

## MARK R. SHULMAN

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### PROFESSIONAL EXPERIENCE

#### **Pace University, School of Law, White Plains, NY**

2004 - present: *Assistant Dean, Graduate Programs / International Affairs*. Overall leadership of the LL.M. and SJD programs with duties including: marketing, recruiting, admissions, advising, career counseling, and teaching. Increasing six-fold the size of the LL.M. programs. Building strategic partnerships with universities and other organizations outside the US. Creating new graduate and international programs including Visiting Scholars Program, New Directions Program for retraining lawyers, LL.M. degree programs in Real Estate Law (the first in the New York region), Climate Change (the nation's first), Land Use & Sustainable Development (also the nation's first), and International Business Law. Organizing symposia and overseeing the Institute for International Commercial Law.

#### **EastWest Institute, New York, NY and Brussels, Belgium**

2003-04: *Senior Fellow and Director, Worldwide Security Initiative*. Created a program to promote wider international cooperation on external and homeland security with the participation of the private sector and civil society. Developed concepts, programming and publications, directing a staff, budgeting and representing the Institute in international forums.

#### **Debevoise & Plimpton, New York, NY**

1999 - 2003: *Associate* in the corporate department, practiced law primarily in the insurance (mergers and acquisitions) and investment management (raising and maintaining leveraged buyout funds) groups: negotiated and drafted agreements, assisted in structuring of complex transactions, and provided general legal advice. Also extensive work on *pro bono* matters and with expert witnesses.

#### **National Strategy Information Center, Washington, DC**

1994-95: *Fellow*, conducted research and writing in national security and intelligence issues and coordinated the security studies curriculum review.

### TEACHING EXPERIENCE

#### **Pace University, School of Law, White Plains, NY**

2004 - present: *Adjunct Professor of Law*, conducting a Doctoral Colloquium, teaching Introduction to U.S. Law and Legal Research and Writing, and National Security Law, and advising JD, LL.M. and SJD students

#### **Sarah Lawrence College, Bronxville, NY**

2009 - present: *Faculty*, teaching International Law and Human Rights Law

**Columbia University, School of Law, New York, NY**

2000-04: *Lecturer in Law*, taught The Laws of War and War Crimes Tribunals

**Columbia University, School of International & Public Affairs, New York, NY**

1993 and 1998: *Adjunct Associate Professor of International Affairs*, taught The Western Way of War

**Air War College, Montgomery, AL**

1995-96: *Associate Professor of Military and Diplomatic History*, taught Security Studies, the Laws of War, and Intelligence & National Security

**Yale University, New Haven, CT**

1991-94: *Lecturer in History*, advised senior essay writers and graduate students, and taught history courses on the US Military Experience, US Foreign Relations, World War II, and the Laws of War

**University of California at Berkeley, Berkeley, CA**

1986-89: *Graduate Student Instructor*, History Department, taught (or worked as teaching assistant) for history courses on the United States (survey), British Empire, US foreign relations, and the Civil War

## EDUCATION

**Columbia University, School of Law, J.D., 1999**

Editor-in-Chief, *Columbia Journal of Transnational Law*; Berger Memorial Prize for Excellence in International Law; Harlan Fiske Stone Scholar (three years); Parker School Certificate in Foreign and Comparative Law

**University of California at Berkeley, Ph.D. History (outside field: Political Science), 1990**

**Oxford University, M.St. Modern History, 1986**

**Yale University, B.A. History, 1985**

## FELLOWSHIPS AND GRANTS

Visiting Scholar, Yale Univ., International Security Studies, 2005-06

Alfred P. Sloan Foundation Grant (public health emergencies and the law), 2004

Public Interest Law Foundation Grant, Columbia Law School, Summer 1997

Smith Richardson Foundation Writing Grant, 1994-95

Bradley Foundation Post-Doctoral Fellowship, Government Dep't, Georgetown Univ., 1994-95

