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978-1-107-05675-6 - Legitimate Targets?: Social Construction, International Law and US Bombing

Janina Dill

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Legitimate Targets?

Based on an innovative theory of international law, Janina Dill's book investigates the effectiveness of international humanitarian law (IHL) in regulating the conduct of warfare. Through a comprehensive examination of the IHL defining a legitimate target of attack, Dill reveals a controversy among legal and military professionals about the 'logic' according to which belligerents ought to balance humanitarian and military imperatives: the logics of sufficiency or efficiency. Law prescribes the former, but increased recourse to international law in US air warfare has led to targeting in accordance with the logic of efficiency. The logic of sufficiency is morally less problematic, yet neither logic satisfies contemporary expectations of effective IHL or legitimate warfare. Those expectations demand that hostilities follow a logic of liability, which proves impracticable. This book proposes changes to international law, but concludes that according to widely shared normative beliefs, on the twenty-first-century battlefield there are no truly legitimate targets.

JANINA DILL is a Lecturer in the Department of Politics and International Relations at the University of Oxford.


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For my parents Ulrike and Harald G. Dill

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Acronyms

API	First Additional Protocol
C3	command, control and communication
CAS	close air support
DMPI	desired mean point of impact
EBOs	effects-based operations
GC I	First Geneva Convention
GC II	Second Geneva Convention
GC III	Third Geneva Convention
GC IV	Fourth Geneva Convention
ICJ	International Court of Justice
ICL	international criminal law
ICRC	International Committee of the Red Cross
ICTY	International Criminal Tribunal for the Former Yugoslavia
IHL	international humanitarian law
IL	international law
IR	international relations (the discipline)
JAG	Judge Advocate General
NATO	North Atlantic Treaty Organization
ODS	Operation Desert Storm
OIF	Operation Iraqi Freedom
OLB I	Operation Linebacker I
OLB II	Operation Linebacker II
ORDC	<i>Official Records of the Diplomatic Conference</i>
ORT	Operation Rolling Thunder
UAV	unmanned aerial vehicle
UN	United Nations
UNC	United Nations Charter