Record Nr. UNINA9910338054603321 Autore Caron Jean-François Titolo Disobedience in the Military: Legal and Ethical Implications / / by Jean-François Caron Pubbl/distr/stampa Cham:,: Springer International Publishing:,: Imprint: Palgrave Pivot, , 2019 **ISBN** 3-319-93272-1 Edizione [1st ed. 2019.] 1 online resource (IX, 127 p.) Descrizione fisica 355 Disciplina Soggetti Politics and war Security, International Peace International humanitarian law Military and Defence Studies International Security Studies Conflict Studies International Humanitarian Law, Law of Armed Conflict Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Nota di contenuto 1. Introduction -- 2. The Nature of Obedience and Disobedience in the Military -- 3. Thinking About Selective Conscientious Objection in the Military -- 4. Can Soldiers Disobey Lawful Commands in Order to Prevent Crimes? -- 5. When Morality Clashes With Lawfulness -- 6. Disobeying Suicidal Orders -- 7. War Criminals' 'Road to Damascus' Moment or How Disobedience Can Justify Leniency for Previous Crimes. We often think of the army as an institution whose members are Sommario/riassunto required to blindly obey all orders they receive. However, this perception is inaccurate. Disobedience is a fundamental professional obligation of members of the military and overrides the obligation to follow commands. But what is the extent of this obligation? Are soldiers obligated to participate in what they consider to be an illegal war, or should they be allowed to enjoy a right to selective conscientious objection? Should soldiers obey a legal order that, if followed, would

facilitate the perpetration of war crimes by a third party? How should

soldiers act if they are ordered to follow a lawful order that could result in immoral consequences? Should soldiers be allowed to refuse to obey what can be labeled as suicidal orders? Based upon the nature of soldiers' professional obligations, this book tries to offer answers to these important questions. The author turns to a number of different case-studies, including conscientious objections, duty to protect in genocidal situations such as Rwanda and Srebrenica, suicidal orders in wars, as well as retribution and leniency towards war criminals, as a way of assessing the different legal and ethical implications of disobedience in the military. Jean-François Caron is Associate Professor and Chair of the Department of Political Science and International Relations at Nazarbayev University, Kazakhstan, where he teaches Political Theory.