

# Further Reading



## General Works on the Constitution and Bill of Rights

- Alderman, Ellen, and Caroline Kennedy. *In Our Defense: The Bill of Rights in Action*. New York: William Morrow, 1991.
- Amar, Akhil Reed. *America's Constitution: A Biography*. New York: Random House, 2005.
- Amar, Akhil Reed, and Alan Hirsch. *For the People: What the Constitution Really Says about Your Rights*. New York: Free Press, 1998.
- Bernstein, Richard B., with Jerome Agel. *Amending America: If We Love the Constitution So Much, Why Do We Keep Trying to Change It?* New York: Times Books, 1993.
- Biskupic, Joan, and Elder Witt. *The Supreme Court and Individual Rights*. Washington, D.C.: Congressional Quarterly Press, 1997.
- Blanchard, Margaret. *Revolutionary Sparks: Freedom of Expression in Modern America*. New York: Oxford University Press, 1992.
- Bodenhamer, David J., and James W. Ely, Jr., eds. *The Bill of Rights in Modern America after 200 Years*. Bloomington: Indiana University Press, 1993.
- Bollinger, Lee C. *The Tolerant Society*. New York: Oxford University Press, 1986.
- Burns, James McGregor, and Stewart Burns. *A People's Charter: The Pursuit of Rights in America*. New York: Knopf, 1991.
- Carnes, Jim. *Us and Them: A History of Intolerance in America*. New York: Oxford University Press, 1996.
- Dinan, John J. *Keeping the People's Liberties: Legislators, Citizens, and Judges as Guardians of Rights*. Lawrence: University Press of Kansas, 1998.
- Ellis, Joseph J. *What Did the Declaration Declare?* Boston: Bedford, 1999.
- Farber, Daniel A. *The First Amendment*. 2nd ed. New York: Foundation Press, 2003.
- Friendly, Fred W., and Martha Elliot. *The Constitution: That Delicate Balance*. New York: Random House, 1984.
- Glasser, Ira. *Visions of Liberty: The Bill of Rights for All Americans*. New York: Arcade, 1991.
- Hall, Kermit L., ed. *By and For the People: Constitutional Rights in American History*. Arlington Heights, Ill.: Davidson, 1991.
- Hall, Kermit L., ed. *The Oxford Companion to the Supreme Court of the United States*. 2nd ed. New York: Oxford University Press, 2005.
- Haynes, Charles, Sam Chaltain, and Susan Glisson. *First Freedoms: A Documentary History of First Amendment Rights in America*. New York: Oxford University Press, 2006.
- Hentoff, Nat. *Living the Bill of Rights*. Berkeley: University of California Press, 1999.
- Irons, Peter. *The Courage of Their Convictions: Sixteen Americans Who Fought Their Way to the Supreme Court*. New York: Free Press, 1988.
- Kyvig, David E. *Explicit and Authentic Acts: Amending the U.S. Constitution*. Lawrence: University Press of Kansas, 1996.
- Meltzer, Milton. *The Bill of Rights: How We Got It and What It Means*. New York: Crowell, 1990.
- Monk, Linda R. *The Bill of Rights: A User's Guide*. Alexandria, Va.: Close Up Publishing, 1995.
- Patrick, John J. *The Bill of Rights: A History in Documents*. New York: Oxford University Press, 2003.
- Patrick, John J. *The Supreme Court of the United States: A Student Companion*. 3rd ed. New York: Oxford University Press, 2006.
- Rakove, Jack N. *Declaring Rights: A Brief History with Documents*. Boston: Bedford, 1998.
- Raskin, Jamin B. *We the Students: Supreme Court Cases for and about Students*. Washington, D.C.: Congressional Quarterly Press, 2000.

Schudson, Michael. *The Good Citizen: A History of American Civic Life*. Cambridge, Mass.: Harvard University Press, 1998.

Schwartz, Bernard. *The Great Rights of Mankind: A History of the American Bill of Rights*. Madison, Wis.: Madison House, 1992.

Shiffrin, Steven. *The First Amendment, Democracy, and Romance*. Cambridge, Mass.: Harvard University Press, 1990.

Stephens, Otis H., John M. Scheb, and Kara E. Stooksbury, eds. *Encyclopedia of American Civil Liberties and Rights*. Westport, Conn.: Greenwood, 2006.

