



ROBERT H.  
**JACKSON**  
CENTER

Winter 2022/23



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[roberthjackson.org](http://roberthjackson.org)

# Dear Friends OF THE JACKSON CENTER,

Dear Friends of the Robert H. Jackson Center,

We've been tremendously busy at the Center, so this is the first and only newsletter covering 2022. That certainly wasn't my original intention, but our small and mighty staff team underwent a few changes, and we kicked off and completed a renovation and restoration project to make our building more accessible. Most significantly, in January, we embarked on an ambitious capacity building project. These plans have taken 11 months, numerous multi-hour meetings, great introspection and honest conversation, and the deep commitment of the Robert

H. Jackson Center Board and staff. We are excited to reveal some of these plans to you now.

We identified five pillars that will help the Center grow, reach new audiences, and deepen our connections. Over the next three years, we will focus on the following: Building, Development, Organization, Programming, and Technology. Some of the strategic objectives under these pillars include a new dynamic, informational, and engaging website; hiring a full-time position focused on programs and education; and using our physical space to better tell Robert Jackson's story. Our mission is to be a forum for education on and discussion of law and justice issues, as guided by the life and work of Robert H. Jackson. We will be the preeminent and enduring source of knowledge on his life and guiding principles.

Inside these pages you will see more than a year-long retrospective of our programs and accomplishments. You'll help us welcome some new faces and say goodbye to some old friends. Thank you for sharing your ideas on how we can do and be more. I appreciate knowing where we helped you think more deeply and where we could provide you with more. Please continue to share your thoughts with us.

Thank you to all of our donors, sponsors, and partners, who sustain everything we do here – programs, exhibits, construction, new ventures – and encourage our growth. We hope you are as excited for what is on the horizon as we are.

Warmly,

Kristan McMahon  
President

## CAPACITY PRIORITIES

### Year One

#### Redesign our website

We will comprehensively showcase information about Robert H. Jackson, his principles, and his work, as well the work of the Center.



#### Review the Center's physical space

We will lay the groundwork to revamp our theater, incorporate more technology and experiences for families and younger guests, and better tell Robert Jackson's story in our beautiful, historic building.



#### Build on the reputation of our programs and education offerings

It is time for the Center to hire staff specifically focused on our programs and education offerings to better serve all of our audiences and introduce us to new ones.



#### Look inward

Analyze and strengthen a variety of internal processes to ensure we are well-positioned for growth and expansion and are developing our people to meet new challenges.





# Board & Staff Changes

## Welcome New Board Chair – Julia Craighill

In June, the Robert H. Jackson Center Board elected Julia Craighill to serve as its Chair for 2022-2023. Craighill is a granddaughter of Robert H. Jackson and the first family member to serve in the role of Chair. She has been a board member since 2014. Craighill is the founder and president of Ensign. With more than three decades of experience in architecture, construction and sustainability, Craighill is an expert in helping organizations build value through green strategies.



## Welcome Tina Downey Director of Development



Tina Downey joined the Jackson Center team as its Director of Development in May 2022 to oversee the Center's development activities and to facilitate and coordinate the strategic direction of its fundraising efforts.

Having served in leadership roles across the nonprofit sector for over 20+ years, Downey's primary areas of responsibility include advancing the Center's annual fund campaign as well as strengthening its major gift and endowment programs.

She is responsible for growing a network of local, national and international

relationships and working with partners and supporters to help bring Justice Jackson's values and outlook to a wider audience.

Downey previously served Chautauqua Institution as its Director of the Chautauqua Fund. She currently serves as Chair of the board of the Audubon Community Nature Center and previously served on the board of Chautauqua Area Habitat for Humanity.

Downey lives in Mayville with her husband, Ray, and their daughters Evelyn and Aster.

### BOARD:

#### Board Members

Julia Craighill  
Chair

Sam Morgante  
Vice Chair

Andrew Neyman  
Secretary & Treasurer

Arthur N. Bailey  
John Q. Barrett  
Lana Benatovich  
Kathy Burgeson  
Hon. Stephen Cass  
Charles Gustafson

Michael Hill  
John LaMancuso  
Jessie Liu  
Chris Olsen  
Leah Weinberg  
Don Wertman

### STAFF:

Kristan McMahon  
President

Tina E. Downey, CFRE  
Director of Development

Sherry Schutter  
Operations Manager

# Justice For Ukraine

One of Robert H. Jackson's unrealized goals during the London Conference was to make war illegal. During those weeks when the Allied Powers were creating the structure for the International Military Tribunal and defining the crimes, four counts emerged – crimes against peace, war crimes, crimes against humanity, and conspiracy to commit the first three. In the modern interpretation, crimes against peace is known as crimes of aggression.

On February 24, 2022, Russian forces invaded Ukraine with the intention of capturing the capital of Kyiv and bringing Ukraine's territory under Russian control. Twelve months later, the war continues, and countless non-combatant citizens have been killed, maimed, and had property destroyed, in clear abuse of Geneva Conventions and Article 8 of the Rome Statute of the International Criminal Court.

The international humanitarian law community, from the start, has been calling for justice for the citizens of Ukraine and accountability for Russia and its leaders. On March 24, 2022, David Crane, former Chief Prosecutor for the Special Court for Sierra Leone and RHJC Board member, and the founder of the Global Accountability Network, joined RHJC President Kristan McMahon for a Tea Time program to discuss four possible paths to justice for Russian war crimes against Ukraine.



The first was through the ICC. In March, ICC Prosecutor Karim Khan had opened an investigation into Russian activities in Ukraine. Ukraine is not a signatory of the Rome Statute, but it submitted itself to the authority of the ICC. The second was to have the United Nations General Assembly create an international tribunal. This more traditional route would be for the Security Council to create the tribunal, but Russia has a permanent seat on the UN Security Council and would veto such an action. The UN Secretary General could enter into talks with Ukraine to create a Special Tribunal for Ukraine, which would have special jurisdiction to prosecute the crime of aggression. (The ICC does not have the jurisdiction to prosecute the crime of aggression because Russia is not a signatory of the Rome Statute.) The third was to create a regional tribunal through a consortium of states, like the European Union or

NATO. Crane believes this would be politically fraught because it is too small; the world should condemn this, not just a limited portion of the world. It also feeds into Russia's propaganda that these are personal attacks on Russia. The fourth was to have an individual country take the lead in prosecuting, which was already happening. This suffers from similar, but even greater limitations than the third option, as well as notable differences in each country's process. Crane also shared how evidence is being preserved and developing a chain of custody through the work of Global Accountability Network and other non-governmental organizations. To hear his thoughts and hear the in-depth conversation about each path, the importance of public and political will, funding, and more, the complete recording can be found at <https://youtu.be/xIE2WtWHGWE>.

