



ROBERT H.
JACKSON
CENTER

NEWSLETTER

FALL 2020

THE AGE OF ROBERT H. JACKSON

On August 8th the Robert H. Jackson Center hosted a free global webinar celebrating the 75th anniversary of the signing of the London Agreement and Charter and the establishment of the International Military Tribunal at Nuremberg. Moderated by Michael Scharf, Dean and Joseph C. Hostetler-BakerHostetler Professor of Law at Case Western Reserve University School of Law, guests included:

- Ben Ferencz, Investigator of Nazi war crimes & the chief prosecutor for the United States Army at the Einsatzgruppen Trial
- John Q. Barrett, Professor of Law at St. John's University, Elizabeth S. Lenna Fellow and Board member at the Robert H. Jackson Center
- David Crane, Founding Chief Prosecutor, Special Court for Sierra Leone
- James Johnson, Prosecutor, Residual Special Court for Sierra Leone
- Leila Sadat, Director, Whitney R. Harris World Law Institute and Special Adviser on Crimes Against Humanity to the ICC Prosecutor, James Carr Professor of International Criminal Law
- Mark Ellis, Executive Director, International Bar Association
- William A. Schabas, OC MRJA, Professor of International Law, School of Law, Middlesex University, London, Professor of International Criminal Law and Human Rights at Leiden University
- Navi Pillay, President of the Advisory Council, International Nuremberg Principles Academy
- Klaus Rackwitz, Director, International Nuremberg Principles Academy



They discussed how the legacy of Robert H. Jackson and the Nuremberg Trials live in the world today. "Law is better than war," said Ben Ferencz in his opening remarks. "We must substitute for the use of armed force with peaceful means only...that idea is in jeopardy today." Further discussion ensued on Jackson's opening statement at Nuremberg as Chief Prosecutor for the United States and its influence on international criminal law. The webinar is available on the Center's Youtube channel.

This program was made possible through the generosity of donors to the Robert H. Jackson Center, the Whitney R. Harris Lectureship Fund, and our program partners: Case Western Reserve University School of Law, International Nuremberg Principles Academy, the International Bar Association, and the Whitney R. Harris World Law Institute.



A WORD FROM OUR PRESIDENT



Dear Friends of the Jackson Center,

As we're putting this issue of the newsletter to bed, we've just received word of the passing of a Justice Ginsberg. She has long been a personal icon of mine. Her passionate advocacy work, creative thinking, and commitment to equity and justice are just a handful of reasons I hold her in such high esteem. I shall miss her mind and voice. There is still so much work to do.

We're finishing up our 2020 program theme of "The Other – Through Your Eyes," and I hope the virtual programs and webinars have provided new insights on how the law can impact each of us differently, opened new avenues for communication, and brought us closer to a common ground. In 2021, we'll be exploring "The Work Left To Do." This seems particularly fitting as we celebrate the 20th anniversary of the Jackson Center in December and look to the 80th anniversary of Justice Jackson's appointment to the Supreme Court.

We want you to join us as we review how far issues of justice have come and what still needs to be done to realize our vision of a global society where the universal principles of equality, fairness, and justice prevail. Please continue to ask your questions and share the conversations. We all benefit from having a diverse group of brains and voices in the discussions.

In my last letter to you, I asked you to hold us accountable. The Jackson Center staff has been having at least weekly discussions about a variety of diversity issues. These have helped us to dig into our thoughts and feelings and spark ideas for programming. These conversations have not always been easy, but that is part of what makes them so necessary. It takes open minds to receive new ideas and open hearts to work for change.

In my last letter, I also asked you to do more with us. I'd like to recommend to you an exercise that we have been using to guide our most recent discussions. We've completed the American Bar Association's 21-Day Racial Equity Habit-Building Challenge (https://www.americanbar.org/groups/public_contract_law/leadership/21-challenge/). This particular version has a number of articles that are focused specifically on the black lawyer's experience, so we're now working our way through a slightly different version of this challenge (<https://www.americanbar.org/groups/judicial/resources/race-equity-and-inclusion/21-day-challenge/>) for a more universal approach. I encourage you to add one or both of these into your learning process.

Then-Attorney General Jackson wrote a speech to be delivered on the eve of the 1941 Inauguration, in which he wrote that a progressive democracy's "road to the future leads through discussion, reasoning, persuasion, experiment, trial and error." We have really taken that to heart as we work to advance our mission, broaden our audience, and help shape the conversations. Thank you for being with us on this journey. Please spread the word so we can all contribute to the work left to do.

