



A MUTUALLY REINFORCING RELATIONSHIP

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In order to better assess risks to the force and the mission from the tactical to the strategic level, and to improve their operational effectiveness, Special Operations Forces require more access to intelligence—both quantitatively and qualitatively—than they currently have. Moreover, special operations rely on a synergy between operations and intelligence more than other intelligence consumers, because for SOF, “operations is intelligence and intelligence is operations.”¹ Each enhances the other; hence, the level of intelligence support that SOF receive should reflect their unique needs.

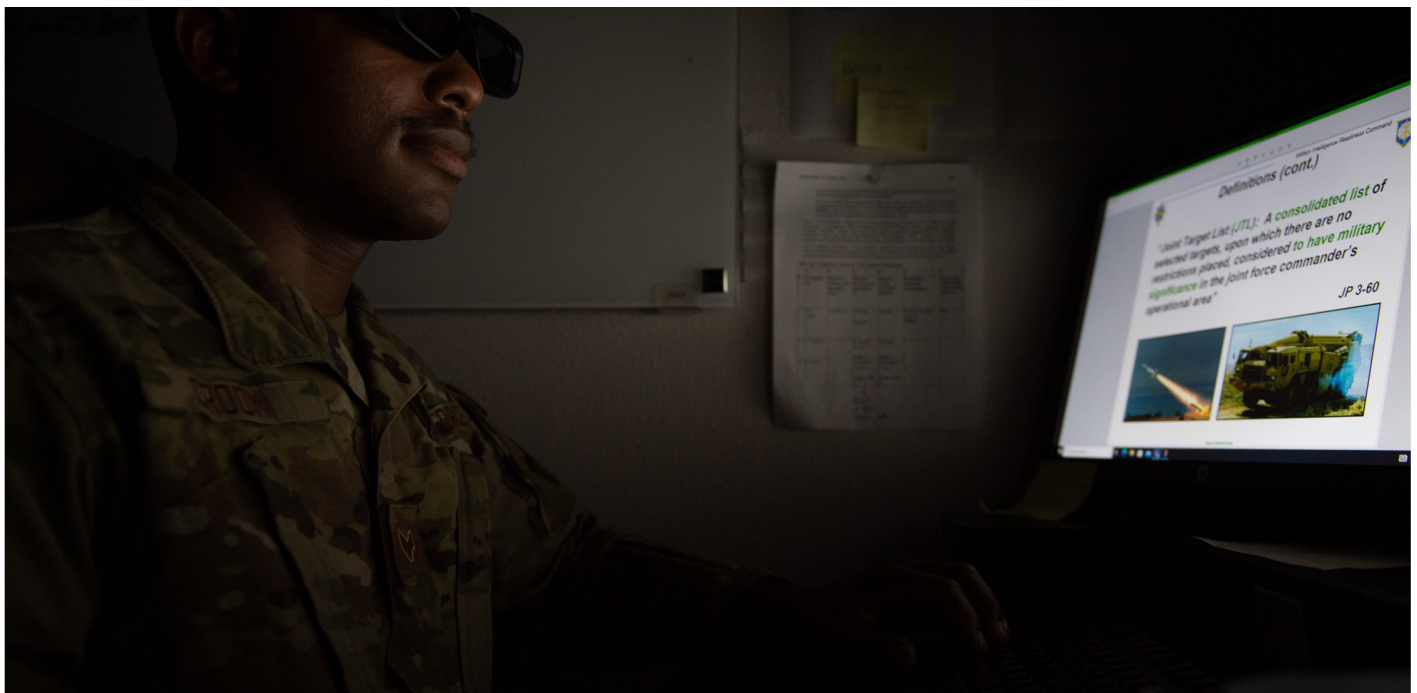
However, the collaboration level between SOF and their national intelligence services varies significantly from country to country. The United States and other Five Eyes nations² made significant progress regarding their internal collaboration protocols after 9/11.³ By contrast, few European countries, especially smaller ones, have followed the “need to share” trend; many appear to be stuck in the “need to know” mentality. Also, SOF are often not covered by a country’s laws allowing intelligence gathering; in these cases, they will not have the legal authority to gather intelligence in all situations, such as in a pre-conflict phase.

