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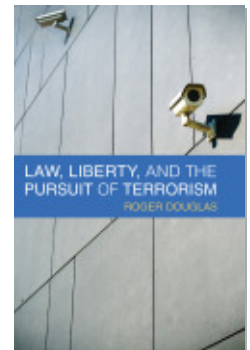
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Bibliography

Publications

- Aid, Matthew N. 2009. *The Secret Sentry: The Untold History of the National Security Agency*. New York: Bloomsbury.
- Alford, John H., Carolyn L. Funk, and John R. Hibbing. 2005. "Are Political Attitudes Genetically Transmitted?" *American Political Science Review* 99:153–67.
- Allen, M. 2007. "George W. Bush and the Nature of Executive Authority: The Role of Courts in a Time of Constitutional Change." *Brooklyn Law Review* 72: 871–938.
- American Civil Liberties Union. 2012. "KindHearts for Charitable Development, Inc. v. Geithner et al.—Settlement." http://www.aclu.org/files/assets/kindhearts_v_geithner_settlement.pdf.
- Amnesty International. 2002. *Amnesty International's Concerns Regarding Post September 11 Detentions in the USA*. <http://www.amnesty.org/en/library/info/AMR51/044/2002>.
- Amnesty International. 2005. *Guantánamo and Beyond: The Continuing Pursuit of Unchecked Executive Power*. <http://www.amnesty.org/en/library/info/AMR51/063/2005>.
- Ashdown, Gerald G. 2006. "The Blueing of America: The Bridge between the War on Drugs and the War on Terrorism." *University of Pittsburgh Law Review* 67:753–802.
- ASIO (Australian Security Intelligence Organisation). 2003. *Report to Parliament, 2002–2003*. Available at <http://www.asio.gov.au/Publications/Report-to-Parliament/Previous-Reports.html>. Subsequent reports are also available at this site.
- ASIO. 2004. *Report to Parliament, 2003–2004*.
- ASIO. 2006. *Report to Parliament, 2005–2006*.
- ASIO. 2007. *Report to Parliament, 2006–2007*.
- ASIO, Director-General. 2006. "A Step Ahead: The Challenge for Counter-terrorism." Address delivered at the Security in Government Conference, 9 May. <http://www.asio.gov.au/Publications/Speeches-and-Statements/2006/A-Step-Ahead-The-Challenge-for-Counter-Terrorism.html>.
- ASIO, Director-General. 2007. "National Security and Risk Management." Speech to Risk Management Institution of Australasia, 27 November.
- Associated Press. 2005. "Bush: 'We Do Not Torture' Terror Suspects." http://www.nbcnews.com/id/9956644/ns/us_news-security/t/bush-we-do-not-torture-terror-suspects/.
- Australia. Commonwealth Parliamentary Debates. http://www.aph.gov.au/Parliamentary_Business/Hansard/Hansreps_2011#2002.
- Australia. 2006. *Terrorism Insurance Act Review 2006*. <http://archive.treasury.gov.au/contentitem.asp?ContentID=1162>.
- Australia, Defence Department. 2008. *Inquiry Officer's Report into the Detention of Local*

- Nationals on 29–30 April 2008 in Oruzgan Province, Afghanistan. www.defence.gov.au/publications/IOReportdetentionAfghanistan.pdf.
- Australia, Inspector-General of Intelligence and Security. 2002–10. *Annual Reports, 2001–2002—2008–2009*. http://www.igis.gov.au/annual_report/index.cfm.
- Australia, Inspector-General of Intelligence and Security. 2011. *Inquiry into the Actions of Australian Government Agencies in Relation to the Arrest and Detention Overseas of Mr Mamdouh Habib from 2001 to 2005*. <http://www.igis.gov.au/inquiries/index.cfm#habib>.
- Australia, Parliament, Joint Select Committee on Australia's Immigration Network. 2012. *Final Report*. Accessed via http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees.
- Australia, Senate, Foreign Affairs, Defence and Trade References Committee. 2005. *Duties of Australian Personnel in Iraq*. Accessed via http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees.
- Australia, Senate, Legal and Constitutional Legislation Committee. 2002. *Inquiry into Security Legislation Amendment (Terrorism) Bill [No 2] [and Other Bills]*. Report. Accessed via http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees.
- Australia, Senate, Legal and Constitutional Legislation Committee. 2005. *Provisions of the Anti-terrorism Bill (No 2)*. Accessed via http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees.
- Australian Broadcasting Corporation. 2008. "3 Found Guilty over Liquid Bomb Plot." <http://www.abc.net.au/news/2008-09-09/3-found-guilty-over-liquid-bomb-plot/503450>.
- Baker, Kevin. 2006. *Mutiny, Terrorism, Riots, and Murder: A History of Sedition in Australia and New Zealand*. Dural, New South Wales: Rosenberg.
- Baker, Nancy V. 2006. *General Ashcroft: Attorney at War*. Lawrence: University of Kansas Press.
- Banham, Cynthia. 2006. "Afghan POWs Denied Rights Because 'It's Not a War.'" *Sydney Morning Herald*, 16 July. <http://www.smh.com.au/news/world/afghan-pows-denied-rights-because-its-not-a-war/2006/06/15/1149964675820.html>.
- Barros, Carlos Pestana, and Isabel Proença. 2005. "Mixed Logit Estimation of Radical Islamic Terrorism in Europe and North America." *Journal of Conflict Resolution* 49:298–314.
- BBC News. 2012. "Canadian Security Services 'Can Use Torture Material.'" BBC News, 8 February 2012. <http://www.bbc.co.uk/news/16943268?print=true>.
- Beall, Jennifer. 1998. "Are We Only Burning Witches? The Antiterrorism and Effective Death Penalty Act of 1996's Answer to Terrorism." *Indiana Law Journal* 71:693–710.
- Bennett-Jones, Owen. 2012. "Terrorists? Us?" *London Review of Books*, 7 June, 10–12.
- Bhabba, Faisal. 2003. "Tracking 'Terrorists' or Solidifying Stereotypes? Canada's Antiterrorism Act in Light of the Charter's Equality Guarantee." *Windsor Review of Legal and Social Issues* 16:95–136.
- Blackbourn, Jessie. 2009. "International Terrorism and Counterterrorist Legislation: The Case Study of Post-9/11 Northern Ireland." *Terrorism and Political Violence* 21:133–54.
- Boot, Max, and Jeane J. Kirkpatrick. 2009. "U.S. and Allies Must Detain Afghan Prisoners." *Washington Post*, 29 December. http://www.cfr.org/publication/21084/us_and_allies_must_detain_afghan_prisoners.html.
- Boyne, Shawn. 2004. "Law, Terrorism, and Social Movements: The Tensions between

- Politics and Security in Germany's Anti-terrorism Legislation." *Cardozo Journal of International and Comparative Law* 12:41–82.
- Bright, Martin. 2006. "Rendition: The Cover-up." *New Statesman*, 23 January. <http://www.newstatesman.com/200601230005>.
- British Columbia Civil Liberties Association 2010. "Abdelrazik et al v Attorney General of Canada." http://bccla.org/our_work/abdelrazik-et-al-v-attorney-general-of-canada/.
- Bush, George W. 2010. *Decision Points*. London: Virgin Books.
- Bybee, Jay S. 2005. "Standards of Conduct for Interrogation under 18 USC §§ 2340–2340A: Memorandum for Alberto R Gonzales, Counsel to the President, August 1, 2002." In *The Torture Papers: The Road to Abu Ghraib*, edited by Karen J. Greenberg and Joshua L. Dratel, 172–217. New York: Cambridge University Press.
- Canada. House of Commons Hansard. <http://www.parl.gc.ca/housechamberbusiness/chambersittings.aspx?View=H&Parl=37&Ses=1&Language=E&Mode=1>.
- Canada. House of Commons Special Committee on the Canadian Mission in Afghanistan. 2009. *Evidence*, 18 November. Available at <http://www.parl.gc.ca/committee-business/CommitteeHome.aspx?Cmte=AFGA&Language=E&Mode=1&Parl=40&Ses=2>.
- Canada, Commission of Inquiry into Certain Activities of the Royal Canadian Mounted Police. 1981. Vol. 1. *Freedom and Security under the Law*. Accessed via <http://www.pco-bcp.gc.ca>.
- Canada, Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar. 2005. *Report of the Events Relating to Maher Arar: Analysis and Recommendations*. www.sirc-csars.gc.ca/pdfs/cm_arar_rec-eng.pdf.
- Canada, House of Commons, Standing Committee on Justice and Human Rights. 2001. *Eighth Report*. <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=1032018&Language=E&Mode=1&Parl=37&Ses=1>.
- Canada, House of Commons, Standing Committee on Public Safety and National Security. 2009. *Third Report*. <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=4004074&Language=E&Mode=1&Parl=40&Ses=2>.
- Canada, House of Commons, Standing Committee on Public Safety and National Security and Subcommittee on the Review of the Anti-terrorism Act. 2007. *Rights, Limits, Security: A Comprehensive Review of the Anti-terrorism Act and Related Issues*.
- Canada, House of Commons, Subcommittee on the Review of the Anti-terrorism Act. 2007. *Rights, Limits, Security: A Comprehensive Review of the Anti-terrorism Act and Related Issues*. <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=2798914&Language=E&Mode=1&Parl=39&Ses=1>.
- Canada, Senate, Special Committee on the Anti-terrorism Act. 2007. *Fundamental Justice in Extraordinary Times*. http://www.parl.gc.ca/sencommitteebusiness/CommitteeReports.aspx?parl=39&ses=1&Language=E&comm_id=597.
- Canada, Senate, Special Committee on the Subject Matter of Bill C-36. 2001. *First Report*. http://www.parl.gc.ca/sencommitteebusiness/CommitteeReports.aspx?parl=41&ses=1&Language=E&comm_id=612.
- Cassese, Antonio. 2006. "The Multifaceted Criminal Notion of Terrorism in International Law." *Journal of International Criminal Justice* 4:933–58.
- Catanzariti, Katelyn. 2009. "NSW Terror Five Face Life Terms." *Age* (Melbourne), 17 October, 13.
- Center on Law and Security. 2010. *Terrorist Trial Report Card: September 11, 2001–September 11, 2009*. <http://www.lawandsecurity.org/Publications/Terrorism-Trial-Report-Card>.