Stay well,

Kristan

2020 ROBERT H. JACKSON TEACHER FELLOWSHIP PROGRAM

By Michael Baronich, RHJC Educational Advisor

Four teachers from across the nation attended the 2020 Robert H. Jackson Center Teacher Fellowship Program in Jamestown with the generous support of the Cummins Foundation based in Columbus, Indiana. Three educators attended daily sessions in person, while one joined virtually. These educators were given significant access to the Robert H. Jackson Center Archives as well as opportunities to learn more about the Cummins Engine Company's business model, based on J. Irwin Miller's values of corporate responsibility. This year's Fellowship Program welcomed Amy Thompson, Frewsburg Middle School/High School, Frewsburg Central School District; Ryan Barrett, Lafayette High School, Buffalo Public Schools; Bob Fenster, Hillsborough High School, Hillsborough, New Jersey; and Anne Walker, Benton Middle School, Prince William County Public Schools, Virginia. Throughout the week, teachers learned about aspects of Jackson's life and career, including his cherished time in Jamestown.

Fellows began their week with an in-depth look at Jackson's life, which John Q. Barrett divided into five "phases." Professor Barrett captivated the teacher Fellows with his immense knowledge of Jackson. Professor Barrett is a Jackson biographer and the Jackson Center's Elizabeth S. Lenna Fellow and Board member. He worked with the Fellows to help narrow their focus and provide invaluable materials for the Jackson lessons and curriculum projects.

Jackson Center co-founder and Phillips Lytle attorney, Gregory Peterson, engaged the Fellows by recounting details of his interviews with world-famous prosecutors. He spoke about Jackson's time in Buffalo and his quest to establish a living memorial in Jackson's honor.

James Johnson, Prosecutor of the Residual Special Court and former Jackson Center Executive Director, spent a morning with the Fellows discussing Jackson's Nuremberg legacy and how Jackson's role on the international stage influenced later international tribunals, including the military tribunals set up in the former Yugoslavia and Rwanda. Johnson also discussed how an international court is established, including its organizational structure.



Photo Caption: (From L to R) Michael Baronich, RHJC Educational Advisor, Ryan Barrett, Amy Thompson, Bob Fenster, RHJC President Kristan McMahon. On-screen: Anne Walker

Participants in this year's Fellowship spent a morning discussing the Chautauqua legacy with Chautauqua Institution President Michael Hill. Hill highlighted the Institution's place within the context of American history as well as its role in a global world.

This year's Teacher Fellows used Jackson's body of work and full life to create projects, lessons, and unit plans that may be implemented into their school's curriculum. Thompson focused on creating a week of Jackson-themed events that would spark interest in the students at Frewsburg. Barrett crafted a 5-week long course Buffalo Public School teachers can take towards their Professional Development. Fenster focused on Jackson's legacy in the modern world. Walker created materials that align with Virginia's Middle-level Social Studies standards. Upon completion, each Fellow's materials are uploaded to the Jackson Center Lesson Plan library located on the Center's website. Fellows presented their Jackson-themed curriculum at the Closing Ceremony on Friday, August 21. Special thanks to Dennis Frank, St. Bonaventure Archivist, who greatly assisted the Fellows in their historical research and lesson planning at the Jackson Center.

DEBBIE CENZIPER ON THE HUNT FOR HITLER'S HIDDEN SOLDIERS IN AMERICA

The Robert H. Jackson Center was pleased to welcome 2007 Pulitzer Prize winner Debbie Cenziper, an investigative reporter for the *Washington Post*, as this year's Al & Marge Brown Lecturer on WWII. She spoke on her most recent book, *Citizen 865: The Hunt for Hitler's Hidden Soldiers in America*. The book recounts the remarkable true story of a team of Nazi hunters at the U.S. Department of Justice as they raced against time to uncover members of a brutal SS killing force who disappeared in America following WWII. The lecture took place as a webinar format with a Q & A period and is available on the Center's YouTube channel.

Debbie outlined how she came across the story that inspired her book. In 2016, at a New Year's Eve Party, she talked with a former member of the Department of Justice, who described the unit of the DOJ that had been looking for Nazis in America. "I really didn't know much about how this unit worked," she said. "How is it possible that we were still finding Nazi perpetrators?" Debbie immersed herself in the world of the prosecutors and historians who put together cases that were successful in identifying these persons and worked toward their denaturalization as American citizens.

