

JEFFREY C. TUOMALA

Liberty University School of Law
1971 University Boulevard
Lynchburg, Virginia 24502
Phone (434) 592-5385; Fax: (434) 522-0404
jtuomala@liberty.edu

Residence:
Lynchburg, Virginia 24503

CURRENT POSITIONS

Associate Dean for Academic Affairs and
Professor of Law, Liberty University School of Law, Lynchburg, Virginia

EDUCATION

George Washington University National Law Center, Washington, D.C.
LL.M., *highest honors*, 1984

Ashland Theological Seminary, Ashland, Ohio
Postgraduate studies, 1980-82

Capital University Law and Graduate Center, Columbus, Ohio
J.D., 1976

The Ohio State University, Columbus, Ohio
B.S., Education, 1973

ACADEMIC EXPERIENCE

Positions

Associate Dean for Academic Affairs, 2003-04, 2005-present; Professor, 2006-present;
Associate Professor, 2003-06; Liberty University School of Law, Lynchburg,
Virginia

Associate Professor, 2000-03; Thomas Goode Jones School of Law, Montgomery, Alabama

Associate Professor, 1993-96; Assistant Professor, 1987-92; Regent University School of
Law, Virginia Beach, Virginia

Courses Taught

Constitutional Law I, fall 2005-present
Constitutional Law II, spring 2006-present
International Law, fall 1987-95
Foreign Relations and National Security Law, summer 1994
Criminal Law, winter 1990-93, spring 1995, fall 2002
Criminal Procedure, spring 1988, 1992-93, 1995, 2002
Crime and Punishment, fall 1987-90

Administrative Law, spring 1988-89, 1992-94
Federal Jurisdiction, fall 2001
Legal History, winter 1988, 1990, 1992, fall 1994
Jurisprudence, winter 1987, 1989, 1991, fall 1993, 1995
Civil Procedure I, fall 2004
Civil Procedure II, spring 2005
Torts I, spring 2001, fall 2001-02
Torts II, summer 2001, spring 2002-03

RESEARCH, WRITING AND SCHOLARSHIP

Published Articles

Marbury v. Madison and the Foundation of Law, 4 LIBERTY U. L. REV. 297 (2010)

Book Review of Robert George's The Clash of Orthodoxies: Law, Religion, and Morality in Crisis, 4 LIBERTY U. L. REV. 77 (2009).

The Bible and American Law: A Response to Dean Herbert W. Titus, 3 LIBERTY U. L. REV. 329 (2008).

Chinese and Western Worldviews: Implications for Law, Policy, and War, 6 REGENT J. INT'L L. 91 (2008).

Christ's Atonement as the Model for Civil Justice, 38 AM. J. JURIS. 221 (1993). Draws parallels between the four principal theories of civil justice and four views of atonement.

Just Cause: The Thread That Runs So True, 13 DICK. J. INT'L L. 1 (1994). Argues that the primary and unifying factor that justifies the use of force in customary international law, the U.S. Constitution and just war doctrine is "just cause."

The Value of Punishment: A Response to Judge Richard L. Nygaard, 5 REGENT U. L. REV. 13 (1995). Critiques Judge Nygaard's (U.S. Court of Appeals, 3d Circuit) call for a return to rehabilitation as the primary objective of sentencing.

The Law of Nature: Who Owns the Sea? 2 OAK BROOK C. J. OF L. & GOV'T POL'Y 47 (2003).

The Law of Nature and the Law of War, 2 OAK BROOK C. J. OF L. & GOV'T POL'Y 99 (2003).

Curriculum Development at a New Law School: Dismantling the Walls of Separation, XIII EDUCATION AND PRACTICE 1 (Fall 2004).

Draft Articles

"Proportionality, Military Necessity and Unnecessary Suffering in the Law of War."
Argues that the proportionality principle of Protocol I to the Geneva Conventions of 1949 is a serious departure from previous treaty and customary law.

“The Law of Nature and Nature’s Manganese Nodules.” Revisits the Grotius-Selden debate over the ownership of the seas and concludes that it is Selden’s jurisprudential principles, and not Grotius’, that provide the foundation for modern law of the sea and in particular the ownership of the deep seabed.

“The Right to Life in International Law and Its Application in Canadian Courts.” Analyzes international law on the right to life and how it can be used to inform Canadian constitutional decision making.

Course Materials Developed for International Students—Naval Justice School

The Law of Armed Conflict (LOAC): An Overview.

The Law of Armed Conflict: Categories of Persons.

The Law of Armed Conflict: Targeting, Means and Methods of Warfare, Weapons.

Use of Force.

LOAC in Peacekeeping: Overview and Basic Principles.

LOAC in Peacekeeping: Geneva Common Articles.

LOAC in Peacekeeping: Treatment of Persons.

LOAC in Peacekeeping: Use of Force.

Claims Against U.N. Personnel.

Contracting for Peacekeeping.

Civilian Police in Peacekeeping Operations.

Environmental Law and Peacekeeping Operations.

Demining and Peacekeeping Operations.

Standards of Conduct and Government Ethics for Peacekeepers.

INTERNATIONAL LAW AND NATIONAL SECURITY

Other Speaking and Teaching

Federalist Society

Presentation and Panelist, “The Crime of Abortion and Nuremberg,” Lynchburg, Virginia, April 2010.

International Law Society

Presented Lecture, “Use of Force in International Law.” Lynchburg, Virginia, April 2009.

Christian Legal Society

Led roundtable, "The Invasion of Iraq." Banner Elk, North Carolina, February 2005.