In August, RHJC hosted a webinar in partnership with GAN, the New York State Bar Association International Section, and the Public International Law & Policy Group entitled *The Paths and Obstacles to a Special Tribunal for Ukraine*. The panelists were Ambassador Hans Corell, Former Under-Secretary-General for Legal Affairs and the Legal Counsel of the United Nations and RHJC Board member; Crane; Ambassador Anton Korynevych, Ambassador-at-Large of the Ministry of Foreign Affairs of Ukraine; and Inna Liniova, CEO & Executive Director of the Ukrainian Bar Association. This panel was moderated by Dr. Paul Williams, co-founder of PILPG.

The panel provided insight into potential models for a Special Tribunal for Ukraine based on earlier tribunals such as Sierra Leone, which did prosecute a sitting head of state. Korynevych shared information on the accountability efforts in Ukraine. Liniova provided insight into how the Ukrainian legal community thought of a tribunal and the issues with which they were grappling. Corell

spoke about the importance of accountability and historic context of the tribunal. Crane provided specifics about the Special Court of Sierra Leone as a model and the challenges and differences he could see with Ukraine. The entire panel talked about how the prosecution of President Putin would impact a durable peace. You can watch the complete 90-minute discussion at <https://youtu.be/nppi-fD4gDE>. This conversation occurred shortly before the International Humanitarian Law Roundtable, which also had a significant focus on holding Russia accountable for the invasion of and war in Ukraine.

Finally, on December 15, the Ukrainian Bar Association hosted a two-hour conversation to provide an update on how the world, inside and outside of Ukraine, was thinking about this tribunal. This came on the heels of renewed attacks by Russia on Ukraine's infrastructure, largely focused on electricity and communications. The panelists were Corell; Irwin Cotler, International Chair of the Raoul Wallenberg Centre for Human Rights; Crane; Korynevych;

Oleksandr Kachura, member of Parliament of Ukraine; Dr. Irina Paliashvili, President of Ukrainian Legal Group; Ambassador David Scheffer, former U.S. Ambassador-at-Large for War Crimes Issues; Jennifer Trahan, Clinical Professor at NYU's Center for Global Affairs and Convenor of the Global Institute for the Prevention of Aggression; and Williams. Liniova moderated this panel. The group shared updates on the progress toward establishing the Special Tribunal and the challenges to its establishment. They also discussed the impact on the legal concept of the crime of aggression if the Tribunal is not established and what the worldwide legal communities can do to support the Tribunal. You can watch this conversation at <https://www.youtube.com/watch?=4wJzaMAsQXE>

We will continue these discussions in 2023 to provide you with an understanding of the progress toward establishing a tribunal, the impact on accountability, and what this may mean for future aggressive acts.

“

I would disclaim any expectation that [Nuremberg] alone is enough to prevent future wars. When stakes are high enough and chances of success look good enough, I suppose reckless leaders may again plunge their people into war, just as men still resort to murder, notwithstanding the law's penalty. But I do think that we have forever laid to rest in the minds of statesmen the vicious assumptions that all war must be regarded as legal and just... ”

– Robert H. Jackson, *Address before the Canadian Bar Association, 1949*



# '22 Summer Interns



## CONNOR

Hello, my name is Connor Flores and I am from Jamestown, New York. I am a junior at Case Western Reserve University majoring in History and minoring in German and Political Science. At Case Western, I am a member of the CCEL Scholars Program and Jazz Ensemble II. I was

also a member of Phi Alpha Theta, the national honor society for history. I was thrilled to be an intern this summer at the Robert H. Jackson Center and learn about the life of Robert H. Jackson and his contributions to international humanitarian law.



## VERONICA

Hi! My name is Veronica Green and I am from Williamsport, PA. I am a senior at Allegheny College pursuing a degree in Political Science and double minoring in Middle East and North African Studies and Arabic Language. At Allegheny College, I am the President of the Allegheny Student Government

and a Federal Work Study Student. I enjoy reading novels, watching historical dramas on Netflix, and dressing up for historical events (Victorian picnics, steampunk, medieval reenactments)! I was excited to apply my international politics focus towards the Robert H. Jackson Center's projects on human rights and international humanitarian law!



## JOANNE

Joanne Ryu is an undergraduate student at Mount Holyoke College, pursuing a major concentration in American Studies and a nexus concentration in Educational Policy & Practice. She is the John R. Stomberg Curatorial Intern at the Mount Holyoke College Art Museum and serves as Treasurer

for the Class of 2023. Her interests within the non-profit sector include educational partnership, cultural governance, and strategic advancement.



## BAILEY

Hi! My name is Bailey South and I am from Jamestown, New York. I am a sophomore at West Virginia University, where I am pursuing a double major in anthropology and history, with minors in arts administration and art history. At WVU, I am a member of the women's

rowing team and the Honors College. I was excited to pursue my interests in public history and to learn more about the life and work of Robert H. Jackson as an intern at the Robert H. Jackson Center this summer.



## HORDII

Hi! My name is Hordii Sytnyk and I am from Lviv, Ukraine. I am a third year law student at Ivan Franko National University of Lviv and also I am a student at Hetman Petro Sahaidachny National Army Academy where I am studying according to the reserve officer

program. I am Vice President in charge of Seminars and Conferences at ELSA Lviv, where I organized several events to provide law students with theoretical legal knowledge. Furthermore, I am keen on criminal law, thus it was a great honor for me to become a part of Robert H. Jackson Center as an intern.



# What I learned at the Jackson Center

by Hordii Sytnyk,  
2022 Summer Intern

My journey at Robert H. Jackson Center started when I received an acceptance e-mail to become a summer intern. It was a breathtaking moment and very soon I had the first meeting with President McMahon, who welcomed me very warmly and helped me in this way.

When I applied for that internship, I offered to make a translation of some of the Center documents into Ukrainian as my future project. Thus my first task here was to translate into Ukrainian the Robert H. Jackson Opening Statement before the International Military Tribunal. Firstly, I used to believe that it was only a translation and I would do it as quick as possible, but over time this changed and it took a long time. Not because it was hard to translate or to understand, but due to the fact that this Statement is a deep source of knowledge. So while I was translating it, I was discovering more and more new things. During the work on translation I learned not only how the statement was structured and on what things attention ought to be paid, but also I improved my understanding of the principles of Justice. For instance, from Opening Statement follows the principle of personal responsibility which provides that: "One who has committed criminal acts may not take refuge in superior orders nor in the doctrine that his crimes were acts of states". This principle is fundamental for future tribunals

just because it allows to try all guilty ones from the top to the bottom, those who issue orders and those who follow them.

