

## Publications

### **Publications/Books, Textbooks, and Monographs**

Co-edited/authored with Louis Fisher. American Constitutional Law, 11<sup>th</sup> ed. Carolina Academic Press, 2016 (8<sup>th</sup> ed. 2009, 9<sup>th</sup> ed. 2011; 10<sup>th</sup> ed 2013). Teaching Manual, 2009, 2013, 2016.

Co-authored with Jill J. McMillan, Christy M. Buchanan, & Stephanie Gusler, The Long Term Impact of Learning to Deliberate: A Follow-up Study of Democracy Fellows and a Class Cohort. Kettering Foundation Press, 2016.

Co-authored with Jill J. McMillan. Speaking of Politics: Preparing College Students For Democratic Citizenship Through Deliberative Dialogue. Kettering Foundation Press, 2007.

Editor. Separation of Powers: Commentary and Documents. Congressional Quarterly Press, 2003.

The Special Prosecutor in American Politics. 2<sup>nd</sup> ed., revised. University Press of Kansas, 2000.

Independent Justice: The Federal Special Prosecutor in American Politics. University Press of Kansas, 1992.

### **Publications/Book Chapters**

Co-authored with Jill J. McMillan, Christy Buchanan, and Stephanie Gusler, “The New Civic Persona: Organizational/Institutional Citizenship Reimagined.” In The Handbook of Organizational Rhetoric and Communication. Edited by Oyvind Ihlen and Robert L. Heath. (John Wiley & Sons, 2018).

Co-authored with Jill J. McMillan, Christy Buchanan, and Stephanie Gusler. “The Value of Longitudinal Assessment: The Impact of the Democracy Fellows Program Over Time.” In Deliberative Pedagogy and Democratic Engagement. Edited by Timothy Shaffer and Nicholas Longo (Michigan State University Press, 2017).

Co-authored with Jill J. McMillan, Christy M. Buchanan, & Stephanie Gusler. “Learning to Deliberate: Implications for Political Participation After College.” In Beyond Politics As Usual (Kettering Foundation Press, 2017).

Co-authored with Jill J. McMillan. "Contexts for Deliberation: Experimenting with Democracy in the Classroom, on Campus, and in the Community." In Deliberation and the Work of Higher Education: Innovations for the Classroom, the Campus, and the Community (Kettering Foundation Press, 2008).

"Special Prosecutors and Independent Counsels." In Watergate and the Resignation of Richard Nixon. Editors Harry P. Jeffrey and Thomas Maxwell-Long. Congressional Quarterly Press (2004).

"Clinton v. Jones and the Limits of Presidential Immunity" In Creating Constitutional Change: People, Power, and the Law. Editors Gregg Ivers and Kevin McGuire. University of Virginia Press (2004).

"Separation of Powers in the Modern Context." In Separation of Powers: Commentary and Documents. Edited by Katy J. Harriger. Congressional Quarterly Press (2003).

"The Independent Counsel and the Limits of the Law." In Superintending Democracy: The Courts and the Political Process. Edited by Christopher Banks and John Green. University of Akron Press (2001).

"Independent Justice: The Office of Independent Counsel." In Government Lawyers: The Federal Legal Bureaucracy and Presidential Politics. Edited by Cornell W. Clayton. University Press of Kansas (1995).

### **Publications/Journal Articles**

Co-authored with Jill J. McMillan, Christy Buchanan, and Stephanie Gusler, "Bursting the Bubble: Advice from Wake Forest University Alumni." Diversity and Democracy, (forthcoming 2018).

"In Defense of *Cooper v. Aaron*: Distinguishing Among Judicial Supremacy Claims." The Review of Politics 78(Summer 2016): 443-465.

"The Civil Rights Act of 1964 and School Desegregation: A Double-Edged Sword?" Wake Forest Journal of Law and Policy 6 (February 2016): 157-211.

Co-authored with Jill McMillan, Christy Buchanan, and Stephanie Gusler, "The Long Term Impact of Learning to Deliberate." Diversity and Democracy, 18, no. 4 (Fall 2015).

"Deliberative Dialogue and the Development of Democratic Dispositions," New

- Directions for Higher Education, 166 (Summer 2014): 53-61,
- "Judicial Supremacy or Judicial Defense?: The Supreme Court and the Separation of Powers," Political Science Quarterly 126, no. 2 ( Summer 2011): 201-221.
- "Political Science and the Work of Democracy." Journal of Public Deliberation. 6 no. 1, Article 7 (2010) <http://services.bepress.com/jpd/vol6/iss1/art7>.
- "Executive Power and Prosecution: Lessons from the Libby Trial and the U.S. Attorney Firings." Presidential Studies Quarterly 38 no. 3 (September 2008): 491-505.
- Co-authored with Jill J. McMillan. "College Students and Deliberation: A Benchmark Study." Communication Education. (July 2002): 237-253.
- "The President and the Independent Counsel: Reflections on Prosecutors, Presidential Prerogatives, and Political Power." Presidential Studies Quarterly (June 2001).
- "Can The Independent Counsel Statute Be Saved?" Law and Contemporary Problems Vol. 62 (Winter 1999).
- "The History of the Independent Counsel Statute: How the Past Informs the Current Debate." 49 Mercer Law Review 489 (Winter 1998).
- "Cues and Miscues in the Constitutional Dialogue." The Review of Politics Vol. 60 (Summer 1998): 497-524.
- "Damned If She Does and Damned If She Doesn't: The Attorney General and the Independent Counsel Statute," 86 Georgetown Law Review 2097 (July 1998).
- "The Federalism Debate in the Transformation of Federal Habeas Corpus Law," Publius: The Journal of Federalism Vol. 27 (Fall 1997).
- "Who Should Decide? Constitutional and Political Issues Regarding Section 4 of the Twenty-Fifth Amendment." Wake Forest Law Review Vol. 30: 563-583 (Fall 1995).
- "The Separation of Powers and the Politics of Independent Counsels." Political Science Quarterly Vol. 109: 261-286 (Summer 1994).

