

Three Bibliographies

(i) Drones and Targeted Killing,

(ii) Prosecuting Terrorism, and

(iii) Enhanced Interrogation Techniques v. Torture

compiled by Jaclyn A. Peterson

I. BIBLIOGRAPHY ON DRONES AND TARGETED KILLING

Books

Hunter, T.B. (2009). *Targeted killing: Self-defense, preemption, and the war on terrorism*. Charleston, SC: Book Surge Publishing.

Periodicals

Alston, P. (2011). The CIA and targeted killings beyond borders. *Harvard National Security Journal*. 2(2), pp. 283-446.

[http://harvardnsj.org/wp-content/uploads/2011/02/Vol.-2_Alston1.pdf]

Barnidge, Jr., R.P. (2012). A qualified defense of American drone attacks in northwest Pakistan under international humanitarian law. *Boston University International Law Journal*. 30(2), pp. 410-447.

[http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1916185]

Blank, L.R. (2012). Targeted strikes: The consequences of blurring the armed conflict and self-defense justifications. *William Mitchell Law Review*. 38(5), pp. 1655-1700.

[<http://www.wmitchell.edu/lawreview/Volume38/documents/11.BlankFINAL.pdf>]

Blum, G. & Heymann, P. (2010). Law and policy of targeted killing. *Harvard National Security Journal*. 1, pp. 145-170.

[http://harvardnsj.org/wp-content/uploads/2010/06/Vol-1_Blum-Heymann_Final.pdf]

Calhoun, L. (2003). The strange case of summary execution by predator drone. *Peace Review: A Journal of Social Justice*. 15(2), pp. 209-214.

Farhat, T. (2010). The year of the drone misinformation. *Small Wars & Insurgencies*. 21(3), pp. 529-535.

Guiora, A.N. (2009). Not “by all means necessary”: A comparative framework for post-9/11 approaches to counterterrorism. *Case Western Reserve Journal of International Law*. 42(1 & 2), pp. 273-287.

[http://www.case.edu/orgs/jil/vol.42.1.2/42_Guiora.pdf]

Hafez, M.M. & Hatfield, J.M. (2006). Do targeted assassinations work?: A multivariate analysis of Israel's controversial tactic during Al-Aqsa uprising. *Studies in Conflict & Terrorism*. 29(4), pp. 359-382.

Hakimi, M. (2012). A functional approach to targeting and detention. *Michigan Law Review*. 110(8) (forthcoming).

Hudson, L. (et al.). (2011, Fall). Drone warfare: Blowback from the new American way of war. *Middle East Policy*. 18(3), pp. 122-132.

[<http://onlinelibrary.wiley.com/doi/10.1111/j.1475-4967.2011.00502.x/pdf>]

Jahagirdar, O.M. (2008). Targeted killing, not assassination: The legal case for the United States to kill terrorist leaders. *Journal of Islamic Law and Culture*. 10(2), pp. 234-251.

Llenza, M.S. (2011). Targeted killings in Pakistan: A defense. *Global Security Studies*. 2(2), pp. 47-59.

[<http://globalsecuritystudies.com/Targeted%20Killings.pdf>]

Margalit, A. (2012). Did LOAC take the lead? Reassessing Israel's targeted killing of Salah Shehadeh and the subsequent calls for criminal accountability. *Journal of Conflict and Security Law*. 17(1), pp. 147-173.

Murphy, R. & Radsan, A.J. (2009). Due process and targeted killing of terrorists. *Cardozo Law Review*. 31(2), pp. 405-450.

O'Connell, M.E. (2003). To kill or capture suspects in the global war on terror. *Case Western Reserve Journal of International Law*. 35(2), pp. 325-332.

Ofek, H. (2010, Spring). The tortured logic of Obama's drone war. *The New Atlantis*. 27, pp. 35-44.

Panetta, L. (2009, Summer). AFPAK drone strikes are only game in town. *New Perspectives Quarterly*. 26(3), pp. 33-39.

Paracha, S.A., Imran, F., & Khan, M.A. (2012, January). Framing of drone attacks in Pakistani elite press: A comparative study of Dawn and the Nation. *Mediterranean Journal of Social Sciences*. 3(1), pp. 471-482.

[http://www.mcser.org/images/stories/2_journal/mjssjan2012/sajjad%20ahmad%20paracha.pdf]

Radsan, J.A. & Murphy, R. (2012). The evolution of law and policy for CIA targeted killing. *Journal of National Security Law & Policy*. 5(2), pp. 439-463.

[<http://www.jnslp.com/wp-content/uploads/2012/01/The-Evolution-of-Law-and-Policy-for-CIA-Targeted-Killing.pdf>]

Ramsden, M. (2011). Targeted killings and the international human rights law: The case of Anwar Al-Awlaki. *Journal of Conflict and Security Law*. 16(2), pp. 385-406.

Schmitt, M.N. (2012). Unmanned combat aircraft systems and international humanitarian law: Simplifying the often benighted debate. *Boston University International Law Journal*. 30(2), pp. 595-619.