The other principle is a right to a fair trial. Of course all the criminals, including war criminals, have the evil inside and of course they should be severely punished. This punishment is to be equal to the horrible crimes they committed. In the Opening Statement Robert H. Jackson said: "Despite the fact that public opinion already condemns their acts, we agree that here they must be given a presumption of innocence, and we accept the burden of proving criminal acts and the responsibility of these defendants for their commission". By these words he adopted this principle to Nazi war criminals. But the adoption of this principle doesn't mean that we have to forget disastrous consequences of crimes, people who were killed or restrain our own fury. Because without it our souls will be empty and the loss in the battle against evil will be inevitable. Thus our vengeance must be represented by the Rule of Law.

The other spectacular thing, here at the Jackson Center, is communication with professors and experienced lawyers. Amazing discussions with Professor Greg Rabb about the Nuremberg Trial, thrilling and motivating conversations with Professors John Q. Barrett on Robert H. Jackson and David M. Crane on international tribunals. Also I met other great interns Veronica, Bailey, Joanne and Connor, with whom we made some projects and who supported me. All of it was a part of my intellectual growth.

I have also discovered a lot about Justice Jackson, his persistence

showed that you are able to reach everything you want, if you love your job. Throughout his life he held various offices, including offices of US Solicitor General, US Attorney General and Associate Justice of the Supreme Court of the US. His opening statement before the International Military Tribunal was a high level oratory and rhetoric. Nevertheless, Jackson's statements as well as his Supreme Court opinions have made a great contribution to the world's legal thought.

I feel the greatest impact of nonprofit work is achieving a common goal – to make this world better. The Jackson center is doing a great thing. It is sharing knowledge about Robert H. Jackson and his legacy, which is vital not only for those who are eager to ensure, but also for those who want to grow as a person. So it was a great pleasure for me to become a part of it. Moreover, a paid internship is a reward for interns for their thoroughness and work. But also it imposes on them a grave responsibility for their action, what motivates them too.

But during these two months I learned many new things. It is a completely extensive experience that will help me to fulfill my goals. Nowadays in the time of war, which faces my nation, it is necessary to adopt the Robert H. Jackson experience to punish all the war criminals, to stop atrocities committed from day to day by barbarians, and to bring the victory of the good over the evil. I am grateful to the Robert H. Jackson Center for that chance, and I will do all my best to use gained knowledge to bring to justice all who made my country suffer and took thousands of lives of Ukrainians.



# Living Originalism

## Living Originalism in the *Dobbs v. Jackson Women's Health Organization* (2022)

by Veronica Green 2022 Summer Intern

Reva Siegel, a Law Professor at the Yale Law School, spoke at the Chautauqua Institution as the 17th annual Robert H. Jackson Lecturer on the Supreme Court. Siegel is a graduate of Yale College and Yale Law School, where she now is a professor teaching courses in Constitutional Law, Reproductive Justice, Equality, and more. The focus of Siegel's lecture was to highlight the multifaceted and political nature of originalist interpretations of the Constitution, namely the *Dobbs v. Jackson Women's Health Organization* (2022) decision.

On June 24, 2022, the Supreme Court of the United States (SCOTUS) changed the course of history with the decision that overturned *Roe v. Wade* (1973) and *Planned Parenthood v. Casey* (1992). The *Roe* and *Casey* cases created a federally protected right to bodily autonomy for women and deemed abortion legal, conditional only to the viability of a fetus. However, in *Dobbs*, SCOTUS overturned the federal protections granted by *Roe*, and reaffirmed by *Casey*. The Court handed over the decision-making to the state legislatures, triggering outright or nearly outright bans on abortion in 13 states. How, after 49 years, could this occur when the *stare decisis*, or precedent, was well established? According to Siegel, the overturning of *Roe* has been a Republican political strategy

in the making since the Reagan Administration. In February 2015, Senator Majority Leader Mitch McConnell refused to hold a confirmation hearing for Merrick Garland because it was too close to the presidential election. However, this attitude was not present from Mitch McConnell and others when Amy Coney Barrett was confirmed less than two weeks before election day. This represented a strategic appointment of justices who would employ an originalist interpretation of the Constitution if an abortion case was brought before the court.

The Justices who employed originalism in *Dobbs* may argue that it was an apolitical decision because "if the founding fathers wanted access to abortion enumerated in the Constitution, then it would be in the Constitution." However, Siegel argues that originalism is a not a value neutral decision, but one with a deep-rooted connection to preserving nuclear family values. Throughout the lecture, Siegel consistently revisited the content of the various Justices' opinion. In Justice Alito's opinion, Siegel highlights the speculation on the correlation between women's social and economic rights and their bodily autonomy. In Justice Thomas' opinion, he calls for the Court's revisitation of the *stare decisis* of *Griswold v. Connecticut* (1965), *Lawrence v. Texas* (2003), and *Obergefell v. Hodges* (2015). Justice Thomas is calling for an originalist interpretation on several cases that have been decided on the right to privacy, which is not explicitly enumerated in the Constitution. However, in Justice Kavanaugh's opinion, he stated the

*Dobbs* decision would not impact other cases decided on the same basis of privacy. Siegel argues that an originalist interpretation of the Constitution is problematic in any privacy case. In addition, Kavanaugh's opinion about the singular application of originalism demonstrates the political nature of overturning *Roe v. Wade*. In Siegel's closing remarks, she states the Court is finished with abortion rights cases as there will be many challenges to the *Dobbs* decision. Just as abortion rights and women's right to bodily autonomy has been a topic of discussion for the past 50 years, so too will it be for the next 50 years.

For more from Reva Siegel on the *Dobbs v. Jackson Women's Health Organization* (2022), please review her piece "Equal Protection in *Dobbs* and Beyond: How States Protect Life Inside and Outside of the Abortion Context," 43 *Colum. J. of Gender & the Law* (forthcoming 2023) (with Serena Mayeri & Melissa Murray).

