Democratic Accountability and the Use of Force in International Law

Edited by
Charlotte Ku and Harold K. Jacobson

CAMBRIDGE UNIVERSITY PRESS
Contents

List of figures page ix
List of tables x
Notes on contributors xi
Preface xix
List of abbreviations xxii

I. Introduction

1. Broaching the issues 3
   CHARLOTTE KU AND HAROLD K. JACOBSON

II. The domestic and international context

2. The interface of national constitutional systems with international law and institutions on using military forces: changing trends in executive and legislative powers 39
   LORI F. DAMROSCH

3. Domestic political factors and decisions to use military forces 61
   KAREN A. MINGST

4. Collective security, peacekeeping, and ad hoc multilateralism 81
   EDWIN M. SMITH

5. The legal responsibility of military personnel 104
   ROBERT C. R. SIEKMANN

III. Traditional contributors to international military operations

6. Canada: committed contributor of ideas and forces, but with growing doubts and problems 127
   FEN OSLER HAMPSON
## Contents

7. Norway: political consensus and the problem of accountability
   KNUT G. NUSTAD AND HENRIK THUNE  

8. India: democratic, poor, internationalist
   RAMESH THAKUR AND DIPANKAR BANERJEE

### IV. Newcomers to international military operations

9. Japan: moderate commitment within legal strictures
   AKIHO SHIBATA

10. Germany: ensuring political legitimacy for the use of military forces by requiring constitutional accountability
    GEORG NOLTE

### V. Permanent members of the UN Security Council

11. Russian Federation: the pendulum of powers and accountability
    BAKHTIYAR TUZMUKHAMEDOV

12. France: Security Council legitimacy and executive primacy
    YVES BOYER, SERGE SUR, AND OLIVIER FLEURENCE

13. The United Kingdom: increasing commitment requires greater parliamentary involvement
    NIGEL D. WHITE

14. The United States: democracy, hegemony, and accountability
    MICHAEL J. GLENNON

### VI. Conclusion

15. Toward a mixed system of democratic accountability
    CHARLOTTE KU AND HAROLD K. JACOBSON

Appendix A. Uses of military forces under the auspices of the UN and NATO

Appendix B. Country participation in international operations, 1945–2000

References

Index