The Law of the List

*UN counterterrorism sanctions and the politics of global security law*

Sullivan, G.

**Publication date**
2017

**Document Version**
Other version

**License**
Other

**Citation for published version (APA):**

---

**General rights**
It is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), other than for strictly personal, individual use, unless the work is under an open content license (like Creative Commons).

**Disclaimer/Complaints regulations**
If you believe that digital publication of certain material infringes any of your rights or (privacy) interests, please let the Library know, stating your reasons. In case of a legitimate complaint, the Library will make the material inaccessible and/or remove it from the website. Please Ask the Library: https://uba.uva.nl/en/contact, or a letter to: Library of the University of Amsterdam, Secretariat, Singel 425, 1012 WP Amsterdam, The Netherlands. You will be contacted as soon as possible.


———, *Before the Next Attack: Preserving Civil Liberties in an Age of Terrorism* (Yale University Press 2006)


Acuto M and Curtis (eds), *Reassembling International Theory: Assemblage Thinking and International Relations* (Palgrave Pivot 2013)


———, *State of Exception* (University of Chicago Press 2005)

Alejandro Wolff, ‘Statement by Ambassador Alejandro Wolff, US Deputy Permanent Representative, in the Security Council, on the 1267, 1373 and 1540 Committee Briefings’ (13 November 2009) [http://1.usa.gov/1NpzYhN](http://1.usa.gov/1NpzYhN)


———, *International Organizations as Law-Makers* (Oxford University Press 2005)


Amoore L and De Goede M (eds), *Risk and the War on Terror* (Routledge 2008)


——, *Politics of Catastrophe: Genealogies of the Unknown* (Routledge 2011)


——, Material Politics: Disputes Along the Pipeline (Blackwell Publishing 2013)

——, ‘The Translation Zone’ (2013) 41 Millennium: Journal of International Studies 413

BBC, ‘Text of Colin Powell’s Speech to the UN Security Council’ BBC News (5 February 2003) http://bbc.in/1GXm9pF


——, World Risk Society (Polity Press 1999)


Benjamin W, Illuminations (Random House 1968)


——, ‘Scholarly Participation in Transnational Policy Networks: The Case of Targeted Sanctions’ in Mariano E Bertucci and Abraham Lowenthal (eds), Narrowing the Gap: Scholars, Policy-Makers and International Affairs (John Hopkins University Press 2012)


Black E and Wallace B, IBM and the Holocaust: The Strategic Alliance between Nazi Germany and America’s Most Powerful Corporation (Crown Publishers 2001)


1999)


Bueger C, ‘Pathways to Practice: Praxiography and International Politics’ (2014) 6 European Political Science Review 383

——, ‘Making Things Known: Epistemic Infrastructures, the United Nations and the Translation of Piracy’ (2015) 9 International Political Sociology 1


Bush GW, ‘Address to Joint Session of Congress and the American People’ (21 September 2001) [http://cnn.it/1tw4r5W](http://cnn.it/1tw4r5W)

——, ‘Graduation Speech at West Point Military Academy’ (1 June 2002) [http://nyti.ms/2akwrsh](http://nyti.ms/2akwrsh)

——, ‘State of the Union Address’ (20 January 2004) [http://wapo.st/1a0deFd](http://wapo.st/1a0deFd)


——, *The Laws of the Markets* (Blackwell Publishing 1998)


Chesterman S, ‘Does the UN Have Intelligence?’ (2006) 48 Survival 149


——, ‘The Spy Who Came In from the Cold War: Intelligence and International Law’ (2006) 27 Michigan Journal of International Law 1071


Clawson P, ‘Sanctions as Punishment, Enforcement and Prelude to Further Action’ (1993) 7 Ethics & International Affairs 20

Cloatre E, Pills for the Poorest: An Exploration of TRIPS and Access to Medication in Sub-Saharan Africa (Palgrave Macmillan 2013)


