

CURRICULUM VITAE

JACKSON NYAMUYA MAOGOTO

Academic Qualifications

1. Master of Laws (LL.M), University of Technology Sydney (Australia), February 2006-June 2007 [Thesis Focus: International law and the use of force]
2. Graduate Diploma in the Practice of Tertiary Teaching (GCertPTT), University of Newcastle (Australia) June 2003-June 2005.
3. Doctor of Philosophy (PhD), University of Melbourne (Australia), August 1999-August 2002 [Thesis Focus: International criminal and humanitarian law].
4. Master of Laws (LL.M) (Honours), Churchill College, University of Cambridge (UK), October 2000-June 2001 [Major: International law].
5. Bachelor of Laws (LL.B) (First Class Honours), Moi University (Kenya), October 1995-April 1999.

Professional Training

1. Postgraduate Certificate in Public Policy, Australian Technology Network of Universities (ATN LEAP Programme) (Royal Melbourne Institute of Technology), July-November 2006.
2. Postgraduate Certificate in Global Sustainability, Australian Technology Network of Universities (ATN LEAP Programme) (Royal Melbourne Institute of Technology), July-November 2006.
3. Postgraduate Certificate in Leadership and Communication, Australian Technology Network of Universities (ATN LEAP Programme) (Curtin University of Technology), May-June 2006.
4. Postgraduate Certificate in Project Management, Australian Technology Network of Universities (ATN LEAP Programme) (University of Technology, Sydney), March-May 2006.
5. Postgraduate Certificate in Entrepreneurship, Australian Technology Network of Universities (ATN LEAP Programme) (University of South Australia), March-May 2006.
6. Certificate of Attendance, United Nations Institute for Training & Research (UNITAR), Victoria University of Wellington (New Zealand), 28 June-2 July 2004 [Seminar on International Courts and Tribunals].

Awards/Prizes

1. Fellow of the Cambridge Commonwealth Society, University of Cambridge, 2001.
2. Shell Centenary Scholarship, University of Cambridge, 2000.
3. Melbourne International Research Scholarship, University of Melbourne, 1999.
4. Chancellor's Medal for Academic Excellence, Moi University, 1999.

Citations

- 2000 Leading Young Intellectuals of the 21st Century (first cited in 2006 ed.)—International Biographical Society (Ely, UK)*
- Marquis Who's Who in the World (first cited in 2005 ed.)—Marquis Who's Who (Providence, NJ, USA)*
- International Biographical Dictionary (first cited in 2005 ed.)—International Biographical Society (Ely, UK)*

[*By invitation]

Research & Teaching Interests

- ◆ Public international law
- ◆ International criminal law
- ◆ International humanitarian and human rights law
- ◆ International organisations
- ◆ Use of force and peacekeeping
- ◆ Jurisprudence
- ◆ Legal method and systems
- ◆ Space law

Professional Affiliations

- ◆ Australian Institute of International Affairs
- ◆ Australasian Law Teachers Association
- ◆ Australian Lawyers for Human Rights
- ◆ American Society of International Law
- ◆ Australia & New Zealand Society of International Law
- ◆ European Society of International Law
- ◆ International Law Association
- ◆ International Institute of Space Law
- ◆ International Society for Military Law & the Law of War
- ◆ Law Reform Association (Australia)
- ◆ Royal Institute of International Affairs
- ◆ The Nuclear Age Foundation

Publications List

Books

1. *The Militarization of Outer Space & International Law* (Amicus books, Hyderabad, India) (forthcoming 2009).
2. *International Law in a Nutshell* (Lawbook Company, 2nd Ed., Sydney, Australia, 2009) (Co-authored with Ben Clarke) (261 pp).
3. *Legal Control of the Private Military Corporation* (Palgrave McMillan Press, London, UK, 2008) (Co-authored with Benedict Sheehy & Virginia Newell) (252 pp).
4. *Battling Terrorism: Legal Perspectives on the Use of Force and the War on Terror* (Ashgate Publishers Ltd, Aldershot, UK, 2005) (221 pp).
5. *War Crimes and Realpolitik: From World War I into the 21st Century* (Lynne Rienner Publishers, Colorado, USA, *International Studies and Comparative Politics Series*, 2004) (267 pp).
6. *International Criminal Law and State Sovereignty: Versailles to Rome* (Transnational Publishers Inc., New York, USA, *International Comparative and Criminal Law Series*, 2003) (311 pp).