### **Publications/ Essays**

"Unitary Executive." In Stephen L. Schechter, ed. American Governance (Cengage

2016).

“Civil Rights” and “Civil Liberties.” In David Coates, Kathy Smith, and Charles Walldorf, ed. Oxford Companion to American Politics (Oxford University Press, 2012).

“Independent Counsel,” “Morrison v. Olson,” and “Solicitor General.” In David S. Tanenhaus, ed. Encyclopedia of the Supreme Court of the United States. (McMillan Reference USA, 2008).

Co-authored with Jill McMillan. “Public Scholarship and Role Conflict.” Higher Education Exchange (May 2005).

“Prosecuting Authorities.” In Herbert M. Kritzer, ed. Legal Systems of the World: A Political, Social and Cultural Encyclopedia (ABC/Clio 2002).

“The Ethics in Government Act,” the “Tax Scandals,” and “The Teapot Dome Scandal” in Historical Encyclopedia of U.S. Independent Counsel Investigations. Edited by Gerald S. Greenberg. Greenwood Press, 2000.

“Do We Need An Independent Counsel? No! Let the IC Statute Expire.” Law Matters (Winter 1999).

“Understanding the Independent Counsel,” Seattle Post-Intelligenter, Nov. 1, 1998.

“Time to Reform the Independent Counsel Law?” Encarta Encyclopedia (Yearbook SpecialReport)(Microsoft,1998).

“Thurgood Marshall.” Encyclopedia of Civil Rights in America. M.E. Sharpe, 1997.

“Special Prosecutors,” “Minority Set-Asides,” and “Son-of-Sam Law” in Dictionary Of American History: Supplement. Scribners, 1996.

“Bring Back the Independent Counsel.” Wall Street Journal. December 17, 1992.

Co-authored with Michael Ford. “Lessons Learned: Teaching Citizenship in the University” in Public Leadership Education: Preparing College Students for Their Civic Roles. Kettering Foundation, 1989.

## **Publications/Book Reviews**

“The 9/11 Terror Cases: Constitutional Challenges in the War Against Al Qaeda.”

By Allen A. Ryan. In Congress and the Presidency (Fall 2016).

- “Successful Strategy, Not Failed Counter-revolution.” Review of Nixon’s Court: His Challenge to Judicial Liberalism and Its Political Consequences. By Kevin J. McMahon. In The Review of Politics, Vol. 75 (Winter 2013): 121-123.
- American Politicians Confront the Court: Opposition Politics and Changing Responses To Judicial Power. By Stephen M. Engel. In Political Science Quarterly. (Summer 2012). Vol. 127: 329-330.
- The Jury and Democracy: How Jury Deliberation Promotes Civic Engagement and Political Participation. By John Gastil, et. al. In American Review of Politics (Fall & Winter 2011-2012), 32: 353-355.
- Bad Advice: Bush’s Lawyers in the War on Terror. By Harold H. Bruff. In Congress and the Presidency (October 2011), 38:3, 356-358.
- “How the Writ Became Great.” Review of Habeas Corpus: From England to Empire. By Paul D. Halliday. In Review of Politics ( 2011), 73: 162-164.
- Illinois Justice: the Scandal of 1969 and the Rise of John Paul Stevens. By Kenneth A. Manaster. In Wilson Quarterly (Winter 2002): 123.
- The Color of Gender: Reimagining Democracy. By Zillah R. Eisenstein. Unequal Justice: A Question of Color. By Coramae Richey Mann. In The Annals of the American Academy of Political and Social Science (March 1996): 218-219.
- Rethinking Constitutional Law: Originalism, Interventionism, and the Politics of Judicial Review. By Earl M. Maltz. In American Historical Review (Oct. 1995): 1326- 1327.
- Rebellious Lawyering: One Chicano’s Vision of Progressive Law Practice. By Gerald P. Lopez. In The Annals of the American Academy of Political and Social Science (January 1994): 203.
- Conflicting Loyalties: Law and Politics in the Attorney General’s Office. By Nancy V. Baker. In American Historical Review (December 1993): 1669-1670.
- The Solicitor General: The Politics of Law. By Rebecca Mae Salokar. In The Law and Politics Book Review. Vol. 3, No. 6. June 1993.
- Capitol Games: Clarence Thomas, Anita Hill, and the Story of a Supreme Court Nomination. By Timothy Phelps and Helen Winternitz. Baltimore Sun. July 27, 1992.
- Chain Reaction: The Impact of Race, Rights, and Taxes on American Politics. By Thomas B. Edsall and Mary D. Edsall. Baltimore Sun. Jan. 6, 1992.