Shah, S.A. (2010). War on terrorism: Self-defense, operation enduring freedom, and the legality of U.S. drone attacks in Pakistan. *Washington University Global Studies Law Review*. 9(1), pp. 77-129.

[http://law.wustl.edu/WUGSLR/Issues/Volume9_1/Shah.pdf]

Statman, D. (2004). Targeted killing. *Theoretical Inquiries in Law*. 5, pp. 179-198.

[<http://philo.haifa.ac.il/staff/statman/papers%20in%20english/E23.pdf>]

Ulrich, J. (2005). The gloves were never on: Defining the president's authority to order targeted killing in the war against terrorism. *Virginia Journal of International Law*. 45, pp. 1029-1063.

Wall, A.E. (2011). Demystifying the Title 10-Title 50 debate: Distinguishing military operations, intelligence activities & covert action. *Harvard National Security Journal*. 3(1), pp. 85-142.

Wall, T. & Monahan, T. (2011). Surveillance and violence from afar: The politics of drones and liminal security-scapes. *Theoretical Criminology*. 15(3), pp. 239-254.

Williams, B.G. (2010). The CIA's covert predator drone war in Pakistan, 2004–2010: The history of an assassination campaign. *Studies in Conflict & Terrorism*. 33(10), pp. 871-892.

Wilner, A.S. (2010). Targeted killings in Afghanistan: Measuring coercion and deterrence in counterterrorism and counterinsurgency. *Studies in Conflict & Terrorism*. 33(4), pp. 307-329.

Yoo, J. (2011/12). Assassination or targeted killings after 9/11. *New York Law School Law Review*. 56, pp. 57-79.

Zulaika, J. (2012). Drones, witches and other flying objects: The force of fantasy in US counterterrorism. *Critical Studies on Terrorism*. 5(1), pp. 51-68.

Unconventional Sources

Cullen, P.M. (2007, March 30). *The role of targeted killing in the campaign against terror*. Carlisle, PA: U.S. Army War College.

[<http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA471529>]

Goldings, J. (2011, April 14). Targeted killings in the Al-Aqsa intifada: An examination of changes in Hamas' operational capacity. (Master's thesis, Georgetown University).

[<http://repository.library.georgetown.edu/bitstream/handle/10822/553498/goldingsJessica.pdf?sequence=1>]

Johnson, G. (2007, June). *Mortuus discriminatus: Procedures in targeted killing*. Monterey, CA: Naval Postgraduate School.

[<http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA469936>]

Mahmood, A. (2010). *Drone Attacks: International law burns in "Hellfire."* Islamabad, Pakistan: International Institute of Strategic Studies & Research.

Thorp, A. (2011, December 20). *Drone attacks and the killing of Anwar al-Awlaqi: Legal issues*. (Standard Note 06165). UK Parliament: House of Commons Library.

[<http://www.parliament.uk/briefing-papers/SN06165>]

Tinetti, J. (2004, September 2). *Lawful targeted killing or assassination?: A roadmap for operators in the global war on terror*. Newport, RI: Naval War College.

[<http://www.dtic.mil/dtic/tr/fulltext/u2/a422785.pdf>]

II. BIBLIOGRAPHY ON PROSECUTING TERRORISM

Books

Denbeaux, M. & Hafetz, J. (Eds.). (2009). *The Guantánamo lawyers: Inside a prison outside the law*. NYU Press.

Shawcross, W. (2011). *Justice and the enemy: Nuremberg, 9/11, and the trial of Khalid Sheikh Mohammed*. New York, NY: Public Affairs.

Periodicals

Bell, J.T. (2010, October). Trying Al-Qaeda: Bringing terrorists to justice. *Perspectives on Terrorism*. 4(4), pp. 73-81.

[<http://www.terrorismanalysts.com/pt/index.php/pot/article/view/115>]

Blaauw-Wolf, L. (2004). The Hamburg terror trials – American political poker and German legal procedure: An unlikely combination to fight international terrorism. *German Law Journal*. 5(7), pp. 791-828.

[http://www.germanlawjournal.com/pdfs/Vol05No07/PDF_Vol_05_No_07_791-828_Public_Wolf.pdf]

Brill, S. (2010). The national security court we already have. *Yale Law & Policy Review*. 28(2), pp. 525-537.

[http://yalelawandpolicy.org/sites/default/files/Brill_28.pdf]

Choi, E.Y. (2007). Veritas, not vengeance: An examination of the evidentiary rules for military commissions in the war against terrorism. *Harvard Civil Rights-Civil Liberties Law Review*. 42, pp. 139-189.

[http://www.law.harvard.edu/students/orgs/crcl/vol42_1/choi.pdf]

Donohue, L.K. (2007). Terrorism and trial by jury: The vices and virtues of British and American criminal law. *Stanford Law Review*. 59(5), pp. 1321-1364.

[http://cisac.stanford.edu/publications/terrorism_and_trial_by_jury_the_vices_and_virtues_of_british_and_american_criminal_law]

Dunlap, C.J. & Letendre, L.A. (2008). Military lawyering and professional independence in the war on terror: A response to David Luban. *Stanford Law Review*. 61(2), pp.417-442.

