Reflections from the Core

Holly McMahon

Director, 1994 - Present

I am pleased to join in celebration of the 50th anniversary of the Standing Committee on Law and National Security. Looking back with pride at all the Committee has accomplished fills me with a great deal of gratitude for the opportunity to work with such an extraordinary group of patriots.

I joined the Committee as the Director in 1994 and dutifully reviewed the Committee’s publications, books, conference reports, newsletters—anything I could find to better understand the mission. I quickly learned that the early goal of the Committee, under Lewis Powell’s leadership, was to contrast the American system of government under the rule of law with the alternative vision of communism. Over time, the Committee’s mandate was broadened to provide knowledge and understanding about legal issues affecting national security and terrorism and, in doing so, to preserve both national security and the values of our legal system. No group is more committed to this mission and those values and objectives hold true today. What struck me in reading the reports was the prescience with which the topics were covered. A memory I will never forget is our June conference in 2000, which explored the issue of “catastrophic terrorism,” and the possibility of “mass casualties.” While the focus was on the legal authorities necessary to support antiterrorist actions, an even greater emphasis remained on protecting the basic freedoms so instrumental to our nation. This principle, the conferees agreed, must never be sacrificed.

One year later, time to change Committee leadership and I began preparing for my first meeting with our incoming Chair. The baton had passed from Elizabeth Rindskopf Parker to Suzanne Spaulding and we were to meet to map out our year first thing in the morning on September 11, 2001. No one could have anticipated that morning.

The world had changed; but the Committee knew what it had to do. In the week following 9/11, committee members set up a “command center” in the ABA Washington office. Counselors flew in to Washington, members visited the offices, and as the Committee had done since 1962, we gathered for a breakfast at the University Club on September 28. The room was full; there were no speeches just conversation. The Committee discussed how best to
contribute to the debate that was underway, including how to assist decision makers and the public to address issues of law and national security in a bipartisan way. I was never more proud to be associated with the Standing Committee; all that it stood for was evident.

The Committee’s success can be measured in so many ways, including the reputation it enjoys in the national security community. As evidenced by the growth in our annual review conferences, as well as the increase of national security law courses taught at almost every law school in the country, the impact of the Committee is apparent. Every chair and committee member brings an exciting new set of talents and objectives. Under the leadership of our current Chairman, Harvey Rishikof, the Committee has created a Due Process and Terrorism conference series, published several new national security law books, created a Women in National Security Law Initiative, continued to expand our careers in national security law program, and created a cybersecurity legal task force. As we look to the future, the Committee stands on a solid foundation ready to face the challenges that lie ahead.

Many still recall the early days when Morris Leibman chaired the committee. I have read that he was a man of rare and courageous vision; he cared deeply for people and had a special ability to bring young professionals into the field and appreciated the importance of integrating the rule of law and lawyers into the national security process. I would suggest that this spirit lives on in the committee today and is reflected in the dedication and commitment of our members.

If you are learning about our Committee for the first time, we welcome you to join us and visit www.americanbar.org/natsecurity.