Urofsky, Melvin I. *100 Americans Making Constitutional History: A Biographical History*. Washington, D.C.: Congressional Quarterly Press, 2004.

Wagman, Robert J. *The First Amendment Book*. New York: Pharos, 1991.

## Chapter 1 Our Rights in American History

Amar, Akhil Reed. *The Bill of Rights: Creation and Reconstruction*. New Haven, Conn.: Yale University Press, 1998.

Cogan, Neil, ed. *The Complete Bill of Rights: The Drafts, Debates, Sources, and Origins*. New York: Oxford University Press, 1997.

Conley, Patrick T., and John P. Kaminski, eds. *The Bill of Rights and the States: The Colonial and Revolutionary Origins of American Liberties*. Madison, Wis.: Madison House, 1992.

Estep, William. *Revolution within the Revolution: The First Amendment in Historical Context, 1612–1789*. Grand Rapids, Mich.: William B. Eerdmans, 1990.

Howard, A. E. Dick. *The Road from Runnymede: Magna Carta and Constitutionalism in America*. Charlottesville: University Press of Virginia, 1998.

Levy, Leonard. *Origins of the Bill of Rights*. New Haven, Conn.: Yale University Press, 1999.

Miller, William Lee. *The Business of May Next: James Madison and the Founding*. Charlottesville: University Press of Virginia, 1992.

## Chapter 2 The Right to Freedom

Abraham, Henry J., and Barbara A. Perry. *Freedom and the Court: Civil Rights and Liberties in the United States*. New York: Oxford University Press, 1998.

Richards, David A. J. *Conscience and the Constitution: History, Theory, and Law of the Reconstruction Amendments*. Princeton, N.J.: Princeton University Press, 1993.

Ten Broek, Jacobus. *Equal under Law*. Enlarged ed. New York: Collier Books, 1965.

Vorenberg, Michael. *Final Freedom: The Civil War, the Abolition of Slavery, and the Thirteenth Amendment*. New York: Cambridge University Press, 2001.

## Chapter 3 The Right to Equal Protection of the Laws

Branch, Taylor. *Parting the Waters: America in the King Years, 1954–1963*. New York: Simon & Schuster, 1988.

Hyman, Harold W., and William M. Wiecek. *Equal Justice under Law: Constitutional Development, 1835–1875*. New York: Harper & Row, 1982.

Leonard, Ira M., and Robert D. Parmet. *American Nativism, 1830–1860*. New York: Van Nostrand Reinhold, 1971.

McMillen, Neil. *Dark Journey: Black Mississippians in the Age of Jim Crow*. Chicago: University of Illinois Press, 1990.

Morris, Aldon D. *The Origins of the Civil Rights Movement: Black Communities Organizing for Change*. New York: Free Press, 1984.

Nieman, Donald G. *Promises to Keep: African-Americans and the Constitutional Order*. New York: Oxford University Press, 1991.

Sitkoff, Harvard. *The Struggle for Black Equality, 1954–1992*. New York: Hill and Wang, 1993.

Wertheimer, Barbara Mayer. *We Were There: The Story of Working Women in America*. New York: Pantheon, 1977.

## Chapters 4 and 5

### The Right to Free Exercise of Religion and Separation of Church and State

Alley, Robert S., ed. *James Madison on Religious Liberty*. Buffalo, N.Y.: Prometheus, 1985.

Belth, Nathan C. *A Promise to Keep: A Narrative of the American Encounter with Anti-Semitism*. New York: Schocken, 1981.

Butler, Jon, Grant Wacker, and Randall Balmer. *Religion in American Life: A Short History*. New York: Oxford University Press, 2000.

Curry, Thomas J. *The First Freedoms: Church and State in America to the Passage of the First Amendment*. New York: Oxford University Press, 1986.

Gaustad, Edwin S. *Church and State in America*. 2nd ed. New York: Oxford University Press, 2003.

Gaustad, Edwin S. *Roger Williams: Prophet of Liberty*. New York: Oxford University Press, 2001.

Lambert, Frank. *The Founding Fathers and the Place of Religion in America*. Princeton, N.J.: Princeton University Press, 2003.

Levy, Leonard W. *The Establishment Clause: Religion and the First Amendment*. New York: Macmillan, 1986.