- Chesney, Robert M. 2005. "The Sleeper Scenario: Terrorism-Support Laws and the Demands of Prevention." *Harvard Journal on Legislation* 42:1-89.
- Chesney, Robert M. 2007a. "Beyond Conspiracy? Anticipatory Prosecution and the Challenge of Unaffiliated Terrorism." *Southern California Law Review* 80:425-99.
- Chesney, Robert M. 2007b. "Enemy Combatants after *Hamdan v Rumsfeld*: State Secrets and the Limits of National Security Litigation." *George Washington Law Review* 75:1249-1315.
- Chesney, Robert M. 2007c. "Federal Prosecution of Terrorism-Related Offenses: Conviction and Sentencing Data in Light of the 'Soft-Sentence' and 'Data-Reliability' Critiques." *Lewis and Clark Law Review* 11:851-901.
- Chesney, Robert M. 2008. "Legislative Reform of the State Secrets Privilege." *Roger Williams University Law Review* 13:443-68.
- Clarke, M. J. 2008. *Report of the Inquiry into the Case of Dr Haneef*.
- CNN. 2004. "Somali charged in al Qaeda mall bombing plot." 15 June. <http://edition.cnn.com/2004/LAW/06/14/terrorism.indictment/>.
- Cobain, Ian. 2009. "Tony Blair Knew of Secret Policy on Terror Interrogations." *Guardian*, 18 June. <http://www.guardian.co.uk/politics/2009/jun/18/tony-blair-secret-torture-policy/print>.
- Cobain, Ian. 2012. "Rendition Ordeal Raises New Questions about Secret Trials." *Guardian Weekly*, 13 April, 14-15.
- Cobain, Ian, and Richard Norton-Taylor. 2010. "Torture Warnings Pushed Aside for Britain to Join US in 'War on Terror.'" *Guardian*, 28 September. <http://www.guardian.co.uk/world/2010/sep/28/torture-warnings-britain-us-ignored/print>.
- Cobain, Ian, et al. 2012. "Documents Detailing Scandals of Empire Were Hidden Away." *Guardian Weekly*, 27 April, 14-15.
- Cole, David. 2009. "Out of the Shadows: Preventive Detention, Suspected Terrorists, and War." *California Law Review* 97:693-750.
- Cole, David. 2010. "What to Do about Guantánamo?" *New York Review of Books* 14 October, 48-50.
- Cole, David, and James Dempsey. 2006. *Terrorism and the Constitution: Sacrificing Civil Liberties in the Name of National Security* New York: Free Press.
- Condon, Stephanie. 2010. "Poll: Most Americans Say Keep Gitmo Open." http://www.cbsnews.com/8301_503544_163-6084882503544.html.
- Converse, Philip E. 1964. "The Nature of Belief Systems in Mass Publics." In *Ideology and Discontent*, edited by David E. Apter, 206-61. New York: Free Press.
- Coorey, Phillip, and Cynthia Banham. 2007. "PM Tells the Party: 'I Could Free Hicks—but Won't.'" *Sydney Morning Herald*, 7 February.
- Crabb, Annabel. 2006. "Law Strips Hicks of UK Citizenship." *Sydney Morning Herald*, 20 August. <http://www.smh.com.au/news/world/law-strips-hicks-of-uk-citizenship-in-hours/2006/08/19/1155408075077.html>.
- CSIS (Canadian Security Intelligence Service). 2002. *Public Report 2002*. <http://www.csis-scrs.gc.ca/pblctns/nlnrprt/2002/rprt2002-eng.asp>. Accessed 27 January 2009.
- CSIS (Canadian Security Intelligence Service). 2003. *Public Report 2003*. <http://www.csis-scrs.gc.ca/pblctns/nlnrprt/2003/rprt2003-eng.asp>.
- CSIS. 2006. *Public Report 2006*. <http://www.csis-scrs.gc.ca/pblctns/nlnrprt/2006/rprt2006-eng.asp>. Accessed 27 January 2009.
- CSIS. 2007. *Annual Public Report 2006-2007*. <http://www.csis-scrs.gc.ca/pblctns/nlnrprt/index-eng.asp>.

- CSIS. 2009. Public Report, 2008–2009. <http://www.csis-scrcs.gc.ca/pblctns/nlr-prt/2008/rprt2008-eng.asp>.
- Cumming, Geoff, and Catherine Masters. 2012. "A Nation Divided: Inside the Urewera Four Trial." *New Zealand Herald*, 24 March. http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10794146.
- Davies, Nick, et al. 2010. "Iraqi War Logs: Secret Files Show How US Ignored Torture." *Guardian*, 22 October. <http://www.guardian.co.uk/world/2010/oct/22/iraq-war-logs-military-leaks?INTCMP=SRCH>.
- Davis, Darren W., and Brian D Silver. 2004. "Civil Liberties vs. Security: Public Opinion in the Context of the Terrorist Attacks on America." *American Journal of Political Science* 48:28–46.
- Denbeaux, Mark P., and Jonathan Hafetz. 2009. *The Guantánamo Lawyers: Inside a Prison outside the Law*. New York: New York University Press.
- Di Filippo, Marcello. 2008. "Terrorist Crimes and International Co-operation: Critical Remarks on the Definition and Inclusion of Terrorism in the Category of International Crimes." *European Journal of International Law* 19:533–70.
- Difo, Germain. 2010. *Ordinary Measures, Extraordinary Results: An Assessment of Foiled Plots since 9/11*. Washington, DC: American Security Project.
- Donohue, Laura K. 2006. "Anglo-American Privacy and Surveillance." *Journal of Criminal Law and Criminology* 96:1059–1208.
- Donohue, Laura K. 2007. *Counter-terrorist Law and Emergency Powers in the United Kingdom, 1922–2000*. Dublin: Irish Academic Press.
- Donohue, Laura K. 2008. *The Cost of Counterterrorism: Power, Politics, and Liberty*. New York: Cambridge University Press.
- Dosman, E. Alexandra. 2004. "For the Record: Designating 'Listed Entities' for the Purposes of Terrorist Financing Offences at Canadian Law." *University of Toronto Faculty Law Review* 62:1–27.
- Douglas, Roger. 2010. "Must Terrorists Act for a Cause?" *Commonwealth Law Bulletin* 36:295–312.
- Dyzeneus, David. 2005. "The Rule of (Administrative) Law in International Law." *Law and Contemporary Problems* 68:127–66.
- Electronic Privacy Information Center. 2007. *Foreign Intelligence Surveillance Orders, 1979–2007*. http://epic.org/privacy/wiretap/stats/fisa_stats.html.
- Enders, Walter, and Todd Sandler. 2005. "After 9/11: Is It All Different Now?" *Journal of Conflict Resolution* 49:259–77.
- English, Richard. 2003. *Armed Struggle: A History of the IRA*. London: Macmillan.
- Eysenck, H. J. 1954. *The Psychology of Politics*. London: Routledge and Kegan Paul.
- Fallon, Richard H., Jr. 2010. "The Supreme Court, Habeas Corpus, and the War on Terror: An Essay on Law and Political Science." *Columbia Law Review* 110:325–52.
- Flanigan, Shawn Teresa. 2006. "Charity as Resistance: Connections between Charity, Contentious Politics, and Terror." *Studies in Conflict and Terrorism* 29:641–55.
- Fletcher, Joseph F. 1989. "Mass and Elite Attitudes about Wiretapping in Canada: Implications for Democratic Theory and Politics." *Public Opinion Quarterly* 53:225–45.
- Fletcher, Laurel E., and Eric Stover. 2009. *The Guantánamo Effect: Exposing the Consequences of U.S. Detention and Interrogation Practices*. Berkeley: University of California Press.
- Forcese, Craig. n.d. "National Security Law, Chapter 10: Secrecy." <http://craigforcese.squarespace.com/national-security-law-blog/category/chapter-10-secrecy>.

- Forcese, Craig, and Lorne Waldman. 2007. *Seeking Justice in an Unfair Process: Lessons from Canada, the United Kingdom, and New Zealand on the Use of "Special Advocates" in National Security Proceedings*. Ottawa: University of Ottawa Faculty of Law.
- Forsythe, David P. 2011. *The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11*. Cambridge: Cambridge University Press.
- Friscolanti, Michael, Jonathon Gatehouse, and Charlie Gillis. 2006. "Homegrown Terror: It's Not Over." *Macleans*, 19 June. http://www.macleans.ca/article.jsp?content=20060619_128953_128953.
- Gastil, John, et al. 2005. "The 'Wildavsky Heuristic': The Cultural Orientation of Mass Political Opinion." Public Law and Legal Theory Research Paper Series, Research Paper No 107, Yale Law School, New Haven, CT.
- Gewald, Jan-Bart. 2007. "Coming through Slaughter: The Herero of Namibia, 1904–1940." In *The Practice of War: Production, Reproduction, and Communication of Armed Violence*, edited by Rao Aparna et al., 89–110. Oxford: Bergbahn Books.
- Gibson, Sir Peter. 2010. *Report of the Intelligence Services Commissioner for 2009*. <http://www.official-documents.gov.uk/document/hc1012/hc12/1240/1240.asp>.
- Global Terrorism Database. n.d. <http://www.start.umd.edu>.
- Goldsmith, Jack. 2007. *The Terror Presidency: Law and Judgment inside the Bush Administration*. New York: W. W. Norton.
- Grabosky, P. N. 1989. *Wayward Governance: Illegality and Its Control in the Public Sector*. Canberra: Australian Institute of Criminology.
- Grey, Stephen. 2007. *Ghost Plane: The Untold Story of the CIA's Torture Programme*. Melbourne: Scribe.
- Habib, Mamdouh. 2008. *My Story: The Tale of a Terrorist Who Wasn't*. With Julia Collingwood. Melbourne: Scribe.
- Hagan, Kate. 2010. "Tamil Trio Accused of Terrorism Free on Bonds." *Age* (Melbourne), 1 April, 3.
- Haggerty, Kevin D., and Amber Grazso. 2005. "The Public Politics of Opinion Research on Surveillance and Privacy." *Surveillance and Society* 3:173–80.
- Haidt, Jonathan. 2012. *The Righteous Mind: Why Good People Are Divided by Politics and Religion*. London: Allen Lane.
- Harris, Paul. 2013. "Detainee Release Will Get a Restart." *Guardian Weekly* 31 May, 4.
- Hatemi, Peter K., et al. 2011. "A Genome-Wide Analysis of Liberal and Conservative Political Attitudes." *Journal of Politics* 73:271–85.
- Hetherington, Marc J., and Elizabeth Suhay. 2012. "Authoritarianism, Threat, and Americans' Support for the War on Terror." *American Journal of Political Science* 55:546–60.
- Henning, Anna C., and Edward C. Liu. 2009. *Amendments to the Foreign Intelligence Surveillance Act (FISA) Set to Expire February 28, 2010*. Washington, DC: Congressional Research Service.
- Herman, Susan N. 2006. "The USA Patriot Act and the Submajoritarian Fourth Amendment." *Harvard Civil Rights–Civil Liberties Law Review* 41:67–132.
- Hoffman, Grayson A. 2003. "Litigating Terrorism: The New FISA Regime, the Wall, and the Fourth Amendment." *American Criminal Law Review* 40:165–82.
- Howell, Beryl A. 2004. "Seven Weeks: The Making of the USA Patriot Act." *George Washington Law Review* 72:1145–1207.
- Huddy, Leonie, et al. 2002. "The Polls—Trends: Reactions to the Terrorist Attacks of September 11, 2001." *Public Opinion Quarterly* 66:418–50.

