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Defining the rule of law for military operations / Angeline Lewis

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Title:	Defining the rule of law for military operations
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Abstract:	<p>The article compares extant military doctrine with current rule of law theory, seeking to identify their definition of the rule of law in intervention and the difficulties it entails. It proceeds in five parts. The first analyses the current standpoint of military doctrine; that is, the idea of the rule of law and the operational role ascribed to it by contemporary military forces. The second compares doctrine with the theory and expression of the rule of law in international practice, as that body of law which informs intervention and demands of it rule of law outcomes. The third section considers the difficulties, practical and otherwise, of intervention based on these precepts. Building on these problems, the fourth part proposes a new definition of the rule of law as a relationship, while the final section proffers an explanation for persistence in international efforts to intervene in the domestic rule of law of states. The article does not undertake a comprehensive survey of current or recent rule of law operations, although examples are drawn to illustrate the case for a new understanding of the rule of law.</p>
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