The program concluded with questions from the audience and a short interview of Debbie by Jackson Center co-founder and Board member, Gregory Peterson and Jackson Center President, Kristan McMahon. They asked Debbie about the many twists and turns that happened in many of the perpetrator cases, and how the historians' work factored into the cases. "Historians could put history in context," she said. "They could spot lies during interviews with Nazi war criminals because they could basically use history against them. Historians could tell prosecutors how to frame questions and how to think about things."

This program was made possible by the generosity of donors to the Robert H. Jackson Center and the Al & Marge Brown Endowment Fund. The Al & Marge Brown Lecture Series was established in 2018 by an endowment gift from Phillip and Mary Ann Zimmer to benefit the Jackson Center.

THE END IS A NEW BEGINNING



Pictures: RHJC Front Entrance and RHJC lobby Photo Credit: Logan Stearns, Chautauqua 360 Photography

The \$1.5 million New York State Downtown Revitalization Initiative (DRI) construction project at the Center is substantially complete! We are thrilled with the opportunity to reimagine the Jackson Center visitor experience and are poised to expand the Center's footprint as an educational hub.

We are waiting for just a couple of tweaks and final corrections and then it will be time to throw open those beautiful new Prendergast Avenue entry doors. This Jamestown landmark will enter yet another new phase of its 160-year-old life. The new lobby will welcome visitors with a spacious area, fresh walls, air conditioning, and an elevator to the second floor of the mansion.

Stayed tuned for the announcement of our grand re-opening/ribbon cutting. We look forward to celebrating this exciting new phase of the advancement of the Jackson Center's mission with you.

CREATE THE BREAKING NEWS

The thrill of shining a bright light on an issue buried from public view still motivates Debbie Cenziper to pursue the stories that have distinguished her as a Pulitzer-prize winning journalist at the *Washington Post*. The Jackson Center staff was delighted she accepted our invitation to share her wisdom and insights during *Investigative Journalism with Debbie Cenziper*, a free, live webinar on September 18, 2020. Cenziper devoted over an hour to guide journalism students and the public along her professional path, the vital importance of investigative journalism, and why the profession needs young people to continue to bring their voices. Cenziper shared anecdotes from stories she developed as reporter that prompted public officials to improve funding for healthcare, uncovered the misuse of public funds for an affordable housing initiative and showcased the lack of adequate care and treatment of people living with mental health disorders. She noted that, while reporters are not biased, they should not lose sight of the fact that stories involve real people and that there should be a sensitivity toward these peoples as the subject of the story. When asked what trait was most important for an investigative reporter, however, Cenziper plainly stated: “Curiosity.”

The thread of that trait certainly wove through Cenziper’s explanation of how reporters find stories – by either sensing that something is not quite right or taking a national issue and bringing its relevance to the local community. She added that “Why?” is the most important question a reporter can ask. It is crucial that a reporter be willing to walk a story back if further research indicates the original story direction did not comport with subsequently uncovered facts. She noted the practice also ensures the integrity and trust in the writer.

The program ended with a robust question and answer session, including a lament that newspapers are continuing to downsize staff, resulting in huge gaps in the coverage of local issues Cenziper explained in some instances, college students are filling those gaps with their student publications and picking up the mantle by writing important, incisive, and well-researched stories. For her, reporters should not just follow a news story, but should be the ones who break the story to the public.

If you missed, or would like to watch the original broadcast again, it is available on the Robert H. Jackson Center’s YouTube channel.

YOUR GIFTS, YOUR FUTURE: NICOLAS & MARGUERITE

Nicolas DiCiaccio and Marguerite Shepard-DiCiaccio live in Medford, Massachusetts, where Nick is the first US-based support and sales professional for TE-SYSTEMS Inc., a wholly owned subsidiary of TE-SYSTEMS GmbH of Wolfsburg, Germany. Marguerite Shepard-DiCiaccio owns LuxComm Communication Solutions, LLC and enjoys ballet, gardening, writing fiction and non-fiction, and maintains a deep interest in art appreciation and history. She also has a keen interest in Italian and Spanish culture and language.

The DiCiaccios have been Jackson Society supporters of the Robert H. Jackson Center since 2016. Nick and Marguerite admire Jackson’s ascent to the U.S. Supreme after being raised in a rural environment, without a college degree, and only a year of study at Albany School of Law. They believe Jackson’s lifelong commitment to advancing the principles of democracy through the U.S. Constitution is laudable and appreciate the Jackson Center’s efforts to educate all ages on these principles. Nick concluded, “We love the Center’s mission to propagate the message of one of the greatest Americans of the 20th century, the Hon. Robert H. Jackson, and his crusade for justice, which is eternal.” “In the end, we all benefit from a more well-informed and engaged civil society.”

