Record Nr. UNINA9910796783503321 Autore Collins Pauline Therese **Titolo** Civil-military 'legal' relations. Where to from here? The civilian courts and the military in the United Kingdom, United States and Australia // Pauline Therese Collins Leiden:,: Koninklijke Brill NV,, 2018 Pubbl/distr/stampa **ISBN** 90-04-33825-X Descrizione fisica 1 online resource (405 pages) Collana International Humanitarian Law Series; ; 51 322.5 Disciplina Soggetti Civil-military relations - Great Britain Civil-military relations - Australia Civil-military relations - United States Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Preliminary Material -- Civil-Military 'Legal' Control -- Civil-Military Nota di contenuto 'Power' Relations -- The United Kingdom -- Discipline of Soldiers for Actions in an Occupation Zone -- US Institutions of Government --Civilians in Combat -- Australian Civil-Military Relations -- Can Soldiers Ever be Civilians? -- The 'Legal' in Civil-Military Power Relations -- Bibliography -- Index. Civil-military relations establishes the civilian control over the military Sommario/riassunto to protect democratic values. This book argues analysis of the CMR is distorted by the absence of consideration of the judicial arm, with the 'civil' seen as referring only to the executive and/or legislature. The civil courts approach to military discipline and the impact that has for CMR within — the United Kingdom, United States and Australia is investigated. The author concludes that by including the courts in the development of CMR theory militarisation of the civilian domain is

> discouraged. A paradigm shift acknowledging the fundamental role of all three organs of government in liberal democracies, for control of

States' power is essential for genuine civilian oversight.