- Human Rights Watch and American Civil Liberties Union. 2005. *Witnesses to Abuse: Human Rights Abuses under the Material Witness Law since September 11*. <http://www.hrw.org/reports/2005/06/26/witness-abuse-0>.
- Iacobucci, Frank. 2008. *Internal Inquiry into the Actions of Canadian Officials in Relation to Abdullah Almalki, Ahmad Abou-Elmaati, and Muayyed Nureddin*. Report. http://epe.lac-bac.gc.ca/100/200/301/pco-bcp/commissions-ef/iacobucci-ef/final_report/index.html.
- Jones, Jeffrey M. 2009. "Americans Oppose Closing Gitmo and Moving Prisoners to US." <http://www.gallup.com/poll/119393/americans-oppose-closing-gitmo-moving-prisoners>.
- Kahneman, Daniel, Paul Slovic, and Amos Tversky, eds. 1982. *Judgment under Uncertainty: Heuristics and Biases*. New York: Cambridge University Press.
- Keenan, Danny, ed. 2008. *Terror in Our Midst: Searching for Terror in Aotearoa New Zealand*. Wellington: Huia.
- Kerr, Orin. 2003. "Internet Surveillance Law after the USA Patriot Act: The Big Brother That Isn't." *Northwestern University Law Review* 97:607–73.
- Kissane, Karen, et al. 2008. "Benbrika and Five Followers Found Guilty on Terrorism Charges." *Age* (Melbourne), 16 September, 7.
- Laberge, Cynthia. 2009. *To What Extent Should National Security Interests Override Privacy in a Post 9/11 World?* Wellington: Victoria University of Wellington Law Review.
- Law Council of Australia. 2007. *David Hicks v the United States: Summary of the Report of the Independent Observer for the Law Council of Australia*. http://www.law-council.asn.au/programs/criminal-law-human-rights/human-rights/hicks.cfm?fms_folder_uuid=8A2D2354-1E4F-17FA-D2CF-03C7F13E6BA7.
- Leigh, David. 2010. "Iraqi War Logs: Prisoner Beaten to Death Days after British Handover to Police." *Guardian*, 28 October. <http://www.guardian.co.uk/world/2010/oct/28/iraqi-war-logs-abbas-alawiu/print>.
- Lobel, Jules. 2002. "The War on Terrorism and Civil Liberties." *University of Pittsburgh Law Review* 63:767–90.
- "London Glasgow Terrorist Attacks: The Men in the Dock." 2008. *Independent* (London), 16 December.
- Lord Carlile of Berriew. 2007. *The Definition of Terrorism*. Cm 7052. <http://www.official-documents.gov.uk/document/cm70/7052/7052.pdf>.
- Lord Carlile of Berriew. 2009. *Report on the Operation in 2008 of the Terrorism Act 2000 and of Part 1 of the Terrorism Act 2006*. <http://www.statewatch.org/news/2009/jun/uk-carlile-report-2008.pdf>.
- Lord Carlile of Berriew. 2011. *Sixth Report of the Independent Reviewer Pursuant to Section 14(3) of the Prevention of Terrorism Act 2005*. <https://www.gov.uk/government/uploads/.../lord-carlile-sixth-report.pdf>.
- Lord Lloyd of Berwick. 1996. *Inquiry into Legislation against Terrorism*. 2 vols. Cm 3420. London: The Stationery Office.
- Lum, Cynthia, et al. 2006. "Are Counter-terrorism Strategies Effective? The Results of the Campbell Systematic Review on Counter-terrorism Evaluation Research." *Journal of Experimental Criminology* 2:489–516.
- Lynch, Andrew, et al. 2009. "The Proscription of Terrorist Organisations in Australia." *Federal Law Review* 37:1–40.
- Mackey, Chris. 2004. *The Interrogator's War: Inside the Secret War against Al Qaeda*. With Greg Miller. London: John Murray.

- Major, John C. 2010. *Air India Flight 182: A Canadian Tragedy*. Vol. 2. <http://www.pco-bcp.gc.ca>.
- Manningham-Buller, Elizabeth. 2011. "2011 Reith Lecture Series: Securing Freedom." Parts 1 and 2. <http://www.abc.net.au/rn/bigideas/series/2011/3328978.htm#transcript> and <http://www.abc.net.au/rn/bigideas/series/2011/3329559.htm#transcript>.
- Marks, Jonathan H. 2006. "What Counts in Counterterrorism?" *Columbia Human Rights Law Review* 37:559–626.
- Martin, David A. 2009. *Refining Immigration Law's Role in Counterterrorism*. Washington, DC: Brookings Institution.
- Martin, Thomas C. 2006. "The Comprehensive Terrorism Prevention Act of 1995." *Seton Hall Legislative Journal* 20:201–46.
- Masters, David. 2008. "The Origin of Terrorist Threats: Religious, Separatist, or Something Else." *Terrorism and Political Violence* 20:396–414.
- May, Theresa. 2011. *Review of Counter-terrorism and Security Powers: Review Findings and Recommendations*. Available at <https://www.gov.uk/government/publications/review-of-counter-terrorism-and-security-powers>.
- Mazzetti, Mark, et al. 2011 "How Washington Got Its Man." *Saturday Age* (Melbourne), 7 May, 18.
- McCarthy, Michael T. 2002. "USA Patriot Act." *Harvard Journal on Legislation* 39:435–53.
- Metcalfe, Eric. 2007. *The Future of Counter-terrorism and Human Rights*. Accessed 24 July 2011.
- Michaels, Jon D. 2008. "All the President's Men: Private-Public Intelligence Partnerships in the War on Terror." *California Law Review* 96:901–66.
- Montopoli, Brian. 2009. "Poll Support for Closing Guantanamo Grows." http://www.cbsnews.com/8301_503544_162-509534-503544.html.
- Morales, Lymari. 2009. "Americans Send No Clear Mandate on Guantanamo Bay." <http://www.gallup.poll/113893/americans-send-no-clear-mandate-on-guantanamo-bay>.
- Morrow, James D. 2007. "When Do States Follow the Laws of War?" *American Political Science Review* 101:559–72.
- Mueller, John. 2006. *Overblown: How Politicians and the Terrorism Industry Inflate National Security Threats, and Why We Believe Them*. New York: Free Press.
- Munro, Ian. 2010. "Three Guilty, Two Walk Free over Terror Attack Plan at Barracks." *Age* (Melbourne), 24 December, 1.
- Munro, Peter 2011. "Court Backs ASIO Secrecy on Refugees." *Sunday Age* (Melbourne), 6 March, 5.
- Needham, Kirsty. 2012. "Detained Teen Labelled 'Security Risk' to Get His Day in Court." *Age* (Melbourne) 14 January, 5.
- Nesbitt, Katherine. 2007. "Preventative Detention of Terrorist Suspects in Australia and the United States: A Comparative Constitutional Analysis." *Boston University Public International Law Journal* 17:39–98.
- New Zealand. Parliamentary Debates.
- New Zealand, House of Representatives Justice and Electoral Committee. 2010. *Search and Surveillance Bill*. Available at <http://www.parliament.nz/en-NZ/PB/SC/>.
- New Zealand Law Commission. 2007. *Search and Surveillance Powers*. <http://www.nzlii.org/nz/other/nzlc/report/R97/R97.pdf>.