Book Chapters

1. "New Heights of Combat—Yesterday's Scientific Fantasies, Today's Technological Possibilities: Weaponisation of Outer Space" in *Law of Outer Space & Policy* (Amicus books, Hyderabad, India) (forthcoming 2010).*
2. "The 21st Century Space Arms Race: Curtailing Heavenly Thunderbolts through the Shield Of The 'Peaceful Purposes' Mantra" in *International Space Law* (Sandeepa Bhat, ed.), (ICFAI Publications, Hyderabad, India) (forthcoming 2009) (co-authored with Professor Steven Freeland).*

3. "The Experience of the Ad Hoc Tribunals for the Former Yugoslavia and Rwanda" in *The Legal Regime of The International Criminal Court: Essays in Memory of Professor Igor Blischenko*, José Doria, Hans-Peter Gasser, M. Cherif Bassiouni, eds.) (Martinus Nijhoff Publishers, Leiden, The Netherlands, 2009) (Chapter 4) pp 63-74.*
4. "The Work of National Military Tribunals under Control Council Law 10" in *The Legal Regime of The International Criminal Court: Essays in Memory of Professor Igor Blischenko*, José Doria, Hans-Peter Gasser, M. Cherif Bassiouni, eds.) (Martinus Nijhoff Publishers, Leiden, The Netherlands, 2009) (Chapter 3) pp 51-62.*
5. "Early Efforts to Establish an International Criminal Court" in *The Legal Regime of The International Criminal Court: Essays in Memory of Professor Igor Blischenko*, José Doria, Hans-Peter Gasser, M. Cherif Bassiouni, eds.) (Martinus Nijhoff Publishers, Leiden, The Netherlands, 2009) (Chapter 1) pp 3-22.*
6. "Westphalian Sovereignty in the Shadow of International Justice? A Fresh Coat of Paint for a Tainted Concept" in *The End of Westphalia? Re-envisioning Sovereignty?* (Ramesh Thakur and Charles Sampford, eds.) (Ashgate Publishers Ltd, Aldershot, UK, 2008) pp 211-227.
7. "East Timor's Tortured March to Statehood: The Triangle of Self-Determination, International Norms and Realpolitik" in *Timor-Leste: Issues of Justice and Human Rights* (William Binchy & Aoife Nolan, eds.) (Clarus Press, Dublin, Ireland, 2009) pp 301-316.
8. "America's War on Terror: Rattling International Law with Raw Power?" in *Fight against Terrorism: Legal Responses* (D Sujatha, ed.) (Amicus Books Hyderabad, India, 2008) pp 221-241.
9. "Westphalian Sovereignty in the Shadow of International Justice? A Fresh Coat of Paint for a Tainted Concept" in *The End of Westphalia? Re-envisioning Sovereignty?* (Ramesh Thakur and Charles Sampford, eds.) (Ashgate Publishers Ltd, Aldershot, UK, 2008) pp 211-227.
10. "Superior Orders Defence in International Law" in *Rethinking International Criminal Law: The Substantive Part* (Olaoluwa Olusanya, ed.) (Europa Publishing, Groningen, The Netherlands, 2007) pp 91-128.

[*Contribution by invitation]

Refereed Journals

1. Yesterday's Mistakes Still Today's News: The Persisting Cloud of Humanitarian Violations Over UN Peace-Keeping: A New Agenda for Accountability, *African Yearbook of International Law* (forthcoming 2009).
2. Private Military Companies & International Law: Building New Ladders of Legal Accountability & Responsibility, *Cardozo Journal of Conflict Resolution*, (forthcoming 2009) (Co-authored with Benedict Sheehy).
3. Typology of Conflict: Terrorism and The Ambiguation of the Laws of War, *GNU Law Review* (forthcoming 2009) (Co-authored with Gywnn MacCarrick).
4. The Private Military Company—Unravelling The Theoretical, Legal & Regulatory Mosaic, *ILSA Journal of Int'l & Comparative Law, Volume 15, Issue 1 (2008)* (Co-authored with Benedict Sheehy) pp 147-81.
5. Constituting Vanuatu: Societal, Legal and Local Perspectives, *Asia Pacific Law Review, Volume 16, Issue 2 (2008)* (Co-authored with Benedict Sheehy) pp 133-55.
6. The "Good Governance" Crusade in the Third World: A Rich, Complex Narrative—Magic Wand or Smoke Screen, *International Community Law Review, Volume 10, Issue 1(2008)* pp 375-386.
7. From Star Wars to Space Wars—The Next Strategic Frontier: Paradigms to Anchor Space Security, *Journal of Air & Space Law, Volume 33, Issue 1(2008)* (Co-authored with Professor Steven Freeland) pp 10-37.
8. The Final Frontier: The Laws of Armed Conflict and Space Warfare, *Connecticut Journal of International Law, Volume 23, No.1 (2007)* (Co-authored with Professor Steven Freeland).
9. Space Weaponization and the United Nations Charter Regime on Force: A Thick Legal Fog or a Receding Mist? *International Lawyer, Volume 41, No. 4 (2007)* (Co-authored with Professor Steven Freeland) pp 1091-1119.
10. East Timor's Tortured March to Statehood: A Tale of Legal Exclusion & the Vagaries of Realpolitik, *University of Notre Dame Law Review, Volume 9 (2007)*.