MacArthur Foundation, faculty support grants, Yale Univ., 1991-93

Olin Post-Doctoral Fellowship in Military History, Yale Univ., 1990-91

Visiting Research Scholar, Naval War College, Advanced Research Dep't, 1989-97

Naval War College Foundation Grant, 1989-90

McCormac Research Fellowship, Univ. California, Berkeley, 1989-90

## PUBLICATIONS & SCHOLARSHIP

### BOOKS

***Imperial Presidency and the Consequences of 9/11: Lawyers Respond to the Global War on Terrorism***, editor and author with James Silkenat (Praeger, 2007)

***An Admiral's Yarn: The Autobiography of Harris Laning***, editor with editorial staff (Naval War College Press, 1999)

***The Laws of War: Constraints on Warfare in the Western World***, editor with Michael Howard & George Andreopoulos (Yale Univ. Press, 1994, paperback 1997)

***Navalism and the Emergence of American Sea Power, 1882-1893*** (Naval Institute Press, 1995)

### ARTICLES, MONOGRAPHS & BOOK CHAPTERS

**The Moot as an Instrument of Progress**, book chapter in Loukas Mistelis *et al.* eds. *International Arbitration and International Commercial Law: Synergy, Convergence and Evolution* (forthcoming 2011)

**China's Implementation of the UN Sales Convention**, with Lachmi Singh 48:2 *Columbia Journal of Transnational Law* (Spring 2010); Chinese language version forthcoming in the *Journal of the China University of Political Science and Law* (Beijing)

**The "War On Terror" Is Over – Now What? Restoring the Four Freedoms as a Foundation for Peace and Security**, 3:2 *Journal of National Security Law & Policy* (Summer 2009)

**National Security Courts: Star Chamber or Specialized Justice?**, 15:2 *ILSA Journal of International and Comparative Law* (Spring 2009)

**Lawyers, Traders and the Rule of Law**, 10 *International Law Review of Wuhan University* (2008-09)

**The Four Freedoms: Good Neighbors make Good Law and Good Policy in a time of Insecurity**, 77:101 *Fordham Law Review* (Fall 2008)

**Contingency in Biophysical Research**, book chapter written with Robert G. Shulman in *Political Contingency: Studying the Unexpected, the Accidental, and the Unforeseen*, Ian Shapiro & Sonu Bedi, eds. (New York Univ. Press, 2007, paperback 2009)

**The Proliferation Security Initiative and the Evolution of the Law on the Use of Force**, 28:3 *Houston Journal of International Law* (Spring 2006)

**The Proliferation Security Initiative as a New Paradigm for Peace and Security**, *Army War College Monograph Series* (April 2006)

**The Progressive Era Origins of the National Security Acts**, 104:2 *Penn State (Dickinson) Law Review* (Winter 2000)

**Discrimination in the Laws of Information Warfare**, 37:3 *Columbia Journal of Transnational Law* (Spring 1999)

**Institutionalizing a Political Idea: Navalism and the Emergence of American Sea Power**, book chapter, *The Politics of Strategic Adjustment: Ideas, Institutions, and Interests*, Peter Trubowitz, Emily Goldman, & Edward Rhodes, eds. (Columbia Univ. Press, 1998)

**Hitting the Target: Perspectives on Doing Naval History**, book chapter, *Doing Naval History: Essays Toward Improvement*, John Hattendorf, ed. (Naval War College Press, 1995)

**Mahan Plus One Hundred: The Current State of American Naval History**, book chapter with Kenneth Hagan, *Ubi Sumus?: The State of Naval and Maritime History*, John Hattendorf ed. (Naval War College Press, 1994)

**The Rise and Fall of American Naval Intelligence, 1882-1917**, article, 8:2 *Intelligence and National Security* (Apr. 1993)

**Navalists, Realists, and the Shaping of National Security, 1877-1947**, article, VI:2 *Valley Forge Journal* (Dec. 1992)

**The Influence of History Upon Sea Power: The Navalist Reinterpretation of the War of 1812**, article, 56:2 *Journal of Military History* (Apr. 1992)

#### ESSAYS, REPORTS & REVIEWS

Review of Henry J. Hendrix, *Theodore Roosevelt's Naval Diplomacy: The U.S. Navy and the Birth of the American Century* in *Journal of American History* 97:2 (Fall 2010)

