

# Law and Responsibility in Warfare

THE VIETNAM EXPERIENCE

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PETER D. TROOBOFF

Foreword by  
ARTHUR J. GOLDBERG



# Law And Responsibility In Warfare The Vietnam Experience

**Sipri**



## **Law And Responsibility In Warfare The Vietnam Experience:**

*Law and Responsibility in Warfare* Peter D. Trooboff, 1977      **Law and Responsibility in Warfare** American Society of International Law, 1975 This is the first balanced account of the legal issues raised by the tactics and weapons used by the United States in the Vietnam War and of the individual responsibility of those who fought in and directed the war Leading participants in the controversy over the war's conduct debate the issues raised when counterinsurgent forces use advanced means of warfare against insurgent forces with less sophisticated weaponry Originally published in 1975 A UNC Press Enduring Edition UNC Press Enduring Editions use the latest in digital technology to make available again books from our distinguished backlist that were previously out of print These editions are published unaltered from the original and are presented in affordable paperback formats bringing readers both historical and cultural value      **The Law of War** Ingrid Detter Delupis, 2000-09-28 Analysis of the changing legal context of modern warfare including developments over the last decade      **Law and War** Austin Sarat, Lawrence Douglas, Martha Merrill Umphrey, 2014-01-08 Law and War explores the cultural historical spatial and theoretical dimensions of the relationship between law and war a connection that has long vexed the jurisprudential imagination Historically the term war crime struck some as redundant and others as oxymoronic redundant because war itself is criminal oxymoronic because war submits to no law More recently the remarkable trend toward the juridification of warfare has emerged as law has sought to stretch its dominion over every aspect of the waging of armed struggle No longer simply a tool for judging battlefield conduct law now seeks to subdue warfare and to enlist it into the service of legal goals Law has emerged as a force that stands over and above war endowed with the power to authorize and restrain to declare and limit to justify and condemn In examining this fraught contested and evolving relationship Law and War investigates such questions as What can efforts to subsume war under the logic of law teach us about the aspirations and limits of law How have paradigms of law and war changed as a result of the contact with new forms of struggle How has globalization and continuing practices of occupation reframed the relationship between law and war

**Military Law Review** , 1992      War Crimes Against Women Kelly Dawn Askin, 2023-08-07 This book examines laws and customs of war prohibiting rape crimes dating back thousands of years even though gender specific crimes particularly sex crimes have been prevalent in wartime for centuries It surveys the historical treatment of women in wartime and argues that all the various forms of gender specific crimes must be prosecuted and punished It reviews the Nuremberg and Tokyo War Crimes Tribunals from a gendered perspective and discusses how crimes against women could have been prosecuted in these tribunals and suggests explanations as to why they were neglected It addresses the status of women in domestic and international law during the past one hundred years including the years preceding World War II and in the aftermath of this war and in the years immediately preceding the Yugoslav conflict The evolution of the status and participation of women in international human rights and international humanitarian law is analyzed including the impact domestic law and practice

has had on international law and practice Finally this book reviews gender specific crimes in the Yugoslav conflict and presents arguments as to how various gender specific crimes including rape forced prostitution forced impregnation forced maternity forced sterilization genocidal rape and sexual mutilation can be and why they must be prosecuted under Articles 2 5 of the Yugoslav Statute i e as grave breaches of the Geneva Conventions torture violations of the laws of war violations of the customs of war genocide and crimes against humanity The author a human rights attorney academic and activist spent three years researching both the treatment of women during periods of armed conflict and humanitarian laws protecting women from war crimes

**Professional Journal of the United States Army**, 1987 **U.S. Army counterinsurgency and contingency operations doctrine, 1942-1976 (Paperbound)** Andrew James Birtle, 2006 U.S. Army Counterinsurgency and Contingency Operations Doctrine, 1942-1976 Andrew James Birtle, 2006 CMH Pub 70 98 1 This study examines the nature of counterinsurgency and nation building missions the institutional obstacles inherent in dealing effectively with such operations and the strengths and weaknesses of U S doctrine including the problems that can occur when that doctrine morphs into dogma