- “Northern Ireland Violence.” 2009. Available at <http://www.cain.ulst.ac.uk>.
- Nowak, Manfred. 2006. “What Practices Constitute Torture? US and UN Standards.” *Human Rights Quarterly* 28:809–841.
- NZSIS (New Zealand Security Intelligence Service). 2002. Reports for this and later years are available at <http://www.nzsis.govt.nz/publications/annual-reports/>. Report to the House of Representatives for the Year Ended 30 June 2002.
- NZSIS. 2004. Report to the House of Representatives for the Year Ended 30 June 2004.
- NZSIS. 2005. Report to the House of Representatives for the Year Ended 30 June 2005.
- NZSIS. 2006. Report to the House of Representatives for the Year Ended 30 June 2006.
- Obama, Barack 2010. National Security Strategy. http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf.
- OECD (Organisation for Economic Co-operation and Development). 2005. *Terrorism Risk Insurance in OECD Countries*.
- O’Sullivan, Paul. 2006. Director-General’s address to the Security in Government Conference—“A Step Ahead: The Challenge for Counter-Terrorism.” <http://www.asio.gov.au/Publications/Speeches-and-Statements/2006/A-Step-Ahead-The-Challenge-for-Counter-Terrorism.html>.
- O’Toole, Megan. 2011. “Terror Suspect Mohamed Hersi on Bail.” *National Post*, April 29. <http://news.nationalpost.com/2011/04/29/terror-suspect-mohamed-hersi-released-on-bail/>.
- Pape, Robert A. 2003. “The Strategic Logic of Suicide Terrorism.” *American Political Science Review* 97:343–61.
- Parker, Ellen. 2007. “Implementation of the UK Terrorism Act 2006—The Relationship between Counterterrorism Law, Free Speech, and the Muslim Community in the United Kingdom versus the United States.” *Emory International Law Review* 21:711–57.
- Parker, Tom. 2007. “Fighting an Antaeon Enemy: How Democratic States Unintentionally Sustain the Terrorist Movements They Oppose.” *Terrorism and Political Violence* 19:155–79.
- Parry, John T. 2010. *Understanding Torture: Law, Violence, and Political Identity*. Ann Arbor: University of Michigan Press.
- Philbin, Patrick F., and John C. Yoo. 2005. “Possible Habeas Jurisdiction over Aliens Held in Guantanamo Bay, Cuba.” In *The Torture Papers: The Road to Abu Ghraib*, edited by Karen J. Greenberg and Joshua L. Dratel, 29–37. New York: Cambridge University Press.
- Phillips, Joshua E. S. 2010. *None of Us Were Like This Before: American Soldiers and Torture*. London: Verso.
- Pilkington, Ed. 2012. “Guantánamo: America’s Lingering Failure.” *Guardian Weekly*, 20 January, 6–7.
- PIPA. 2006. 25 Nation Poll on Torture: Questionnaire and Methodology. http://www.worldpublicopinion.org/pipa/pdf/feb06/ViewsCountries_Feb06_quaire.pdf.
- “PM: Our Troops Don’t Torture.” 2010. *New Zealand Herald*, 17 August. http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10666593.
- Poole, Thomas. 2010. “Judicial Review at the Margins: Law, Power, and Prerogative.” *University of Toronto Law Journal* 60:81–108.
- Posner, Richard. 2008. “Privacy, Surveillance, and Law.” *University of Chicago Law Review* 75:245–60.

- Posner, Eric A and Adrian Vermeule. 2007. *Terrorism in the Balance: Security, Liberty, and the Courts*. New York: Oxford University Press.
- Powe, Lucas A., Jr. 2009. *The Supreme Court and the American Elite, 1978–2008*. Cambridge, MA: Harvard University Press.
- Pue, W. W. 2003. "The War on Terror: Constitutional Governance in a State of Permanent Warfare?" *Osgoode Hall Law Journal* 41:267–92.
- Rahamim, Yoni. 2004. "Wiretapping and Electronic Surveillance in Canada: The Present State of the Law and Challenges to the Employment of Sophisticated and Intrusive Technology in Law Enforcement." *Windsor Review of Legal and Social Issues* 18:87–104.
- Ramraj, V. V. 2009. "Terrorism, Risk Perception, and Judicial Review." In *Global Anti-terrorism Law and Policy*, edited by V. V. Ramraj, M. Hor, and Kent Roach, 107–26. Cambridge: Cambridge University Press.
- Reinares, Fernando. 2004. "Who Are the Terrorists? Analyzing Changes in Sociological Profile among Members of ETA." *Studies in Conflict and Terrorism* 27:465–88.
- Ripley, Amanda. 2002. "The Case of the Dirty Bomber." <http://www.time.com/time/printout/0,8816,262917,00.html>.
- Roach, Kent. 2001. "The New Terrorism Offences and the Criminal Law." In *The Security of Freedom: Essays on Canada's Anti-terrorism Bill*, edited by Ronald J. Daniels, Patrick Macklem, and Kent Roach, 151–72. Toronto: University of Toronto Press.
- Roach, Kent. 2006. "Must We Trade Rights for Security? The Choice between Smart, Harsh, or Proportionate Security Strategies in Canada and Britain." *Cardozo Law Review* 27:2151–2221.
- Roach, Kent. 2008. "The Role and Capacities of Courts and Legislatures in Reviewing Canada's Anti-terrorism Law." *Windsor Review of Legal and Social Issues* 24:5–56.
- Roach, Kent. 2009. "The Criminal Law and Terrorism." In *Global Anti-terrorism Law and Policy*, edited by V. V. Ramraj, M. Hor, and Kent Roach, 129–51. Cambridge: Cambridge University Press.
- Roach, Kent, and Gary Trotter. 2005. "Miscarriages of Justice in the War against Terror." *Penn State Law Review* 109:967–1041.
- Rosenthal, Peter. 2003. "Disclosure to the Defence after September 11: Sections 37 and 38 of the Canada Evidence Act." *Criminal Law Quarterly* 48:186–204.
- Sands, Phillippe. 2009. *Torture Team: Uncovering War Crimes in the Land of the Free*. London: Penguin Books.
- Saul, Ben. 2006. *Defining Terrorism in International Law*. Oxford: Oxford University Press.
- Schmid, Alex. 2005. "Terrorism—the Definitional Problem." *Case Western Reserve Journal of International Law* 37:375–419.
- Schwartz, Paul M. 2009. "Warrantless Wiretapping, FISA Reform, and the Lessons of Public Liberty: A Comment on Holmes's Jorde Lecture." *California Law Review* 97:407–32.
- Seifert, Jeffrey W. 2007. *Data Mining and Homeland Security: An Overview*. Washington, DC: Congressional Research Service.
- Shapiro, Ian. 2012. "Italy's High Court Upholds Convictions of 23 Americans in Abu Omar Rendition." *Washington Post*, 20 September. http://www.washingtonpost.com/local/italys-high-court-upholds-convictions-of-23-americans-in-abu-omar-rendition/2012/09/19/af06022c-0286-11e2-91e7-2962c74e7738_print.html.
- Shapiro, Sidney A., and Rena I. Steinzor. 2006. "The People's Agent: Executive Branch

- Secrecy and Accountability in an Age of Terrorism.” *Law and Contemporary Problems* 69:99–129.
- Smith, George. 2005. “UK Terror Trial Finds No Terror.” *National Security Notes*, 11 April. <http://www.globalsecurity.org/org/nsn/nsn-050411.htm>.
- Stent, Robert. 1980. *A Battered Page: The Internment of His Majesty’s “Most Loyal Enemy Aliens.”* London: André Deutsch.
- Stephenson, Jon. 2009. “Kiwi Troops in ‘War Crimes’ Row.” *Sunday Star Times*, 2 August. <http://www.stuff.co.nz/national/2712026/Kiwi-troops-in-war-crimes-row>.
- Stephenson, Jon. 2010. “Prisoners Being Delivered to Brutal Afghan Secret Police.” *Sunday Star Times*, 15 August.
- Sturcke, James. 2009. “Convictions ‘Prove Police Were Right to Pursue Retrial.’” *Guardian*, 7 September, <http://www.guardian.co.uk/uk/2009/sep/07/terrorism-trial-carlile-cps>.
- Sunstein, Cass. 2007. “On the Divergent American Reactions to Terrorism and Climate Change.” *Columbia Law Review* 107:503–57.
- Swanwick, Tristan. 2009. “Alleged Stalker John Amundsen ‘Used GPS on Ex-girlfriend.’” *Courier-Mail* (Brisbane), October 1. <http://www.couriermail.com.au/news/alleged-stalker-john-amundsen-used-gps-on-ex-girlfriend/story-e6freon6-1225781304438>.
- Taft, William H., IV. 2005. “Comments on Your Paper on the Geneva Conventions” and “Status of Legal Discussions.” In *The Torture Papers: The Road to Abu Ghraib*, edited by Karen J. Greenberg and Joshua L. Dratel, 129–33. New York: Cambridge University Press.
- Taguba, Antonio M. 2004. *Article 15-6 Investigation of the 800th Military Police Brigade*.
- Taylor, Stuart, Jr., and Benjamin Wittes. 2009. *Looking Forward, Not Backward: Refining American Interrogation Law*. Brookings Institute Working Paper, Washington, DC.
- Tomkins, A. 2010. “The Role of the Courts in the Political Constitution.” *University of Toronto Law Journal* 60:1–22.
- Torrance, Judy N. 1986. *Public Violence in Canada, 1867–1982*. Kingston: McGill-Queen’s University Press.
- Townley, Stephen. 2007. “The Use and Misuse of Secret Evidence in Immigration Cases: A Comparative Study of the United States, Canada, and the United Kingdom.” *Yale Journal of International Law* 32:219–53.
- Treverton, Gregory T. 2009. *Intelligence for an Age of Terror*. New York: Cambridge University Press.
- Tumlin, Karen C. 2004. “Suspect First: How Terrorism Policy Is Reshaping Immigration Policy.” *California Law Review* 92:1173–1239.
- Turner, Serrin, and Stephen J. Schulhofer. 2005. *The Secrecy Problem in Terrorism Trials*. New York: Brennan Center for Justice.
- United Kingdom. House of Commons Hansard. Available at <http://www.parliament.uk/business/publications/hansard/>.
- United Kingdom. House of Lords Hansard. Available at <http://www.parliament.uk/business/publications/hansard/>.
- United Kingdom. 2010. *Consolidated Guidance to Intelligence Officers and Service Personnel on the Detention and Interviewing of Detainees Overseas, and on the Passing and Receipt of Intelligence Relating to Detainees*. http://legislationline.org/download/action/download/id/3111/file/UK_%20Consolidated%20Guidance_on%20the%20Detention%20and%20Interviewing%2000.pdf.