“Report of the Mission to China of The Association of the Bar of the City of New York, December 6 to 17, 2009” Council on International Affairs (principal author with Jerome Cohen, Scott Greathead, and Elisabeth Wickeri), published on the website New York City Bar (May 2010) and reprinted in 48:3 *Columbia Journal of Transnational Law* (Spring 2010)

“Truth In Consequences: The Legal Architecture of the ‘War On Terror’” review of Benjamin Wittes, *Law and the Long War: The Future of Justice in the Age of Terror* and Eminent Jurists Panel *Assessing Damage, Urging Action* in *American Journal of International Law* (Oct. 2009)

“Scholars’ Statement of Principles for the New President on U.S. Detention Policy: An Agenda for Change” signatory with 24 other academics, offered in testimony for Restoring the Rule of Law: Hearing Before the Subcomm. on the Constitution of the H. Comm. on the Judiciary, 110th Cong. (Sept. 16, 2008) and reprinted in the 47:2 *Columbia Journal of Transnational Law* (Winter 2009)

“Franklin Delano Roosevelt” essay in *Milestone Documents of American Leaders*, Paul Finkelman, ed. (Schlager Group, 2009)

“The Global War on Terror is Over, Now What?” *Westchester Journal News online* (Jan. 18, 2009)

“The UN’s 9/11” review of Samantha Power, *Chasing the Flame* in 11 *NYU Review of Law & Security* (Fall 2008)

“The Four Freedoms as Good Law and Grand Strategy” *American Bar Association*, 30:3 *National Security Law Report* (Oct. 2008)

Op-ed “Prosecutor’s legacy is one to consider” (Albany) *Times-Union* (May 23, 2008); reprinted in “U.S. should emulate Nuremberg tribunal in trying terrorists” *Salt Lake Tribune* (June 1, 2008)

“Lawyers, Liberty and Security: Defending the Rule of Law during the ‘War on Terror’” *bloc*, special issue on law and terrorism (Summer 2007)

Opinion “Moot Court on Global Language of Trade” *New York Law Journal* (Apr. 2, 2007)

“Exile or Opportunity? The Benefits of Mastering US Law” chapter in *Globalização Econômica, Meio Ambiente E Sociedade Civil / Economic Globalization, The Environment And Civil Society* Claudia Lima Marques, ed. (Federal Univ. Rio Grande do Sul, 2006)

“Public Health and the Law: Responding to Terrorism and Other Public Health Emergencies in New York,” symposium report (Fall 2006)

Op-ed “Moot Court Diplomacy” *International Herald Tribune* (Apr. 15, 2006)

“J’accuse for the Bush Administration” review of Richard Clarke, *Against All Enemies: Inside America’s War on Terror* in *NYU Review of Law & Security* (Fall 2004)

“Recommendations Related to the Trial of Saddam Hussein” Association of the Bar of the City of New York report (principal author with Seymour Chalif) (Apr. 2004)

Op-ed “Central America: the Forgotten Frontier” with Michelle Miranda, *International Herald Tribune* (Nov. 23, 2004)

Op-ed “The Global Benefits of U.S. Defenses: Securing the New Borders” with John E. Mroz, *International Herald Tribune* (July 2, 2004)

“Civil Society’s Response to the Challenges of Terrorism” A Conference Report of the EastWest Institute and the Luso-American Foundation (June 2004)

“A public-private strategy for enhancing domestic security worldwide” with John E. Mroz, *Fresh Perspectives on Europe’s Security* (Winter 2004)

“The Debate over War Powers” with Lawrence Lee, *Human Rights*, 30:1 (Winter 2003)

“The Legality and Constitutionality of the President’s Authority to Initiate an Invasion of Iraq” Association of the Bar of the City of New York report (principal author with Lawrence Lee) (Aug. 2002) reprinted in: Shulman & Silkenat, editors, *Imperial Presidency And The Consequences Of 9/11* (2007); 57:4 *Record of the Association of the Bar of the City of New York* (Fall 2002); and 41:1 *Columbia Journal of Transnational Law* (2002)