These hindrances are becoming increasingly important given the changing nature of warfare. The Ukraine war has reminded us that conventional warfare “does not eliminate the reality that all warfare is now population-centric warfare.”⁴ This population-centric characteristic imposes greater intelligence requirements. Small NATO countries’ decision makers

might think that they can fulfill these requirements via intelligence sharing between NATO members, but, depending on the priorities that these smaller countries’ governments assign to some regions of the world, the intelligence inputs from NATO partners may not satisfy their national requirements. NATO cannot focus equally on all regions of the world, and small NATO member countries may have regional focuses that are different from those of NATO as a whole. National intelligence collectors must therefore stay connected to and monitor their government’s regions of interest. The same goes for these countries’ SOF: they must be able to gather sufficient intelligence on areas of national security concern that may become their operational theater. SOF must also be able to provide viable options to their governments quickly enough to allow the governments to intervene proactively and keep the initiative.

To fulfill this requirement, small European countries need to formulate an intranational solution. Two options exist to fill this gap. One would be to modify the legal frameworks under which the SOF of small European states operate, so that they can gather the necessary intelligence independently. Another way would be to implement a structural collaboration between those small states’ SOF and their own intelligence services, in which the latter would support SOF operational objectives.

Governments face similar issues: they also need more intelligence to better design security policies and strategies. Some small European states have acknowledged this need.⁵ Europe



Geospatial intelligence analyst studies unclassified intelligence slides at Camp Murray, WA, 8 August 2023

has seen an increase in threats on its eastern and southern flanks and growing regional instability, which have led to the need for more intelligence.⁶ Insufficient intelligence leads to ill-informed policies and inefficient resource allocation, which might erode public trust in government institutions. Domestic and foreign security concerns are interrelated, and decision makers need more intel on the dynamics of international security. The options to fill that gap are identical to the ones that apply to SOF. On the one hand, modifications to a state's legal framework could allow SOF to become an independent strategic collection asset under the umbrella of either the intelligence service or an intelligence oversight committee. On the other hand, structural collaborations would allow SOF to support intelligence services' strategic objectives.

Both actors could benefit from an assessment of the relative merits of these two potential solutions. Drawing conclusions on this matter will require confronting legacy perspectives on siloing. Old guards and skeptics may claim that there is no need for a structural collaboration between SOF and the intelligence services because the collaboration will succeed if the situation or environment compels it. Furthermore, democratic governments have concerns regarding the potential for security agencies, particularly militaries and intelligence organizations, to cause unwanted side effects that can lead to political complications. Some individuals may contend that the public disclosure of intelligence documents and related breaches, as demonstrated by the Snowden and Teixeira cases, highlight the risks associated with the principle of "need to share."⁷ This article will show that the benefits exceed the costs, and will advocate for structural, strategic methods as part of the solution for intelligence collaboration, including a substantial increase in collaborative SOF and intelligence-collecting activities.

Because each European SOF has a different relationship with its government and intelligence apparatus, it is impossible to cover internal specificities in this article. Instead, it will discuss general solutions for smaller states. To address their intelligence gaps, European small-state SOF can be given new capabilities within a modified legal framework, or these SOF can work together with their domestic intelligence services. This article will argue that the best approach is to pursue both options. The combined efforts will result in more comprehensive and flexible intelligence capabilities. The article will address why it is important to adapt the legal framework for SOF, how SOF collaboration with intelligence services might fill SOF intel gaps and contribute to national security objectives, and finally, why opting for both solutions is necessary today. The analysis indicates that combining these approaches

would allow smaller countries to improve operational risk appraisal and operational effectiveness, reinforce their national intelligence systems, and stay flexible with the assets that are already available.

