1. Military command and military discipline
Eugene R. Fidell

To be effective, and something more than a collection of individuals with weapons, a military unit must be commanded. Commanders are responsible for achieving the unit’s objective, a function that requires them to ensure that subordinates will do as they are told. With this power comes responsibility. In some circumstances commanders can be penalized for the misconduct of subordinates. In the classical model of military justice, commanders played (and in some countries, such as the United States, still play) a powerful role. ‘Military command and military discipline’ considers the powers exercised by commanders in these commander-centric systems—in particular the disposition, or charging, power—and looks at efforts to reform these systems.

11. Peering ahead
Eugene R. Fidell

What about the future? What new legal challenges can we expect given the strong likelihood of continuing military operations around the world, coupled with increased across-the-board austerity in government operations? What changes in military justice may flow from technological innovation and changing expectations of fairness? ‘Peering ahead’ concludes that military justice is generally change-averse. Despite this, major reforms in the field of military justice around the globe can be anticipated. Change is also likely to be fostered as a result of broad national adherence to human rights instruments. Finally, some suggestions are provided for how military justice in the United States could be changed for the better.
Military Justice: A Very Short Introduction presents an accessible and honest assessment of the strengths and weaknesses of military justice in both common law countries and those with other legal traditions, with particular emphasis on the United States, the United Kingdom, and Canada. It integrates a description of the US military justice system with a comparative view of civilian and foreign models for the administration of justice, including the increasingly important focus on human rights. The military is the rare part of contemporary society that enjoys the privilege of policing the behavior of its own members, with special courts and a separate body of rules.

Jussi M. Hanhimäki

The United Nations is structurally flawed and its operations are cumbersome. Despite being able to come up with excellent ideas, it often lacks the means of implementation. The UN is in need of reform, but reforming the system and obtaining world-wide international support are not new aims. ‘Reform and challenges: the future of the United Nations’ asks: how can this enormous institution that represents widely different interests from around the world be improved? How can its effectiveness be enhanced? In what ways can the UN’s development policies be changed to improve the chances of success in the struggle against poverty? How can the UN safeguard both human security and human rights assertively?

4. Freedom from external interference
Vaughan Lowe

‘Freedom from external interference’ focuses on one aspect of the assurance of the sovereign equality and independence of States and the freedom that it entails for each of them: the freedom from external interference and from forcible coercion by other States. In what circumstances may force be used? What weapons and methods of waging war may be used? Who is entitled to use force? The rules of international law relating to war are traditionally divided into the jus in bello, which governs matters such as prohibitions on certain weapons and ways of waging war against other nations, and the jus ad bellum, which limits the circumstances on the right to go to war.

4. Problems and challenges
Paul Wilkinson
‘Problems and challenges’ surveys the dangers to the human race and their possible international solutions. Despite the reality of climate change, countries are unwilling to jeopardize growth and prosperity to deal with it. Even if an international regime is blocked, individual nations can take action. Weapons of Mass Destruction pose another danger. Where countries cannot be persuaded to give them up, stopping their proliferation is essential. Treaties to do so are often ignored, although agencies are in place to help. Lack of intervention has allowed genocide to occur, and the International Criminal Court remains under-ratified. The North–South divide due to debt, disease and conflict is another significant international issue.

6. Rights and responsibilities: human rights to human security

Jussi M. Hanhimäki

The protection of individual human rights is perhaps at the top of the UN's agenda. The task is not straightforward as the major violators of human rights tend to be states, and states make up the UN. ‘Rights and responsibilities: human rights to human security’ asks: is it more important to protect the integrity of a state or the individual? What about people rendered stateless by violent conflict, or ecological disaster, or people's rights to move within and between states? The answer is difficult because the state tends to reign supreme over the individual, but the UN is the only universally recognized body that can exert pressure on nations to modify their human rights behaviour.