Review of Daniel Moynihan, *Secrecy: The American Experience* in *Naval Institute Proceedings* (July 1999)

Editors’ Introduction to *Essays on the Laws of War and War Crimes Tribunals in Honor of Telford Taylor*, 37:3 *Columbia Journal of Transnational Law* (1999)

“Legal Constraints on Information Warfare” Occasional Paper, Air War College, Center for Strategy and Technology (March 1999)

Review of Jon T. Sumida, *Inventing Grand Strategy and Teaching Command: The Classic Works of Alfred Thayer Mahan Reconsidered* in *Journal of Military History* (Apr. 1998)

Review of Marc Wolinsky & Kenneth Sherrill eds., *Gays in the Military: Joseph Steffan versus the United States* in *Journal of Military History* (July 1996)

Review essay “Why Men Fight” in *Air Power Journal* (Autumn 1996)

Essay, “Conflict Beneath the Sea in 2020” *Naval Institute Proceedings* (Oct. 1996)

Review of Richard Fanning, *Peace and Disarmament: Naval Rivalry and Arms Control, 1922-1933* in *American Historical Review* (June 1996)

- Review of Christopher Andrew, *For the President's Eyes Only: Secret Intelligence and the American Presidency from Washington to Bush in Intelligence and National Security* (Jan. 1996)
- Review essay "From the Sea" of *One Hundred Years of American Sea Power and Marine Corps' Search for a Mission* in *Reviews in American History* (June 1995)
- Review of Christopher McKee, *A Gentlemanly and Honorable Profession* in *Journal of American History* (Spring 1995)
- Review of Alvin and Heidi Toffler, *Future War* in *Naval Institute Proceedings* (Oct. 1994)
- Review of Robert O'Connell, *Sacred Vessels*, *Journal of Military History* (Oct. 1992)
- Op-Ed, "Navy has Trouble Dealing with Sex" *New Haven Register* (Sept. 10, 1992)
- Review essay "Influence of Mahan upon Sea Power" of Kenneth J. Hagan, *This People's Navy* in *Reviews in American History* (Dec. 1991)
- Op-Ed, "U.S. Defense Policy Needs a Good Public Airing," *New Haven Register* (Apr. 28, 1991)

#### **REPRESENTATIVE PRESENTATIONS**

- "The Dilemmas of Freedom, Privacy, and Homeland Security" Fordham College Panel Discussion (May 6, 2010) New York, NY
- "Four Freedoms and US Foreign Relations" China University of Political Science and Law (Dec. 9, 2009) Beijing, China
- "Ethics and Grand Strategy" 20<sup>th</sup> Annual Ethics Forum, U.S. Coast Guard Academy (Mar. 27, 2009) New London, CT
- "The International Criminal Court" a panel at *Transitional Justice: War Crimes Tribunals and Establishing the Rule of Law in Post-Conflict Countries*, Fordham Law School, moderator/chair (Feb. 20, 2009) New York, NY
- "Will International Law Make Us More Secure?" Association of the Bar of the City of New York, moderator/chair (Jan. 27, 2009) New York, NY
- "The Four Freedoms as Good Law and Grand Strategy" American Association of Law Schools Annual Meeting, Panel Discussion: *National Security Advice to the New Administration*, winner of National Security Law Section's Call for Papers (Jan. 2009) San Diego, CA
- "The Universal Declaration of Human Rights Turns 60" ACLU panel discussion (Dec. 10, 2009) New York NY
- Participant in International Law Video Course, Seton Hall Law School/American Society of International Law (forthcoming)
- "Freedom and Transnational Law" Distinguished Speaker Presentation, *Suffolk Transnational Law Review* (Oct. 2008) Boston, MA
- "National Security Courts: Specialized Justice Or Star Chambers?" ABILA International Law Weekend, panel chair (Oct. 2008) New York, NY
- "Using Transnational Legal Instruments to Supplement Chinese Law" Leitner Center China Colloquium (Oct. 2008) New York, NY

“The Four Freedoms as a Strategy for Peace and Security: Good Neighbors make Good Law and Good Policy in a Time of Insecurity” RAND Corporation Conference on Terrorism and Global Security (May 2008) Santa Monica, CA