- United Kingdom. 2011. *Justice and Security Green Paper*. Cm 8194. <https://www.gov.uk/government/consultations/justice-and-security-green-paper>.
- United Kingdom, Equality and Human Rights Commission. 2010. *Commission Advises Government That Torture Guidance May Breach the Law*. <http://www.equality-humanrights.com/news/2010/september/commission-advises-government-that-torture-guidance-may-breach-the-law/>.
- United Kingdom, Home Office. 2009. *Home Office Statistical Bulletin: Statistics on Terrorism Arrests and Outcomes Great Britain*. <http://webarchive.nationalarchives.gov.uk/search/?query=statistics+on+terrorism+arrests+and+outcomes+great+britain&where=t&ext&x=14&y=10>.
- United Kingdom, Home Office. 2010. *Operation of Police Powers under the Terrorism Act 2000 and Subsequent Legislation: Arrests, Outcomes, and Stops & Searches, Great Britain 2009/10*. <http://webarchive.nationalarchives.gov.uk/20110218135832/rds.homeoffice.gov.uk/rds/hosbpubs1.html>.
- United Kingdom, Home Office. 2012. "Current Threat Level." <http://www.homeoffice.gov.uk/counter-terrorism/current-threat-level>.
- United Kingdom, House of Commons Foreign Affairs Committee. 2005. *Human Rights Annual Report*. <http://www.publications.parliament.uk/pa/cm200405/cmselect/cmcaff/cmcaff.htm>.
- United Kingdom, House of Commons Foreign Affairs Committee. 2006. *Foreign Policy Aspects of the War against Terrorism*. <http://www.publications.parliament.uk/pa/cm200506/cmselect/cmcaff/cmcaff.htm>.
- United Kingdom, House of Commons Foreign Affairs Committee. 2007. *Visit to Guantánamo Bay: Second Report of Session 2006–07*. HC 44. London: Stationery Office. <http://www.publications.parliament.uk/pa/cm200607/cmselect/cmcaff/cmcaff.htm>.
- United Kingdom, Intelligence and Security Committee. 2005. *The Handling of Detainees by UK Intelligence Personnel in Afghanistan, Guantanamo Bay, and Iraq*. Cm 6469. <http://isc.independent.gov.uk/committee-reports/special-reports>.
- United Kingdom, Intelligence and Security Committee. 2006. *Report into the London Terrorist Attacks on 7 July 2005*. Cm 6785. <http://isc.independent.gov.uk/committee-reports/special-reports>.
- United Kingdom, Parliament, Joint Committee on Human Rights. 2005. *Counterterrorism Policy and Human Rights: Terrorism Bill and Related Matters*. <http://www.publications.parliament.uk/pa/jt200506/jtselect/jtrights/jtrights.htm>.
- United Kingdom, Parliament, Joint Committee on Human Rights. 2007. *Counterterrorism Policy and Human Rights: 28 Days, Intercept, and Post-charge Questioning*. <http://www.publications.parliament.uk/pa/jt200607/jtselect/jtrights/jtrights.htm>.
- United Kingdom, Parliament, Joint Committee on Human Rights. 2010. *Counterterrorism Policy and Human Rights (Sixteenth Report): Annual Renewal of Control Orders Legislation*. <http://www.publications.parliament.uk/pa/jt200910/jtselect/jtrights/jtrights.htm>.
- United Kingdom, Privy Counsellor Review Committee. 2003. *Anti-terrorism, Crime and Security Act 2001 Review: Report*. www.statewatch.org/news/2003/dec/atcsReport.pdf.
- United Kingdom, Security Service. 2013a. "Attacks on UK Citizens and Interests Abroad." <https://www.mi5.gov.uk/home/the-threats/terrorism/international-ter>

- rorism/international-terrorism-and-the-uk/attacks-on-uk-citizens-and-interests-abroad.html.
- United Kingdom, Security Service. 2013b. "Threat Levels." <https://www.mi5.gov.uk/home/the-threats/terrorism/threat-levels.html#history>.
- United Nations Security Council. 2011. "Security Council Al-Qaida Sanctions Committee Deletes Entry of Abu Sufian al-Salamabi Muhammed Ahmed Abd al-Razziq from Its List." <http://www.un.org/News/Press/docs//2011/sc10467.doc.htm>.
- United States, Attorney General. 2009. Memorandum to the Heads of Executive Departments and Agencies, "Policies and Procedures Governing the Invocation of the State Secrets Privilege." <http://www.justice.gov/opa/documents/state-secret-privileges.pdf>.
- United States, Department of Defense. 2001. Military Commission Order No 1, 21 March 21, 2002. <http://www.defense.gov/news/mar2002/d20020321ord.pdf>.
- United States Department of Defense, Office of the Assistant Secretary of Defense (Public Affairs). 2002. DoD New Briefing—Secretary Rumsfeld and Gen. Myers, Feb 12, 2002, <http://www.defense.gov/transcripts/transcript.aspx?transcriptid=2636>.
- United States, Department of Justice. 2003. "Iyman Faris Sentenced for Providing Material Assistance to Al Qaeda." http://www.usdoj.gov/opa/pr/2003/October/03_crm_589.htm.
- United States, Department of Justice. 2004. "Somali Native Charged in a Bomb Plot, Ashcroft Says." <http://usinfo.state.gov/xarchives/display.html?p=washfile-english&y=2004&m=June&x=20040614165038dmslahrelleko.7101862&t=livefeeds/wf-latest.html>.
- United States, Department of Justice. 2009. "Illinois Man Arrested in Plot to Bomb Courthouse and Murder Federal Employees." <http://www.justice.gov/usao/ilc/press/2009/09September/24Finton.html>.
- United States, Department of Justice, Office of Professional Responsibility. 2009. Report: Investigation into the Office of Legal Counsel's Memoranda Concerning Issues Relating to the Central Intelligence Agency's Use of "Enhanced Interrogation Techniques" on Suspected Terrorists. <http://www.judiciary.house.gov/hearings/pdf/OPRFinalReport090729.pdf>.
- United States, Department of Justice, Office of the Deputy Attorney General. 2010. Memorandum for the Attorney General. 5 January. <http://www.judiciary.house.gov/hearings/pdf/DAGMargolisMemo100105.pdf>.
- United States, Department of Justice, Office of the Inspector General. 2006. A Review of the FBI's Handling of the Brandon Mayfield Case. <http://www.justice.gov/oig/special/s0601/final.pdf>.
- United States, Department of Justice, Office of the Inspector General. 2010. A Review of the Federal Bureau's Use of Exigent Letters and Other Informal Requests for Telephone Records. <http://www.justice.gov/oig/special/s1001r.pdf>.
- United States, Department of State. 2003. Patterns of Global Terrorism, 2002. <http://www.state.gov/j/ct/rls/crt/2002>.
- United States, Department of State. 2004. Patterns of Global Terrorism, 2003. <http://www.state.gov/j/ct/rls/crt/c14813.htm>.
- United States, Department of State. 2006. Terrorism Deaths, Injuries, Kidnappings of Private U.S. Citizens, 2005. <http://www.state.gov/documents/organization/83383.pdf>.
- United States, Department of State. 2007. National Counterterrorism Center: Annex of Statistical Information. <http://www.state.gov/j/ct/rls/crt/2006/82739.htm>.

- United States, Department of State. 2008. National Counterterrorism Center: Annex of Statistical Information. <http://www.state.gov/j/ct/rls/crt/2007/103716.htm>.
- United States, Department of State. 2010. *Terrorism Deaths, Injuries, Kidnappings of Private U.S. Citizens, 2009*. <http://www.state.gov/j/ct/rls/crt/2009/145700.htm>.
- United States, Department of State. 2011. *Terrorism Deaths, Injuries, Kidnappings of Private U.S. Citizens, 2010*. <http://www.state.gov/j/ct/rls/crt/2010/170267.htm>.
- United States, Department of State. 2012. *Delisting of Mujahedin-e Khalq*. <http://www.state.gov/r/pa/prs/ps/2012/09/198443.htm>.
- United States, Deputy Secretary of Defense. 2004. Memorandum for the Secretary of the Navy, "Order Establishing Combatant Review Tribunal." 7 July. <http://www.defense.gov/news/jul2004/d20040707review.pdf>.
- United States, Federal Bureau of Investigation. 2002. *Terrorism 2000–2001*. <http://www.fbi.gov/stats-services/publications/terror/terrorism-2000-2001#2001>.
- United States, Federal Bureau of Investigation. 2006. *Terrorism, 2002–2005*. <http://www.fbi.gov/stats-services/publications/terrorism-2002-2005>.
- United States, General Accounting Office. 2004. *Terrorism Insurance: Implementation of the Terrorism Risk Insurance Act of 2002*. <http://www.gao.gov/new.items/d04307.pdf>.
- United States, Homeland Security Advisory Council. 2009. *Homeland Security Advisory System: Task Force Report and Recommendations*. http://www.dhs.gov/xlibrary/assets/hvac_final_report_09_15_09.pdf.
- United States, House of Representatives, Judiciary Committee. 1995. *Comprehensive Antiterrorism Act of 1995*. Report 104–383. [http://thomas.loc.gov/cgi-bin/cpquery/R?cp104:FLD010:@1\(hr383\)](http://thomas.loc.gov/cgi-bin/cpquery/R?cp104:FLD010:@1(hr383)).
- United States, House of Representatives, Judiciary Committee. 2001. *Report of the Committee on the Judiciary, House of Representatives, to Accompany HR 2975 together with Additional Views*. Report 107–236, Part 1. [http://thomas.loc.gov/cgi-bin/cpquery/R?cp107:FLD010:@1\(hr236\)](http://thomas.loc.gov/cgi-bin/cpquery/R?cp107:FLD010:@1(hr236)).
- United States, National Counterterrorism Center. 2009. *2008 Report on Terrorism*. http://www.fbi.gov/stats-services/publications/terror_08.pdf.
- United States, Offices of Inspector General of the Departments of Defense et al. 2009. *Unclassified Report on the President's Surveillance Program*. <http://www.usdoj.gov/oig/special/s0907.pdf>.
- United States, President. *Homeland Security Presidential Directive-3*. <http://georgewbush-whitehouse.archives.gov/news/releases/2002/03/20020312-5.html>.
- United States, Senate, Committee on Armed Services. 2008. *Inquiry into the Treatment of Detainees in US Custody: Report*. <http://www.gwu.edu/~nsarchiv/torturingdemocracy/documents/20081211.pdf>.
- United States, Senate, Committee on the Judiciary. 2008. *State Secrets Protection Act: Report together with Minority Views to Accompany S 2533*. Report 110–442. http://thomas.loc.gov/cgi-bin/cpquery/?&sid=cp110IFPLj&r_n=sr442.110&dbname=cp110&&sel=TOC_o&.
- "US Could Allow Guantanamo Visits." 2011. *Age* (Melbourne), 13 May, 8.
- Varghese, George P. 2003. "The Role of Law Enforcement in Foreign Intelligence Surveillance." *University of Pennsylvania Law Review* 152:385–430.
- Vermeule, Adrian. 2005. "Libertarian Panics." *Rutgers Law Journal* 36:871–88.
- Viscusi, W. Kip, and Richard J. Zeckhauser. 2006. "Sacrificing Civil Liberties to Reduce Terrorism Risks." *Journal of Risk and Uncertainty* 26:99–120.