Long, Carolyn N. *Religious Freedom and Indian Rights: The Case of Oregon v. Smith*. Lawrence: University Press of Kansas, 2000.

Miller, William Lee. *The First Liberty: Religion and the American Republic*. Washington, D.C.: Georgetown University Press, 2003.

Patrick, John J., and Gerald P. Long. *Constitutional Debates on Freedom of Religion*. Westport, Conn.: Greenwood, 1999.

Urofsky, Melvin I. *Religious Freedom: Rights and Liberties under the Law*. Santa Barbara, Calif.: ABC-CLIO, 2002.

Williams, Peter. *American Religions from their Origins to the Twenty-first Century*. Urbana: University of Illinois Press, 2002.

Wilson, John F., and Donald L. Drakeman. *Church and State in American History*. Boulder, Colo.: Westview, 2003.

Witte, John, Jr. *Religion and the American Constitutional Experiment*. Boulder, Colo.: Westview Press, 2000.

Wuthnow, Robert. *America and the Challenges of Religious Diversity*. Princeton, N.J.: Princeton University Press, 2005.

## Chapter 6

### The Right to Freedom of Speech

Baker, C. Edwin. *Human Liberty and Freedom of Speech*. New York: Oxford University Press, 1989.

Chafee, Zechariah. *Free Speech in the United States*. Cambridge, Mass.: Harvard University Press, 1967.

Curtis, Michael Kent. *Free Speech: The People's Darling Privilege*. Durham, N.C.: Duke University Press, 2000.

Eastland, Terry. *Freedom of Expression in the Supreme Court*. New York: Rowman & Littlefield, 2000.

Farish, Leah. *Tinker v. Des Moines: Student Protest*. Springfield, N.J.: Enslow, 1997.

Fraleigh, Douglas M., and Joseph S. Tuman. *Freedom of Speech in the Marketplace of Ideas*. New York: St. Martin's, 1997.

Goldstein, Robert Justin. *Flag Burning and Free Speech*. Lawrence: University Press of Kansas, 2000.

Johnson, John W. *The Struggle for Student Rights*. Lawrence: University Press of Kansas, 1997.

Kalven, Harry, Jr., ed. *A Worthy Tradition: Freedom of Speech in America*. New York: Harper & Row, 1988.

Levy, Leonard. *Freedom of Speech and Press in Early American History: Legacy of Suppression*. New York: Harper Torchbooks, 1963.

Polenberg, Richard. *Fighting Faiths: The Abrams Case, the Supreme Court, and Free Speech*. Ithaca, N.Y.: Cornell University Press, 1987.

Russomanno, Joseph. *Speaking Our Minds: Conversations with the People behind Landmark First Amendment Cases*. Mahwah, N.J.: Lawrence Erlbaum, 2002.

Smith, James Morton. *Freedom's Fetters: The Alien and Sedition Laws and American Civil Liberties*. Ithaca, N.Y.: Cornell University Press, 1956.

Stone, Geoffrey. *Perilous Times: Free Speech in Wartime*. New York: W.W. Norton, 2004.

## Chapter 7 The Right to Freedom of the Press

Friendly, Fred W. *Minnesota Rag: The Dramatic Story of the Landmark Case that Gave New Meaning to Freedom of the Press*. New York: Random House, 1981.

Levy, Leonard W. *Emergence of a Free Press*. New York: Oxford University Press, 1985.

Lewis, Anthony. *Make No Law: The Sullivan Case and the First Amendment*. New York: Vintage, 1992.

Rudenshtine, David. *The Day the Presses Stopped: A History of the Pentagon Papers Case*. Berkeley: University of California Press, 1996.

## Chapter 8 The Right to Freedom of Assembly

Lisio, Donald. *The President and Protest: Hoover, MacArthur, and the Bonus Riot*. New York: Fordham University Press, 1994.

O'Reilly, Kenneth. *Hoover and the Un-Americans: The FBI, HUAC, and the Red Menace*. Philadelphia: Temple University Press, 1983.

Strum, Philippa. *When the Nazis Came to Skokie: Freedom for Speech We Hate*. Lawrence: University Press of Kansas, 1999.