The American Society of International Law's First Century Frederic L. Kirgis, Jr., 2006 From the historic launch of the organization by such luminaries as Elihu Root and Charles Evans Hughes to the recent era when international law is more and more in the public realm Kirgis s book traces the evolution of the organization and its relationship to events in the United States and around the world As he says in the preface In the end the reader will have to make his her own judgment about how well the Society has run the course it set out for itself in 1906 I hope this book will provide a basis for that judgment And of course no judgment at this stage can be final The American Society of International Law will carry on into its second century with new and continuing programs that take into account what it has done in its first one hundred years It will continue to do its best to demonstrate not only what international law is or should be but also that in the words of former ASIL President Louis Henkin international law matters

**The Human Dimension of International Law** Antonio Cassese, 2008-06-19 This volume collects the most important papers of Antonio Cassese one of the pre eminent figures in international criminal justice The papers offer the definitive statement of Cassese s thought and a unique insight into some of the key developments in modern international law

**Just War Tradition and the Restraint of War** James Turner Johnson, 2014-07-14 In this volume a sequel to *Ideology Reason and the Limitation of War* James Turner Johnson continues his reconstruction of the history of just war tradition by analyzing significant individual thinkers concepts and events that influenced its development from the mid eighteenth century to the present Originally published in 1981 The Princeton Legacy Library uses the latest print on demand technology to again make available previously out of print books from the distinguished backlist of Princeton University Press These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press

since its founding in 1905      **Legitimate Targets?** Janina Dill,2015 Can international law regulate warfare Experiences of US bombing suggests it does not solve the twenty first century belligerent s legitimacy dilemma      International Humanitarian Law Hilaire McCoubrey,2019-07-16 First Published in 1998 this book presents an analysis of international humanitarian law the law governing and seeking to mitigate the conduct of armed conflict Since the first edition of this work came out in 1990 there have been important developments in the law and sadly a continuing experience of armed conflict and the humanitarian crises which it represents As a result this is not so much an updating as the offering of a new book International humanitarian law is here taken as coterminous with the jus in bello and covers both its Geneva and Hague elements dealing respectively with the humanitarian protection and assistance of victims of armed conflict and the controls and restrictions placed upon methods and means of warfare The rules and principles of international humanitarian law are presented and analysed in the context of their practical application in warfare with emphasis upon recent experience The Work is Primarily dedicated to the law relating to international armed conflict but also includes discussion of the relevant law applicable to non international and low level conflict      **Warfare in a Fragile World** Sipri,2021-05-30 This book first published in 1980 examines the extent to which warfare and other military activities contribute to environmental degradation The military capability to damage the environment has escalated The military use and abuse of each of the several major global habitats temperate tropical desert arctic insular and oceanic are evaluated separately in the light of the civil use and abuse of that habitat      **The Destructive War** Charles Royster,2011-09-14 From the moment the Civil War began partisans on both sides were calling not just for victory but for extermination And both sides found leaders who would oblige In this vivid and fearfully persuasive book Charles Royster looks at William Tecumseh Sherman and Stonewall Jackson the men who came to embody the apocalyptic passions of North and South and re creates their characters their strategies and the feelings they inspired in their countrymen At once an incisive dual biography hypnotically engrossing military history and a cautionary examination of the American penchant for patriotic bloodshed The Destructive War is a work of enormous power

Human and Non-Human Targets in International Armed Conflicts Patrycja Grzebyk,2022-03-24 A comprehensive analysis of human and non human targets in contemporary armed conflicts with references to the most recent practice      The Defoliation of America Amy Marie Hay,2021-12-14 In The Defoliation of America Amy M Hay profiles the attitudes understandings and motivations of grassroots activists who rose to fight the use of phenoxy herbicides commonly known as the Agent Orange chemicals in various aspects of American life during the post WWII era First introduced in 1946 these chemicals mimic hormones in broadleaf plants causing them to essentially grow to death while grass grains and other monocots remain unaffected By the 1950s millions of pounds of chemicals were produced annually for use in brush control weed eradication other agricultural applications and forest management The herbicides allowed suburban lawns to take root and become iconic symbols of success in American life The production and application of phenoxy defoliant continued to