**From July 25 to July 29, we attended the Week Five Lecture Series at Chautauqua Institution on the topic of "The Vote and Democracy."**

by Connor Flores 2022 Summer Intern

In recent years, there has been a significant effort across the nation to impose limitations and new protections on voting rights for American citizens. After the events surrounding the 2020 election, how secure is the right to vote for Americans? Is the American



democracy at risk of collapsing, or is there hope for a renewal of trust in our longstanding systems? How much reform is needed to correct the flaws in our democracy, and are they achievable in a hyperpolarized political society? These questions were addressed throughout the week, as the lecturers examined the current state of the vote, American democracy, and the potential outlook of the American political system. The first speaker, Trevor Potter, president of the Campaign Legal Center and former chairman of the Federal Election Commission, provided an overview of the issues that threaten our democracy, discussing topics such as voting rights, the redistricting process, campaign finance, the Electoral College, and the January 6th insurrection. Despite the somewhat pessimistic perspective on the future of our democracy in the audience, Potter provided some optimism by highlighting efforts to solve these issues. The next lecturer, Linda Chavez, Chairman of the Center for Equal Opportunity, spoke on similar issues, but primarily focused on defending the accessibility and integrity of elections. Chavez warned about the current state of our elections, with continued

attempts to discredit the validity of the 2020 election threatening the state of our democracy and the ability to conduct free, fair, and open elections. The next speaker was Jelani Cobb, Staff writer at The New Yorker, who emphasized the connection between limiting immigration and restricting the right to vote, dating back to the Founding Fathers. Cobb discussed the inequality faced throughout American history on the right to vote, and how this historical suppression continues to shape voter inequality in contemporary America. Michael Li, Senior Counsel for the Brennan Center's Democracy Program, spoke on the issue of gerrymandering and the decline of competitive congressional districts across the country. Li offered potential solutions, including the use of state courts to strike down gerrymandered maps and the creation of independent commissions to create redistricting maps. The final speaker for the week was Lee Drutman, Senior fellow in the Political Reform program at New America, who spoke on the dysfunction of the two-party system due to the electoral college, gerrymandering, and polarization. As a potential solution to the flawed two-party



Kristan McMahon, Veronica Green,  
Connor Flores, Kathie Smallwood, Diane Carlson,  
Bailey South, Joanne Ryu

system, Drutman proposed the creation of a multiparty democracy with proportional representation to provide greater representation for the American voter base, encourage political participation, and reduce polarization. Despite the variety of backgrounds and political viewpoints among the lecturers, they all emphasized a similar message on the importance of safeguarding our democracy. Another common theme was the call to action for the audience, emphasizing that civic engagement is crucial to maintaining our democracy. However, the most aspect of commonality between the speakers was their emphasis on the importance of compromise and integration across the political spectrum. In sum, a crucial first step in solving the political crisis is to end the extreme division within our nation.

## A Trip to D.C.

During the week of July 18 this past summer, President McMahon and the in-person interns were able to partake in a trip to Washington, D.C. The group visited the Library of Congress manuscript reading room and accessed Jackson's personal papers, where each person was able to find documents spanning Jackson's life and work. Being able to access and study these papers was incredibly valuable as a means of supplementing research the interns have already done on Jackson. One evening that week, the group was graciously hosted by Julia Craighill, incoming Board Chair at her home for dinner. The interns chatted with and got to know Ms. Craighill, as well as her brother Tom Loftus and board member Sam Morgante and his wife Peggy. Throughout the course of the trip, the interns met with various luminaries, including Eli Rosenbaum, Director of the Human Rights Enforcement Strategy and Policy, Human Rights & Special Prosecutions Section at the Department of Justice; and Sarah McIntosh, Associate at the Ferencz International Justice Initiative at the National Holocaust Memorial Museum. While the Supreme Court building remains closed to visitors, the interns

visited the Supreme Court Historical Society and met with James Duff, its Executive Director.

Alongside meeting and conversing with so many interesting people, the group also experienced some D.C. cultural offerings, including an improv show at the Kennedy Center. They took a tour of the Capitol with a representative from Senator Schumer's office, who shared information not typically provided on the audio tour of the Capitol. When the group wasn't busy learning, they enjoyed meals at various well-known D.C. restaurants, including Uncommon Diner, Hawk 'n' Dove, Tatte Bakery, Dolcetta Gelato, Busboys and Poets, and Jose Andre's Zaytinya. To wrap up the trip, the group enjoyed an evening tour of the National Mall where the monuments could be experienced with fewer crowds. Overall, the trip was a fantastic experience for these young people and arguably one of the highlights of their entire internship experience. Our sincere thanks to Tom and Michelle Marra and Diane Carlson for their generous support of the Intern Program at the Jackson Center.

# Founders Day 2021

## A Gentle Roast of co-Founder Greg Peterson

To cap 2021's return to in-person programs, the Robert H. Jackson Center celebrated its Founders' Day by honoring co-Founder Greg Peterson. The celebration had originally been planned for Founders' Day 2020 to commemorate Peterson's 20-year anniversary as a co-Founder and Board member's Elizabeth S. Lenna Scholar.

Nearly 100 guests, in-person and virtual, joined the festivities to pay tribute to and gently roast Peterson. Randy Sweeney kicked off the evening by sharing stories of the early days of the Center – treasure hunts in the building, getting locked in the attic, and the effort necessary to get the Center up and running. As he said, "Dedication is synonymous with Greg Peterson."

Carol Drake shared stories of interviews that did not go as planned, including Dorothy Cotton starting a sing-a-long with the audience. Rolly Kidder highlighted Greg's ability to move people along on a project or idea, his tenacious follow-through, and the pragmatic sensibility Greg shares with Robert Jackson. Peggy Morgan said that of all the luminaries her association with the Center has afforded her access, "the greatest person she has met is Greg Peterson."

Michael Hill shared that Greg's interview prowess draws out the humanity in the subject and reminded Hill, in particular, of his hopes and dreams. Hill's first interview in the Jamestown area was in the Center's Cappa Theater with Peterson, and he thanked Peterson for the warm welcome to the area and warned that he looks forward to the day he can interview Peterson in return. Board member Don Wertman spoke about his early meetings with Peterson and the creation of the Founders Lounge on the first floor once the Center's renovation is complete.

John Q. Barrett offered his memories of travels and interviews and getting the federal courthouse in Buffalo named after Robert H. Jackson. Barrett borrowed a phrase used to describe Robert Jackson, imbued with all positive meaning, to describe Peterson as the epitome of "Jamestown jurisprudence." Barrett said, "He is a very good lawyer, a very sophisticated businessman, very entrepreneurial spirit, a self-taught historian, videographer, and on camera performer, and international convener. He is pragmatic. He gets things done and values the people."

Michael Perley, partner at Hurwitz Fine in Buffalo and representative of the Buffalo Chapter of the American Board of Trial Attorneys, expressed his profound gratitude to Peterson for his drive and ideas that have made the James Otis Lecture Series such a success.



