

The Lost Art of Declaring War

Hallett, Brien

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Lost Art Of Declaring War

Brien Hallett



Lost Art Of Declaring War:

The Lost Art of Declaring War Brien Hallett, 2024-03-18 Historically it has been assumed that war is violence and declarations of war are simply public announcements that serve to initiate combat Brien Hallett denies both assumptions and claims that war is policy not violence The Lost Art of Declaring War analyzes the crucial differences between combat and war and convincingly argues that the power to declare war is in actuality the power to compose a text draft a document write a denunciation Once written the declaration then serves three functions to articulate the political purposes of the war to guide and direct military operations and to establish the boundary between justified combat and unjustified devastation Hallett sounds a clarion call urging the people and their representatives to take up the challenge and write fully reasoned declarations of war Then and only then can a civilized nation like the United States lay claim to being fully democratic not only in peacetime but in wartime as well

Declaring War Brien Hallett, 2012-08-13 Offers an historical legal constitutional moral and philosophical analysis of the declarations of 1812 1898 and the War Powers Resolution of 1973

Declaring War in Early Modern Europe F. Baumgartner, 2011-05-09 A noteworthy development in recent history has been the disappearance of formal declarations of war Using primary sources this book examines the history of declaring war in the early modern era up to the writing of the US Constitution to identify the influence of early modern history on the framing of the Constitution

Nurturing the Imperial Presidency Brien Hallett, 2020-09-25 Wishing to be helpful Nurturing the Imperial Presidency by Brien Hallett illuminates the 5 000 year old invariant practice of executive war making Why has the nation's war leader always decided and declared war Substituting a speech act approach for the traditional separation of powers approach Hallett argues that he who controls the drafting of the declaration of war also controls the decision to go to war However recent legislation calling for legislated approvals or authorization to use force before the executive can go to war in no way hinder the executive's ancient prerogative power to decide and declare war Innovative ways to deny the executive its ability to decide and declare war are proposed in this book

The Case for Combat Edward J. Lordan, 2010-09-16 This book provides a historical analysis of presidential rhetoric regarding war and examines the similarities differences effectiveness and ethics of the persuasive strategies used by the White House through the history of the nation In the United States the decision to use military force typically is made by the president even though it is actually Congress that has the authority to commit the nation to war It is also the president's job to inform the American people when that decision has been made and to attempt to convince the citizens to support their government in the decision to go to war The book traces the development of the rhetoric used by presidents to convince Americans to go to war from the earliest days of the nation to the latest conflicts in Afghanistan and Iraq After an overview of the governmental issues related to committing to combat the author evaluates presidential speeches over the course of ten American conflicts to determine how effective and ethical presidents have been in communicating with various publics Taking neither a pro nor antiwar stance

this text focuses entirely on the period leading up to the announcement of a formal conflict **The Law of U.S. Foreign Relations** Sean D. Murphy, Edward T. Swaine, 2023 The Law of U S Foreign Relations is a comprehensive and incisive discussion of the rules that govern the conduct of U S relations with foreign countries and international organizations and the rules governing how international law applies within the U S legal system Among other topics this volume examines the constitutional and historical foundations of congressional executive and judicial authority in foreign affairs This includes the constitutional tensions prevalent in legislative efforts to control executive diplomacy as well as the ebb and flow of judicial engagement in transnational disputes with the judiciary often serving as umpire but at times invoking doctrines of abstention The process of U S adherence to treaties and other international agreements is closely scrutinized as the authors examine how such law as well as customary international law and the law making acts of international organizations can become a source of U S law Individual chapters focus on the special challenges posed by the exercise of war powers by the federal government including during recent incidents of international armed conflict the complex role of the several states in foreign affairs and the imperative to protect individual rights in the transnational sphere Among the contemporary issues discussed are the immunity of foreign heads of State treatment of detainees at Guant namo movement of the U S Embassy in Israel to Jerusalem state level foreign compacts to address climate change bans affecting refugees and asylum seekers and recent interpretations of key statutes such as the Alien Tort Statute the Torture Victim Protection Act and the Foreign Sovereign Immunities Act Encyclopedia of Violence, Peace, and Conflict ,2008-09-05 The 2nd edition of Encyclopedia of Violence Peace and Conflict provides timely and useful information about antagonism and reconciliation in all contexts of public and personal life Building on the highly regarded 1st edition 1999 and publishing at a time of seemingly inexorably increasing conflict and violent behaviour the world over the Encyclopedia is an essential reference for students and scholars working in the field of peace and conflict resolution studies and for those seeking to explore alternatives to violence and share visions and strategies for social justice and social change Covering topics as diverse as Arms Control Peace Movements Child Abuse Folklore Terrorism and Political Assassinations the Encyclopedia comprehensively addresses an extensive information area in 225 multi disciplinary cross referenced and authoritatively authored articles In his Preface to the 1st edition Editor in Chief Lester Kurtz wrote The problem of violence poses such a monumental challenge at the end of the 20th century that it is surprising we have addressed it so inadequately We have not made much progress in learning how to cooperate with one another more effectively or how to conduct our conflicts more peacefully Instead we have increased the lethality of our combat through revolutions in weapons technology and military training The Encyclopedia of Violence Peace and Conflict is designed to help us to take stock of our knowledge concerning these crucial phenomena Ten years on the need for an authoritative and cross disciplinary approach to the great issues of violence and peace seems greater than ever More than 200 authoritative multidisciplinary articles in a 3 volume set Many brand new articles alongside revised and updated content

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Orchestrating the Instruments of Power D. Robert Worley, 2015-07-15 National security a topic routinely discussed behind closed doors by Washington's political scientists and policy makers is believed to be an insider's game All too often this highly specialized knowledge is assumed to place issues beyond the grasp and interest of the American public Author D Robert Worley disagrees The U S national security system designed after World War II and institutionalized through a decades long power conflict with the Soviet Union is inadequate for the needs of the twenty first century and while a general consensus has emerged that the system must be transformed a clear and direct route for a new national security strategy proves elusive Furnishing the tools to assist in future national security reforms *Orchestrating the Instruments of Power* articulates and synthesizes the concepts of America's economic political and military instruments of power *The Law of the Executive Branch* Dr. Louis Fisher, 2014-01-03 The scope of presidential authority has been a constant focus of constitutional dispute since the Framing The bases for presidential appointment and removal the responsibility of the Executive to choose between the will of Congress and the President the extent of unitary powers over the military even the ability of the President to keep secret the identity of those consulted in policy making decisions have all been the subject of intense controversy The scope of that power and the manner of its exercise affect not only the actions of the President and the White House staff but also all staff employed by the executive agencies There is a clear need to examine the law of the entire executive branch *The Law of the Executive Branch* Presidential Power places the law of the executive branch firmly in the context of constitutional language framers intent and more than two centuries of practice In this book Louis Fisher strives to separate legitimate from illegitimate sources of power through analysis that is informed by litigation as well as shaped by presidential initiatives statutory policy judicial interpretations and public and international pressures Each provision of the US Constitution is analyzed to reveal its contemporary meaning in concert with the application of presidential power Controversial issues covered in the book include unilateral presidential wars the state secrets privilege extraordinary rendition claims of inherent presidential powers that may not be checked by other branches and executive privilege **Wars of Law** Tanisha M. Fazal, 2018-05-15 This book assesses the unintended consequences of the proliferation of the laws of war for both interstate and civil wars over the past two centuries

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