11. The Superior Orders Defence: A Game of Musical Chairs and the Jury Is Still Out, *Flinders Journal of Legal Reform*, Volume 10, No. 2 (2007) pp 185-210.
12. Torturing the Rule of Law: USA and the Post 9-11 Legal World, *St. John's Journal of Legal Commentary*, Volume 21, No. 3 (2007) (Co-authored with Benedict Sheehy) pp 689-725.
13. A People Betrayed—The Darfur Crisis and International Law: Rethinking Westphalian Sovereignty in the 21st Century, *Bond Law Review*, Volume 19, No.2 (2007) (Co-authored with Dr Kithure Kindiki) pp 102-123.
14. The Private Military Firm—Subcontracting Sovereignty: The Commodification of Military Force and the Fragmentation of the State's Authority, *Brown Journal of World Affairs*, Volume 13, No 1 (2006) pp 147-160.*
15. Contemporary Private Military Firms Under International Law: An Unregulated "Gold Rush", *Adelaide Law Review*, Volume 26, No 2 (2006) (Co-authored with Benedict Sheehy) pp 245-269.
16. Walking an International Tightrope: Use of Military force to Counter Terrorism, *Brooklyn Journal of International Law*, Volume 31, No 2(2006) pp 405-461.
17. Gaming for "Good Governance" And the Democratic Ideal: From Universalist Rhetoric to Pacific Realities Seen through a Fijian Microscope, *Australian International Law Journal*, 2006 (Co-authored with James Stratford) pp 165-186.
18. Sovereignty in Transition: Human Rights and International Justice. *University of Notre Dame Australia Law Review Volume 7*, (2005) pp 83-98.
19. The Military Ascent into Space: From Playground to Battleground: The New Uncertain Game in the Heavens, *Netherlands International Law Review*, Volume 52, No 1, (2005) pp 389-416.
20. China-Australia Free Trade Agreement: New Icing on an Old Cake-An Opportunity for Fair Trade? *Macquarie Journal of Business Law*, Volume 2, 2005, (Co-authored with Benedict Sheehy) (2005) pp 169-188.
21. America's War on Terror: Rattling International Law with Raw Power? *Newcastle Law Review Volume 8*, No 2 (2004-5) pp 19-28.*
22. Democracy's Global Quest: A Noble Crusade Wrapped in Dirty Reality? (Co-authored with Andrew Coleman), *Suffolk Transnational Law Review*, Volume 27, No 2 (2005) pp 175-242.
23. Countering Terrorism-From Wiggled Judges to Helmeted Soldiers? Legal Perspectives on America's Counter-Terrorism Responses. *San Diego International law Journal*. Volume 6, No 1 (2005) pp 243-294.
24. Silencing Human Rights in the Clash of Arms? Israel's Official Policy of "Targeted Killings"—A Dark Side in Fighting Terrorism. *Human Rights Global Focus Journal* (October 2004) pp 5-11.
25. The International Criminal Tribunal for Rwanda: A Paper Umbrella in the Rain? Initial Pitfalls and Brighter Prospects. *Nordic Journal of International Law*, Volume 73, No 2 (2004) pp 187-221.
26. A Giant Without Limbs: The International Criminal Court's State-Centric Cooperation Regime. *University of Queensland Law Journal*, Volume 23, No 1, (2004) pp 102-132.
27. New Frontiers, Old Problems: The War on Terror and the Notion of Anticipating the Enemy. *Netherlands International Law Review Volume 51*, No. 1(2004) pp 1-39.
28. The Final Balance Sheet? The International Criminal Court's Challenges and Concessions to the Westphalian Model. *Flinders Journal of Legal Reform*, Volume 7, No. 1 (2004) pp 261-286.
29. Rushing To Break the Law? "The Bush Doctrine" of Pre-Emptive Strikes and the UN Charter Regime on the Use of Force. *University of Western Sydney Law Review*, Volume 7 (2003) pp 1-34.
30. Democratic Governance: An Emerging Customary Norm? *University of Notre Dame Australia Law Review*, Volume 5, (2003) pp 55-79.
31. War on the Enemy: Self-Defence and State-Sponsored Terrorism. *Melbourne Journal of International Law*, Volume 4, No. 2 (2003) pp 406-438.
32. The International Criminal Tribunal for Rwanda: A Distorting Mirror; Casting Doubt on its Actor-oriented Approach in Addressing the Rwandan Genocide. *African Journal of Conflict Resolution*, (2003 Edition) pp 55-97.
33. After The Party, Is There A Cure for The Hangover? The Challenges of the Global Economy to Westphalian Sovereignty (Co-authored with Andrew Coleman). *Legal Issues in Economic Integration*, Volume 30, No. 1, (2003) pp 35-59.
34. "Now You see, Now You Don't: The Duty of the State to Investigate and Prosecute 'Disappearances and Extra Judicial Executions. *Australian International Law Journal*, 2002 Edition pp 176-219.