Enhancing Intelligence Collection in SOF Operations

Small European countries' SOF intelligence requirements call for adapting the legal framework such that it allows SOF to collect information during pre-conflict periods or population-centric conflicts, and for closer cooperation with intelligence services so they can support SOF operational objectives. Special operations have unique objectives, tactics, methods, procedures, and equipment, and are characterized by light footprints.⁸ Accordingly, they have unique intelligence requirements, including a detailed grasp of the operating environment, and especially its people, in order to identify, understand, and impact essential populations.⁹

Information is always critical, but it is especially so in a population-centric conflict, because opening information channels with the population brings success when the enemy is embedded in communities.¹⁰ In the context of insurgent-counterinsurgent competitions, studies demonstrate that an increase in force has a limited impact on any form of clandestine organization (insurgents, terrorists,

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Partner nation training scenario at a Pakistan military range during Operation Falcon Talon 2022, 1 March 2022

etc.) if it is not supported by additional intelligence capabilities.¹¹ Operational research has also demonstrated the vast role intelligence plays in reducing insurgencies.¹²

In conflicts driven by insurgencies, and in population-centric conflicts more generally, traditional methods of intelligence gathering and analysis are inadequate, because they do not allow the right collections and data management and, consequently, the right analysis and fusion with other collection methods. These types of conflict require adaptations in choosing, organizing, and reporting the intelligence, and in how personnel are trained and the collected data is managed.¹³ Rather than focusing solely on hostile forces, this broader intelligence collection, data management, and analysis method focuses on the population and non-state actors and on possible points of influence with the population.

In addition to the activities that they conduct during conflicts, SOF also conduct pre-conflict activities, which further necessitate expanded intelligence collection. These pre-conflict activities, which include identifying social networks, influencers, and local perceptions of legitimacy, look similar to intelligence service intel-gathering activities. The necessary tradecraft also looks similar. The differences lie in the purpose and the legal framework.¹⁴ Like every military organization, SOF may only execute military activities. Through collaboration, intelligence services could support SOF operational objectives and

enhance their operational effectiveness by, for example, providing them with human intelligence and helping them to identify key points of influence in a theater. During the pre-conflict phase, SOF may collaborate with various information providers such as non-governmental organizations and businesses to fulfill their intelligence requirements. However, the information these organizations share is typically insufficient for SOF to plan operations and assess risks because their information collection apparatus has an entirely different purpose, i.e., force protection for their employees.

Getting the Legal Foundation Right

A revised legal framework is therefore necessary to allow SOF to operate proactively instead of reactively. Once a legal framework is in place and SOF are in the intelligence capability development phase, they may want to adopt a broader spectrum of activities and add a pre-conflict role similar to the Operational Preparation of the Environment concept of the US Special Operations Command (USSOCOM). This concept meets critical requirements for disrupting and eliminating clandestine organizations, denying them safe haven, sustaining an intelligence edge, and posturing for strategic uncertainty.¹⁵ Preparing the environment can be very productive with regard to information gathering. It provides a strategic initiative, especially in the pre-crisis phase of an emerging conflict, and improves SOF's situational awareness, operational response,

Without enlarging the national intelligence system, political leaders risk **more intelligence gaps.**

and find-to-finish time.¹⁶ This process of shaping the environment must be planned and synchronized in time and space to create a denied environment for clandestine organizations by preempting or mitigating conditions that facilitate their activities.¹⁷ In that context, SOF need to be able to operate independently during intelligence gathering and shaping activities in order to create or incorporate a forward network. Thus, limited resources and personnel within small European states' defense and intelligence agencies, multiple regional focuses, the need for early presence before conflicts start, and the population-centricity of conflicts all call for increasing the quantity and the flexibility of collection assets.

The legal debate over such matters is outside the scope of this article; however, it must be noted that small European countries have different laws covering military activities and intelligence activities. Source operations or human intelligence data storage is illegal for some of these small states' SOF, as are the planning, direction, and execution of intelligence operations. Having laws on SOF intelligence activities means having an oversight committee to supervise those operations and activities to make sure they stay within the legal boundaries; such oversight will also help to mitigate concerns about unintended consequences that could lead to political complications.¹⁸

