



Shaping US Military Law: Governing a Constitutional Military (Justice, International Law and Global Security)

Joshua E. Kastenberg

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Since the United States's entry into World War II, the federal judiciary has taken a prominent role in the shaping of the nation's military laws. Yet, a majority of the academic legal community studying the relationship between the Court and the military establishment argues otherwise providing the basis for a further argument that the legal construct of the military establishment is constitutionally questionable. Centering on the Cold War era from 1968 onward, this book weaves judicial biography and a historic methodology based on primary source materials into its analysis and reviews several military law judicial decisions ignored by other studies. This book is not designed only for legal scholars. Its intended audience consists of Cold War, military, and political historians, as well as political scientists, and, military and national security policy makers. Although the book's conclusions are likely to be favored by the military establishment, the purpose of this book is to accurately analyze the intersection of the later twentieth century's American military, political, social, and cultural history and the operation of the nation's armed forces from a judicial vantage.

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