35. Aggression: Supreme International Offence Still in Search of Definition. *Southern Cross University Law Review*, Volume 5, No. 1, (2002) pp 278-317.
36. Presiding Over the Ex-President: A Look at Superior Responsibility in Light of the Kosovo Indictment *Deakin Law Review*, Volume 7 No 1 (2002) pp 173-199.
37. Revisiting the Balkan Crisis: A UN Question; The European Connection and the US Solution. *Jurnal Hukum*, Volume 9, No. 21 (2002) pp 159-187.
38. International Justice for Rwanda Missing the Point: Questioning the Relevance of Classical Criminal Law Theory. *Bond Law Review*, Volume 13, No. 2, (2001) pp 190-223.
39. International Justice in the Shadow of Realpolitik: Re-Visiting the Establishment of the Ad Hoc International Criminal Tribunals. *Flinders Journal of Legal Reform*, Volume 5, No. 2 (2001) pp 161-198.
40. From Congo to East Timor in 40 Years: Is the UN Finally Crossing the Rubicon Between Peace-Keeping and Peace-Making? *Newcastle Law Review*, Volume 4, No. 2 (2000) pp 45-73.
41. People First, Nations Second: A New Role for the UN as an Assertive Human Rights Custodian. *Australian International Law Journal*, (2000) pp 120-150.
42. Watching the Watchdogs: Holding the UN Accountable for International Humanitarian Law Violations of the 'Blue Helmets'. *Deakin Law Review*, Volume 5, No. 1 (2000) pp 47-80.

[*Contribution by invitation]

Magazines

1. Taming the State (Versailles to Rome): Rolling Back Westphalian Sovereignty Through International Penal Process *Globus*, (University of Melbourne) No 1, 2002.
2. The International Criminal Court: Facing the 21st Century With hope, Not a Slogan. *The Law Informer*, 2000 Edition.
3. The International Criminal Court: The Dawn of a New Era. *The Law Informer*, 1998 Edition.

Book Reviews

- Restorative Justice and Responsive Regulation by John Braithwaite (Publisher: Oxford University Press, 2002), *Newcastle Law Review* Volume 8, No 2 (2004-5).

Papers Presented

1. Re-Envisioning "Micro-Sovereignty": Your House or My Hut? An Appraisal of Third World Identity and Self-Determination, *ABRI/ISA Joint International Conference*, Pontifical Catholic University, Rio De Janeiro, Brazil, 20-24 July, 2009.*
2. Lessons on Legal Pluralism and Development Processes: A Thumb Nail Sketch—Creative Destruction & Reconstruction, *World Bank: Justice for the Poor Program*, Alila Hotel, Jakarta Indonesia (4-5 June 2009).*
3. The Globalization Laboratory: Past and Present Duplicity—Where the Shoe Pinches, *Second Global Studies Conference*, Zayed University, Dubai, United Arab Emirates (30 May-1 June 2009).
4. The Militarization & Weaponization of Outer Space—From Playground to Battleground: Legal Perspectives on the Use of Force, *Space Studies Forum*, University of North Dakota, John D. Odegard School of Aerospace Sciences, 24 May 2007.*
5. The 'Good Governance' Crusade in the Third World: A Rich, Complex Narrative—Magic Wand or Smoke Screen, *Third Annual International Conference on Third World Law & International Law*, Albany Law School, New York, 19-21 April 2007.*
6. Counter-Terrorism Legislation-ASIO Amendment Act 2003: Tightening the Reins on Civil Liberties, *Public Forum Organised by the Law Students Association*, University of Newcastle, Callaghan Campus, 21 August 2006.*
7. The 2005 Pacific Plan: A Realist Model to Anchor Australian Cooperative Intervention and Promote Sustainable Regional Security through Socio-Political Transformation, *Australian & New Zealand Society of International Law* [14th Annual Conference], Wellington, 29 June-1 July 2006.*