If you would like to be featured in this “Your Gifts, Your Future” segment in our quarterly newsletter, send an email explaining why you support the Jackson Center along with a picture of yourself or your family to Marion Beckerink, Director of Development at tmbeckerink@roberthjackson.org.



Nicholas and Marguerite on the lawn of the Kennedy compound in Hyannis Port, MA in 2017.

THANK YOU TO OUR SUMMER INTERNS



The Jackson Center welcomed a new class of summer interns in May 2020. The COVID-19 pandemic safety protocols shifted the 10-week program to a virtual experience for the three interns:

- **Nathan Bly, Gannon University, majoring in English and minoring in History.**
- **David Heiner, Allegheny College, Class of 2020, majored in History and minored in Philosophy.**
- **Shannon McKee, Rochester Institute of Technology, majoring in Biomedical Sciences with intended minors in Anthropology & Museum Studies.**

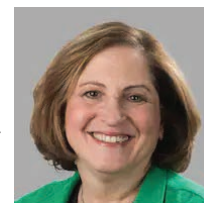
Nathan produced a research paper explaining why the creation of International Tribunals were a major achievement for humanity to counteract the tribalistic inclination toward genocide. Now an Allegheny College graduate, David is currently creating a Jackson Center special exhibit dedicated to examining the legal and societal failures that contributed to the Nazi's seizure of power in Germany in the 1930s. Shannon designed a future exhibit highlighting local Chautauqua-area and worldwide leaders who defy the status quo in the pursuit of justice and equality.

The Jackson Center staff and board are grateful for their hard work and flexibility during our first virtual internship venture. We wish them the best as they continue their education.

IN THE IMAGE OF JUSTICE ROBERTS

Ruth Marcus, the *Washington Post* deputy editorial page editor overseeing signed opinion content and writing on domestic politics and policy, spoke virtually at Chautauqua Intuition as the 15th annual Robert H. Jackson Lecturer on the Supreme Court. A graduate of Yale College and Harvard Law School, Marcus is author of *Supreme Ambition: Brett Kavanaugh and the Conservative Takeover*, which was published by Simon & Schuster in December 2019. The book documents the inside story of the Republican party's 30-year plan to take over the Supreme Court and Justice Kavanaugh's focus on the Court right out of law school.

St. John's College of Law Professor, Elizabeth S. Lenna Fellow and RHJC Board member John Q. Barrett engaged Marcus in a fascinating interview that addressed several important issues regarding her assessment of Kavanaugh, the Court's more conservative profile in recent history, a discussion of recent decisions from the Roberts Court and detailed facts leading up to Kavanaugh's confirmation. While Marcus felt "unnerved" by Kavanaugh's confirmation hearing demeanor and statement that the people who opposed his nomination "would reap the whirlwind," she believes he has become a fair, conservative justice regardless of the controversy surrounding his nomination.



Marcus shared intriguing observations of the Court truly reflecting the will of Chief Justice John Roberts, whom she describes as a true conservative; but one who does not want to move the Court in that direction too far, or too fast. She discussed not only Kavanaugh's rise, but how judicial conservatives have cemented a conservative majority with Kavanaugh's appointment. Marcus cited the recent *Bostock v. Clayton County* decision as an indication that (apart from Justice Thomas) many conservative justices may examine a case through a conservative lens but reach a decision that does not always result in the progression of a conservative agenda.

Marcus expects issues of religious freedom to come before the Court in greater number with the recent advent of cases recognizing the advancement of civil liberties for previously marginalized groups. With the upcoming election, she also foresees the Court grappling with voting rights cases as they intersect with health and safety litigation regarding mass gatherings amidst the COVID-19 pandemic. The world will certainly be watching.

The Robert H. Jackson Center is grateful to its donors and the Arnold and Jill Bellowe Family Foundation for generously supporting the Robert H. Jackson Lecture at Chautauqua.

A NIGHT OF STARS

The Jackson Center was thrilled to open its doors to the nation on Thursday, September 10, 2020, for a first-ever virtual Fixed Star Benefit Gala. The festive spirit of the evening began with a vintage cocktail prepared by Dale DeGroff, the James Beard award-winning mixologist. Several guests posted selfies with their cocktails of choice and dressed in glamorous evening wear. RHJC President Kristan McMahon welcomed viewers from New York City to Seattle, WA to take a glimpse of the Jackson Center's historical rooms before settling in to honor the extraordinary life of Benjamin Ferencz, the last living podium prosecutor at the Einsatzgruppen trial in Nuremberg.