## Chapter 9 The Right to Petition

Barber, Lucy G. *Marching on Washington: The Forging of an American Political Tradition*. Berkeley: University of California Press, 2002.

Miller, William Lee. *Arguing about Slavery: John Quincy Adams and the Great Battle in the United States Congress*. New York: Knopf, 1996.

Walker, Samuel. *The Rights Revolution: Rights and Community in Modern America*. New York: Oxford University Press, 1998.

## Chapter 10 The Right to Freedom from Racial Discrimination

Fehrenbacher, Don E. *The Dred Scott Case: Its Significance in American History*. New ed. New York: Oxford University Press, 2001.

McClain, Charles J. *In Search of Equality: The Chinese Struggle against Discrimination in Nineteenth-Century America*. Berkeley: University of California Press, 1996.

Nelson, William E. *The Fourteenth Amendment: From Political Principle to Judicial Doctrine*. Cambridge, Mass.: Harvard University Press, 1988.

Salyer, Lucy E. *Laws Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law*. Chapel Hill: University of North Carolina Press, 1995.

## Chapter 11 The Right to Vote

Barry, Kathleen. *Susan B. Anthony: A Biography of a Singular Feminist*. New York: Ballantine Books, 1990.

Deutsch, Sarah Jane. *From Ballots to Breadlines: American Women, 1920–1940*. New York: Oxford University Press, 1994.

DuBois, Ellen Carol. *Harriot Stanton Blatch and the Winning of Woman Suffrage*. New Haven, Conn.: Yale University Press, 1997.

Gillette, William. *The Right to Vote: Politics and the Passage of the Fifteenth Amendment*. Baltimore: Johns Hopkins University Press, 1965.

Griffith, Elisabeth. *In Her Own Right: The Life of Elizabeth Cady Stanton*. New York: Oxford University Press, 1985.

Kousser, J. Morgan. *Colorblind Injustice: Minority Voting Rights and the Undoing of the Second Reconstruction*. Chapel Hill: University of North Carolina Press, 1999.

Wheeler, Marjorie Spruill, ed. *One Woman, One Vote: Rediscovering the Woman Suffrage Movement*. Troutdale, Ore.: New Sage, 1995.

## Chapter 12

### The Right to a Fair Trial

Bodenhamer, David. *Fair Trial: Rights of the Accused in American History*. New York: Oxford University Press, 1992.

Friedman, Lawrence M. *Crime and Punishment in American History*. New York: Basic Books, 1993.

Phillips, Steven J. *No Heroes, No Villains: The Story of a Murder Trial*. New York: Random House, 1978.

Walker, Samuel. *Popular Justice: A History of American Criminal Justice*. New York: Oxford University Press, 1980.

## Chapter 13

### The Right to Due Process

Bodenhamer, David J. *The Pursuit of Justice: Crime and Law in Antebellum Indiana*. New York: Garland, 1986.

Carter, Dan T. *Scottsboro: A Tragedy of the American South*. Rev. ed. Baton Rouge: Louisiana State University Press, 1979.

Chapin, Bradley. *Criminal Justice in Colonial America, 1606–1660*. Athens: University of Georgia Press, 1983.

## Chapter 14

### The Right to Habeas Corpus

Duker, William F. *A Constitutional History of Habeas Corpus*. Westport, Conn.: Greenwood Press, 1980.

Irons, Peter. *Justice at War: The Story of the Japanese American Internment Cases*. Berkeley: University of California Press, 1993.

Robinson, Greg. *By Order of the President: FDR and the Internment of Japanese Americans*. Cambridge, Mass.: Harvard University Press, 2001.

## Chapter 15

### The Right to Protection against Illegal Search and Seizure

Leone, Richard C., and Greg Anrig, Jr., eds. *The War on*

*Our Freedoms: Civil Liberties in an Age of Terrorism*. New York: BBS Public Affairs, 2003.

Long, Carolyn Nestor. *Mapp v. Ohio: Guarding against Unreasonable Searches and Seizures*. Lawrence: University Press of Kansas, 2006.

Stevens, Otis, and Richard A Glenn. *Unreasonable Searches and Seizures: Rights and Liberties under the Law*. Santa Barbara, Calif.: ABC-CLIO, 2006.

