

FOREWORD

In his famous book, *Law in Wartime and Peacetime*, Grotius wrote “a famous Roman general pretended that the clamor of the battlefield kept him from hearing the voice of the law.” In 1625, Grotius added that “nothing is more common than putting law and weapons at odds” - this is a serious error.

Would any of our soldiers question that today? The soldier is at odds with many issues: the expansion of international laws; the multiplicity and swelling of international regulations; the confrontation of heterogeneous national laws within complex multinational consultations; the diversity and types of new missions foreign to accepted norms of the Law of Land Warfare; the permanent obligation to justify his actions in front of the public opinion. All parties, on a permanent basis, scrutinize the daily actions of soldiers against the law.

Law can sometimes be used as a flag. It can also be used as an instrument to serve a party. On the other hand, without it, no action can be legitimated.

As a matter of fact, **what law** gives a soldier the extraordinary permission to use violence?

Further, **what law** allows him to intervene outside of his own borders?

Lastly, **what law** allows him to silence the guns in foreign lands?

It is vital that the officers leading an army that deploys 10,000 to 15,000 soldiers in out-of-area operations on a constant basis become aware of the legal framework surrounding their actions. Recent studies carried out by the commission on the general status of the military have demonstrated the magnitude of these issues.

I am pleased to take notice that “Doctrine” has dedicated this edition to this problem. It is also important to observe that this deliberation is not limited to the personnel of the legal directorate. I trust that this study will be fruitful.

Because without law, there is neither State of legitimacy nor democracy, and as Pascal wrote: “force and justice coexist to ensure peace, the overarching wealth.”

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