- Walker, Clive. 2006. "Clamping Down on Terrorism in the United Kingdom." *Journal of International Criminal Justice* 4:1137–51.
- Watkin, Kenneth. 2004. "Controlling the Use of Force: A Role for Human Rights Norms in Contemporary Armed Conflict." *American Journal of International Law* 94:1–34.
- Watkin, Kenneth. 2005. "Canada/United States Military Inoperability and Humanitarian Law Issues: Land Mines, Terrorism, Military Objectives, and Targeted Killing." *Duke Journal of Comparative and International Law* 15:281–314.
- Weaver, Robert C., and Robert M. Pallitto. 2005. "State Secrets and Executive Power." *Political Science Quarterly* 129:85–112.
- Welch, Dylan. 2011. "Habib Settles Torture Case." *Age* (Melbourne), 8 January, 7.
- Whitaker, Reg. 2003. "Keeping Up with the Neighbours? Canadian Responses to 9/11 in Historical and Comparative Context." *Osgoode Hall Law Journal* 41:241–65.
- Wintour, Patrick. 2010. "Guantánamo Detainees 'to Get Millions.'" *Guardian Weekly*, 19 November, 16.
- Wittes, Benjamin. 2008. *Law and the Long War: The Future of Justice in the Age of Terror*. Working Paper in the Project on Law and Security. New York: Penguin Press.
- Wittes, Benjamin, et al. 2010. *The Emerging Law of Detention 2.0: The Guantánamo Habeas Cases as Lawmaking*. Washington, DC: Brookings Institution.
- Worthington, Andy. 2012a. "As Judges Kill off Habeas Corpus for the Guantánamo Prisoners, Will the Supreme Court Act?" <http://www.andyworthington.co.uk/2011/11/29/as-judges-kill-off-habeas-corpus-for-the-guantanamo-prisoners-will-the-supreme-court-act/>.
- Worthington, Andy. 2012b. "Guantánamo Habeas Results: The Definitive List." <http://www.andyworthington.co.uk/guantanamo-habeas-results-the-definitive-list/>.
- Yoo, John C. 2003. Memorandum for William J Haynes II, General Counsel of the Department of Defense, "Military Interrogation of Alien Unlawful Combatants Held Outside the United States," 14 March. http://www.aclu.org/pdfs/safefree/yoo_army_torture_memo.pdf.
- Zabel, Richard B., and James J. Benjamin, Jr. 2008. *In Pursuit of Justice: Prosecuting Terrorism in the Federal Courts*. New York: Human Rights First.
- Zabel, Richard B. and James J. Benjamin, Jr. 2009. *In Pursuit of Justice: Prosecuting Terrorism Cases in the Federal Courts: 2009 Update and Recent Developments*. New York: Human Rights First.
- Zuckerman, A. A. S. 1994. "Public Interest Immunity—a Matter of Prime Responsibility." *Modern Law Review* 57:703–25.

POLL DATA

To a considerable extent, the poll data used in this book are drawn from two major sources. One, www.pollingreport.com, is confined to US polls. Recent polls on terrorism-related issues are given at <http://www.pollingreport.com/terror.htm>, and details of earlier polls are accessible at <http://www.pollingreport.com/terrorx.htm>, where *x* is a number between 1 and 10, depending on the date of the poll. Notes cite PollingReport data by reference to "terror" or "terrorx," as appropriate. PollingReport gives details of the distribution of responses to particular terrorism-related questions and, occasionally, of the relationship between responses and party preference.

The other source is www.angus-reid.com. For US data, the Angus Reid site is less user-friendly than PollingReport. In general, each poll has its own address and must be downloaded separately. Each poll report is given its own number, with polls being numbered in more or less chronological order. The site includes details of non-US polls. It rarely gives details of the correlates of responses, but it occasionally does so and sometimes includes links to sites that provide considerable detail.

In addition, the home pages of polling organisations sometimes yield details of terrorism-related polls. Sites that have done so are www.compas.ca, www.ekos.com, www.gallup.com, www.ipsos-mori.com, www.yougov.com.

The Australian Social Science Data Archive (ASSDA) provides links to Australian poll data, and people registered with the ASSDA can download data sets. I have relied on data collected in the following polls: Timothy Phillips et al., *The Australian Survey of Social Attitudes*, 2007; Ian McAllister, *ANU Poll 2009: Defence*. Neither the ASSDA nor those who carried out the original analysis and collection of the data bear any responsibility for my further analysis or interpretation of it.

CASES

Recent (and some earlier) Australian, Canadian, New Zealand, United Kingdom, and European cases are cited by their medium-neutral reference and by the authorised report (if reported) or by reference to a parallel report (if there is one). Pinpoint references are to paragraph numbers.

Australia

- A v Hayden* [1984] HCA 67; (1984) 156 CLR 532.
Al Kateb v Godwin [2004] HCA 37; (2004) 219 CLR 562.
Australian Communist Party v The Commonwealth [1951] HCA 5; (1951) 83 CLR 1.
Habib v Commonwealth of Australia [2010] FCAFC 12; (2010) 183 FCR 62.
Hamed v R [2011] NZSC 101.
Hicks v Ruddock [2007] FCA 299; (2007) 156 FCR 574.
Hunt v R [2010] NZCA 528.
Leghaei v Director-General of Security [2005] FCA 1576.
Leghaei v Director-General of Security [2007] FCAFC 56.
Leghaei v Director-General of Security [2007] HCATrans 655.
Lodhi v R [2006] NSWCCA 360; (2007) 179 A Crim R 470. after *Leghaei v DG* [2007] HCATrans 655.
O'Sullivan v Parkin [2007] FCAFC 98.
Parkin v O'Sullivan [2006] FCA 1413; (2006) 162 FCR 444.
Parkin v O'Sullivan [2007] FCA 1647.
Parkin v O'Sullivan [2009] FCA 1096; (2009) 260 ALR 503.
Plaintiff M47 v Director General of Security [2012] HCA 46; (2012) 292 ALR 243.
R v Benbrika [2009] VSC 21; (2009) 222 FLR 433.
R v Benbrika (Ruling 1) [2007] VSC 141.
R v Kent [2009] VSC 375.
R v Khazaal [2006] NSWSC 1061.
R v Khazaal [2006] NSWSC 1335.
R v Lodhi [2006] NSWSC 571; (2006) 163 A Crim R 448.

R v Lodhi [2006] NSWSC 586.
 R v Thomas [2006] VSC 18.
 R v Thomas [2006] VSCA 165; (2006) 14 VR 475.
 R v Touma [2008] NSWSC 1475.
 R v Ul-Haque [2007] NSWSC 1251; (2007) 177 A Crim R 348.
 Sagar v O'Sullivan [2011] FCA 192; (2011) 193 FCR 311.
 Sankey v Whitlam [1978] HCA 43; (1978) 142 CLR 1.
 Thomas v Mowbray [2007] HCA 33; (2007) 233 CLR 307.
 Watson v AWB [2009] FCA 1047; (2009) 259 ALR 524.

Canada

Abdelrazik v Canada (Minister of Foreign Affairs) 2009 FC 580; [2010] 1 FCR 267.
 Abou-Elmaati v Canada (Attorney-General) 2010 ONSC 2055; (2010) 101 OR (3d) 424.
 Abou-Elmaati v Canada (Attorney General) 2011 ONCA 95.
 Abou-Elmaati v Canada (Attorney-General) 2011 ONSC 7720.
 Air Canada v Secretary of State for Trade [1983] 2 AC 394.
 Almalki v Canada (Attorney General) 2012 ONSC 3023.
 Almrei (Re) 2009 FC 240; [2010] 2 FCR 165.
 Almrei (Re) 2009 FC 1263; [2009] FCJ No 1579.
 Amnesty International Canada v Canada (Attorney General) 2008 FC 336; [2008] FCJ No 356.
 Amnesty International Canada v Canada (Canadian Forces) 2008 FCA 401; [2008] 4 FCR 546.
 Benatta v Canada (Attorney General) [2009] OJ No 5392; 2009 ON C LEXIS 4688.
 Canada (Attorney General) v Almalki 2010 FC 1106.
 Canada (Attorney General) v Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar 2007 FC 766; [2008] 3 FCR 248.
 Canada (Attorney General) v Khawaja 2007 FC 463; [2008] 1 FCR 621.
 Canada (Attorney General) v Khawaja 2007 FC 490; [2008] 1 FCR 547.
 Canada (Attorney-General) v Khawaja 2007 FC 533; [2007] FCJ No 724.
 Canada (Attorney-General) v Khawaja 2007 FCA 388; (2007) 289 DLR (4th) 260.
 Canada (Attorney-General) v Ribic 2003 FCA 246; [2005] 1 FCR 33.
 Canada (Prime Minister) v Khadr 2010 SCC 3; [2010] SCJ No 3.
 Canadian Security Intelligence Service Act (Re) 2008 FC 300; [2010] 1 SCR 44.
 Charkaoui (Re) 2009 FC 175; [2010] 4 FCR 448.
 Charkaoui (Re) 2009 FC 342; [2010] 3 FCR 67.
 Charkaoui v Canada (Citizenship and Immigration) 2007 SCC 9; [2007] 1 SCR 350.
 Charkaoui v Canada (Citizenship and Immigration) 2008 SCC 38; [2008] 2 SCR 326.
 Goguen v Gibson [1983] 2 FC 463; (1983) 7 DLR (4th) 144.
 Harkat (Re) 2009 FC 1050; [2010] 4 FCR 149.
 Harkat (Re) 2010 FC 1242; (2010) 224 CCR (3d) 93.
 Henrie v Canada Security Intelligence Review Committee [1989] 2 FC 229; 1988 FC LEXIS 321.
 Motehaver v Canada (Minister of Public Safety and Emergency Preparedness) 2009 FC 141; [2009] FCJ No 190.
 R v Ahmad [2009] OJ No 6166; (2009) 257 CCC (3d) 135.
 R v Ahmad 2011 SCC 6; [2011] 1 SCR 110.
 R v Amara 2010 ONSC 441; [2010] OJ No 181.
 R v Déry 2006 SCC 53; [2006] 2 SCR 669.
 R v Khalid [2009] OJ No 3513; 2009 ON C LEXIS 3117.