## Chapter 16

### The Right to Protection against Double Jeopardy

Garcia, Alfred. *The Fifth Amendment: A Comprehensive Approach*. Westport, Conn.: Greenwood Press, 2002.

Sigler, Jay. *Double Jeopardy: The Development of a Legal and Social Policy*. Ithaca, N.Y.: Cornell University Press, 1968.

Thomas, George C. *Double Jeopardy: The History, the Law*. New York: New York University Press, 1998.

## Chapter 17

### The Privilege against Self-Incrimination

Baker, Liva. *Miranda: Crime, Law, and Politics*. New York: Atheneum, 1983.

Levy, Leonard W. *Origins of the Fifth Amendment: The Right against Self-Incrimination*. New York: Oxford University Press, 1968.

Stuart, Gary L. *Miranda: The Story of America's Right to Remain Silent*. Tucson: University of Arizona Press, 2004.

## Chapter 18

### The Right to Trial by Jury

Kalven, Harry, and Hans Zeisel. *The American Jury*. Chicago: University of Chicago Press, 1966.

Jonakait, Randolph N. *The American Jury System*. New Haven, Conn.: Yale University Press, 2003.

Levy, Leonard W. *The Palladium of Justice: Origins of Trial by Jury*. Chicago: Ivan R. Dee, 1999.

## Chapter 19

### The Right to Counsel

Cortner, Richard C. *A “Scottsboro” Case in Mississippi: The Supreme Court and Brown v. Mississippi*. Jackson: University Press of Mississippi, 1986.

Lewis, Anthony. *Gideon’s Trumpet*. New York: Random House, 1964.

Taylor, John B. *The Right to Counsel and Privilege against Self-Incrimination: Rights and Liberties under the Law*. Santa Barbara, Calif.: ABC-CLIO, 2004.

## Chapter 20

### The Rights of Juvenile Defendants

Martin, Gus. *Juvenile Justice: Process and Systems*. Thousand Oaks, Calif.: Sage, 2005.

Platt, Anthony M. *The Child-Savers: The Invention of Delinquency*. Chicago: University of Chicago Press, 1972.

Rosenheim, Margaret K. *A Century of Juvenile Justice*. Chicago: University of Chicago Press, 2002.

## Chapter 21

### The Right to Protection against Cruel and Unusual Punishments

Banner, Stuart. *The Death Penalty: An American History*. Cambridge, Mass.: Harvard University Press, 2002.

Masur, Louis. *Rites of Execution: Capital Punishment and the Transformation of American Culture, 1776–1865*. New York: Oxford University Press, 1989.

Miller, Arthur S., and Jeffrey H. Bowman. *Death by Installments: The Ordeal of Willie Francis*. New York: Greenwood, 1988.

## Chapter 22

### The Right of Privacy

Alderman, Ellen, and Caroline Kennedy. *The Right to Privacy*. New York: Knopf, 1995.

Barnett, Randy E., ed. *The Rights Retained by the People: The History and Meaning of the Ninth Amendment*. Fairfax, Va.: George Mason University Press, 1989.

Johnson, John W. *Griswold v. Connecticut: Birth Control and the Constitutional Right of Privacy*. Lawrence: University Press of Kansas, 2005.

Rosen, Jeffrey. *Unwanted Gaze: The Destruction of Privacy in America*. New York: Random House, 2000.

## Chapter 23

### The Right to Bear Arms

Bogus, Carl T., and Michael A. Bellesiles. *The Second Amendment in Law and History: Historians and Constitutional Scholars on the Right to Bear Arms*. New York: New Press, 2000.

Cornell, Saul. *A Well-Regulated Militia: The Founding Fathers and the Origins of Gun Control in America*. New York: Oxford University Press, 2006.

Halbrook, Stephen P. *A Right to Bear Arms: State and Federal Bills of Rights and Constitutional Guarantees*. New York: Greenwood, 1989.

## Chapter 24

### The Right to Property

Ely, James W., Jr. *The Guardian of Every Other Right: A Constitutional History of Property Rights*. 2nd ed. New York: Oxford University Press, 1998.

Epstein, Richard A. *Takings: Private Property and the Power of Eminent Domain*. Cambridge, Mass.: Harvard University Press, 1985.

Siegan, Bernard. *Economic Liberties and the Constitution*. Chicago: University of Chicago Press, 1980.