



CURTIS E. LEMAY CENTER

FOR DOCTRINE DEVELOPMENT AND EDUCATION



ANNEX 1-04 LEGAL SUPPORT TO OPERATIONS

THE POWER OF COMMAND

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The commander, Air Force forces (COMAFFOR) is responsible for ensuring that Air Force forces understand and comply with legal requirements. The COMAFFOR's staff judge advocate (SJA) is responsible for providing timely and effective legal advice to the COMAFFOR. Effective discharge of this responsibility requires commanders to understand their legal responsibilities and the capabilities of an SJA. The commander's legal authority is derived from the Constitution and from statutes enacted by Congress. The legal directives that provide for a commander's authority are only part of the equation.

The power and responsibilities of command are distinctive elements of military operations. How commanders wield this power can determine success or failure of the mission according to the following principles:

- ★ Command is the responsibility of an individual, not a staff.
- ★ Command is exercised by virtue of the office and the assignment of officers holding military grades who are eligible by law to command.
- ★ A commander can exercise command authority through subordinate commanders.
- ★ Vice and deputy commanders have no command functions. However, they assist the commander via planning, investigating, and providing recommendations.
- ★ Some command authorities may be delegated; however, the responsibilities of command may never be delegated.

The concept of command embodies two important functions. First, it is the legal authority over people, including the power to discipline. Second, command is the legal responsibility for assigned resources and mission accomplishment.