8. The Military Ascent into Space: From Prestige Playground to Battleground—The New Uncertain Game in the Heavens, *Internet, Processes, Systems, and Interdisciplinary (IPSI) Quarterly Conference*, Carcassonne, France 27-30 April 2006.*
9. The War on Terror: From Law Enforcement to Conflict Management—Cutting the Forest to Save the Trees?, *School of Economics, Politics, and Tourism Research Seminar Series*, University of Newcastle, 3 March 2006.*
10. Africa-A Troubled Paradise-Political & Economic Intersections, *Australian Institute of International Affairs*, Glover Cottages, 11 November 2005.*
11. Militarizing the Crime of Terrorism, *Public Forum Organised by the War, Society & Culture Group*, University of Newcastle, University of Newcastle Legal Centre, 21 September 2005.*
12. China-Australia Free Trade Agreement: New Icing on an Old Cake-An Opportunity for Fair Trade? *China International Conference on the Theory and Frontline Practice of the Science of Law, China International Academic Seminar for Universities, Beijing*, 17-22 July 2005 (Co-presenter Benedict Sheehy)*
13. Contemporary Private Military Firms Under International Law: An Unregulated “Gold Rush”, *International Institutions in a Uni-Polar World Conference, Australian & New Zealand Society of International Law (ANZSIL), Australian National University*, 16-18 June 2005.*
14. Westphalian Sovereignty in the Shadow of International Justice? A Fresh Coat of Paint for a Tainted Concept. *United Nations Re-Envisioning Sovereignty Project, Australian National University*, 8-10 April 2005.*
15. An Unholy Alliance: The Conjunction of Just War and the International Regime on the Use of Force. *Just War Forum, History Week*, University of Newcastle, 16 September 2004.*
16. Responses to The Terrorist Threat: From the Judge’s Gavel to the Soldier’s Gun, *New Researchers, New Research Conference*, University of Adelaide, 30 September-2 October 2004.*
17. The International Criminal Tribunal for Rwanda: A Paper Umbrella in the Rain? Questioning Classical Criminal Law Theory in the Prosecution of Collective Atrocity. *21st Annual Law and Society Conference*, University of Newcastle, 8-9 December 2003.*
18. A Swinging Pendulum; The Dilemma of Democracy in the Developing World. *Research Seminar Program*, University of Newcastle, 22 August 2003.*
19. After the Party, the Hangover? Finally Paying the Price-The Challenges of the Global Economy to Westphalian Sovereignty. (co-presenter, Andrew Coleman) Rights and Wrongs: Judging the Law, *4th Annual University of Sydney Law Postgraduate Conference*, University of Sydney, 6-7 December 2002 (Co-presenter Andrew Coleman).
20. Taming Westphalian Sovereignty through International Penal Process. *PLSA Food for Thought Seminar Series*, University of Melbourne, 15 August 2002.
21. Presiding Over the Ex-President: A Look at Superior Responsibility in Light of the Kosovo Indictment. *National Postgraduate Law Students Conference* (University of Melbourne) 28-30 June 2002.
22. Justice or Jingoism: The Politics of the Ad Hoc International Criminal Tribunals. The *Second Annual Churchill College Seminar* (University of Cambridge), 22 May 2001.
23. International Justice for Rwanda: Questioning the Relevance of Classical Criminal Law Theory. *MCR Seminar, Churchill College* (University of Cambridge), 13 January 2001.
24. A Giant without Limbs: The Crippling Effect of State Sovereignty on the International Criminal Court. *PLSA Seminar Series*, University of Melbourne, 18 August 2000.

*Papers presented by invitation.