educators with little or no prior training or experience in the field, while at the same time providing a useful update in areas where participants have prior expertise. In the process, participating lawyers may be eligible for more than thirty hours of continuing legal education (CLE) credits.



Past government participants in the program have often gone on to prestigious assignments, including Legal Counsel to the Chairman of the Joint Chiefs of Staff, Deputy Legal Adviser to the National Security Council, Deputy General Counsel to the Department of Defense, Deputy Judge Advocate General of the Air Force, and Staff Judge Advocate to U.S. combatant commands.

While impossible to quantify, friendships developed during the Institute create valuable networking opportunities both for professors who wish to stay current on key issues and for government attorneys who value the perspective and insights of legal educators. There is a growing family of national security lawyers, many of whom share the common bond of having studied



national security law at the University of Virginia or attended the National Security Law Institute.

*The founder of the academic field of national security law and driving force behind the Center for National Security Law is Professor John Norton Moore, who served four terms as Chairman of the ABA Standing Committee on Law and National Security.*



## NATIONAL SECURITY LAW INSTITUTE TOPICS

- ▶ Theoretical Approaches to National Security and World Order
- ▶ Newer Theories in Understanding War
- ▶ Development of the International Law of Conflict Management
- ▶ Lessons from the Indochina War
- ▶ The Use of Force in International Relations
- ▶ The Air War in Vietnam and Its Influence on More Recent Conflicts
- ▶ Intelligence Law
- ▶ Constitutional Issues Raised by the Foreign Intelligence Surveillance Act (FISA)
- ▶ The State Secrets Doctrine
- ▶ Treaty Powers Under the U.S. Constitution and International Law
- ▶ Information Warfare
- ▶ The National Security Process
- ▶ Homeland Security
- ▶ National Security Aspects of Human Rights Law
- ▶ The First Amendment, Access to Information, and Executive Privilege
- ▶ U.S. Military Operations, the First Amendment, and the Press
- ▶ Islamic Law
- ▶ Immigration Law
- ▶ Operational Law
- ▶ The Law of Armed Conflict
- ▶ Rules of Engagement
- ▶ Detainee Treatment and Military Commissions
- ▶ "Lawfare" in Modern Conflicts

*(Continued on next page)*

*Photos: **Top** - participants enjoy fine dining and talk informally with visiting lecturers; **Center** - the University of Virginia School of Law; **Bottom** - Former Navy General Counsel Alberto Mora, recipient of a 2006 Profile in Courage Award from the John F. Kennedy Library Foundation for his role in opposing the abuse of detainees in the war against terror, speaks to the Fifteenth National Security Law Institute in the Rotunda.*

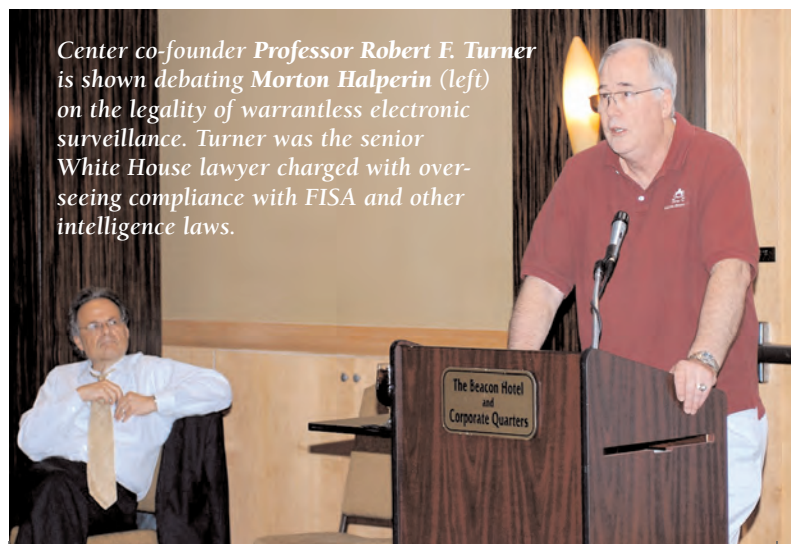
- ▶ Civil-Military Relations
- ▶ Outer Space Law and National Security
- ▶ Separation of Powers Theory
- ▶ War Crimes
- ▶ War Powers and the War Powers Resolution
- ▶ Environmental Law and National Security
- ▶ International Organized Crime
- ▶ International Terrorism
- ▶ Fourth and Fifth Amendments
- ▶ Democracy Enlargement in U.S. Foreign Policy