“Build it and They Will Come: Responsible Growth of Post-Graduate Law Programs,” American Association of Law Schools Annual Meeting (Jan. 2008) New York, NY

“Strategies For Identifying, Preventing Or Halting Genocidal Campaigns,” ABILA International Law Weekend, panel chair (Oct. 2007) New York, NY

“Traders, Lawyers and the Rule of Law,” Application and Interpretation of CISG in Member States (Oct. 2007) Wuhan Univ., Wuhan, China

“The Evolving Laws of War: How the ‘War on Terror’ is Affecting Humanitarian Law” (Oct. 2007) Southwest Univ. of Political Science and Law, Chongqing, China

“Freedom from Fear” International Law and the Constitution: Terms of Engagement (Oct. 2007) Fordham Law School, New York, NY

“The Legal Profession in the United States,” Kuwaiti Lawyers Society (Nov. 2006) Kuwait

“The Rise and Fall of Codified International Maritime Law of War,” Yale Grand Strategy Lecture Series, commentator (Nov. 2006) New Haven, CT

Civil Society’s Response to the Challenges of Terrorism,” Luso-American Foundation (June 2004) Lisbon, Portugal

“US Law in a Global Context,” Conference on Economic Globalization, Federal Univ. of Rio Grande do Sul (June 2005) Porto Allegre, Brazil

“Preventive War Taboo,” Carnegie Council Fellows Conference, commentator (June 2004) New York, NY

“Justice After War,” Carnegie Council Workshop, commentator (Apr. 2004) New York, NY

“Global Homeland Security,” Turkish Foreign Policy Institute (Apr. 2004) Ankara, Turkey

“Towards Worldwide Security,” EastWest Institute Conference, commentator (Nov. 2003) Brussels, Belgium

“Progressive Era Origins of the National Security Act,” Yale-Olin Conference (June 1999) New Haven, CT

“Influence of the Information Revolution on National Security,” Center for Strategic & International Studies/Cantigny Conference Paper (Sept. 1997) Lombard, IL

“Changing National Security Strategy in the Progressive Era,” International Relations - Diplomatic History Workshop, Columbia Univ., School of International & Public Affairs, (Feb. 1997) New York, NY

“Naval Education Outside Annapolis,” commentator, Naval Academy 12th Naval History Symposium, (Oct. 1995) Annapolis, MD

“The Politics of Strategic Adjustment and the U.S. Navy,” MacArthur Foundation-Social Science Research Council workshop at Univ. of Texas, Austin, TX (Apr. 1994) and at UC Davis/Naval Postgraduate School workshop (Feb. 1995) Monterey, CA

“A Modest Proposal,” Second Yale-Naval War College Conference on Naval History (June 1994) New Haven, CT

“Economics and National Security,” National Strategy Information Center Faculty Seminar on Teaching National and International Security (July 1993) Brunswick, ME

“*Ubi Sumus*,” Yale-Naval War College Conference on the State of Naval and Maritime History, (June 1993) New Haven, CT

“From Perry to Pearl Harbor: The Navy’s Pacific,” public lecture opening Yale’s Beinecke Library exhibition (Apr. 1993) New Haven, CT

“Navalists, Realists, and the Shaping of National Security, 1775-1947,” Society of Military History/ U.S. Commission on Military History banquet address, American Historical Association annual meeting (Dec. 1992) Washington, DC

“The Rise, Decline, and Revival of U.S. Naval Intelligence,” Consortium for the Study of Intelligence Seminar on Research About Intelligence (Aug. 1991) Brunswick, ME

“The State and Society: The Navy and Popular American Culture,” Pittsburgh Center for Social History (Mar. 1990) Pittsburgh, PA

### **PROFESSIONAL ACTIVITIES**

#### **Association of the Bar of the City of New York**

- **Chair**, Council on International Affairs (2009 - present), leading 40 lawyers to coordinate the City Bar’s 16 international affairs committees and programming. Overseeing the City Bar’s Climate Change and Rule of Law in China projects.
- **Chair**, International Human Rights Committee (2006-09), led 36 lawyers in efforts to examine, explain and report on human rights issues around the world with a special emphasis on the implications of the “war on terror.” Produced dozens of human rights letters, amicus briefs, and reports to support human rights.
- **Committee Member**, Committee on International Security Affairs (2000-03); Council on International Affairs (2003 - present); International Human Rights Committee (chair, 2006 - 2009); Task Force on National Security and the Rule of Law (2007 - present); and Chair of the Council on International Task Force on Issues Related to the Trial of Saddam Hussein (2003-04).