The legal framework must therefore be transformed by senior military leaders and policy makers to recognize SOF as a national asset for the strategic collection of intelligence, providing them the authority to gather more intelligence during pre-conflict operations. This would allow SOF to be self-sufficient when their countries' intelligence service resources are unable to support SOF risk appraisal and operational objectives. Small European countries' SOF could learn from General Michael Hayden, who made this statement during his hearing to become Director of the

US National Security Agency: "as the national HUMINT manager, the Director of CIA should strap on the responsibility to make sure that this thing down here that walks and quacks and talks like human intelligence is conducted to the same standards as human intelligence."¹⁹ Small European countries may use this idea, requiring their intelligence services to take the lead and ensure that these SOF pre-conflict activities are conducted up to the service's standards and within the proper legal framework.

Enhancing Intelligence Collection in Intelligence Operations

Due to the increased instability in and around Europe, small countries are seeking to develop integrated strategies among their different ministries. To do this, they need more self-generated national intelligence, such as information about the activities and locations of state and non-state actors' militaries. They also need information regarding causes of instability, and domestic and foreign actors' efforts to influence internal public perceptions. This information greatly contributes to better foresight and analysis. Without enlarging the national intelligence system, political leaders risk more intelligence gaps. However, the defense establishments of many countries are facing recruiting difficulties,²⁰ and many struggle to attract, promote, and retain talent.²¹ Adding SOF to the "intelligence gathering pool" would increase collection capacity without waiting the years necessary to recruit and educate sufficient intelligence officers to fill SOF and governments' intelligence gaps. Based on their Special Reconnaissance experience and low-visibility modus operandi, SOF have baseline skills, knowledge, and abilities that would expedite the education and training process.

SOF support to intelligence services in denied areas is also beneficial.²² Their experience with tactical intelligence during Special Reconnaissance missions,²³ their lower signature and low-visibility modus operandi, and their operational security discipline make them a perfect strategic collection asset.²⁴ SOF have the medical skills and the experience with air-ground coordination, small-unit tactics, and weapons handling that are mandatory for operations in denied areas. SOF are also best suited to place intel-collecting technical devices and to help find and set up safe houses for partnered assets.²⁵ The SOF skill set in support of an intelligence service can enhance that service's reach in denied areas by mitigating the risk to the force, which can help the intelligence service reach its strategic objectives. When operating as an independent actor, through a permanent presence in areas of national interest (strategic forward presence), SOF can be distinctively well placed to gain human intelligence and discover the intentions of key actors while building networks as part of the national intelligence system.

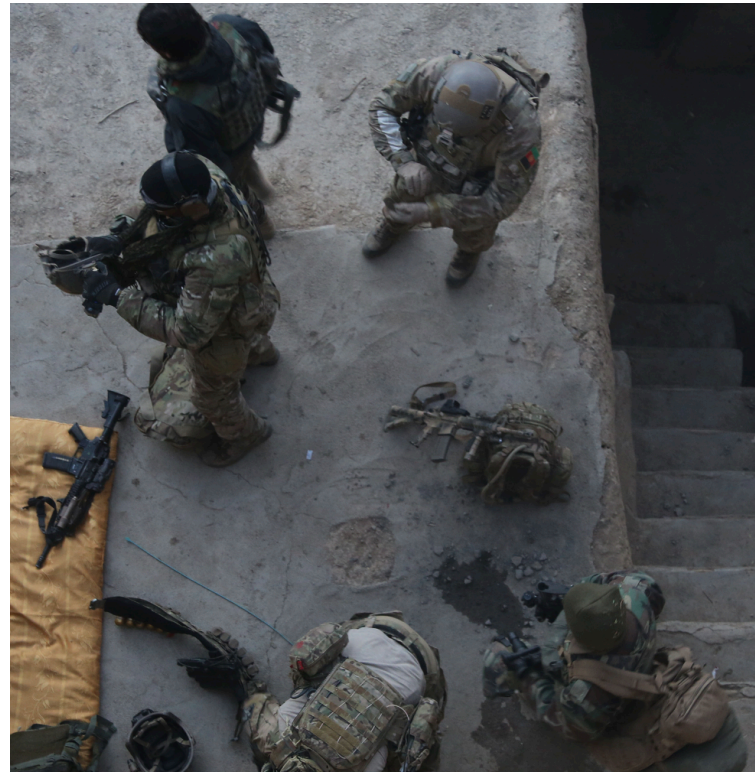
Here again, the main issue preventing SOF from playing this valuable role is that they generally lack the legal authority to collect information from a foreign area that is not in a declared war with their own country. Therefore, the legal framework needs adaptation to accommodate current operational needs.

