



NSI

THE NATIONAL SECURITY INSTITUTE
At George Mason University's Antonin Scalia Law School



THE ROLE OF A NATIONAL SECURITY LAW ADVISOR:

AN INSIDER'S PERSPECTIVE

January 25, 2018 - Hazel Hall room 221

The National Security Institute partnered with the Scalia Law School Federalist Society, the Jewish Law Students Association, Our Soldiers Speak, and the National Security Law Journal to host Marlene Mazel, Director of the Counter-Terrorism Litigation Division of the Israeli Ministry of Justice.

DISCUSSION WRAP UP

After brief introductions from Jamil N. Jaffer, founder of NSI, and Benjamin Anthony, founder of Our Soldiers Speak, Ms. Mazel shared highlights from her career, examined the growing use of lawfare, and opined on the role of modern media in the international legal battlefield.

A Career in Human Rights Law. Ms. Mazel discussed beginning her career representing New York City in general litigation matters and later joining the Israeli Ministry of Justice and litigating on behalf of the government of Israel in cases around the world. Ms. Mazel emphasized that working for the government provides many opportunities for human rights attorneys; for example, when starting at the Ministry of Justice, Ms. Mazel was able to litigate cases applying the Hague Convention on the Civil Aspects of International Child Abduction in courtrooms in numerous countries. Ms. Mazel pointed out that her experience in the Ministry of Justice is not unique and that students can find similar opportunities with the United States government.

Lawfare. Ms. Mazel also explored the concept of “lawfare,” where in addition to operational, political, and cyber battlefields, attorneys use a range of legal techniques to fight political or other battles in the courts. Ms. Mazel described how international criminal law can be utilized by all sides in international tribunals to pursue various goals, and noted that expanding conceptions of universal jurisdiction can also make national courts a venue for such cases.

SPEAKER

MARLENE MAZEL
Director of the Counter-
Terrorism Litigation
Division,
Israeli Ministry of Justice

Ms. Mazel noted that while such cases can benefit both nations and individuals by allowing them to bring cases against those individuals that have violated the law of nations, such cases also present opportunities for abuse, potentially inviting the filing of frivolous criminal and civil suits against various parties for the sole purpose of pursuing political goals.

Modern Media and the International Legal Battlefield. Ms. Mazel also discussed the role of the media in the Ministry of Justice's legal work. Ms. Mazel highlighted the challenges of the growth of social media and the twenty-four-hour news cycle and its impact on the perception of military and other operations. Ms. Mazel described the challenge that lawyers practicing in this space may face when working to simplify complex legal ideas into effective social media messages.