Most of the more than thirty substantive programs are addressed in intensive 90-minute instructional blocks that include significant time for questions from participants and interaction with the instructors. Some of the more controversial topics – such as the National Security Agency’s warrantless electronic surveillance program, the PATRIOT Act, legal and policy aspects of Operation Iraqi Freedom, and whether the United States should become a party to the Rome Statute of the International Criminal Court – are often the subject of debates. Recent debaters have included former Washington, DC, ACLU director Morton Halperin, Senior Counsel to the Speaker of the House Joseph Onek, former Reagan Justice Department official Victoria Toensing, and Professors Michael Scharf and Michael Newton of Case Western Reserve and Vanderbilt law schools.

Each year, the group travels to Washington, DC, for three or four days during the first week to spend a day at CIA Headquarters and to meet with other senior national security lawyers from the White House, the Department of State, the Pentagon, and with former



*Former Clinton Administration Director of Central Intelligence R. James Woolsey has been a regular dinner speaker at the Institute for years, often addressing the group immediately following its day-long visit to CIA Headquarters.*



*Center co-founder Professor Robert F. Turner is shown debating Morton Halperin (left) on the legality of warrantless electronic surveillance. Turner was the senior White House lawyer charged with overseeing compliance with FISA and other intelligence laws.*

government officials like former Director of Central Intelligence R. James Woolsey and State Department Legal Adviser William Howard Taft, IV (who also served for many years as General Counsel to the Department of Defense).

## TO APPLY AND FOR FURTHER INFORMATION

To apply, please submit a letter or email with your curriculum vitae attached, expressing your interest in attending the Institute to the address below. Early applications are encouraged, and the deadline for applications is the second Monday in April. Participants are responsible for their travel to and from Charlottesville, and there is a \$1,000 registration fee (all hotel lodging and most meals are included in this fee). Most institute costs are covered by grants to the Center managed by the University of Virginia Law School Foundation. Additional information on the program can be found at <http://www.virginia.edu/cnsl/nsli.html>. To apply, or for further information, please contact the Center.

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## COMMENTS FROM PAST PARTICIPANTS

*"This institute offered me an unparalleled combination of timely and important material presented by some of the most authoritative people dealing with national security issues today. Such instruction, combined with the impressive level of expertise of the other participants and a setting and food fit for a duke, provided me an incomparable learning experience."*

*"Without question, a learning environment second to none was created. This is a world-class program that simply has no peer. . . ."*

*"The Institute provided each of us with an outstanding overview and comprehensive coverage of the subject matter. As anticipated, it was time well spent in the company of the leaders in the field. . . Overall—an outstanding experience."*

*"Extraordinary use of interdisciplinary techniques and teaching style. . . . The program was very well balanced. . . . Overall, . . . a thoughtful and well-selected group in very pleasant surroundings. Many thanks!"*

*"My two weeks at your . . . National Security Law Institute was extraordinarily useful. The ambitious scope of the course contained a great deal that will be enormously valuable to me. Top flight in-house lectures and fascinating outside presentations created a perfect environment in which to advance the study of the rule of law."*

*". . . I found the debate/panel format particularly strong. Vigorous presentation by talented partisans is an excellent way to explore intellectually challenging issues. . . . The administrative arrangements and the hospitality were . . . superb."*



## THE CENTER FOR NATIONAL SECURITY LAW

In April 1981, more than twenty years before the 2001 terrorist attacks, two specialists on legal issues related to U.S. national security at the University of Virginia School of Law co-founded the nation's first "think tank" in this emerging field of inquiry. Professor John Norton Moore had taught the nation's first class on national security law nine years earlier and served as an ambassador and Counselor on International Law to the Department of State. Robert F. Turner had come to Virginia to specialize in the new field under Professor Moore after serving as an Army Captain in Vietnam and spending five years as national security advisor to a member of the Senate Foreign Relations Committee. Their goal was to create a nonpartisan, nonprofit research institute to promote interdisciplinary advanced scholarship and education about legal issues affecting the national security of the United States.

In addition to teaching and sponsoring scores of conferences and other educational programs, a key goal of the Center for National Security Law was to bring together the nation's top authorities to produce a major instructional tool that would facilitate teaching national security law at other law schools. The Center's case-book on *National Security Law* was first published in 1990, and the even more comprehensive 2005 edition runs more than 1400 pages. To promote the teaching of the new field at other law schools and universities, the National Security Law Institute was first held in June 1991.