Militaries use different command relationships to provide more or less control of a deployed detachment. In the context of intelligence operations, a structural collaboration between a country's national intelligence service and its SOF should indicate whether the intelligence service may only assign intelligence-gathering tasks to SOF to achieve a purpose, whether they may also assign missions, or if they may even reorganize the SOF task structure. Depending on their organizational sensitivities, different countries may settle on very different collaboration protocols between the services.

Since SOF's operational objectives are nested with national security objectives, both actors would contribute to those national security objectives. A collaboration would provide additional bandwidth in terms of personnel working towards the same objectives. It would also improve the quality of the intelligence gathered by SOF: by allowing them to work more closely with the intelligence service, it would enable them to take advantage of the intelligence service's greater levels of experience and knowledge in intelligence matters.

One might argue that incorporating SOF into the national intelligence apparatus would place an additional burden on operators. That would be true only if that extra burden were added on top of a task list that was left unchanged. If some of SOF's existing tasks could be transferred to SOF support units or enablers, then the burden would be minimal. When prioritizing for relevance and operational effectiveness, SOF communities are used to adapting.

Whether SOF support intelligence operations or execute intelligence operations independently, they would be a strategic collection asset in support of national decision-making. Their ability to deliver contextual understanding of situations within a region of interest and develop a capacity to detect early warning signals would provide strategic and political leaders with decision space and strategic options.



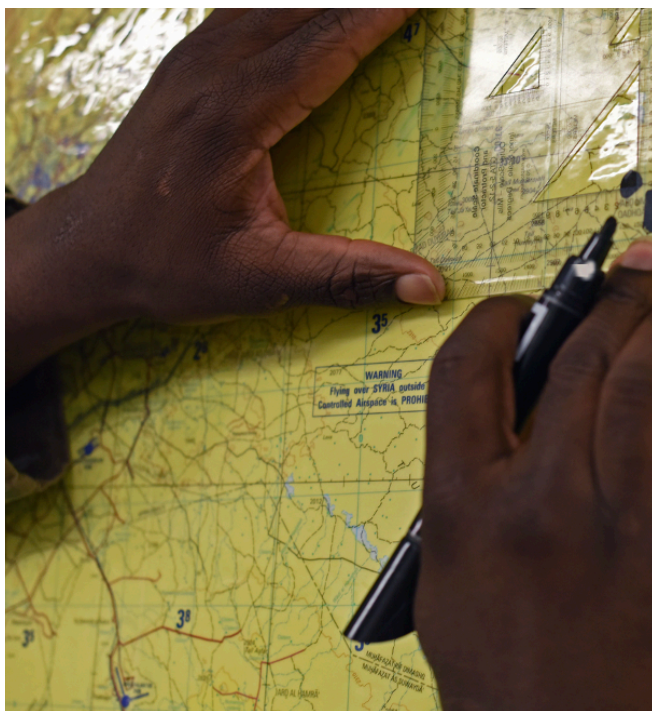
Combined Joint Special Operations Task Force-Afghanistan, Parwan Province, Afghanistan, 15 January 2014

Options Come Together

Taking both paths—adapting the SOF intelligence-gathering legal framework and creating a structural collaboration—would make the most sense for small European states because this would benefit both SOF and the intelligence services by filling intelligence gaps. The option to operate independently and to support each other according to a structural protocol offers the most

flexible option because the two communities would cover each other's deficiencies when they cooperate. SOF, for example, could fill an intel gap independently when the intelligence service is stretched thin and unable to fill it. After the raw data is gathered, the assessment and refinement process could occur within SOF or the intelligence service, or in a joint manner. The types of operations (i.e., SOF or intel ops) and the types of agreements between the two entities would determine the repartition of responsibilities throughout the intelligence process. Given its position as the highest national authority in the intel field, the intelligence service would have to have the last word in any disagreement.

