

FOREWORD

Fifty years ago, the world was on the brink of change. The United States scrambled to catch up with the Soviet Union's *Sputnik* launch, thus heralding the "space race" era. The atomic age transitioned to the nuclear age as terms like "brinkmanship" and "mutually assured destruction" crept into our lexicon. During this time, military lawyers were also dealing with change. The Uniform Code of Military Justice had been in effect for less than a decade. Judge Advocates were also adjusting to legal operations in a new type of war—the Cold War.

The challenges faced by the world community have evolved since 1958. Instead of racing to outer space, global powers now vie to dominate cyberspace. A new type of war—the War on Terror—has spurred fresh debate on law of armed conflict issues once thought to be well-settled. One constant, however, has been the demand for educated and innovative practitioners, jurists, and scholars to navigate the legal issues of our times.

Another constant of the past fifty years has been the high quality military legal scholarship published in the *Military Law Review*. What started as a limited-distribution Army pamphlet is now an indispensable repository of legal research and analysis, available to anyone via the World Wide Web, which is itself an extraordinary communications and research platform unimaginable fifty years ago. Indeed, the Library of Congress's Military Legal Resources website registered an incredible 1,121,175 "hits" on the *Military Law Review* during the first ten months of Fiscal Year 2008.¹

The Fiftieth Anniversary edition of the *Military Law Review* continues to exemplify excellence in legal scholarship. In keeping with tradition, this volume features the best research paper and the best thesis of the 56th Judge Advocate Graduate Course. Also reprinted in these pages are the insightful comments of the Honorable Donna E. Shalala from her recent lecture at The Judge Advocate General's Legal Center

¹ Memorandum from Sandra W. Meditz, Acting Chief, Library of Congress Federal Research Division, to Daniel C. Lavering, Librarian, TJAGLCS, subject: Project Report and Status of Funds—July 2008 (Aug. 7, 2008) (on file at TJAGLCS).

and School. Of course, this commemorative edition would not be complete without a history of the *Military Law Review* compiled by the JAG Corps' Regimental Historian, Colonel (Ret.) Fred Borch.

The *Military Law Review* could not succeed without the thought-provoking and well-reasoned articles contributed by Judge Advocates and legal scholars from around the world. Your contributions keep the *Military Law Review* relevant and vital. I encourage you to take the time to think and write about the exciting and historic issues our military faces every day. Your submissions to the *Military Law Review* will enrich our continuing legal discourse for the next fifty years and beyond.

A handwritten signature in black ink, appearing to read "SCC Black", followed by a horizontal line.

SCOTT C. BLACK
Major General, USA
The Judge Advocate General