Greg & Cindy Peterson



Rolly Kidder, Greg Peterson, Tom Schmidt, Willard Cass

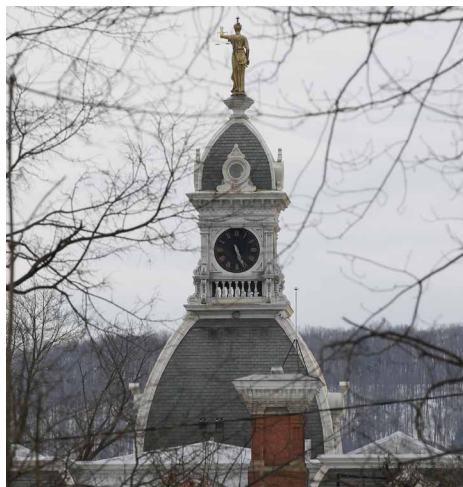
Mayor Eddie Sundquist capped the evening by presenting Peterson with a certificate of commendation in recognition of his outstanding work as co-founder of the Robert H. Jackson Center and interviewer. "We thank Gregory Peterson for his service to the Jamestown Community and urge everyone to do the same."

The Center's Board and staff presented Peterson with a golden microphone to celebrate him as co-founder, Board member, Board chair and interviewer extraordinaire.

You can watch the celebration on the Center's YouTube channel, where it is listed as Founders Day 2021.



## Jackson Day in Warren



Kristan McMahon, RHJC President introduced the evening with this: The last Jackson Center in-person event before the Covid shutdown in 2020 was Jackson Day in Warren. The first in-person event since was Jackson Day in Warren 2022.

Gathered in the stately courtroom at the Warren County Courthouse, a large audience was regaled by Matthew Steilen, Professor at the University of Buffalo School of Law. He received his J.D. from Stamford and his PhD in Philosophy from

Northwestern University. Steilen used the Steel Seizure Case (1952), to illustrate the life and afterlife of a Supreme Court case.

Steilen set the scene. The police action in Korea prompted President Truman to use executive orders to seize and operate steel mills, when he thought a strike was eminent and might jeopardize national defense. Jackson joined fellow justices, Frankfurter, Douglas, Burton, and Black in the majority opinion that it was an overreach of the President's power.

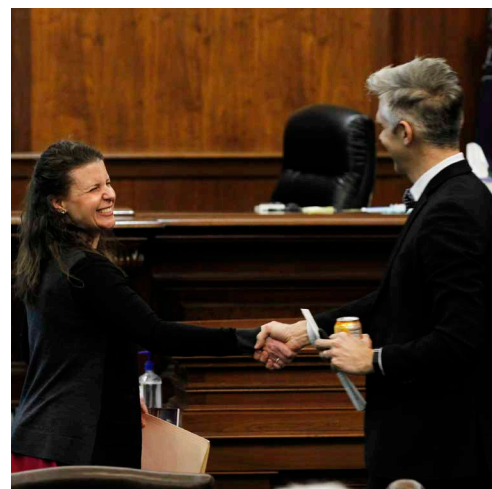
To describe the afterlife, Steilen moved through several examples to

explain how Jackson's concurring opinion with no additional justices signing on to it became the way we analyze executive power and in short, the case was cited by conservatives and liberals a number of times to both justify presidential action and inaction. For example, Nixon decided to expand the Vietnam conflict into Cambodia during the Watergate hearings by Archibald Cox (Steilen's father was an aide to Cox).

Steilen left the audience with the parting thought that the afterlife of an opinion is when the Court's words become our words.



Matthew Steilen



Kristan McMahon and Matthew Steilen



St. Bonaventure students with McMahon and Steilen



# A Look Back

## 2021 – 2022 Virtual Tea Time with the Jackson Center Series

### 2021

#### RACE & EQUALITY



**January 14, 2021**  
Juan Thomas, Vice  
Chair, American  
Bar Association  
Civil Rights &  
Social Justice

Section. Discussion on how lawyers are addressing racial equality gaps.



**January 28, 2021**  
Eva Paterson,  
President & Co-  
Founder of the  
Equal Justice Society.

Discussion on transforming the nation's consciousness on race through law, social science and the arts.

#### WOMEN'S RIGHTS



Antonia Kirkland



Tsitsi Matekaire



Flavia Mwangovya

**February 11, 2021** Antonia Kirkland, Global Lead, Legal Equality and Access to Justice; Tsitsi Matekaire, Global Lead, End Sex Trafficking; and Flavia Mwangovya, Global Lead, End Harmful Practices, Equity Now Discussion of their work on a variety of issues impacting women and girls, including legal inequality, sex trafficking, sexual violence & other harmful practices.



civic engagement of women.

**February 25, 2021**  
Wendy Doyle,  
President and  
CEO of United  
WE. Discussion  
of pay equity, paid  
family leave, and  
encouraging the

#### ENVIRONMENTAL JUSTICE



**March 11, 2021**  
Sylvia Orduño,  
Chair of the US  
Environmental  
Protection Agency  
(EPA) National  
Environmental  
Justice Advisory  
Council (NEJAC)



**March 11, 2021**  
Michael Tilchin,  
Vice-Chair of the  
US Environmental  
Protection Agency  
(EPA) National  
Environmental  
Justice Advisory  
Council (NEJA)



**January 11, 2021**  
Jan Marie Fritz,  
Ph.D and Steering  
Committee  
member for NEJAC.  
Discussion on  
environmental  
justice from  
academic, inclusive community  
organizations perspectives.



**March 25, 2021**  
Anne Rolfes,  
Director of the  
Louisiana Bucket  
Brigade.

#### ECONOMIC JUSTICE

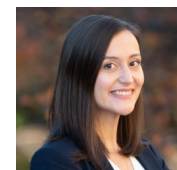


**April 8, 2021** Audra  
Wilson, President &  
CEO of the Shriver  
Center on Poverty  
Law. Discussion on  
racism, poverty and  
their interlocking systems.

#### **April 22, 2021**



Rachel L. Braunstein  
Director,  
Policy, Her Justice.



Naomi Young Attorney,  
Her Justice. Discussion  
of systemic barriers in  
the civil justice system.



**April 29, 2021**  
Sarah Ludwig,  
founder & co-director,  
New Economy  
Project. Discussion  
of cooperative and  
community controlled development.

## LGBTQ AND RIGHTS

**May 13, 2021**



Sharon McGowan



Chris Maggiano



Rodrigo Heng-Lehtinen

LGBTQIA equity and justice conversation with Sharon McGowan, Rodrigo Heng-Lehtinen, and Chris Maggiano.



discrimination based on sexual orientation and gender identity.