[<http://www.stanfordlawreview.org/print/article/military-lawyering-and-professional-independence-war-terror-response-david-luban>]

Eijkman, Q. & Van Ginkel, B. (2011). Compatible or incompatible? Intelligence and human rights in terrorist trials. *Amsterdam Law Forum*. 3(4), pp. 3-16.

[http://www.clingendael.nl/publications/2011/20111100_cscp_artikel_ginkel.pdf]

Farhang, M. (1994). Terrorism and military trials in Egypt: Presidential decree no. 375 and the consequences for judicial authority. *Harvard International Law Journal*. 35, pp. 225-237.

Guiora, A.N. (2010). The quest for individual adjudication and accountability: Are international tribunals the right response to terrorism? *Emory International Law Review*. 24(2), pp. 497-513.

[<http://www.law.emory.edu/fileadmin/journals/eilr/24/24.2/Guiora.pdf>]

Hodgkinson, S.L. (2010). Are ad hoc tribunals an effective tool for prosecuting international terrorism cases? *Emory International Law Review*. 24(2), pp. 515-525.

[<http://www.law.emory.edu/fileadmin/journals/eilr/24/24.2/Hodgkinson.pdf>]

Janik, Jr., A.L. (2002). Prosecuting Al-Qaeda: America's human rights policy interest are best served by trying terrorists under international tribunals. *Denver Journal of International Law & Policy*. 30(4), pp. 498-531.

Kadidal, S. (2011). Confronting ethical issues in national security cases: The Guantanamo habeas litigation. *Seton Hall Law Review*. 41(4), pp. 1397-1426. [<http://erepository.law.shu.edu/cgi/viewcontent.cgi?article=1407&context=shlr>]

Kuhn, W. (2012). The modern development of homegrown creative justice: The speedy trial rights of military detainees. *Syracuse Law Review*. 62(2), pp. 209-253.

Kumar, M.A. (2011). Secret witnesses, secret information and secret evidence: Australia's response to terrorism. *Mississippi Law Journal*. 80(4), pp. 1371-1394.

[http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1949575]

Luban, D. (2008). Lawfare and the legal ethics in Guantanamo. *Stanford Law Review*. 60(6), pp. 1981-2026.

[http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1092451]

Montano, M. (2009). Who may be tried under the Military Commissions Act of 2006? *Standard Law Review*. 61(5), pp. 1281-1332.

[<http://www.stanfordlawreview.org/print/article/who-may-be-tried-under-military-commissions-act-2006>]

Resnik, J. (2010). Detention, the war on terror, and the federal courts. *Columbia Law Review*. 110(2), pp. 579-686.

[<http://www.columbialawreview.org/assets/pdfs/110/2/Resnik.pdf>]

Olson, L.M. (2010). Prosecuting suspected terrorists: The "war on terror" demands reminders about war, terrorism, and international law. *Emory International Law Review*. 24(2), pp. 479-496.

[<http://www.law.emory.edu/fileadmin/journals/eilr/24/24.2/Olson.pdf>]

Petty, K.A. (2009). Are you there, Geneva? It's me, Guantanamo. *Case Western Reserve Journal of International Law*. 42(1 & 2), pp.171-186.

[http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1528491]

Roach, K. (2008). The consequences of compelled self-incrimination in terrorism investigations: A comparison of American grand juries and Canadian investigative hearings. *Cardozo Law Review*. 30(3), pp. 1089-1115.

[http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1622260]

Rostow, N. (2011). The laws of war and the killing of suspected terrorists: False starts, rabbit holes, and dead ends. *Rutgers Law Review*. 63(1), pp. 1215-1233.

[http://www.ndu.edu/inss/docuploaded/Rostow%20Rutgers_Article_PDF.pdf]

Silliman, S.L. (2009). The appropriate venue for trying terrorist case: Prosecuting alleged terrorists by military commission: A prudent option. *Case Western Reserve Journal of International Law*. 42(1 & 2), pp. 289-297.

[http://www.case.edu/orgs/jil/vol.42.1.2/42_Silliman.pdf]

Smith, B.L., Damphousse, K.R., Jackson, F., & Sellers, A. (2002). The prosecution and punishment of international terrorists in federal courts: 1980-1998. *Criminology & Public Policy*. 1(3), pp. 311-338.

Sulmasy, G. (2009). The need for a national security court system. *St. John's Journal of Legal Commentary*. 23(4), pp. 1007-1016.

[<http://scholarship.law.stjohns.edu/cgi/viewcontent.cgi?article=1053&context=jcred>]

Terry, J.P. (2010). Federal court or military commission: The legal dilemma posed by those charged with terrorist violence. *Naval Law Review*. 60, pp. 125-140.

[<http://www.jag.navy.mil/documents/navylawreview/NLRVolume60.pdf>]

Vidmar, N. (2003). When all of us are victims: Juror prejudice and terrorist trials. *Chicago-Kent Law Review*. 78, 1143-1178.