——, Globalisation and Sovereignty: Rethinking Legality, Legitimacy and Constitutionalism (Cambridge University Press 2012)

Cole D, ‘Terror Financing, Guilt by Association and the Paradigm of Prevention in the War on Terror’ in Andrea Bianchi and Alex Keller (eds), Counterterrorism: Democracy’s Challenge (Hart Publishing 2008)


Coleman R and Ringrose J, ‘Introduction: Deleuze and Research Methodologies’ in Rebecca Coleman and Jessica Ringrose (eds), Deleuze and Research Methodologies (Edinburgh University Press 2013)


Comras VD, Flawed Diplomacy: The United Nations & the War on Terrorism (Potomac 2010)

Cortright D and Lopez GA (eds), The Sanctions Decade: Assessing UN Strategies in the 1990s (Lynne Rienner 2000)

—— (eds), Smart Sanctions: Targeting Economic Statecraft (Rowman & Littlefield 2002)

——, Uniting Against Terror: Cooperative Nonmilitary Responses to the Global Terrorist Threat (MIT Press 2007)

Cowen D, The Deadly Life of Logistics: Mapping Violence in Global Trade (University of Minnesota Press 2014)


Craven M, ‘Humanitarianism and the Quest for Smarter Sanctions’ (2002) 13 European


Darian-Smith E, Laws and Societies in Global Contexts: Contemporary Approaches (Cambridge University Press, 2013)

Davidson Al, ‘Structures and Strategies of Discourse: Remarks towards a History of Foucault’s Philosophy of Language’ in Arnold Ira Davidson (ed), Foucault and His Interlocutors (Cambridge University Press 1997)

Davis KE and others (eds), Governance by Indicators: Global Power through Classification and Rankings (Cambridge University Press 2012)

Davis KE, Kingsbury B and Merry SE, ‘Indicators as a Technology of Global Governance’ (2012) 46 Law and Society Review 71


De Burca G, ‘The EU, the European Court of Justice and the International Legal Order after Kadi’ (2010) 51 Harvard International Law Journal 1


———, ‘The Politics of Preemption and the War on Terror in Europe’ (2008) 14 European Journal of International Relations 161


——, Toward a New Legal Common Sense: Law, Globalization and Emancipation (Cambridge University Press 2002)


De Wet E and Vidmar J (eds), Hierarchy in International Law: The Place of Human Rights (Oxford University Press 2012)

Deleuze G, ‘Postscript on the Societies of Control’ (1992) 59 October 3

Deleuze G and Guattari F, A Thousand Plateaus: Capitalism and Schizophrenia (University of Minnesota Press 1987)

Deleuze G and Parnet C, Dialogues (The Athlone Press 1987)


Dershowitz A, Why Terrorism Works: Understanding the Threat, Responding to the Challenge (Yale University Press 2002)


——, The Internationalization of Palace Wars: Lawyers, Economists, and the Contest to Transform Latin American States (University of Chicago Press 2002)

Dorsett S and McVeigh S, Jurisdiction (Routledge 2012)


Easterling K, Extrastatecraft: The Power of Infrastructure Space (Verso 2014)


——, ‘Smarter EU Sanctions?’ (University College London, 8 November 2013)


——, ‘Report of the Special Rapporteur on the Promotion of Human Rights and Fundamental Freedoms While Countering Terrorism’

——, ‘Statement by Ben Emmerson, Special Rapporteur on Countering Terrorism’ (UN General Assembly, 21 November 2012)


——, ‘A Sociology of Quantification’ (2008) 49 European Journal of Sociology 401

‘EU Counter-Terrorism Action: A Fault Line between Law and Politics?’ (Centre for European Policy Studies (CEPS) 2010)


Foucault M, Discipline and Punish: The Birth of the Prison (Allen Lane 1977)

