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# The Jurisprudence of United States Constitutional Interpretation: An Annotated Bibliography

*Second Edition*

By Shelley L. Dowling

More than 20 years after the 1987 bicentennial celebration of the drafting and ratification of the U.S. Constitution, significant Supreme Court cases, deciding issues as fundamental as the right to bear arms, civil rights and privacy, prisoners of war and due process, and the validity of a Presidential election, underscore the continuing and often intense debate that has raged since 1789 over the interpretive significance of our constitutional history. The “original meaning or intent” of the Constitution has been at the heart of this scholarly debate and has engaged the attention of countless lawyers, jurists, and academics as they seek to explore the role of historical evidence in constitutional law.

This comprehensive annotated bibliography identifies and describes more than 900 documentary collections, treatises, textbooks, articles, and electronic resources bearing on U.S. constitutional interpretation. Included in this bibliography is a foreword by Sandra Day O’Connor, Associate Justice of the Supreme Court of the United States.

This second edition adds ten years of additional resources to the original text, easing and guiding the research of federal courts, lawyers, historians and scholars by categorizing and annotating the most significant primary and secondary materials that inform our study of the Constitution. Also new to this edition is a chapter on slavery, which coincides with the first year of the presidency of America’s first black president, Barack Obama. Slavery is a significant, but often obscured, part of the original constitutional debate that continues even to this day.



This bibliography will do more than aid those who interpret the Constitution; it will also serve as a guide for libraries seeking to build a core collection on constitutional history and constitutional law. As a result, it will undoubtedly expand scholarly access to essential materials and energize the important and continuing debate over the meaning of our Constitution.

Research for this work began with the earliest debates on our Constitution, with the *Federalist Papers* and the *Anti-Federalist Papers*. Since that time, well over 200 years have passed, and there has been a “voluminous universe” of written material covering the ongoing debate of constitutional interpretation.

Electronic resources, including micro-formats, CDs, legal research databases, and Internet resources, have been listed to help readers understand the myriad formats available to assist researchers in the online environment. In addition, because new material is published on a regular basis to keep up with current scholarly thought, the most effective search queries for the relevant databases have been included.

Some resources are included as essential background for understanding the social, political, philosophical, or historical context in which constitutional interpretation must be understood. The new, expanded table of contents moves the reader among the major categories of resources in this book, and the appendices quickly identify specific authors and titles included in the bibliography and provides full bibliographic information. Readers may also use the appendices to inventory against a catalog of library book collections. The Subject Index is the most versatile and detailed access to the descriptive annotations of this book.

As jurists and scholars continue to grapple with new questions of constitutional law, *The Jurisprudence of United States Constitutional Interpretation, Second Edition*, will prove an even more valuable tool than the first edition has been.

Readers are encouraged to consider the opening words of the Library of Congress brochure entitled *A World of Books 1999*, which sets the tone of this bibliography:

*“Books of divergent views sit peaceably side by side on the shelves of America’s libraries. Though their views may clash, the books do not. The silent dialogue among passionately held, sometimes widely disparate views is one feature that makes libraries profoundly democratic institutions. The vibrant conversation takes place across language and distance. Creative minds in every corner of the world produce works of imagination and reflection.”*

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