Vladeck, S.I. (2010). Terrorism trials and the Article III courts after Abu Ali. *Texas Law Review*. 88(7), pp. 1501-1532.

[<http://www.texasrev.com/issues/vol/88/issue/7/vladeck>]

Van der Vyver, J.D. (2010). Prosecuting terrorism in international tribunals. *Emory International Law Review*. 24(2), pp. 527-547.

[http://www.law.emory.edu/fileadmin/journals/eilr/24/24.2/van_der_Vyver.pdf]

White, M.J. (2001, Spring). Prosecuting terrorism in New York. *Middle East Quarterly*. 8(2), pp. 11-18.

[<http://www.meforum.org/25/prosecuting-terrorism-in-new-york>]

Wilson, R.J. (2003, Fall). Can U.S. courts learn from failed terrorist trials by military commission in Turkey and Peru? *Human Rights Brief*. 11, pp. 12-14.

[<http://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1338&context=hrbrief>]

Nonconventional Sources

The Center on Law and Security at NYU School of Law. (2006, April). *Prosecuting Terrorism: The Legal Challenge*. The NYU Review of Law & Security.

[http://www.lawandsecurity.org/Portals/0/Documents/no7_Prosecuting-Terrorism-the-Legal-Challenge.pdf]

Elsa, J.F. (2012, May 9). *Comparison of rights in military commission trials and trials in federal criminal court* (Rep. No. R40932). Congressional Research Service.

[<http://www.fas.org/sgp/crs/natsec/R40932.pdf>]

Goldsmith, J. (2009, February 4). *Long-term terrorist detention and our national security court*. Counterterrorism and American Statutory Law Series No. 5. Brookings Institution, the Georgetown University Law Center, and the Hoover Institution.

[<http://www.brookings.edu/research/papers/2009/02/09-detention-goldsmith>]

Litt, R.S. & Bennett, W.C. (2009, May 8). *Better rules for terrorism trials*. Counterterrorism and American Statutory Law Series No. 7. Brookings Institution, the Georgetown University Law Center, and the Hoover Institution

[<http://www.brookings.edu/research/papers/2009/05/08-terrorism-litt-bennett>]

Scheffer, D. (2001, November). *Options for prosecuting international terrorists*. Washington, DC: United States Institute of Peace.

[<http://www.usip.org/publications/options-prosecuting-international-terrorists>]

Shields, C., Damphousse, K.R., & Smith, B.L. (2009, September). *An assessment of defense and prosecutorial strategies in terrorism trials: Implications for state and federal prosecutors*. Terrorism Research Center, Fulbright University.

[<https://www.ncjrs.gov/pdffiles1/nij/grants/228276.pdf>]

Silver, A. (2006, March 27). *Prosecuting terrorists after September 11*. CFR Backgrounder, Council on Foreign Relations.

[<http://www.cfr.org/terrorism-and-the-law/prosecuting-terrorists-after-september-11/p10246>]

Turner, S. & Schulhofer, S.J. (2005). *The secrecy problem in terrorism trials*. Brennan Center for Justice at NYU School of Law.

[http://brennan.3cdn.net/2941d4bea7c3c450d2_4sm6iy66c.pdf]

U.S. Department of Defense. (2011). *Regulation for trial by military commission*.

[http://www.mc.mil/Portals/0/Reg_for_Trial_by_mcm.pdf]

Whealy, A. (2010, April). *Terrorism and the right to a fair trial: Can the law stop terrorism? A comparative analysis*. A Paper presented to the British Institute of International and Comparative Law, London, UK.

[http://www.biicl.org/files/5038_terrorism_and_the_right_to_a_fair_trial_2_.pdf]

Zabel, R.B. & Benjamin, Jr., J.J. (2008). *In pursuit of justice: Prosecuting terrorism cases in the federal courts*. Washington, DC.: Human Rights First.

[<http://www.humanrightsfirst.org/wp-content/uploads/pdf/080521-USLS-pursuit-justice.pdf>]

III. ENHANCED INTERROGATION TECHNIQUES V. TORTURE DEBATE

Books

Alexander, M. (2008). *How to break a terrorist: The US interrogators who used brains, not brutality, to take down the deadliest man in Iraq*. New York, NY: Free Press.

Carle, G. (2011). *The interrogator: An education*. New York, NY: Nation Books.

John Conrow, J. (2001). *Unspeakable acts, ordinary people: The dynamics of torture*. University of California Press.

Greenberg, K.J. (Ed.). (2006). *The torture debate in America*. New York, NY: Cambridge University Press.

Greenberg, K.J. & Dratel, J.L. (Eds.). (2005). *The torture papers: The road to Abu Ghraib*. Cambridge University Press.

Levinson, S. (Ed.). (2004). *Torture: A Collection*. Oxford University Press, Inc.

Mackey, C. & Miller, G. (2004). *The interrogators: Inside the secret war against Al-Qaeda*. New York, NY: Little, Brown and Company.