———, ‘Nietzsche, Genealogy, History’ in Donald Bouchard (ed), Language, Counter-Memory, Practice: Selected Essays and Interviews (Cornell University Press 1977)

———, The History of Sexuality Vol. 1 (Pantheon 1978)

———, The Will to Knowledge: The History of Sexuality, vol 1 (Penguin 1979)

———, Power/Knowledge: Selected Interviews and Other Writings, 1972-1977 (Pantheon 1980)

———, ‘Space, Knowledge and Power’ in Paul Rabinow (ed), The Foucault Reader (Pantheon 1984)


—-, The Birth of Biopolitics: Lectures at the College de France 1978-1979 (Picador 2008)

Foucault M and Deleuze G, ‘Intellectuals and Power’ in Donald Bouchard (ed), Language, Counter-Memory, Practice: Selected Essays and Interviews by Michel Foucault (Cornell University Press 1977)


Geertz C, ‘Thick Description: Toward an Interpretive Theory of Culture’ in Michael Martin and Lee C McIntyre (eds), Readings in the Philosophy of Social Science (MIT Press 1994)

Gellman B and Poitras L, ‘US, British Intelligence Mining Data from Nine US Internet Companies in Broad Secret Program’ The Washington Post (7 June 2013)

http://wapo.st/1glS8gu


http://bit.ly/1TADREh


Giumelli F, Coercing, Constraining and Signalling: Explaining UN and EU Sanctions after the Cold War (ECPR Press 2011)

Global Counterterrorism Forum (GCTF) http://bit.ly/1DgUeLZ

Glover R, Murphy on Evidence (14th edn, Oxford University Press 2015)

González RJ, ‘Anthropology and the Covert: Methodological Notes on Researching Military and Intelligence Programmes’ (2012) 28 Anthropology Today 21


Goold BJ and Lazarus L (eds), Security and Human Rights (Bloomsbury Publishing 2007)


Headrick DR, The Tools of Empire: Technology and European Imperialism in the Nineteenth Century (Oxford University Press 1981)


———, Risk, Global Governance and Security: The Other War on Terror (Routledge 2009)

High Level Review of UN Sanctions [http://www.hlr-unsanctions.org/]


Hussain N, ‘Beyond Norm and Exception: Guantanamo’ (2007) 33 Critical Inquiry 734

——, The Jurisprudence of Emergency: Colonialism and the Rule of Law (University of Michigan 2009)


——, ‘The Universal Security Audit Programme Continuous Monitoring Approach (USAP-CMA) and Its Objective’ [http://bit.ly/1xIMwDI]


——, ‘The Turn to Data Analytics and International Law’ (2014) 3 ESIL Reflections 6
——, ‘The List plus Algorithm as Global Law’ (2016) 34 Environment and Planning D: Society and Space 126


——, ‘Objectual Practice’ in Theodore R Schatzki, Karin Knorr-Cetina and Eike Von Savigny (eds), *The Practice Turn in Contemporary Theory* (Routledge 2001)

Knorr-Cetina K and Cicourel AV (eds), *Advances in Social Theory and Methodology* (Routledge 1981)


——, ‘Occupied Zone - “A Zone of Reasonableness”? ’ (2008) 41 Israel Law Review 13

——, *The Politics of International Law* (Hart Publishing 2011)


———, Beyond Constitutionalism: The Pluralist Structure of Postnational Law (Oxford University Press 2012)


———, The Structure of Postnational Authority (2015) Available at SSRN 2564579


Kuus M, ‘Foreign Policy and Ethnography: A Sceptical Intervention’ (2013) 18 Geopolitics 115


———, ‘Visualization and Cognition: Drawing Things Together’ (1986) 6 Knowledge and Society

———, Science in Action: How to Follow Scientists and Engineers through Society (Harvard University Press 1987)

———, The Politics of Nature: How to Bring the Sciences into Democracy (Harvard University Press 1987)

———, The Pasteurization of France (Harvard University Press 1993)

