

Jill Lepore, "The Dark Ages," *The New Yorker*, March 18, 2013.

Selected bibliography

N.B. For readers who'd like to read more, or who are undertaking their own research, here is a select bibliography of my sources for this piece. As with all the bibliographies for New Yorker essays that I post on my Harvard faculty website, this brief discussion mentions a good number of works consulted but it's neither an exhaustive inventory of my sources nor a survey of the scholarship in a given field. Instead, I've listed works I found most useful or especially provocative. I have generally only included manuscripts, journal and magazine articles, and books; I haven't listed interviews here at all; I've not included things like newspapers, advertisements, patents, legislation, and policy statements; and I've generally left out citations from specialized bodies of literature in fields like medicine and law. A last caveat: these brief bibliographies are all frozen in time: I do not update them, and they therefore don't include anything written on these subjects after the date on which my essay was published.

Bartlett, Robert. *Trial by Fire and Water: The Medieval Judicial Ordeal*. Oxford: Clarendon Press, 1986.

Boumediene, Lakhdar. "My Guantánamo Nightmare." *New York Times*. January 7, 2012.

Bravin, Jess. *The Terror Courts: Rough Justice at Guantanamo Bay*. New Haven: Yale University Press, 2013.

Chandler, James, et al., eds. *Proof, Practice, and Persuasion Across the Disciplines*. Chicago: University of Chicago Press, 1994.

Denbeaux, Mark P. and Hafetz, Jonathan, eds. *The Guantanamo Lawyers: Inside a Prison Outside the Law*. New York: New York University Press, 2009.

Fisher, George. "The Jury's Rise as Lie Detector." *Yale Law Journal* 107 (1997-1998): 575-713.

Fletcher, Laurel E. et al *The Guantanamo Effect: Exposing the Consequences of U.S. Detention and Interrogation Practice*. Berkeley: University of California Press, 2009.

Gallanis, T.P. "The Rise of Modern Evidence Law." *Iowa Law Review* 84 (1998-1999): 499-560.

Greenberg, Karen J. and Dratel, Joshua L., eds. *The Torture Papers: The Road to Abu Ghraib*. Cambridge: Cambridge University Press, 2005.

Habeas Corpus and Detentions at Guantanamo Bay. Hearing before the Subcommittee on the Constitution, Civil Rights, and Civil Liberties of the Committee on the Judiciary, House of Representatives, One Hundred Tenth Congress. June 26, 2007. Washington: U.S. Government Printing Office, 2009.

Hafetz, Jonathan. *Habeas Corpus after 9/11: Confronting America's New Global Detention System*. New York: New York University Press, 2011.

Halliday, Paul D. *Habeas Corpus: From England to Empire*. Cambridge: Harvard University Press, 2010.

Hansen, Jonathan M. *Guantanamo: An American History*. New York: Hill and Wang, 2011.

Hyams, Paul R. "Trial by Ordeal: The Key to Proof in the Early Common Law." In *On the Laws and Customs of England: Essays in Honor of Samuel E. Thorne*. Edited by Morris S. Arnold et al. Chapel Hill: University of North Carolina Press, 1981.

Katyal, Neal K. and Tribe, Laurence H. "Waging War, Deciding Guilt: Trying the Military Tribunals." *Yale Law Journal* 111 (2002): 1259-1310.

Khan, Mahvish Rukhsana. *My Guantánamo Diary: The Detainees and the Stories They Told Me*. New York: PublicAffairs, 2008.

King, Nancy J. and Hoffman, Joseph L. *Habeas for the Twenty-first Century: Uses, Abuses, and the Future of the Great Writ*. Chicago: University of Chicago Press, 2011.

Langbein, John H. *Torture and the Law of Proof: Europe and England in the Ancien Régime*. Chicago: University of Chicago Press, 1976, 2006.

Lepore, Jill. *The Name of War: King Philip's War and the Origins of American Identity*. New York: Knopf, 1998.

_____. *New York Burning: Liberty, Slavery and Conspiracy in Eighteenth-century Manhattan*. New York: Knopf, 2005.

Mayer, Jane. *The Dark Side: The Inside Story of How the War on Terror Turned into a War on American Ideals*. New York: Doubleday, 2008.

Shane, Scott. "China Inspired Interrogations at Guantánamo." *New York Times*. July 2, 2008.

Twining, William. *Theories of Evidence: Bentham and Wigmore*. Stanford: Stanford University Press, 1985.

Wigmore, John Henry. *The Principles of Judicial Proof, as Given by Logic, Psychology, and General Experience*. Boston: Little, Brown, and Company, 1913.

_____. *Treatise on the System of Evidence in Trials at Common Law*. Boston: Little, Brown, and Co., 1904.