Mackey, C. & Miller, G. (2005). *The interrogators: Task Force 500 and America's secret war against Al-Qaeda*. New York, NY: Back Bay Books/Little, Brown and Company.

McCoy, A. (2006). *A question of torture: CIA interrogation from the Cold War to the war on terror*. New York, NY: Metropolitan Publishing.

Minitzer, R. (2011). *Mastermind: The many faces of the 9/11 architect, Khalid Shaikh Mohammed*. New York, NY: Sentinel.

Office of the Director of National Intelligence. (2011). *Intelligence interviewing: Teaching papers and case studies (with accompanying CD-ROM: "report on educating information")*. Nova Science Publishers.

Peters, E. (1999). *Torture*. Expanded Edition. Philadelphia, PA: University of Pennsylvania Press.

Rodriguez, Jr., J.A. (2012). *Hard measures: How aggressive CIA actions after 9/11 saved American lives*. New York, NY: Threshold Editions.

-
- Skerker, M. (2010). *An ethics of interrogation*. Chicago, IL: University of Chicago Press
- Soufan, A. (2011). *The black banners: The inside story of 9/11 and the war against Al-Qaeda*. New York, NY: W.W. Norton & Company, Inc.
- Thiessen, M. (2010). *Courting disaster: How the CIA kept America safe and how Barack Obama is inviting the next attack*. Washington, DC: Regnery Publishing, Inc.
- Toliver, R.T. & Scharff, H.J. (1997). *The interrogator: The story of Hanns Joachim Scharff: Master interrogator of the Luftwaffe*. (rev. updated ed.). Atglen, PA: Schiffer Publishing, Ltd.
- Williamson, T., Milne, B., & Savage, S. (Eds.). (2009). *International developments in investigative interviewing*. Portland, OR: Willan Publishing.

Periodicals

- Addicott, J.F. (2003-2004). Into the star chamber: Does the United States engage in the use of torture or similar illegal practices in the war on terror? *Kentucky Law Journal*. 92, pp. 849-912.
- Alvarez, J.E. (2006). Torturing the law. *Case Western Reserve Journal of International Law*. 37(2 & 3), pp. 175-223.
[<http://www.case.edu/orgs/jil/vol.37.2.3/Alvarez.pdf>]
- Ambos, K. (2008). May a state torture suspects to save the life of innocents? *Journal of International Criminal Justice*. 6(2), pp. 261-287.
- Arrigo, J.M. (2004, July). A utilitarian argument against torture interrogation of terrorists. *Science & Engineering Ethics*. 10(3), pp. 543-572.
- Athey, S. (2007). The terrorist we torture: The case of Abdul Hakim Murad. *South Central Review*. 24(1), pp. 73-90.
- Bagaric, M. & Clarke, J. (2005). Not enough official torture in the world? The circumstances in which torture is morally justifiable. *University of South Florida Law Review*. 39, pp. 581-616.
- Basogul, M. (et al.). (2007). Torture vs. other cruel, inhuman, and degrading treatment: Is the distinction real or apparent? *Archives of General Psychiatry*. 64(3), pp. 277-285.
[<http://archpsyc.jamanetwork.com/article.aspx?articleid=482225>]
- Bassiouni, M.C. (2006). The institutionalization of torture under the Bush administration. *Case Western Reserve Journal of International Law*. 37(2 &3), pp. 389-425.
[<http://www.case.edu/orgs/jil/vol.37.2.3/Bassiouni.pdf>]
- Bellamy, A.J. (2006). No pain, no gain?: Torture and ethics in the war on terror. *International Affairs*. 82(1), pp. 121-148.
- Bennoune, K. (2010). Terror/Torture redux. *Tulane Journal of International and Comparative Law*. 19, pp. 173-185.
- Blakeley, R. (2011). Dirty hands, clean conscience? The CIA Inspector General's investigation of "enhanced interrogation techniques" in the war on terror and the torture debate. *Journal of Human Rights*. 10(4), pp. 544-561.

Bolgiano, D.G. & Banks, L.M. (2010, November-December). Military interrogation of terror suspects: Imaginative does not have to be mean unlawful. *Military Review*. pp. 2-9.

Chanbonpin, K.D. (2008). Ditching the disposal plan: Revisiting Miranda in an age of terror. *St. Thomas Law Review*. 20, pp. 155-182.

Chanbonpin, K.D. (2011). "We don't want dollars, just change": Narrative counter-terrorism strategy, an inclusive model for social healing, and the truth about torture commission. *Northwestern University Journal of Law and Social Policy*. 6(1), pp. 1-46.

Clark, K. (2005). Ethical issues raised by the OLC torture memorandum. *Journal of National Security Law & Policy*. 1(2), pp. 455-472.

[http://insct.org/jnslp/wp-content/uploads/2010/08/09_Clark_Master_e.pdf]

Colb, S. (2008-2009). Why is torture "different" and how "different" is it? *Cardozo Law Review*. 30(4), pp. 1411-1473.

Cole, D. (2012). The taint of torture: The roles of law and policy in our descent to the dark side. *Houston Law Review*. 49(1), pp. 53-69.