———, Reassembling the Social: An Introduction to Actor-Network Theory (Oxford University Press 2005)


———, Ordering and Obduracy (Lancaster University: Centre for Science Studies 2003)

———, After Method: Mess in Social Science Research (Routledge 2004)

———, ‘Collateral Realities’ in Fernando Dominguez Rubio and Patrick Baert (eds), The Politics of Knowledge (Routledge 2012)


Lester M, ‘EU to Approve New Court Rules to Permit Secret Hearings’ http://bit.ly/1CYk37j

——, ‘EU Member States Approve New European Court Rules’ http://bit.ly/1Ff7svs


Luhmann N, Law as a Social System (Oxford University Press 2004)


March JG and Simon HA, Organizations (Wiley 1958)


——, ‘Multi-Sited Ethnography: Notes and Queries’ in Mark-Anthony Falzon (ed), Multi-Sited Ethnography: Theory, Praxis and Locality in Contemporary Research (Ashgate 2009)


Mendelsohn B, Combating Jihadism: American Hegemony and Interstate Cooperation in the War on Terrorism (University of Chicago Press 2009)

———, ‘Threat Analysis and the UN’s 1267 Sanctions Committee’ (2015) 27 Terrorism and Political Violence 609

Merry SE, ‘New Legal Realism and the Ethnography of Transnational Law’ (2006) 31 Law and Social Inquiry 976

———, ‘Measuring the World’ (2011) 52 Current Anthropology 83


Mezzadra S and Neilson B, Border as Method, Or, the Multiplication of Labor (Duke University Press 2013)


———, ‘European Court Decides Nada v Switzerland’ http://bit.ly/1MLJGvL


Miller G and De Young K, ‘In Syria, Obama Stretches Legal and Policy Constraints He Created for Counterterrorism’ Washington Post (23 September 2014) http://wapo.st/2bbx32h

Miller P and Rose N, ‘Governing Economic Life’ (1990) 19 Economy and Society 1


Moghaddam FM, ‘The Staircase to Terrorism: A Psychological Exploration’ (2005) 60


——, The Body Multiple: Ontology in Medical Practice (Duke University Press 2002)


Murphy C, EU Counterterrorism Law: Pre-Emption and the Rule of Law (Hart Publishing 2012)

——, ‘Secret Evidence in EU Security Law: Special Advocates before the Court of Justice?’ in Federico Fabbrini and Arianna Vedaschi (eds), Secrecy, National Security and the Vindication of Constitutional Law (Edward Elgar Publishing 2013)


——, The Will to Improve: Governmentality, Development and the Practice of Politics (Duke University Press 2007)


Neal A, Exceptionalism and the Politics of Counter-Terrorism: Liberty, Security and the War on Terror (Routledge 2009)

Nietzsche F, On the Genealogy of Morals and Ecce Homo (Vintage 2010)


Norman L, ‘EU Governments Approve Secret Evidence in Sanctions Cases’ Wall Street Journal (10 February)
NSA, ‘Summary of DNR and DNI Co-Travel Analytics’ [http://bit.ly/1GHNuxh]


Orford A, International Authority and the Responsibility to Protect (Cambridge University Press 2011)


President, Secretary of the Treasury O’Neill and Secretary of State Powell on Executive Order, ‘President Freezes Terrorists’ Assets’ (24 September 2001) [http://1.usa.gov/1MYZbiX]


Ragazzi F, ‘Suspict Community or Suspect Category? The Impact of Counter-Terrorism as “policed Multiculturalism”’ (2016) 42 Journal of Ethnic and Migration Studies 724

Ramraj VV (ed), Emergencies and the Limits of Legality (Cambridge University Press 2008)


——, Collateral Knowledge: Legal Reasoning in the Global Financial Markets (University of Chicago Press 2011)