skyrocket in subsequent years encouraged by market forces and unimpeded by regulatory oversight By the late 1950s however pockets of skepticism and resistance had begun to appear The trend picked up steam after 1962 when Rachel Carson s *Silent Spring* directed mainstream attention to the harm modern chemicals were causing in the natural world But it wasn t until the Vietnam War when nearly 40 million gallons of Agent Orange and related herbicides were sprayed to clear the canopy and destroy crops in Southeast Asia that the long term damage associated with this group of chemicals began to attract widespread attention and alarm Using a wide array of sources and an interdisciplinary approach *The Defoliation of America* is organized in three parts Part 1 1945 70 examines the development use and responses to the new chemicals used to control weeds and remove jungle growth As the herbicides became militarized critics increasingly expressed concerns about defoliation in protests over US imperialism in Southeast Asia Part 2 1965 85 profiles three different women who influenced by Rachel Carson challenged the uses of the herbicides in the American West affecting US chemical policy and regulations in the process Part 3 1970 95 revisits the impact and legacies of defoliant use after the Vietnam War From countercultural containment and Nixon s declaration of the War on Drugs to the toxic effects on American and Vietnamese veterans civilians and their children it became increasingly obvious that American herbicides damaged far more than forest canopies With sensitivity to the role gender played in these various protests Hay s study of the scientists health and environmental activists and veterans who fought US chemical regulatory policies and practices reveals the mechanisms obligations and constraints of state and scientific authority in midcentury America Hay also shows how these disparate and mostly forgotten citizen groups challenged the political consensus and were able to shift government and industry narratives of chemical safety

**Necessity, Proportionality and the Use of Force by States** Judith Gardam, 2004-11-18 There has been considerable debate in the international community as to the legality of the forceful actions in Kosovo in 1999 Afghanistan in 2002 and Iraq in 2003 under the United Nations Charter There has been consensus however that the use of force in all these situations had to be both proportional and necessary Against the background of these recent armed conflicts this 2004 book offers the first comprehensive assessment of the twin requirements of proportionality and necessity as legal restraints on the forceful actions of States It also provides a much needed examination of the relationship between proportionality in the law on the use of force and international humanitarian law

*The Air Force Law Review* ,1990

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## **Table of Contents Law And Responsibility In Warfare The Vietnam Experience**

1. Understanding the eBook Law And Responsibility In Warfare The Vietnam Experience
  - The Rise of Digital Reading Law And Responsibility In Warfare The Vietnam Experience
  - Advantages of eBooks Over Traditional Books
2. Identifying Law And Responsibility In Warfare The Vietnam Experience
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Law And Responsibility In Warfare The Vietnam Experience
  - User-Friendly Interface
4. Exploring eBook Recommendations from Law And Responsibility In Warfare The Vietnam Experience
  - Personalized Recommendations
  - Law And Responsibility In Warfare The Vietnam Experience User Reviews and Ratings

- Law And Responsibility In Warfare The Vietnam Experience and Bestseller Lists
- 5. Accessing Law And Responsibility In Warfare The Vietnam Experience Free and Paid eBooks
  - Law And Responsibility In Warfare The Vietnam Experience Public Domain eBooks
  - Law And Responsibility In Warfare The Vietnam Experience eBook Subscription Services
  - Law And Responsibility In Warfare The Vietnam Experience Budget-Friendly Options
- 6. Navigating Law And Responsibility In Warfare The Vietnam Experience eBook Formats
  - ePub, PDF, MOBI, and More
  - Law And Responsibility In Warfare The Vietnam Experience Compatibility with Devices
  - Law And Responsibility In Warfare The Vietnam Experience Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Law And Responsibility In Warfare The Vietnam Experience
  - Highlighting and Note-Taking Law And Responsibility In Warfare The Vietnam Experience
  - Interactive Elements Law And Responsibility In Warfare The Vietnam Experience
- 8. Staying Engaged with Law And Responsibility In Warfare The Vietnam Experience
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Law And Responsibility In Warfare The Vietnam Experience
- 9. Balancing eBooks and Physical Books Law And Responsibility In Warfare The Vietnam Experience
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Law And Responsibility In Warfare The Vietnam Experience
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Law And Responsibility In Warfare The Vietnam Experience
  - Setting Reading Goals Law And Responsibility In Warfare The Vietnam Experience
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Law And Responsibility In Warfare The Vietnam Experience
  - Fact-Checking eBook Content of Law And Responsibility In Warfare The Vietnam Experience
  - Distinguishing Credible Sources



13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
14. Embracing eBook Trends
  - Integration of Multimedia Elements
  - Interactive and Gamified eBooks

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