Cole, D. (2012). Torture and just war. *Journal of Religious Ethics*. 40(1), pp. 26-51.

Condon, J.B. (2008). Extraterritorial interrogation: The porous border, torture and U.S. criminal trials. *Rutgers Law Review*. 60(3), pp. 647-704.

Davis, M. (2005). The moral justifiability of torture and other cruel, inhuman, or degrading treatment. *International Journal of Applied Philosophy*. 19(1), pp. 161-178.

Davis, M.D. (2009). Historical perspective on Guantanamo Bay: The arrival of the high value detainees. *Case Western Reserve Journal of International Law*. 42(1 & 2), pp. 115-124.

[http://www.case.edu/orgs/jil/hist_pers.html]

Dickenson, L.A. (2006). Torture and contract. *Case Western Reserve Journal of International Law*. 37(2 & 3), pp. 267-275.

[<http://www.case.edu/orgs/jil/vol.37.2.3/Dickinson.pdf>]

Eler, J. (2010). Rights trump torture: How Dworkin's system of rights should include a right not to be tortured and defeat ticking time-bomb scenario type arguments. *Macalester Journal of Philosophy*. 19(1), pp. 66-87.

Elesa, J.K. (2007). Lawfulness of interrogation techniques under the Geneva Conventions. *International Journal of Terrorism and Political Hot Spots*. 2(1 & 2), pp. 35-70.

Elesa, J.K. (2008). Treatment of "battlefield detainees" in the war on terrorism. *International Journal of Terrorism and Political Hot Spots*. 3(1 & 2), pp. 125-178.

Enders, W. & Jindapon, P. (2011). On the economics of interrogation: The big 4 versus the little fish game. *Journal of Peace Research*. 48(3), pp. 287-301.

Falvey, J.L. & Eck, B.D. (2010). Holding the high ground: The operational calculus of torture and coercive interrogation. *Campbell Law Review*. 32, pp. 561-593.

-
- de Frouville, O. (2011). The influence of the European Court of Human Rights' case law on international criminal of torture and inhuman or degrading treatment. *Journal of International Criminal Justice*. 9(3), pp. 633-649.
- Garcia, M.J. (2009). Renditions: Constraints imposed by laws on torture. *International Journal of Terrorism and Political Hot Spots*. 4(3 & 4), pp. 297-326.
- Garcia, M.J. (2009). U.N. Convention Against Torture (CAT): Overview and application to interrogation techniques. *International Journal of Terrorism and Political Hot Spots*. 4(3 & 4), pp. 411-436.
- Garcia, M.J. (2009). Interrogation of detainees: Requirements of the Detainee Treatment Act. *International Journal of Terrorism and Political Hot Spots*. 4(3 & 4), pp. 437-453.
- Goldstone, R. (2006). Combating terrorism: Zero tolerance for torture. *Case Western Reserve Journal of International Law*. 37(2 & 3), pp. 343-348.
[<http://www.case.edu/orgs/jil/vol.37.2.3/Goldstone.pdf>]
- Greer, E. (2004). "We don't torture people in America": Coercive interrogation in the global village. *New Political Violence*. 26(3), 371-387.
- Guiora, A.N. & Page, E.M. (2006). The unholy trinity: Intelligence, interrogation and torture. *Case Western Reserve Journal of International Law*. 37(2 & 3), pp. 427-446.
[http://www.case.edu/orgs/jil/vol.37.2.3/Guiora_and_Page.pdf]
- Harel, A. & Sharon, A. (2008). What is really wrong with torture? *Journal of International Criminal Justice*. 6(2), pp. 241-259.
- Harper, J. (2009). Defining torture: Bridging the gap between rhetoric and reality. *Santa Clara Law Review*. 49, pp. 893-928.
- Herrmann, K.L. (2010). Reviewing Bush-Era counterterrorism policy after 9/11: Reconciling ethical and practical considerations. *Homeland Security Review*. 4(2), pp. 139-155.
- Holmes, S. (2009). In case of emergency: Misunderstanding tradeoffs in the war on terror. *California Law Review*. 97(2), pp. 301-355.
- Hooks, G. & Mosher, C. (2005). Outrages against personal dignity: Rationalizing abuse and torture in the war on terror. *Social Forces*. 83(4), 1627-1645.
- Ip, J. (2009). Two narratives of torture. *Northwestern Journal of International Human Rights*. 7(1), pp. 35-77.
[<http://www.law.northwestern.edu/journals/jihr/v7/n1/2/Ip.pdf>]
- Jenks, C. & Jensen, E.T. (2010). All human rights are equal, but some are more equal than others: The extraordinary rendition of a terror suspect in Italy, the NATO SOFA, and human rights. *Harvard National Security Journal*. 1, pp. 171-202.
- Kreimer, S.F. (2005). "Torture lite," "full bodied" torture, and the insulation of legal conscience. *Journal of National Security Law and Policy*. 1(2), pp. 187-229.
[http://insct.org/jnslp/wp-content/uploads/2010/08/01_Kreimer_Master_d.pdf]
-

Lebowitz, M.J. (2011). The value of claiming torture: An analysis of al-Qaeda's tactical lawfare strategy and efforts to fight back. *Case Western Reserve Journal of International Law*. 43(1 & 2), pp. 357-392.