For the same reasons, combining the two options offers a third benefit, which is to provide smaller countries with multi-source fusion through synergy and thereby augment their collection efforts. According to Mark Lowenthal, synergy refers to the situation where one system or discipline can provide useful information or signals that can be utilized by other systems to guide their data collection efforts.²⁶ He also states that multiple collection methods should be employed for major intelligence requirements—those that are linked to national security threats or counterterrorism—and that these collectors are expected to work together in a coordinated manner. The goal of this approach is to develop all-source intelligence, also referred to as fusion intelligence, which involves combining intelligence data from as many collection sources as possible in order to overcome the limitations of each individual source and take advantage of their combined strength. Due to limited resources, this is difficult for small European countries to achieve, but intel fusion of at least two or three sources should be their goal.



While major powers have the luxury of running such a multi-source intel fusion apparatus exclusively within SOF or the intelligence service, they also continue to seek ways to integrate the two. To overcome the limits of their resources and realize multi-source intel fusion, this interservice approach is necessary for smaller states. The least expensive way to produce multi-source intel today is likely by combining three types of intelligence: human intelligence (HUMINT); geospatial intelligence (GEOINT), which includes imagery and videos from manned and unmanned aircraft; and open-source intelligence (OSINT).²⁷ This multi-source fusion uses the latest technology and is possible at the lowest tactical level. It is a desirable approach that can be implemented for SOF operations and intelligence operations. Intelligence services are familiar with these three intelligence types and, were the proposed interservice approach to be adopted, smaller European countries' SOF would become familiar with them, too.

Recommendations, Counterarguments, and Rebuttals

As cooperation between SOF and intel agencies becomes more common among the major Western powers, smaller European countries should follow suit. Countries willing to do so should also advocate for a synchronized oversight that stimulates interagency integration to promote national security interests. Increased location access, augmented personnel numbers, shared resources, and increased mission success were among the benefits of a structural collaboration identified by a survey of USSOF and CIA operatives.²⁸ After 20 years of the Global War on Terror, it is surprising that small European states have not moved towards this type of improved cooperation between SOF and the intelligence community. However, for multiple reasons, restrictions persist on SOF's access to HUMINT and other information about a country's citizens. A few of these barriers relate to civil liberties, national security issues, and the dangers of the "need to share" principle.

Civil liberties and privacy rights are significant concerns, and many democratically governed states prioritize their protection. In cases where their citizens would become unintended targets of military intelligence operations abroad, this might become a problem. Democratically elected authorities try to maintain a balance between national security and the rights and freedoms of their people, because people's perception of how security providers handle civil rights is just as important as reaching national security objectives. In fact, public perception and trust play



Operation Falcon Talon, 1 March 2022

a significant role in shaping political decisions in democracies. If a state's citizens are concerned about privacy or are afraid of excessive state surveillance, enhancing the intelligence apparatus by increasing the number of assets may further hamper public trust in government institutions.

The strategic culture of each state also influences its relationship with the intelligence apparatus and the restrictions that the state places on data gathering. Each country perceives different threats and, consequently, prioritizes security policies differently. Historical experiences, risk tolerance, and transparency also play a role. All these factors are essential when asking why a country has not moved forward with closer collaboration between its SOF and its intelligence community.

Thus, on the one hand, adding SOF to the intelligence community increases the number of assets and the amount of intelligence available to decision makers. On the other hand, it also increases the chances of political problems for the government. Striking a balance between intelligence gaps and political blowback requires careful consideration of national security priorities, democratic values, and public sentiment, a process familiar to intelligence services that require adaptive policies and continuous assessment.