- R v Khawaja [2006] OJ No 4245; (2006) 214 CCC (3d) 399, special leave denied, Khawaja v R [2007] JSCC No 31776.
 R v Khawaja [2008] OJ No 4244; 2008 ON C LEXIS 4226.
 R v Khawaja 2011 ONCA 862; 103 OR (3d) 321, special leave granted, Khawaja v R [2011] JSCC No 34103.
 R v Khawaja 2012 SCC 69.
 Sriskandarajah v United States 2012 SCC 70.
 R v Thambathurai 2011 BCCA 137; (2011) 302 BCAC 288.
 Suresh v Canada (Minister of Citizenship and Immigration) 2002 SCC 1; [2002] 1 SCR 3.
 United States v Nadarajah [2009] OJ No 946; (2009) OR (3d) 514.
 United States v Nadarajah 2010 ONCA 859; 109 OR (3d) 662, special leave granted, Nadarajah v United States [2011] JSCC No 34013.
 United States v Sriskandarajah 2010 ONCA 857; 109 OR (3d) 680, special leave granted, Sriskandarajah v United States [2011] JSCC No 34009.

New Zealand

- Attorney-General v Zaoui [2005] NZSC 38; [2006] 1 NZLR 289.
 Hamed v R [2011] NZSC 101.
 Hunt v R [2010] NZCA 528.
 Attorney-General v Zaoui [2005] NZSC 38; [2006] 1 NZLR 289.

United Kingdom and the European Court of Human Rights

- A v Secretary of State for the Home Department [2002] EWCA Civ 1502; [2004] QB 335.
 A v Secretary of State for the Home Department [2004] UKHL 56; [2005] 2 AC 68.
 A v Secretary of State for the Home Department (No 2) [2005] UKHL 71; [2006] 2 AC 221.
 A and Others v HM Treasury [2008] EWCA Civ 1187; [2009] 3 WLR 25.
 A and Others v HM Treasury [2008] EWHC 869 (Admin); [2008] 3 All ER 361.
 Ahmed v R [2011] EWCA Crim 184; [2011] EWCA Crim 184.
 Al-Jedda v United Kingdom [2011] ECHR 1092; (2011) 53 EHRR 23.
 Al Rawi v Security Service [2009] EWHC 2959.
 Al Rawi v Security Service [2010] EWCA Civ 482; [2010] 3 WLR 1069.
 Al Rawi v Security Service [2010] EWHC 1496 (QB).
 Al Rawi v Security Service [2011] UKSC 34; [2012] 1 AC 531.
 Al-Sirri v Secretary of State for the Home Department [2009] EWCA Civ 222; [2009] INLR 586.
 Attorney General's Reference (No 4 of 2002) [2003] EWCA Crim 762; [2005] 1 AC 264.
 Attorney General's Reference (No 4 of 2002) [2004] UKHL 43; [2005] 1 AC 264.
 Burmah Oil v Bank of England [1979] UKHL 4; [1980] AC 1090.
 Carnduff v Rock [2001] EWCA Civ 680; [2001] 1 WLR 1786 (CA).
 Conway v Rimmer [1968] UKHL 2; [1968] AC 910.
 Edwards v United Kingdom [2003] ECHR 381.
 Gillan v the United Kingdom (2010) ECHR 28; (2010) 50 EHRR 45.
 Her Majesty's Treasury v Ahmed [2010] UKSC 2; [2010] 2 AC 534.
 Hicks v Secretary of State for the Home Department [2005] EWCA 2818 (Admin).
 Home Office v Tariq [2011] UKSC 35.
 Ireland v UK [1978] ECHR 1; (1978) 2 EHRR 25.

- Jasper v United Kingdom [2000] ECHR 90; (2000) 30 EHRR 441.
 Kennedy v United Kingdom [2010] ECHR 682; (2011) 52 EHRR 4.
 Liversidge v Anderson [1942] AC 206.
 Lord Alton v Secretary of State for the Home Department (Proscribed Organisations Appeal Commission, unreported, 30 November 2007).
 R v Ahmed [2011] EWCA Crim 184.
 R v Barot [2007] EWCA Crim 1119.
 R v Gul [2012] EWCA Crim 280.
 R v H; R v C [2004] UKHL 3; [2004] 2 AC 134.
 R v Ibrahim [2008] EWCA Crim 880.
 R v K [2008] EWCA Crim 185; [2008] QB 827.
 R v M [2007] EWCA Crim 298; [2008] Crim LJ 71.
 R v M [2007] EWCA Crim 298; [2008] Crim LR 71.
 R v Sherif [2008] EWCA Crim 2653.
 R (A) v B [2009] UKSC 110.
 R (Aamer) v Secretary of State for Foreign and Commonwealth Affairs [2009] EWHC 3316 (Admin).
 R (Gillan) v Commissioner of Police of the Metropolis [2006] UKHL 12; [2006] 2 AC 307.
 R (Gillan) v Metropolitan Police Commissioner [2003] EWHC 2545 (Admin).
 R (Gillan) v Metropolitan Police Commissioner [2004] EWCA Civ 1067; [2005] QB 88.
 R (Kurdistan Workers' Party and Others) v Secretary of State for the Home Department [2002] EWHC 644.
 R (Maya Evans) v Secretary of State for Defence [2010] EWHC 1445 (Admin).
 R (Mohamed) v Secretary of Foreign and Commonwealth Affairs [2010] EWCA Civ 65; [2011] QB 218.
 (R) Mousa v Secretary of State for Defence [2011] EWCA Civ 1334.
 Rahman v R [2008] EWCA Crim 1465; [2008] All ER 661.
 Rahmatullah v Secretary of State for Foreign and Commonwealth Affairs [2011] EWCA Civ 1540.
 Rahmatullah v Secretary of State for Foreign and Commonwealth Affairs (No 2) [2012] EWCA Civ 182.
 Secretary of State for the Home Department v A [2010] EWHC 42.
 Secretary of State for the Home Department v AF [2009] UKHL 28; [2010] AC 269.
 Secretary of State for the Home Department v AF [2010] EWHC 42 (Admin).
 Secretary of State for the Home Department v AHK [2009] EWCA Civ 287; [2009] 1 WLR 2049.
 Secretary of State for the Home Department v Hicks [2006] EWCA 400.
 Secretary of State for the Home Department v Lord Alton of Liverpool [2008] EWCA Civ 443; [2008] 1 WLR 2341.
 Secretary of State for the Home Department v MB and AF [2007] UKHL 46; [2008] AC 40.
 Youssef v Home Office [2004] EWHC 1884.
 Zafar v R [2008] EWCA Crim 184.

United States

- Al-Adahi v Obama 2010 US App LEXIS 14263 (DC Cir 2010).
 Al-Aulaqi v Obama 727 F Supp 2d 1 (D DC 2010).
 Al-Haramain Islamic Foundation v Bush 507 F 3d 1190 (9th Cir 2007).

- Al Haramain Islamic Foundation v Department of the Treasury* 2009 US Dist LEXIS 103373 (D Ore 2009).
- Al-Haramain Islamic Foundation v Obama* 2012 US App LEXIS 16379 (9th Cir 2012).
- Al Haramain Islamic Foundation v United States Department of the Treasury* 585 F Supp 2d 1233 (D Ore 2008).
- Ali v Rumsfeld* 649 F 3d 762 (DC Cir 2011).
- Al-Kidd v Ashcroft* 580 F 3d 949 (9th Cir 2010), rehearing denied, 598 F 3d 1129 (9th Cir 2010).
- Al-Kidd v Gonzales* 1:05-cv-093-EJL-MHW.
- Al Maqaleh v Obama* 605 F 3d 84 (DC Cir 2010).
- Al-Mithali v Bush* 2009 US Dist LEXIS 7033 (D DC 2009).
- Al Odah v United States* 321 F 3d 1134 (DC Cir 2003).
- American Civil Liberties Union v National Security Agency* 438 F Supp 2d 754 (ED Mich 2006).
- American Civil Liberties Union v National Security Agency* 493 F 3d 644 (6th Cir 2007).
- American Civil Liberties Union v National Security Agency* 128 S Ct 1334 (2008).
- Amnesty International v Clapper* 638 F 3d 118 (2d Cir 2011).
- Amnesty International v Clapper* 667 F 3d 163 (2d Cir 2011).
- Amnesty International v McConnell* 646 F Supp 2d 633 (SD NY 2009).
- Arar v Ashcroft* 585 F 3d 559 (2d Cir 2009).
- Ashcroft v Al-Kidd* 131 S Ct 2074 (2011).
- Ashcroft v Iqbal* 129 S Ct 1937 (2009).
- Bin Attash v Obama* 628 F Supp 2d 24 (D DC 2009).
- Bismullah v Gates* 2007 US App LEXIS (DC Cir 2007).
- Bivens v Six Unknown Agents of Federal Bureau of Narcotics Agents* 403 US 368 (1999).
- Boumediene v Bush* 476 F 3d 981 (DC Cir 2007).
- Boumediene v Bush* 553 US 723 (2008).
- Cassidy v Chertoff* 471 F 3d 67 (2d Cir 2006).
- Clapper v Director of National Intelligence* 133 S Ct 185 (2013).
- Doe v Ashcroft* 334 F Supp 2d 471 (SD NY 2004).
- Doe v Gonzales* 386 F Supp 2d 66 (D Conn 2005).
- Doe v Gonzales* 500 F Supp 2d 379 (SD NY 2007).
- Doe v Rumsfeld* 800 F Supp 2d 94 (D DC 2011).
- Doe v Rumsfeld* 683 F 3d 390 (DC Cir 2012), reh'g en banc, denied, 2012 US App LEXIS 15717 (DC Cir 2012).
- Doe I v Gonzales* 449 F 3d 415 (2d Cir 2006).
- El-Masri v United States* 479 F 3d 296 (4th Cir 2007).
- El-Masri v United States* 2007 US LEXIS 11351.
- Ex parte Endo* 323 US 283 (1944).
- General Dynamics v United States* 131 S Ct 1900 (2011).
- Global Relief Foundation v O'Neill* 315 F 3d 748 (7th Cir 2002), rehearing, en banc, denied, 2003 US App LEXIS 6708 (7th Cir 2003).
- Global Relief Foundation v O'Neill* 2003 US LEXIS 8207 (2003).
- Hamdan v Rumsfeld* 344 F Supp 2d 152 (D DC 2004).
- Hamdan v Rumsfeld* 415 F 3d 33 (DC Cir 2005).
- Hamdan v Rumsfeld* 548 US 557 (2006).
- Hamdi v Rumsfeld* 542 US 507 (2004).
- Hedges v Obama* 2012 US Dist LEXIS 68683 (SD NY 2012).
- Hedges v Obama* 2012 US Dist LEXIS 78867 (SD NY 2012).

