

The International Law of War

Transnational Coercion and World Public Order

by **Myres S. McDougal, Florentino P. Feliciano**

NEW HAVEN STUDIES IN INTERNATIONAL LAW AND
WORLD PUBLIC ORDER 9

The question of the lawfulness of the use of force is the central and most difficult one in international law. McDougal and Feliciano reject simple, textual answers and develop a realistic, contextual and policy-sensitive analysis that equips scholars and decision makers with a method for dealing with a vast range of issues. These include the initiation of coercion, the distinction between aggression and self-defense and between permissible and impermissible coercion, the use of coercion as a sanctioning instrument, the identification and treatment of neutral parties, community regulation of combat situations, and the management of captured enemy territory (i.e., belligerent occupation). For each of these issues, policy is clarified, past trends and future projections are considered and, where appropriate, alternative arrangements are proposed. In a new introduction, recent developments, including the Geneva Protocols, are examined. *The International Law of War* is an indispensable text for scholars, decision makers and students.

'McDougal and Feliciano have made a major contribution by their brilliantly sustained application of a contextual appraisal to most of the major problems of the use of international force.'

Richard A. Falk, Albert G. Milbank Professor of International Law and Practice, Princeton University

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