

Abstract: *The justification for the choice of sentence by the French judge was until recently an exceptional legal requirement. The principle was the absence of justification for the sentence. The exception was the justification required for the imposition of certain penalties. At the same time, the legislature could impose on the judge the justification for the absence to pronounce certain other penalties. However, without waiting for the legislature to intervene, the Court of Cassation has developed case law since the beginning of 2017, which seems to be in the direction of a generalization of this obligation.*

Keywords: justification, legal requirement, sentence pronounced, creation of a jurisprudential requirement, generalization of the justification for the choice of sentence