A comprehensive legal framework should therefore be established to maximize SOF's accountability and minimize the chances of blowback. Such a framework

should define the scope of SOF's intelligence activities, including the limitations and safeguards in place. It should also balance a country's national security needs against domestic and foreign citizens' individual rights, ensuring that intelligence operations are conducted lawfully and with proper oversight. SOF would be bound by robust oversight mechanisms to ensure that intelligence activities are conducted within legal boundaries and with respect for civil liberties. These kinds of SOF operations could either fall under the intelligence service's operational command or be subject to an independent oversight body, such as a parliamentary committee or judicial review, to ensure accountability and minimize the risk of abuses.

European countries also have different regulations and laws regarding intelligence activities. Generally, the personnel under the intelligence services are covered by intel laws and may conduct intelligence activities in foreign areas in peacetime, whereas regular defense personnel may not. Also, in small European countries like Belgium, Denmark, and the Netherlands, intelligence services fall under the Ministry of Defense. These countries, like most democracies, have special oversight committees established by law that are meant to supervise the intelligence services. Thus, the same oversight committee might place constraints on SOF pre-conflict activities by providing policy guidance and reporting requirements; reviewing and approving intel-related operations; and conducting investigations and audits. Most countries' defense headquarters already place

similar constraints on SOF operations, but in the case of intelligence operations, the echelon for oversight is at the parliamentary level. In the end, a comprehensive legal framework could finally allow SOF the necessary spectrum of activities to build a situational understanding of the environment.

Continuous evaluation and adaptation would best fit the threat landscape and each state's norms and regulations. This adaptation process means regularly reviewing and evaluating the closer collaboration between SOF and the intelligence community for its effectiveness—and deficiencies—at bridging intelligence gaps and addressing national security concerns. Adapting and refining intelligence policies and interservice cooperation is crucial as the threat landscape evolves and societal norms change.

The temptation for either service to sequester intel it has gathered, whatever the source of collection, is to be avoided. Incomplete information risks not only sub-optimal decision-making, but also the erosion of trust and willingness to collaborate between the two partners. Establishing a joint oversight body or liaison team that monitors information sharing and collaboration can facilitate continuous communication and prevent issues from escalating. Any legal structure for collaboration should include mechanisms, such as resort to higher-level authority or a formal mediation process, to resolve disputes and ensure adherence to the information-sharing arrangement. Joint training and education to raise awareness about each service's roles and expertise would help increase mutual respect and understanding of the consequences of intel siloing.

Within this framework, three key areas are recommended to decrease collaborative frictions: understand each other's organizational missions and authorities; improve communications efforts through interservice training, liaisons, and intelligence sharing; and finally, resolve "mission overlap issues through deconfliction and transparent mission planning efforts."²⁹ Whether for SOF operations or for intelligence operations, no senior leader wants his organization to replicate work that has already been done in a theater, nor wants one entity to interfere with any existing network of the other. Avoiding the unnecessary expenditure of organizational energy is also an added value to a structural collaboration.

Opponents might argue that revising legislation or attempting to persuade the political and military strategic levels of the need for a structural interservice collaboration is a substantial effort for a minimal return on investment. However, considering criteria such as future operational

trends, increased knowledge of risk due to better risk appraisal, and the potential to optimize a state's operational impacts, the return on investment may not be so minimal. One may also argue that SOF in some nations have become proportionally too large to allow these partnerships or credibly maintain the necessary secrecy and adequate intelligence processes. Looking at major powers is the best response to this: they may have large SOF, but only a few operators and intelligence professionals participate in interagency operations.

Another possible argument is that an intelligence service is meant to produce strategic intel and, consequently, should operate exclusively at the strategic level. First, no matter the level at which they operate, SOF are also theoretically meant to work toward strategic objectives. Second, these arguments about levels are often brought by people who do not recognize the intertwining between tactical activities, operational effectiveness, and strategic outcomes. Maintaining a strict separation between various levels is a recipe for ineffectiveness in today's complex operational environment. The Joint Publication on Joint Operations is clear in distinguishing theory from reality: "Actions can be defined as strategic, operational, or tactical based on their

Joint training and education to raise awareness

about each service's roles and expertise would help increase mutual respect and understanding of the consequences of intel siloing.

effect or contribution to achieving strategic, operational, or tactical objectives, but many times the accuracy of these labels can only be determined during historical studies.”³⁰ Whether in pre-conflict or during population-centric conflicts, SOF actions often help to achieve objectives at multiple levels. The time when a military’s assets or capacities were dedicated principally to a strategic context has ended. Those assets and capabilities have become a crucial addition to the tactical level.