[http://www.case.edu/orgs/jil/vol.43.1.2/43_Lebowitz.pdf]

Lee, P. (2006). Interrogational torture. *American Journal of Jurisprudence*. 51, pp. 131-147.

Levinson, S. (2003, Summer). The debate on torture: War against virtual states. *Dissent*. pp. 79-90.

Levinson, S. (2005). In quest of a "common conscience": Reflections on the current debate about torture. *Journal of National Security Law and Policy*. 1(2), pp. 231-252.

[http://insct.org/jnslp/wp-content/uploads/2010/08/02_Levinson_Master_c.pdf]

Levitt, K.J. (2005). The CIA and the torture controversy: Interrogation, authorities and practices in the war on terror. *Journal of National Security Law and Policy*. 1(2), pp. 341-356.

[http://insct.org/jnslp/wp-content/uploads/2010/08/05_Levit_Master_c.pdf]

Luban, D. (2009). Human dignity, humiliation and torture. *Kennedy Institute of Ethics Journal*. 19(3), 211-230.

May, L. (2005). Torturing detainees during interrogation. *International Journal of Applied Philosophy*. 19(2), pp. 193-208.

McDonnell, M.H.M. (et al.). (2011). Torture in the eyes of the beholder: The psychological difficulty of defining torture in law and policy. *Vanderbilt Journal of Transnational Law*. 44(1), pp. 87-122.

[<http://law.vanderbilt.edu/publications/journal-of-transnational-law/archives/volume-44-number-1/index.aspx>]

McMahan, J. (2006). Torture, morality and law. *Case Western Reserve Journal of International Law*. 37(2 & 3), pp. 241-248.

[<http://www.case.edu/orgs/jil/vol.37.2.3/McMahan.pdf>]

Evans, J.R. (et al.). (2010). Criminal versus HUMINT interrogations: The importance of psychological science to improving interrogative practice. *Journal of Psychiatry & Law*. 38(1 & 2), pp. 215-249.

Morgan, R. (2000). The utilitarian justification of torture: Denial, desert, and disinformation. *Punishment & Society*. 2(2), pp. 181-196.

Mullenix, P. (2007). Interrogation strategies for an unconventional extremist enemy. *Polygraph*. 36(3), pp. 121-132.

Newton, M.A. (2006). War by proxy: Legal and moral duties of 'other actors' derived from government affiliation. *Case Western Reserve Journal of International Law*. 37(2 & 3), pp. 249-265.

[<http://www.case.edu/orgs/jil/vol.37.2.3/Newton.pdf>]

- Nordgren, L.F. (et al.). (2011). What constitutes torture?: Psychological impediments to an objective evaluation of interrogation tactics. *Psychological Science*. 22(5), pp. 689-94.
- O'Connell, M.E. (2005). Affirming the ban on harsh interrogation. *Ohio State Law Journal*. 66(6), pp. 1231-1267.
- Ohlin, J.D. (2008). The bounds of necessity. *Journal of International Criminal Justice*. 6(2), pp. 289-308.
- Parry, J.T. (2005). "Just for fun": Understanding torture and understanding Abu Ghraib. *Journal of National Security Law & Policy*. 1(2), pp. 253-284.
[http://insct.org/jnslp/wp-content/uploads/2010/08/03_Parry_Master_e.pdf]
- Parry, J.T. (2009). Torture nation, torture law. *Georgetown Law Journal*. 97, pp. 1001-1054.
- Parry, J.T. & White, W.S. (2002). Interrogating suspected terrorists: Should torture be an option. *University of Pittsburgh Law Review*. 63, pp. 743-766.
- Paust, J.J. (2009). Serial war crimes in response to terrorism can pose threats to national security. *William Mitchell Law Review*. 35(5), pp. 5201-5221.
- Posner, E. & Vermeule, A. (2006). Should coercive interrogation be legal? *Michigan Law Review*. 104(4), pp. 671-707.
- Raviv, A. (2004). Torture and justification: Defending the indefensible. *George Mason Law Review*. 13(1), pp. 135-181.
[http://www.georgemasonlawreview.org/doc/13-1_Raviv.pdf]
- Rejali, D. (2003). Modern torture as a civic marker: Solving a global anxiety with a new political technology. *Journal of Human Rights*. 2(2), pp. 153-171.
- Reyes, H. (2007). The worst scars are in the mind: Psychological torture. *International Review of the Red Cross*. 89(867), pp. 591-617.
[<http://www.ikrk.org/eng/assets/files/other/irrc-867-reyes.pdf>]
- Ross, J. (2007). Black letter abuse: The US Response to torture since 9/11. *International Review of the Red Cross*. 89(867), pp. 561-590.
[<http://www.icrc.org/eng/assets/files/other/irrc-867-ross.pdf>]
- Roth, B.R. (2008). Just short of torture: Abusive treatment and the limits of international criminal justice. *Journal of International Criminal Justice*. 6(2), pp. 215-239.
- Rumney, P. (2005). The effectiveness of coercive interrogation: Scholarly and judicial responses. *Crime, Law and Social Change*. 44(4-5), pp. 465-489.
- Rychlak, R.J. (2007). Interrogating terrorists: From Miranda warnings to "enhanced interrogation techniques." *San Diego Law Review*. 44, pp. 451-475.
- Sadat, L.N. (2007). Extraordinary rendition, torture, and other nightmares from the war on terror. *George Washington Law Review*. 75(5 & 6), pp. 1200-1248.
-