Roach K, ‘The Eroding Distinction between Intelligence and Evidence in Terrorism Investigations’ in Andrew Lynch, Nicola McGarrity and George Williams (eds), Counter-Terrorism and Beyond (Routledge 2010)

——, The 9/11 Effect: Comparative Counter-Terrorism (Cambridge University Press 2011)


Rosa H and Scheuerman WE (eds), High Speed Society: Social Acceleration, Power and Modernity (Pennsylvania State University Press 2009)


Rose N, Powers of Freedom: Reframing Political Thought (Cambridge University Press 1999)


Sarooshi D and Tzanakopoulos A, ‘United Kingdom’ in August Reinisch (ed), The Privileges and Immunities of International Organizations in Domestic Courts (Oxford University Press 2013)


——, Territory, Authority, Rights: From Medieval to Global Assemblages (Princeton University Press 2006)

——, ‘Neither Global Nor National: Novel Assemblages of Territory, Authority and Rights’ (2008) 1 Ethics and Global Politics 61


Scahill J and Greenwald G, ‘The NSA’s Secret Role in the US Assassination Program’
http://bit.ly/1zeKzrV


——, ‘Curriculum Vitae: Martin Scheinin’ http://bit.ly/1N1eoBv


——, The International State of Emergency: Challenges to Constitutionalism after September 11 (21 September 2006)


Schmitt C, Political Theology: Four Chapters on the Concept of Sovereignty (MIT Press 1985)


Slaughter AM, ‘The Real New World Order’ (1997) 76 Foreign Affairs 184

Smith ED, Law and Societies in Global Contexts (Cambridge University Press 2013)


Stampnitzky L, Disciplining Terror: How Experts Invented Terrorism (Cambridge University Press 2013)
Science, Technology & Human Values 601


——, The One Percent Doctrine: Deep Inside America’s Pursuit of Its Enemies Since 9/11 (Simon and Schuster 2006)


Treverton GF, Intelligence for an Age of Terror (Cambridge University Press 2009)


——, Disobeying the Security Council: Countermeasures against Wrongful Sanctions (Oxford University Press 2011)

UN 1267 Sanctions Committee, ‘Guidelines for the Committee of the Conduct of Its Work’ (15 April 2013)

UN Doc. A/50/60-S/1995/1, Supplement to an Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations (3 January 1995)

UN Doc. A/60/887-S/2006/331, Identical letters dated 19 May 2006 from the Permanent Representatives of Germany, Sweden and Switzerland to the United Nations addressed to the President of the General Assembly and the President of the Security Council (14 June 2006)


UN Doc. A/62/891-S/2008/428, Identical letters dated 23 June 2008 from the Permanent Representative of Switzerland to the United Nations addressed to the President of the General Assembly and the President of the Security Council (2 July 2008)


UN Doc. A/C.3/65/SR.30, United Nations General Assembly, Third Committee, Summary Record of the 30th Meeting (26 October 2010)


UN Doc. A/Res/60/1, United Nations General Assembly ‘World Summit Outcome’ (24 October 2005)

UN Doc. S/2014/286 Letter dated 17 April 2014 from the Permanent Representatives of Austria, Belgium, Costa Rica, Denmark, Finland, Germany, Liechtenstein, the Netherlands,
Norway, Sweden and Switzerland to the United Nations addressed to the President of the Security Council (21 April 2014)


UN Doc. SG/SMI7360, Secretary General Reviews Lessons Learned during Sanctions Decade in Remarks to International Peace Academy Seminar’ (17 April 2000)


US Embassy Cable 06PARIS5732 (25 August 2006)

US Embassy Cable 06RIYADH8416 (24 October 2006)

US Embassy Cable 06ROME1708 (7 June 2006)

US Embassy Cable 06USUNNEWYORK714 (4 April 2006)

US Embassy Cable 06USUNNEWYORK917 (4 May 2006)

US Embassy Cable 06USUNNEWYORK1078 (26 May 2006)