Conclusion

To accomplish national security objectives, the relationships between small European countries’ SOF and intelligence services are mutually reinforcing, and there is a need for interoperability and interagency support. While the military and intelligence services have distinct roles and functions, they frequently need to work together, demonstrating that there is indeed a useful synergy between their activities and refuting the idea that their activities are mutually exclusive. More than a decade ago, Andru Wall argued that “insistence that military and intelligence activities inhabit separate worlds casts a pall of illegitimacy over interagency support.”³¹ The reality of limited personnel in small European countries’ defense and intelligence agencies, the need for an early presence in many regions of interest, and the trend toward population-centric conflicts put pressure on small European countries to make this collaboration work.

SOF need to keep investing in knowledge. Most important, they must invest in the proper collection assets and the right people to process, exploit, analyze, produce, and disseminate special operations intelligence. The importance of building the experience and the right capabilities to create a detailed concept of intelligence support for special operations should not be underestimated.

Whether the intelligence services and SOF cooperate to fill the gap, or whether SOF create new capabilities under an adapted legal framework and fill the gap on their own, these paths will offer suitable solutions. The optimal solution, in terms of quality, quantity, and flexibility, would be to do both. Both actors should enable each other, cover each other’s deficiencies, and support each other’s efforts when one is stretched out. Taking both paths is also the best way to guarantee the multi-intelligence fusion benefits in support of SOF and intelligence operations. Avoiding the collaboration that this article advocates will only increase the risks that SOF will be forced to fill their own intelligence gaps in order to meet their operational requirements, resulting in mission creep. If neither of these paths is taken, the relative loss of information and lack of

situational awareness will impact operational outcomes. Except for fear of change, there is today no sound argument for not making this collaboration work. If a country’s political level is unaware of the possible solutions, it is the responsibility of that country’s defense forces to make the politicians see sense.

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NOTES

¹ John Longshore, *JSOU Quick Look: Intelligence Support to Special Operations* (MacDill AFB, FL: Joint Special Operations University, 2021), 1: <https://jsou.edu/Press/PublicationDashboard/18>

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²⁵ For more on the potential use of SOF in cyber-based intelligence operations, see Jonas van Hooren, “The Integration of Special Forces in Cyber Operations,” *CTX* 12, no. 1 (2022):

<https://nps.edu/documents/110773463/135759179/The+Integration+of+Special+Forces+in+Cyber+Operations.pdf>

²⁶ Mark M. Lowenthal, *Intelligence: From Secrets to Policy*, 8th ed. (Thousand Oaks, CA: CQ Press, 2020), 184.

²⁷ Jeff Giesea, “Hybrid Intelligence as a Response to Hybrid Warfare? How to Make Intelligence Collection & Verification Cheaper, Faster, and Better Using New Technologies,” *Small Wars Journal*, 7 February 2023: <https://smallwarsjournal.com/jrnl/art/hybrid-intelligence-response-hybrid-warfare>

²⁸ Eric B. Snyder, Andrew B. Crowell, and Hugo E. Flores-Diaz, “Shared History, Shared Missions, Maximized Interoperability: Best Practices for USSOF and the CIA” (master’s thesis, Naval Postgraduate School, 2018): https://calhoun.nps.edu/bitstream/handle/10945/61272/18Dec_Snyder_Crowell_Flores-Diaz.pdf?sequence=1&isAllowed=y

²⁹ *Ibid.*, 51.

³⁰ Joint Chiefs of Staff, *Doctrine for Joint Operations*, JP 3 (Washington, DC: Joint Chiefs of Staff, 2001), II-2: https://webharvest.gov/peth04/20041020215226/http://www.dtic.mil/doctrine/jel/new_pubs/jp3_0.pdf

³¹ Wall, “Demystifying the Title 10-Title 50 Debate,” 141.