- Hedges v Obama* 2012 US App LEXIS 19880 (2d Cir 2012).
- Hepting v AT&T* 439 F Supp 2d 974 (ND Cal 2006).
- Holder v Humanitarian Law Project* 130 S Ct 2705 (2010).
- Holy Land Foundation v Ashcroft* 219 F Supp 2d 57 (D DC 2002).
- Holy Land Foundation for Relief and Development v Ashcroft* 333 F 3d 156 (DC Cir 2003).
- Holy Land Foundation for Relief and Development v Ashcroft* 158 L Ed 2d 153 (2004).
- In re Directives Pursuant to Section 105B of the Foreign Intelligence Surveillance Act* 551 F 3d 1004 (FISCR 2008).
- In re Grand Jury Proceedings in the Special April 2002 Grand Jury* 347 F 3d 197 (7th Cir 2003).
- In re Guantanamo Bay Detainee Litigation Case 1:08-mc-00442-TFH*, document 409, filed 09.11.08; document 1496, filed 01.09.09.
- In re Guantanamo Bay Detainee Litigation* 634 F Supp 2d 17 (D DC 2009).
- In re Guantanamo Detainee Cases* 355 F Supp 2d 443 (DC Cir 2005).
- In re Iraq & Afghanistan Detainees Litigation* 479 F Supp 2d 85 (D DC 2007).
- In re National Security Agency Telecommunications Records Litigation* 564 F Supp 2d 1109 (ND Cal 2008).
- In re National Security Agency Telecommunications Records Litigation* 595 F Supp 2d 1077 (ND Cal 2009).
- In re National Security Agency Telecommunications Records Litigation* 630 F Supp 2d 1092 (ND Cal 2009).
- In re National Security Agency Telecommunications Records Litigation* 2009 US Dist LEXIS 62640 (ND Cal 2009).
- In re National Security Agency Telecommunications Records Litigation* 2009 US Dist LEXIS 64621 (ND Cal 2009).
- In re National Security Agency Telecommunications Records Litigation* 700 F Supp 2d 1182 (ND Cal 2010).
- In re National Security Agency Telecommunications Records Litigation* 669 F 3d 928 (9th Cir 2011).
- In re National Security Agency Telecommunications Records Litigation* 2012 US App LEXIS 16379 (9th Cir 2012).
- In re People's Mojahedin Organization of Iran* 680 F 3d 832 (DC Cir 2012).
- In re Sealed Case No 02-001 310 F 3d 717* (FISCR 2002).
- In the matter of Kevork* 634 F Supp 1002 (CD Cal 1985).
- Islamic American Relief Agency v Gonzales* 477 F 3d 728 (DC Cir 2007).
- Jewel v National Security Agency* 2010 US Dist LEXIS 5110 (ND Cal).
- John Doe v Holder* 665 F Supp 2d 517 (SD NY 2009).
- John Doe Inc v Mukasey* 549 F 3d 861 (2d Cir 2008).
- Johnson v Eisentrager* 339 US 763 (1950).
- Kahane Chai v Department of State* 466 F 3d 125 (DC Cir 2006).
- Khalid v Bush* 355 F Supp 2d 311 (DC 2005).
- KindHearts for Charitable Humanitarian Development v Geithner* 647 F Supp 2d 857, 881 (ND Ohio 2009).
- KindHearts for Charitable Humanitarian Development v Geithner* 710 F Supp 2d 637 (ND Ohio 2010).
- Kiyemba v Obama* 561 F 3d 509 (DC Cir 2009), certiorari denied, 2010 US LEXIS 2462 (2010).
- Kiyemba v Obama* 605 F 3d 1046, 1048 (DC Cir 2010).
- Korematsu v United States* 323 US 214 (1944).

- Lebron v Rumsfeld* 2011 764 F Supp 2d 787 (Charleston D SC 2011).
Lebron v Rumsfeld 670 F 3d 540 (4th Cir 2012), cert denied, 132 S Ct 2751 (2012).
Lnu v Obama 656 F Supp 2d 187 (D DC 2009).
MacWade v Kelly 460 F 3d 260 (2d Cir 2006).
Mayfield v United States 504 F Supp 2d 1023 (D Ore 2007).
Mayfield v United States 599 F 3d 964 (9th Cir 2010).
McMurray v Verizon 2009 US Dist LEXIS 64621 (ND Cal 2009).
Mohamed v Jeppesen Dataplan 563 F 3d 992, 1007 (9th Cir 2009).
Mohamed v Jeppesen Dataplan 614 F 3d 1070 (9th Cir, en banc, 2010), certiorari denied, 131 S Ct 2442 (2011).
Mohammed v Obama 704 F Supp 2d 1 (D DC 2009).
Munaf v Geren 553 US 674 (2008).
National Council of Resistance of Iran v Department of State 251 F 3d 192 (DC Cir 2001).
National Council of Resistance of Iran v Department of State 373 F 3d 152 (DC Cir 2004).
Padilla v Yoo 633 F Supp 2d 100 (ND Cal 2009).
Padilla v Yoo 678 F 3d 748 (9th Cir 2012).
People's Mojahedin Organization of Iran v United States Department of State 182 F 3d 17 (DC Cir 1999).
People's Mojahedin Organization of Iran v United States Department of State 327 F 3d 1238 (DC Cir 2003).
People's Mojahedin Organization of Iran v United States 613 F 3d 220 (DC Cir 2010).
Rahmani v United States 2007 US LEXIS 43 (2007).
Rasul v Bush 542 US 466 (2004).
Rasul v United States 215 F Supp 2d 55 (D DC 2002).
Reynolds v United States 345 US 1 (1953).
Salahi v Obama 625 F 3d 745 (DC Cir 2010).
Turkmen v Ashcroft 589 F 3d 542 (2d Cir 2009).
United States v Abdi 463 F 2d 547 (6th Cir 2006).
United States v Abdulmuttalab 2:09-mj-30526, document 1 (complaint).
United States v Abu Ali 528 F 3d 210 (4th Cir 2008).
United States v Abu-Jihaad 531 F Supp 2d 299 (D Conn 2008).
United States v Abu-Jihaad 630 F 3d 102 (2d Cir 2011).
United States v Afshari 426 F 3d 1150 (9th Cir 2005).
United States v Afshari 446 F 3d 915 (9th Cir 2006).
United States v Afshari 2009 US Dist LEXIS 31585 (CD Cal 2009).
United States v Ahmed 2009 US Dist LEXIS 12007, 30 (ND Ga 2009).
United States v Al Arian 308 F Supp 2d 1322 (D Fla 2004).
United States v Benkhala 530 F 3d 300 (4th Cir 2008).
United States v Chandia 2010 US App LEXIS 19178 (4th Cir 2010).
United States v DeFreitas 1:07-cr-00543 (ED NY), document 1 (complaint). Available, after registration, with <http://www.pacer.gov>, at <https://pcl.uscourts.gov/search>.
United States v Dhafir 461 F 3d 211 (2d Cir 2006).
United States v Hammoud 381 F 3d 316 (4th Cir 2004).
United States v Holy Land Foundation 2007 US Dist LEXIS 50239, 21 (ND Tex 2007).
United States v Islamic American Relief Agency 2009 US Dist LEXIS 118505 (WD Mo 2009).
United States v Jayyousi F 3d 1085, 1117 (11th Cir 2011).
United States v Kashmiri 2010 US Dist LEXIS 119470 (ND Ill 2010).
United States v Lindh 212 F Supp 2d 541 (ED Va 2002).

- United States v Meskini* 319 F 3d 88, 92 (2d Cir 2003).
United States v Mubayyid 521 F Supp 2d 125 (D Mass 2007).
United States v Nixon 418 US 683 (1974).
United States v Reid 02-cr-10013 (D Mass 2003), Government's Sentencing Memorandum.
United States v Sattar 395 F Supp 2d 79 (SD NY 2005).
United States v Schnewer 2008 US Dist LEXIS 112001 (D NJ 2008).
United States v Shahzad 1:10-mj-00928, document 1 (complaint). Available, after registration, with <http://www.pacer.gov>, at <https://pcl.uscourts.gov/search>.
United States v Shareef 06-cr-00919 (ND Ill), affidavit of Jared Ruddy. Available, after registration, at <http://www.pacer.gov>, at <https://pcl.uscourts.gov/search>.
United States v Truong Dinh Hung 629 F 2d 908 (4th Cir 1980).
United States v United States District Court (Keith) 407 US 297 (1972).
United States v Warsame 547 F Supp 2d 982 (D Minn 2008).
Vance v Rumsfeld 2011 US App LEXIS 22083 (7th Cir 2011), reargued en banc and aff 701 F 3d 193 (7th Cir 2012).
Vance v Rumsfeld 2011 US App LEXIS 15717 (DC Cir 2012).
Vance v Rumsfeld 694 F Supp 2d 957 (ND Ill 2010).
Vance v Rumsfeld 653 F 3d 591 (7th Cir 2011).
Vance v Rumsfeld 701 F 3d 193 (7th Cir 2012).
Yates v United States 354 US 298 (1957).
Zadvydas v Davis 533 US 678 (2001).