US Embassy Cable 06USUNNEWYORK1430 (31 July 2006)

US Embassy Cable 06USUNNEWYORK1609 (22 August 2006)

US Embassy Cable 07RIYADH305 (13 February 2007)

US Embassy Cable 08LONDON1690 (24 June 2008)

US Embassy Cable 08ROME711 (4 June 2008)

US Embassy Cable 08STATE4740 (24 June 2008)

US Embassy Cable 08STATE69684 (4 June 2008)

US Embassy Cable 08USUNNEWYORK313 (15 January 2008)

US Embassy Cable 08USUNNEWYORK421 (27 June 2008)

US Embassy Cable 08USUNNEWYORK640 (18 July 2008)

US Embassy Cable 09BRUSSELS41 (13 January 2009)
US Embassy Cable 09BRUSSELS616 (29 April 2009)
US Embassy Cable 09BRUSSELS1524 (13 November 2009)
US Embassy Cable 09LONDON452 (20 February 2009)
US Embassy Cable 09LONDON2678 (2 December 2009)
US Embassy Cable 09OTTAWA478 (18 June 2009)
US Embassy Cable 09ROME652 (9 June 2009)
US Embassy Cable 09ROME1344 (4 December 2009)
US Embassy Cable 09ROME1404 (23 December 2009)
US Embassy Cable 09STATE109494 (22 October 2009)
US Embassy Cable 09USUNNEWYORK301 (23 March 2009)
US Embassy Cable 09USUNNEWYORK474 (8 May 2009)
US Embassy Cable 09USUNNEWYORK818 (4 September 2009)
US Embassy Cable 10USEUBRUSSELS212 (24 February 2010)
US Embassy Cables 07ROME2515 (28 December 2007)
US Embassy Cables 08ROME190 (11 February 2008)
US Embassy Cables 09CAIRO1363 (15 July 2009)
US Embassy Cables 09CAIRO1976 (19 October 2009)

http://1.usa.gov/1Oh2NgR


UNSC Res 731 (1992)
UNSC Res 1267 (1990)
UNSC Res 1333 (2000)
UNSC Res 1373 (2001)
UNSC Res 1735 (2006)
UNSC Res 1822 (2008)
UNSC Res 1904 (2009)
UNSC Res 2083 (2012)
UNSC Res 2161 (2014)
UNSC Res 2178 (2014)

US Treasury Department, ‘Contributions by the Department of the Treasury to the Financial War on Terrorism, Fact Sheet’ http://1.usa.gov/1OOurAE

Valverde M, “Despotism” and Ethical Liberal Governance’ (1996) 25 Economy and Society 357
———, Chronotopes of Law: Jurisdiction, Scale and Governance (Routledge 2015)


———, ‘Targeted Sanctions Workshop’ (University of Amsterdam, 24 February 2014)

Vismann C, Files: Law and Media Technology (Stanford University Press 2008)


———, Intimations of Global Law (Cambridge University Press 2015)


Walters W and Best J, ‘Translating the Sociology of Translation’ (2013) 7 International Political Sociology 345


Weiss TG and others (eds), Political Gain and Civilian Pain: The Humanitarian Impacts of Economic Sanctions (Rowman & Littlefield 1997)


Weizman E, The Least of All Possible Evils: Humanitarian Violence from Arendt to Gaza (Verso 2012)


Wille T, ‘The Diplomatic Cable’ in Mark Salter (ed), Making Things International II: Catalysts and Reactions (University of Minnesota Press 2015)


Zarate JC, Treasury’s War: The Unleashing of a New Era of Financial Warfare (Public Affairs 2013)


——, ‘Preventive Justice or Pre-Punishment? The Case of Control Orders’ (2007) 60 Current Legal Problems 174


——, ‘How, Where and for Whom? Interrogating Law’s Forms, Locations and Purposes’ (Inaugural Lecture, King’s College London, 28 April 2016)