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Books:

FIRST AMENDMENT: CASES AND THEORY (Aspen Publishing, 2008) (with Ronald Krotoszynski, Lyrissa Lidsky, and Christine E. Wells).

CASES AND MATERIALS ON RELIGION AND THE STATE, 2d ed. (LexisNexis, 2007) and 1st edition (LexisNexis, 2001). Also TEACHER'S MANUAL and Annual Supplement.

Chapters:

Free Speech and the Incitement of Violence or Unlawful Behavior, in Mark Tushnet and Vikram Amar, eds., COMPARATIVE CONSTITUTIONAL LAW (Oxford University Press, forthcoming).

City of Erie v. PAP's A.M., Legal Services Corporation v. Velazques, Rumsfeld v. Forum for Academic and Institutional Rights, Inc., and United States v. American Library Association, in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (Gale, 2008).

Atheism and Freedom of Religion, in Michael Martin, ed., THE CAMBRIDGE COMPANION TO ATHEISM (Cambridge Univ. Press, 2007).

Legal Aspects of Pornography, in Brian Kinsey, ed., ENCYCLOPEDIA OF COMMUNICATION AND INFORMATION (Macmillan, 2001).

Cyberlaw, in Raul Rojas, ed., ENCYCLOPEDIA OF COMPUTERS AND COMPUTER HISTORY (Moschovitis, 2001).

Law Review and Journal Articles:

The First Amendment and the Dissemination of Socially Worthless Untruths, 36 FLORIDA STATE UNIVERSITY LAW REVIEW 1 (2008).

School Vouchers and the Problem of the Recalcitrant Constitutional Text, 37 JOURNAL OF LAW AND EDUCATION 87 (2008).

Life After the Establishment Clause, 110 WEST VIRGINIA LAW REVIEW 1 (2007).

Reconciling the Supreme Court's Four Establishment Clauses, 7 UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW 725 (2006).

Rewriting the Establishment Clause for One Nation Under (a) God, 41 TULSA LAW REVIEW 737 (2006).

Contracting Away Rights: A Comment on Daniel Farber's "Another View of the Quagmire," 33 FLORIDA STATE UNIVERSITY LAW REVIEW 953 (2006).

Vestiges of the Establishment Clause, 5 FIRST AMENDMENT LAW REVIEW 1 (2006).

Empirical Measures of Judicial Performance: an Introduction to the Symposium, 32 FLORIDA STATE UNIVERSITY LAW REVIEW 1001 (2005) (with Jim Rossi).

Is It Science Yet?: Intelligent Design, Creationism, and the Constitution, 83 WASHINGTON UNIVERSITY LAW QUARTERLY 1 (2005) (with Matthew J. Brauer and Barbara Forrest).

A Few Questions About Cross Burning, Intimidation and Free Speech, 80 NOTRE DAME LAW REVIEW 1287 (2005).

Free Will, Religious Liberty, and a Partial Defense of the French Approach to Religious Expression in Public Schools (The Eighth Annual Frankel Lecture), 42 HOUSTON LAW REVIEW 1 (2005).

More or Less Bunk: The Establishment Clause Answers That History Doesn't Provide, 2004 BRIGHAM YOUNG UNIVERSITY LAW REVIEW 1617.

Unity of the Graveyard and the Attack on Constitutional Secularism, 2004 BRIGHAM YOUNG UNIVERSITY LAW REVIEW 1005.

"Under God," The Pledge of Allegiance and Other Constitutional Trivia, 81 NORTH CAROLINA LAW REVIEW 1865 (2003).

The Myth of State Sovereignty, 63 OHIO STATE LAW JOURNAL 1601 (2002).

The Odd Consequences of Taking Bush v. Gore Seriously, 29 FLORIDA STATE UNIVERSITY LAW REVIEW 1005 (2001).

The No Religion Zone: Constitutional Limitations on Religious Association in the Public Sphere, 85 MINNESOTA LAW REVIEW 1885 (2001).

When is Religious Speech Not "Free Speech"?, 2000 UNIVERSITY OF ILLINOIS LAW REVIEW 379.

Fear of Freedom: The New Speech Regulation in Cyberspace, 8 TEXAS JOURNAL OF WOMEN AND THE LAW 183 (1999).

The Nuremberg Files and the First Amendment Value of Threats, 78 TEXAS LAW REVIEW 541 (2000).