**May 27, 2021**  
Nadine Smith, Equality Florida. Discussion on equity gaps for LGBTQ+ people and ending

## EDUCATION



governments in education and how the law is used to address equity gaps.

**June 10, 2021**  
David Ciarra, Education Law Center Discussion of the role of federal and state



of educational inequities by strengthening the capacity of advocates & policymakers.

**June 24, 2021**  
Raymond C. Pierce, Southern Education Foundation. Discussion

## SCOTUS



Sherene Crawford



Kellsie Sayers

**July 8, 2021**

Kellsie Sayers & Sherene Crawford, Center for Court Innovation. Discussion about restorative justice and innovation in the justice system.

## JUSTICE UPDATES



our 2020 conversation, we talked about the progress Detroit and other locales are making in digital inclusion.

**August 12, 2021**

Joshua Edmonds, Director of Digital Inclusion for the City of Detroit. In this update of

**August 26, 2021**



Jon Hanson, director, Systemic Justice Project.



Enumala Agada, Oversight counsel, U.S. House of Representatives.

In this update of our 2020 conversation with Jon Hanson, Enumala Agada shared the progress of the Systemic Justice Project.

## DISABILITY RIGHTS



Susan Henderson



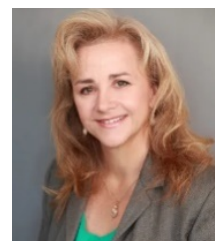
Silvia Yee

**September 9, 2021**

Susan Henderson and Silvia Yee, the Disability Rights Education & Defense Fund. Discussion on disability rights and disability justice.



Marcie Roth



Dawn Skaggs

**September 23, 2021**

Marcie Roth and Dawn Skaggs, World Institute on Disability. Discussion on disability justice and disability rights.

## IMMIGRATION

**November 4, 2021**

Allen Orr, 2021-2022 President of the American Immigration Lawyers Association, and Karen Siciliano Lucas, Immigration Justice Campaign Director at the American Immigration Council. Discussion on immigration and refugee justice.



Karen Lucas



Allen Orr



## IMMIGRATION CONT.



**November 18, 2021**  
Steve Roth,  
Executive Director,  
Organization for  
Refuge, Asylum  
& Migration.

Discussion on immigration justice with a focus on LGBTQ+ refugees and asylum seekers.

## **2022**

### DEMOCRACY



**January 27**  
Tea with  
RHJC - V-Dem  
Institute. Staffan  
I. Lindberg &  
Kelly Morrison.

Discussion on varieties of democracy & global pressures on democracy.

### VOTING RIGHTS



**February 24**  
Atiba Ellis,  
Marquette Univ  
Law School.  
Discussion  
on voting  
rights law with

specific attention to how varying conceptions of the right to vote exclude voters on the margins.

### WAR + HUMAN RIGHTS



**March 24**  
David Crane, Jr.  
Discussion on  
possible paths of  
justice following  
Russia's invasion  
of Ukraine.

## DIVERSITY IN THE JUDICIAL SYSTEM

**April 28**

Dr. Katelyn Stauffer & Dr. Alex Badas, professors of political science. Discussion on diversity in the judiciary and how it impacts the public's perception of decisions and the judicial process.



Dr. Katelyn Stauffer



Dr. Alex Badas

### FREE SPEECH

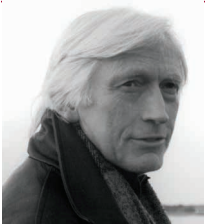


**May 26**

Professor Erica Goldberg,  
University of  
Dayton School of  
Law. Discussion  
on free speech

today, the pressures the First Amendment doctrine is facing, and how we might address contemporary challenges

### WORLD WAR II



**June 23**

Richard Overy,  
professor & author.  
Al and Marge Brown  
Lecture on WWII.

### FREE PRESS



**September 29**

Bay Fang, President,  
Radio Free Asia.  
Discussion on free  
speech and free  
press in challenging  
places.

## DEMOCRACY



**November 10**  
Staffan I.  
Lindberg,  
Director of the  
V-Dem Institute.  
Discussion on  
Democracy - A  
Year in Review.

## **Plessy, Ferguson – From Vs. to And**



Keith Plessy & Phoebe Ferguson

The Robert H. Jackson Center was pleased to celebrate Constitution Day in September 2022 with more than 200 students and lawyers by hosting Keith Plessy and Phoebe Ferguson, descendants of the named parties in *Plessy v. Ferguson* and co-founders of the Plessy And Ferguson Foundation. *Plessy v. Ferguson* was decided in 1896 and established the “separate but equal” doctrine that was later overturned by the Brown v. Board of Education decision in 1954, one of the last cases in which Robert H. Jackson participated.

On January 5, 2022, the governor of Louisiana signed a posthumous pardon for Homer Plessy. Keith and Phoebe spoke about their efforts to bring that pardon to fruition. Keith shared Homer's background and how “fighting for freedom was in his DNA,” since Homer's father,



stepfather, and grandfather were all activists. The Citizens Committee, with help from Albion Tourgee, a Mayville, NY attorney, selected Homer Plessy to test the Separate Car Law in Louisiana because he appeared to be white.

Phoebe shared the history of her great-great-grandfather, James Walker Ferguson, from his upbringing as a Puritan in Boston to his legal career in Louisiana. Judge Ferguson delayed setting a trial date to enable Plessy's case to be appealed to the Louisiana Supreme Court, which allowed the case to continue up the ladder to the U.S. Supreme Court.

In addition to this seminar, the Center hosted an exhibit created by the Historical Society of the New York Courts providing the details of the Lemmon Slave case. The

Lemmon family and their slaves traveled to New York state in 1852. Judge Elijah Paine ruled that their slaves were free persons under New York State law. (All enslaved people in New York State were freed on July 4, 1827). Judge Paine's decision was upheld by the New York Supreme Court, which is the state appellate court, in 1857. The Lemmons appealed again, and the New York Court of Appeals, the highest court in New York, upheld the freeing in 1860. For context, in 1857, the U.S. Supreme Court issued its opinion in *Dred Scott v. Sandford*, which ruled that Black Americans, free or enslaved, were not citizens and therefore had no constitutional rights.

Thank you to Judge Stephen Cass for helping to bring this exhibit to the Center.