University of Denver

Presented paper, "On War and Justice: National Interest, International Law and Cooperation in an Age of Terrorism," at conference entitled *Chinese and Western Values: Is International Cooperation in Fighting Terrorism Possible?* Center for China-US Cooperation, Graduate School of International Studies. Denver, Colorado, February 2004.

Denver Seminary

Presented paper, "A Calling to Arms: Under God and Law," at conference entitled *War, Violence and the Bible*. Denver, Colorado, February 2004.

Oak Brook College of Law and Government Policy

Presented lectures, "The Law of Nature: Who Owns the Sea?" and "The Law of Nature and the Law of War." Panelist on the topics "Is the Law of Nature a Viable Standard in the Law of Nations?" "Trends in International Human Rights Law" and "U.S. Troops in U.N. Military Forces." Oklahoma City, Oklahoma, November 2002.

Ave Maria School of Law

Presented paper on the crime of abortion in international law at annual conference of University Faculty for Life. Ann Arbor, Michigan, June 2002.

Naval Justice School

International Military Education and Training Program. Instructor and seminar leader in a Congressionally-mandated program designed to instruct foreign military personnel in human rights and to develop human rights training programs for implementation by military and civilian personnel in developing countries. Taught in Harare, Zimbabwe, July, 1996; and Craiova, Romania, May, 1997. Prepared 14 course modules, including student outlines, instructor notes and slides for use of the International Training Detachment in training international students. Taught two-day portion of course to 30 international officers on the legal aspects of U.N. Peacekeeping Operations. Newport, Rhode Island, October 1997.

United States Naval Academy

The Ethical Use of Military Force Conference. Major Speaker and Panelist, Annapolis, Maryland, October 1993. *International Relations, National Security Affairs, and the Christian Officer Conference*. Panelist. Annapolis, Maryland, November 1992.

Marine Corps University

International Officers Orientation Course. Developed course materials and taught most

of a week-long course on U.S. law, human rights and law of war for 120 officers from more than 25 countries. Quantico, Virginia, July 1993-94, 1996-98.

Marine Corps Law of War Course. Taught courses on nongovernmental organizations, Geneva Convention on the Wounded and Sick, war crimes, human rights, and peace-keeping operations as part of a week-long course for active duty U.S. and foreign judge advocates and line officers. Wrote and updated chapters of course desk book and edited the entire desk book. California, North Carolina, Virginia, Japan, 1992-99.

Command and Staff College. As faculty advisor, led discussions and exercise problems for the Reserve Officers Command and Staff Course. Quantico, Virginia, June 1991, 1992.

Legal Practice and Experience

International law consultant for the case of *United States v. Michael New*. Counsel in *Regina v. Demers*, arguing recognition in the Supreme Court and Court of Appeal for British Columbia of the right to life of unborn children under international law. A petition of appeal is pending before the Inter-American Commission on Human Rights.

Thirty years active and reserve duty in the U.S. Marine Corps. Several years experience training U.S. and foreign officers in the law of war and human rights. Served as international law specialist advising departments on all aspects of international law affecting the Marine Corps. Spent one year in the Far East as an International Law Officer. Provided legal services and counsel to deployed units on law of war, civilian-military relations and status of forces agreements; and interfaced with foreign authorities.

Professional Development

International Law (3 days). The Judge Advocate General's School, Maxwell Air Force Base, Montgomery Alabama, June 2000.

Law of War Course (1 week). The Judge Advocate General's School, Charlottesville, Virginia, February 1996.

Reserve Components National Security Course (2 weeks). Dealt with full range of military and civilian topics affecting national security policy. National Defense University, Washington, D.C., July 1995.

Deterring Humanitarian Law Violations: Strengthening Enforcement Conference (2 days). Covered all aspects of current war crimes tribunals. Center for National Security Law, University of Virginia School of Law and the Center on Law, Ethics and National Security, Duke University, Charlottesville, Virginia, November 1994.

Law of Military Operations Workshop (2 weeks). Overview of international law as it relates to air, naval and land operations in war and situations other than war with a major concentration on rules of engagement. Naval Justice School, Newport, Rhode Island, August 1994.

National Security Law Summer Institute (2 weeks). Intensive course for law professors and national security law professionals. Center for National Security Law, University of Virginia, Charlottesville, Virginia and Washington, D.C., June 1993.

10th Joint Chiefs of Staff Military Operations and Law Symposium (3 days). Focus on human rights and peacekeeping operations. Charlottesville, Virginia, May 1993.

ABA International Law Section Conference on Legal Issues Regarding Military Actions in Southwest Asia (2 days). Topics of war crimes, War Powers Resolution, U.N. enforcement actions and national military strategy. Washington, D.C., January 1991.

Marine Corps Reserve Command and Staff Course (4 weeks). Field grade officer course on nature and theory of war, national security policy, amphibious operations, and command and staff procedures. Marine Corps University, Quantico, Virginia, June 1989, 1990.

MILITARY SERVICE

Colonel, U.S. Marine Corps Reserve (Retired)
Officer Candidate School, platoon honor graduate, 1975
The Basic School, infantry officers course, 1977
Naval Justice School, 1977
Active Duty, 1977-80, 1982-87; Reserve, 1975-1976, 1980-82, 1987-05

PROFESSIONAL MEMBERSHIPS

State Bar of Ohio, 1976
American Bar Association (Legal Education, Individual Rights and Responsibilities, and International Law and Practice Sections).