Sadat, L.N. (2006). Ghost prisoners and black sites: Extraordinary rendition under international law. *Case Western Reserve Journal of International Law*. 37(2 & 3), 309-342.

[<http://www.case.edu/orgs/jil/vol.37.2.3/Sadat.pdf>]

Sands, P. (2008). Torture team: The responsibility of lawyers for abusive interrogation. *Melbourne Journal of International Law*. 9(2), pp. 365-380.

Schabas, W.A. (2006). The crime of torture and the international criminal tribunals. *Case Western Reserve Journal of International Law*. 37(2 & 3), pp. 349-364.

[<http://www.case.edu/orgs/jil/vol.37.2.3/Schabas.pdf>]

Scheppele, K.L. (2005). Hypothetical torture in the “war on terrorism.” *Journal of National Security Law and Policy*. 1(2), pp. 285-340.

[http://insct.org/jnslp/wp-content/uploads/2010/08/04_Scheppele_Master_c.pdf]

Schlink, B. (2007). Problem with “torture lite.” *Cardozo Law Review*. 29(1), pp. 85-89.

Shue, H. (2006). Torture in dreamland: Disposing of the ticking bomb. *Case Western Reserve Journal of International Law*. 37(2 & 3), pp. 231-239.

[<http://www.case.edu/orgs/jil/vol.37.2.3/Shue.pdf>]

Strassfeld, R.N. (2006). American innocence. *Case Western Reserve Journal of International Law*. 37(2 & 3), pp. 277-308.

[<http://www.case.edu/orgs/jil/vol.37.2.3/Strassfeld.pdf>]

Strauss, M. (2003). Torture. *New York Law School Law Review*. 48, pp. 201-274.

Sussman, D. (2006). Defining torture. *Case Western Reserve Journal of International Law*. 37(2 & 3), pp. 225-230.

[<http://www.case.edu/orgs/jil/vol.37.2.3/Sussman.pdf>]

Ulbrick, J.T. (2005). Tortured logic: The (il)legality of United States interrogation practices in the war on terror. *Northwestern University Journal of International Human Rights*. 5(1), pp. 210-237.

Wahlquist, J. (2009, Summer). Enhancing interrogation: Advancing a new agenda. *Parameters*. pp. 38-49.

Waldron, J. (2005). Torture and positive law: Jurisprudence for the White House. *Columbia Law Review*. 105(6), pp. 1681-1750.

Wallace, D.A. (2008). Torture v. the basic principles of the US military. *Journal of International Criminal Justice*. 6(2), pp. 309-322.

Wolfendale, J. (2009). The myth of “torture lite.” *Ethics and International Affairs*. 23(1), pp. 47-61.

Wolfendale, J. (2006). Training torturers: A critique of the “ticking bomb” argument. *Social Theory and Practice*. 32(2), pp. 269-287.

Wood, L. (2008). Overview and analysis of Senate amendment concerning interrogation of detainees. *International Journal of Terrorism and Political Hot Spots*. 3(1 & 2), pp. 1-6.

Wright, J. (2011). Mirandizing terrorists? An empirical analysis of the public safety exception. *Columbia Law Review*. 111(6), pp. 1296-1331.

Zelikow, P. (2012). Codes of conduct for a twilight war. *Houston Law Review*. 49(1), pp. 1-52.
[<http://www.houstonlawreview.org/wp-content/uploads/2012/05/1-Zelikow.pdf>]

Nonconventional Sources

Ferrara, P. (et al.). (n.d.). *The interrogation memos: Shall we be clueless on terrorism*. Alexandria, VA: American Civil Rights Union.

[<http://theacru.org/pdfs/TheInterrogationMemos.pdf>]

Human Rights Center. (2008). *Guantanamo and its aftermath: US detention and interrogation practices*.

Human Rights Watch. (2011, July). *Getting away with torture: The Bush Administration and mistreatment of detainees*.

[<http://www.hrw.org/sites/default/files/reports/us0711webwcover.pdf>]

Intelligence Science Board. (2006, December). *Educating information: Interrogation: Science and art*. Washington, DC: National Defense Intelligence College.

[<http://www.fas.org/irp/dni/educing.pdf>]

Laufer, J. (2011). By any means necessary: The quandary the CIA now faces in light of employing enhanced interrogation methods to combat the war on terror (Master's thesis, Duquesne University).

[<http://gradworks.umi.com/14/90/1490849.html>]

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