Phoebe Ferguson & Keith Plessy



Kristan McMahon (podium), Greg Peterson, Phoebe Ferguson, Keith Plessy (seated)



Hon. Stephen Cass, Hon. Kevin Carter, Brandon Portis, Hon. Grace Hanlon

## 2022 Heintz Humanitarian Achievement Award

Inaugurated in 2010, the Joshua Heintz Award for Humanitarian Achievement honors the benefactor's exemplary commitment to international humanitarian law. This year's recipient was Ambassador (ret.) Hans Corell, Former Under-Secretary-General for Legal Affairs and the Legal Counsel of the United Nations. He helped establish the International Tribunal for the former Yugoslavia and was the Secretary-General's representative at the 1998 U.N. Conference

that adopted the Rome Statute of the International Criminal Court. During his service in the U.N., he also was involved in the establishment of the International Criminal Tribunal for Rwanda, the Special Court for Sierra Leone, and the Extraordinary Chambers in the Courts of Cambodia.



Janet Heintz, Amb. Hans Corell, and Joshua Heintz

# Making the Movement



Brad Snyder



Jonathan Dandes



David Crane

On October, 12, 2022, the Center hosted “The Movement Toward a Level Playing Field,” its final continuing legal education seminar of the year. Greg Peterson, Of Counsel at Phillips Lytle and RHJC co-founder, moderated the three discussions.

The seminar started with Professor David L. Crane, the founder and curator of Making the Movement: Civil Rights Museum. Making the Movement is an exhibit that explores the use of non-violent weapons to combat Jim Crow and made its debut at the Jackson Center in 2013. Crane provided examples about how the ephemera of the civil rights contributed to the non-violent protests and the movement itself. “Material culture played a central role even in the passage of the Civil Rights Act. People wore those buttons home, they took those pennants back, they took those hats back. And people in their hometowns asked them about it. What was the purpose of that March [on Washington]? I see your button; what organization? Can I join? Can I volunteer? Showing support for the Civil Rights Act, which was a monumental achievement, striking

down segregation.” You can watch the complete discussion at <https://youtu.be/iTpH3KkYkZs>.

The featured speaker was Brad Snyder, who presented, “50 Years after Flood v. Kuhn” to commemorate the anniversary of Curt Flood’s 1972 Supreme Court case. After the 1969 season, the St. Louis Cardinals traded Curt Flood, their star center fielder, to the Philadelphia Phillies. At that time, when a player was traded, he had two options – to report to his new team or retire. Unwilling to leave St. Louis and influenced by the civil rights movement, Flood instead sued Major League Baseball for his freedom. His case reached the Supreme Court, where Flood ultimately lost. By challenging the system, he created an atmosphere in which, just three years later, free agency became a reality. Flood’s decision cost him his career, but dramatically changed baseball. “*Flood v. Kuhn* is an embarrassing decision...The nine-nothing decision in [NCAA v.] Alston should have sent shivers down the spines of Major League Baseball.” At the time of the CLE, a case was pending in the Second

Circuit where a handful of minor league baseball teams sued Major League Baseball alleging that MLB abused its power when it contracted the number of minor league teams in 2020 by terminating their affiliations with professional baseball teams. About two weeks after this program, Judge Andrew Carter of the Second Circuit Court of Appeals agreed that the teams had established antitrust standing, but he dismissed the case because of baseball’s long-standing antitrust exemption. Snyder recommends watching to see whether the U.S. Supreme Court grants cert in the Nostalgic Partners LLC, also known as the Staten Island Yankees, case. “If the Supreme Court of the United States grants certiorari in that Staten Island Yankees case, I think there is a very good chance that *Flood v. Kuhn* could be overruled. You can watch the complete discussion at <https://youtu.be/N41LPho-qwo>.

The final presentation of the day featured Jonathan Dandes speaking on antitrust issues in minor league baseball. He addressed possible Congressional action and the challenges minor league baseball has.

Thanks to our sponsors: Phillips Lytle, Chautauqua Region Community Foundation, Chautauqua County Industrial Development Agency, Forecon, Jamestown Bar Association, Jamestown Baseball, and Century 21.



## Renovation and Restoration Project – Successfully Completed!

This spring we initiated a thoughtful repurposing of several rooms on the first and second floors of the Jackson Center with a two-fold goal: moving the administrative offices upstairs to create additional meeting and exhibit spaces on the first floor and providing functional meeting space that meets ADA standards to support the guest experience more fully.

Reimagining these rooms will allow us to expand and enhance our exhibit space, to better share Robert Jackson's story and experiences with our patrons and visitors, and to honor our founders with the creation of a Founder's Lounge located just inside the Fourth Street entrance to the mansion. This area will serve to allow guests to gather in comfort for private conversation

and intimate events. We plan to work with an designer to develop an engaging exhibit for this space. Some possibilities are a deeper look into Jackson's roots in this region or a focused explanation of his seminal U.S. Supreme Court decisions.

We are pleased to report that this project was fully funded by the generous support of current and former members of our Board of Directors as well as a grant from the Chautauqua Region Community Foundation.



*The Founder's Lounge / Former Music Room*



*The Stanley & Sarita Weeks Room / Reception Area*



*The Library / Entrance to Solarium*

## Retirement News

We wish a happy retirement to Marion Beckerink, who served as our Director of Development for more than seven years. Her retirement officially began in January 2022. During her tenure with us, Beckerink reinvigorated our Annual Fund and generated numerous sponsorships for our programs. "Fostering and maintaining relationships is one of her specialties," said Kristan McMahon, RHJC President, "She made my introduction to this area and our donors smooth and welcoming. We are fortunate to have had her talents at the Center." All best wishes from the Board and staff.



*Marion Beckerink*



*Sherry Schutter, Kristan McMahon, Marion Beckerink*



# Cold War Secrets Revealed

Vernonica Green, 2022 Summer Intern

## David Gill, Consul General of Germany in New York

The Center presented the program, *Cold War Secrets Revealed*, with David Gill, Consul General of Germany in New York, Professor Arthur Downey, Nancy Greenspan, and Eli Rosenbaum in October 2021, a program in the works for four years, since a meeting between Jackson Center Co-founder, Gregory Peterson and Gill lit a spark that finally came to fruition.

In 2021 the Center celebrated its 20th Anniversary and commemorated the end of the 75th anniversary of the International Military Tribunal at Nuremberg, two important anniversaries in the Center's calendar. As Jackson said, "The Nuremberg trial of the major Nazi war criminals was an attempt to answer in terms of the law the most serious challenge that faces modern civilization – war and international lawlessness. Its value to the world will depend less on how faithfully it interpreted the past than how accurately it forecasts the future." [("Nuremberg in Retrospect, Legal Answer to International Lawlessness," Canadian Bar Assn., 1949.)]

The Cold War mentality and all its activity was born out of these roots. Twice in Jackson's lifetime the world

was involved in two major conflicts. And it was leery of what the next world war might bring. As Jackson also said, "Our common task is to enable each of our countries to realize the common aspiration of all our peoples for freedom under law. These professional interests bridge our differences of nationality, language, and legal philosophy." ("The Law above Nations," before the Inter-American Bar Association, 1942).