Ferencz, who turned 100 years old in March of this year, spoke with a level of passion that belied his age or the countless years he has fought to advance the rule of law as the best hope for humanity's survival. He closed his remarks with a plea that when the torch drops from his hand someone will *crawl*, *walk* or *run* with it toward advancing a more just and peaceful world. It was a privilege to have his voice and living legacy inspire new generations to never give up on the promise of a more humane world.

The Jackson Center was pleased to share the voices of those who have benefitted from its mission to educate all ages on issues of justice. Guest speakers shared the impact that the RHJC's Teacher Fellows have on generations of students; the opportunities for growth the RHJC's college internship program provided to a student who later graduated from law school; Jackson's

influence in the Justice Department and Supreme Court as fertile ground for national programming; how deeply Jackson's dissent in *Korematsu v. U.S.* resonated with a Jackson Society member born in an internment camp during the 40's; and, the continuing international influence of Jackson on the prosecution of crimes against humanity. RHJC Director of Development Marion Beckerink stated, "It was thrilling to introduce a broader audience to the Jackson Center's mission and the hope we bring to people who are looking for meaningful, intergenerational ways to discuss and advance issues of justice."

Throughout the gala, President McMahon and RHJC Board Chair Leah Weinberg shared their vision of the next twenty years for the Jackson Center as it prepares to celebrate its first twenty years in 2021. The theme will be, "The Work Left to Do." The Jackson Center was pleased with the generosity of all who participated in the silent auction or who made donations in support of the extensive programs and initiatives the Center offers. Additional thanks are extended to the Gala Host Committee members for their hard work and special thanks to the dynamo co-chair, Joyce Sechler. All donations received benefit the educational programs in which the Center invests locally, nationally and internationally. Thank you to everyone who shared their photos and comments during the live event!

Watch for the film highlights from the Fixed Star Gala on our social media pages and YouTube channel!



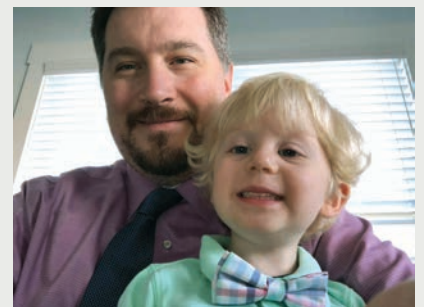
Brian and Leigh Rovegno



Julia Craighill



Kristan McMahon and Leah Weinberg



Ryan and William McKenna



Peter and Tory Irgang



Hon. Theodore Burtzos, Ret. & Stephanie Funteas Burtzos, J.D.

UPCOMING EVENTS:

Because of the effect of the COVID-19 pandemic and the social distancing protocols in place, please check our website, roberthjackson.org and our Facebook, Twitter and Instagram pages for updates on events and their status.

Tea Time with the Jackson Center, every other Thursday at 3pm

The Robert H. Jackson Center's Facebook Page

Tea Time with the Jackson Center takes both a look back at Jackson's place in history and a look forward showing how his legacy influences current events. We have moved to a biweekly schedule for the Tea Times. Email announcements of the week's Tea Time guests will go out the week of the Tea Time. You do not have to have a Facebook account to join us - simply go to <https://www.facebook.com/roberthjacksoncenter/> to see our Facebook page, watch previous #TeawithRHJC events, and join us live on Thursdays at 3pm. The recorded videos are also uploaded onto the Jackson Center's YouTube channel.

December 3 - Celebrating the Jackson Center's 20th Anniversary and Looking Forward

November 30 at 11:00 am: Join us virtually on Monday, November 30 at 11:00 am for a free program with Harry Carl Schaub, attorney and author of the book *Call Your First Witness: The Untold Story of Abwehr General Erwin Lahousen, First U.S. Witness at the Nuremberg Trial*. Register at roberthjackson.org.

If you have a Facebook account, follow our page and share the videos with your family and friends on social media using the hashtag #TeawithRHJC.

December 14: Founders Day - The Robert H. Jackson Center

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

December 15 at 3pm: Election Update with Electoral College expert Ned Foley.

Visit roberthjackson.org to register for this free Zoom webinar.

December 31 at 8pm: World's Largest Virtual Wine Tasting! NYE with Bag & String!

Join Sam Whitmore of Bag & String Wine Merchants, and 20,000 of your closest friends, in virtual wine tasting. We hope you will be a part of this record-breaking event!

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