

Military Law

The U.S. Constitution gives Congress the power “to make Rules for the Government and Regulation of the land and naval Forces.” Congress did this by enacting the Uniform Code of Military Justice (UCMJ), which is a set of criminal laws that apply to people in the military. The UCMJ also lists the procedures for conducting a military trial and explains what punishments are allowed.

The military justice system is entirely separate from the civilian system. It is designed for the special needs of the military, so the UCMJ contains some laws that would not be needed for regular citizens. For example, it includes laws against leaving the military without permission, showing disrespect to a superior officer, and failing to obey an order. People accused of serious offenses may end up being court-martialed. This is a court, made up of officers, which tries those accused of breaking military laws. All members of the military are subject to the military justice system.

Example: Military police (MPs) arrest members of the military accused of violating the Uniform Code of Military Justice. United States Army Private First Class Bradley Manning (now known as Chelsea Manning), was accused of delivering classified U.S. government documents to Julian Assange of WikiLeaks. Manning was arrested in May 2010 and court-martialed for violating Article 104 of the USMJ (aiding the enemy), as well as several other offenses.