The Panelists shared the stories of their research and work to provide insight into the challenges into the Cold War and the struggle to ensure that it did not heat up.

Gill began by congratulating and thanking the Center for the work it does in the community and in the world from Jamestown to ensure that the legacy of Jackson is never forgotten.

In November 1989, the Berlin Wall came down. Gill was a third semester Theology student living in East Germany. He was not in East Berlin at the time the wall came down, rather in a small place in Saxony planning a church camp for young people.

During the Cold War before the wall fell, the Stasi, E. German Secret Police, were ever present and always watching. Their existence alone permeated the whole societal atmosphere of Germany.



David Gill

In January 1990, Gill became the head of a commission which took control of the dissolution of the Stasi headquarters. Two important goals of this commission were to stop Stasi activity and to secure evidence against them by stopping the destruction of Stasi files.

It wasn't until the 1960s when the Germans looked at the past and the need to confront it, they also realized the need for an act of political hygiene. They decided that people who served in the Stasi shouldn't be in public positions, join Parliament, or be high in the administration. To start screening civil servants and members of Parliament was an eye-opening event. There was a well known lawyer in East Germany who was a political fixer and a frontrunner for an upcoming election. They discovered his connection to the Stasi about three weeks prior to the election by reviewing his files.



From 1990-1992 more than 3,000 employees were tasked with reviewing and analyzing the Stasi records. Gill was the first spokesperson for this agency. He didn't want to spend his whole life dealing with these records, so he went to law school. While interning in Congress he began to reflect on Jackson's legacy. He stated the IMT at Nuremberg was an eye opener and a game changer. Jackson wanted to make sure that law and justice was more important than revenge and victory.



David & Betsy Shepherd, Jane & Rolly Kidder



Greg Peterson, David Gill, Kristan McMahon, Matthew Collard



(seated) David Gill & Kristan McMahon



Matthew Collard, Bill & Peggy Morgan



David Gill & Mayor Eddie Sundquist



Joe Zanetta & Rolly Kidder



Hon. Stephen Cass, Bruce Janowsky, Kathy & Cole Sterns

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## The Role of the Federal Prosecutor



Trini Ross

On April 1, 2022, RHJC commemorated the 82nd anniversary of Jackson's "The Federal Prosecutor" speech by hosting a continuing legal education seminar featuring Trini Ross, U.S. Attorney for the Western District of New York. Following her address and subsequent interview, local bar members entertained the audience with a reading of the "The Trial of Al Capone." The seminar was capped with an interview of Judge Jeremiah McCarthy, U.S. Magistrate Judge for the U.S. District Court for the Western District of New York.

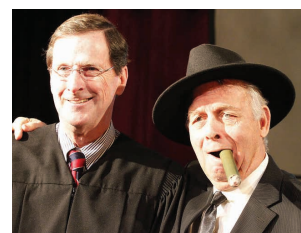
Robert H. Jackson delivered The Federal Prosecutor on April 1,

1940, just a couple of months after he assumed the role of Attorney General. In this speech, he speaks about the significant power and, therefore, the enormous responsibility prosecutors have in choosing who, when, and on what grounds to prosecute. Ross spoke about the challenges and opportunities for modern-day prosecutors.

For prosecutors in the 21<sup>st</sup> Century, technology has changed the way prosecutors do their jobs. For example, the shift from paper documents in files to electronic documents on hard drives, thumb drives, disks, shared drives, smartphones, and the cloud removes a level of closeness to the information and adds time that can make moving expeditiously a challenge. On top of that, one also needs to factor in the complexities created by an increasing number of laws and regulations.

Ross thinks the legal profession, including those in government service, has made significant advancements, but increased diversity in those serving as prosecutors is important to better

mirror society. "What is true now and what has always been true is our duty to do justice...Our commitment to the job must be the same that it always has been – to care for the victims of crimes and the defendants as well, and to make sure we've done our due diligence to not make a mistake because people's lives are at stake." Ross believes more can be done to help diversity.



Hon. Jeremiah McCarthy and Alan Bozer



Alan Bozer and Chuck DeAngelo



Jamestown High School students with Trini Ross

## In Memoriam

### Dr. Douglas Neckers (1938-2022)

Doug Neckers joined the Robert H. Jackson Center Board in 2006. He served as chair of our Board from 2015-2017, where his stated goal was to raise endowment funds to support the Center's operations. He was successful in this endeavor. Doug initially became interested in the work of the Center because he was disturbed German organic chemists contributed so heavily to the atrocities of the Holocaust. He was deeply interested in government and the U.S. Constitution and how history could instruct us and provide paths forward. He is survived by his children Pamela and Andrew, two granddaughters, and his brother Bruce.

### John E. Anderson (1940-2022)

John Anderson joined the Robert H. Jackson Center Board in 2009 and served through 2016. He was a philanthropic powerhouse in Jamestown and involved with numerous nonprofits. He is survived by his wife Barbara and his son Paul, as well as a grandson and four great-grandchildren.



ROBERT H.  
**JACKSON**  
CENTER

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## Upcoming EVENTS

*Please visit [roberthjackson.org](http://roberthjackson.org) for the latest program announcements.  
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### **Wednesday, February 15 at 5:30pm reception/7pm**

**program** – Jackson Day in Warren County – Reception will be at the Crary Art Gallery in Warren, PA and the program will be at the Warren County Courthouse main courtroom.

### **Saturday, May 6 – Robert H. Jackson and Ruth Bader Ginsburg**

– The Jackson Center will host a panel discussion at 2:30 pm with Irin Carmon, journalist and author of *The Notorious RBG*, and John Q. Barrett, professor of law at St. John's University and our Jackson scholar. Just a couple of blocks away that evening, at 7:30 pm, The Reg Lenna Center for the Arts will present a one woman play, *All Things Equal: The Life and Trials of Ruth Bader Ginsburg*, written by Tony Award winning playwright, Rupert Holmes. In the play, "RBG" invites the audience into her chambers to convey a sense of her life and its many trials as she takes a stand for ordinary people facing the many

challenges of a changing world. Michelle Azar will be playing the title role.

**Living Voices** – The Jackson Center will host a few evening performances of its popular arts education programs in partnership with TheaterWorks USA.

### **February 15 @ 10 am & 1:15 pm - The Right to Dream (civil rights)**

### **April 17 @ 7 pm – Within the Silence (Japanese incarceration)**

### **May 9 @ 7 pm – Through The Eyes of a Friend (Holocaust)**