Why Rubbish Matters: The Neoconservative Underpinnings of Social Constructionist Theory, 83 MINNESOTA LAW REVIEW 1707 (1999).

Postmodern Censorship Revisited: A Reply to Richard Delgado, 146 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1120 (1998).

Reopening the Public Forum - From Sidewalks to Cyberspace, 58 OHIO STATE LAW JOURNAL 1385 (1998).

What if Wisconsin v. Mitchell had involved Martin Luther King, Jr.? The Constitutional Flaws of Hate Crime Enhancement Statutes, 65 GEORGE WASHINGTON LAW REVIEW 1014 (1997).

The Case Against Postmodern Censorship Theory, 145 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 193 (1996).

Is Moral Relativism a Constitutional Command? 70 INDIANA LAW JOURNAL 331 (1995).

Religious Coercion and the Establishment Clause, 1994 UNIVERSITY OF ILLINOIS LAW REVIEW 463.

The Unfortunate Revival of Civic Republicanism, 141 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 801 (1993).

Justice Scalia's Death Penalty, 20 FLORIDA STATE UNIVERSITY LAW REVIEW 67 (1992).

This is Not a Flag: The Aesthetics of Desecration, 1990 WISCONSIN LAW REVIEW 1549.

Why is Religion Special?: Reconsidering the Accommodation of Religion under the Religion Clauses of the First Amendment, 52 UNIVERSITY OF PITTSBURGH LAW REVIEW 75 (1990).

The Political Economy of the Dormant Commerce Clause, 17 NEW YORK UNIVERSITY REVIEW OF LAW & SOCIAL CHANGE 1 (1989).

The Apologetics of Suppression: The Regulation of Pornography as Act and Idea, 86 MICHIGAN LAW REVIEW 1564 (1988).

A Constitutional Morphology: Text, Context, and Pretext in Constitutional Interpretation, 19 ARIZONA STATE LAW JOURNAL 587 (1987).

Book Reviews:

Book Review, 21 JOURNAL OF LAW AND RELIGION 439 (2006) (reviewing Ronald B. Flowers, THAT GODLESS COURT?: SUPREME COURT DECISIONS ON CHURCH-STATE RELATIONSHIPS, 2d. ed., (Westminster John Knox Press, 2005)).

Book Review, 26 CRIMINAL JUSTICE REVIEW 277 (2001) (reviewing James Weinstein, HATE SPEECH, PORNOGRAPHY, AND THE RADICAL ATTACK ON FREE SPEECH DOCTRINE, (Westview Pr., 1999)).

Death is Different; Or, How We Stopped Worrying and Learned to Love the Chair, 41 RUTGERS LAW REVIEW 451 (1988) (reviewing Welsh S. White, THE DEATH PENALTY IN THE EIGHTIES: AN EXAMINATION OF THE MODERN SYSTEM OF CAPITAL PUNISHMENT (U. Mich. Pr., 1987)).

Book Review, 14 FLORIDA STATE UNIVERSITY LAW REVIEW 381 (1986) (reviewing THE UNPUBLISHED OPINIONS OF THE WARREN COURT (Bernard Schwartz, compiler, Oxford U. Pr., 1985)).

Other Publications:

Charitable Choice: Would Jesus Have Accepted Federal Funding? LIBERTY, Jan.-Feb. 2001, at 16.

Religion 101: How Lee County Got Religion (and Tried to Help Everyone Else Get It Too), LIBERTY, May-June 1999, at 6.

When Faith Kills, LIBERTY, Jan.-Feb. 1998, at 17.

Free Exercises, LIBERTY, July-Aug. 1997, at 18.

Sealed Lips, LIBERTY, Mar.-Apr. 1997, at 14.

State's Rights (and Wrongs), LIBERTY, Mar.-Apr. 1996, at 18.

Lucas v. South Carolina *and the Uncertain Future of the Takings Clause*, 20 ENVIRONMENTAL & URBAN ISSUES 14 (Summer 1993).

A Short Note on the Crisis of the Left and the Relevance of This Journal, 1 JOURNAL OF PROGRESSIVE LEGAL THOUGHT 1 (Autumn 1989).

Note, *Rebuilding the Wall: The Case for a Return to the Strict Construction of the Establishment Clause*, 81 COLUMBIA LAW REVIEW 1463 (1981).