**Columbia Journal of Transnational Law**, Board Member (1998 - present); President (1998-99); member investment and Wolfgang Friedmann Memorial Award selection committees.

**Next Generation Nepal**, Board Director and Secretary (2006 - present), a foundation supporting work to end child trafficking and return children to their parents in Nepal.

**Asian University for Women Support Foundation**, Board Secretary, Treasurer and Director (2002-06), member of the management team of a transnational initiative to create a regional university in association with the private sector, faculty and administrators, private foundations and leaders of international and non-governmental organizations.

**Symposium Chair**, *Public Health Emergencies and the Law* in White Plains, NY, organizing, fund-raising, chairing a symposium on legal responses to bio-terrorism and other public health emergencies (Nov. 2005).

**AALS Section Leadership**, American Association of Law Schools, Section on Post-Graduate Education (Treasurer, 2005; Secretary 2006; Executive Committee 2005 - present); Section on National Security Law, Executive Committee 2009 - present).

**American Constitution Society (ACS)** Working Group on International Law and the Constitution (2007 - present); Working Group on Detention Without Trial (2008 - present).

**Conference Chair**, EastWest Institute conferences in Washington, DC (July 2003), Brussels (Nov. 2003) and Lisbon (June 2004), organizing, chairing, commenting, and publishing reports on conferences developing and promoting the concept of worldwide security.

**Coordinator of Book Projects**, *Insurance and Investment Management M&A*, editing this book for Debevoise & Plimpton, 2001-02 and *Security Studies for the Twenty-First Century*, organizing a seminar, drafting and editing the resulting book, 1994-95.

**Yale Univ., International Security Program**, Chair of the weekly colloquium, 1990-93; Co-Chair with John B. Hattendorf of the *Yale-Naval War College Conferences on Naval and Maritime History*, 1993 and 1994; and Chair, *Yale Diplomatic-International History Conference*, 1992.

#### **ADVISOR/CONSULTANT/ARBITRATOR**

Submitted amicus briefs for *Lawrence v Texas* (National Lesbian and Gay Law Association brief, 2003); *ACLU v Department of Defense* (NY City Bar brief, 2006); *Boumediene v Bush* (NY City Bar and Legal Historians' briefs, 2007); *Kiyemba v. Bush* (Legal Historians' brief, 2008); *Al-Marri v Spagone* (19<sup>th</sup> Century Historians' brief, 2009)

Evaluator for Fordham Law School's LL.M. program in International Law and Justice (2007)

Arbitrator, Willem C. Vis International Commercial Arbitration Moot, Vienna, (2005-08)

Doctoral Committee Service: Pace (Law, 2007), Yale (History, 1993), CUNY (History, 2006)

Manuscript evaluation for: Princeton Univ. Press; Yale Univ. Press; Naval Institute Press; Rutledge; *Journal of American History*; *Journal of Military History*; and RAND

Grant proposal or fellowship application evaluations for: the U.S. Department of Education (Fund for the Improvement of Post-Secondary Education, FIPSE); Coro Fellows Program in Public Affairs; Yale University's Olin Post-Doctoral Fellowships; the National Endowment for the Humanities; and the Bureau of Educational and Cultural Affairs, U.S. Department of State (Muskie Fellowship program)

Program Participant in/Advisor to: Department of Defense, Institute of National Strategic Studies (*Project 2015*, study author, 1995-96); Center for Strategic and International Studies (CSIS Study Group on Professional Military Education, 1994-96); Army War College Strategic Studies Institute's External Research Affiliates Program (2005-06)