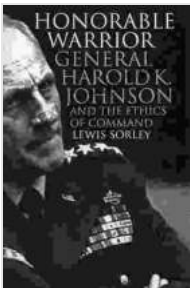


Military Justice in Vietnam: A Comprehensive Guide

Military Justice in Vietnam: A Comprehensive Guide is the definitive reference on the military justice system in Vietnam. This book provides a comprehensive overview of the legal framework governing the military justice system, including the Uniform Code of Military Justice (UCMJ), the Rules for Courts-Martial (RCM), and the Manual for Courts-Martial (MCM). The book discusses the roles of the various participants in the military justice system, including the military judge, the trial counsel, the defense counsel, and the accused. The book also examines the various types of offenses that can be tried by a military court-martial, as well as the procedures for investigating and prosecuting these offenses.



Military Justice in Vietnam: The Rule of Law in an American War (Modern War Studies (Hardcover))

by William Thomas Allison

★★★★☆ 4.5 out of 5

Language : English
File size : 3667 KB
Text-to-Speech : Enabled
Screen Reader : Supported
Enhanced typesetting : Enabled
Word Wise : Enabled
Print length : 371 pages



The Uniform Code of Military Justice (UCMJ)

The Uniform Code of Military Justice (UCMJ) is the primary body of law that governs the military justice system in Vietnam. The UCMJ was enacted by Congress in 1950 and has been amended several times since then. The UCMJ defines the various offenses that can be tried by a military court-martial, as well as the punishments that can be imposed for these offenses. The UCMJ also establishes the procedures for investigating and prosecuting these offenses.

The Rules for Courts-Martial (RCM)

The Rules for Courts-Martial (RCM) are a set of regulations that govern the conduct of courts-martial. The RCM cover a wide range of topics, including the selection of members for a court-martial, the conduct of a trial, and the sentencing of an accused. The RCM are designed to ensure that courts-martial are conducted fairly and in accordance with the UCMJ.

The Manual for Courts-Martial (MCM)

The Manual for Courts-Martial (MCM) is a compilation of instructions and guidance for the conduct of courts-martial. The MCM covers a wide range of topics, including the roles of the various participants in a court-martial, the procedures for investigating and prosecuting offenses, and the sentencing of an accused. The MCM is designed to assist military judges, trial counsel, defense counsel, and other participants in the military justice system in understanding and applying the UCMJ and the RCM.

The Roles of the Various Participants in the Military Justice System

The military justice system in Vietnam is a complex system that involves a wide range of participants. The following are some of the key participants in the military justice system:

- **Military Judge:** The military judge is responsible for presiding over courts-martial. The military judge makes all decisions regarding the admissibility of evidence, the conduct of the trial, and the sentencing of an accused.
- **Trial Counsel:** The trial counsel is responsible for prosecuting cases before courts-martial. The trial counsel presents the government's case and seeks to obtain a conviction.
- **Defense Counsel:** The defense counsel is responsible for representing the accused in courts-martial. The defense counsel presents the accused's case and seeks to obtain an acquittal or a reduction in the sentence.
- **Accused:** The accused is the person who is charged with an offense under the UCMJ. The accused has the right to a fair trial and to be represented by a defense counsel.

The Various Types of Offenses That Can Be Tried by a Military Court-Martial

A wide range of offenses can be tried by a military court-martial. The following are some of the most common types of offenses that are tried by military courts-martial:

- **Murder**
- **Rape**
- **Robbery**
- **Assault**
- **Theft**

- **Drug offenses**
- **Desertion**
- **AWOL**
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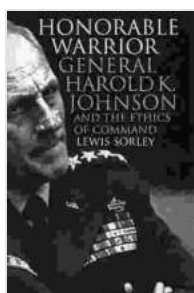
The Procedures for Investigating and Prosecuting Offenses

The procedures for investigating and prosecuting offenses in the military justice system are complex and time-consuming. The following are some of the key steps in the process:

1. **Investigation:** The first step in the process is to investigate the alleged offense. This may involve interviewing witnesses, gathering evidence, and conducting a crime scene investigation.
2. **Preferral of Charges:** Once the investigation is complete, the charges are preferred against the accused. The charges are reviewed by a military judge to determine if there is sufficient evidence to proceed with a court-martial.
3. **Arraignment:** The accused is arraigned on the charges and pleads guilty or not guilty. If the accused pleads not guilty, a trial date is set.
4. **Trial:** The trial is held before a military judge or a panel of military members. The trial counsel presents the government's case and the defense counsel presents the accused's case. The military judge or panel of members then makes a decision regarding the guilt or innocence of the accused.
5. **Sentencing:** If the accused is found guilty, the military judge or panel of members sentences the accused. The sentence may include

confinement, fines, or other punishments.

Military Justice in Vietnam: A Comprehensive Guide is an essential resource for anyone who is interested in the military justice system in Vietnam. This book provides a comprehensive overview of the legal framework governing the military justice system, the procedures for investigating and prosecuting offenses, and the roles of the various participants in the military justice system.



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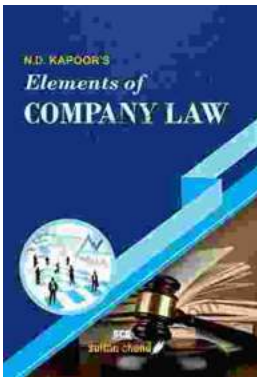
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