

CRS Report for Congress

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Constitution of the United States; Recent Writings: Bibliography-in-Brief

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Summary

This bibliography contains recent publications discussing the history, development, and application of the U.S. Constitution and the Bill of Rights. These references have been selected from the Public Policy Literature Data Base, the CRS Products File, and the Library of Congress Computerized Catalog. References to Internet URLs (Uniform Resource Locator) have also been provided. Congressional users may order the full text of items by calling 7-5700, while books can be obtained by calling 7-5445. Other users should consult their local library; Congressional Research Service writings are available only to congressional offices.

Selected CRS Products

- A Balanced budget constitutional amendment: background and congressional options, by James V. Saturno. Updated Mar. 20, 1997. 52 p. 97-379 GOV
- A Balanced budget constitutional amendment: economic issues, by William A. Cox, Dennis Zimmerman, and Donald W. Kiefer. Updated Feb. 27, 1997. 29 p. 94-76 E
- Constitution of the United States including the Bill of Rights: info pack. Updated as needed. IP339C
- Flag protection: a brief history and summary of recent Supreme Court decisions and proposed constitutional amendment, by John Luckey. Updated July 14, 1998. 8 p. 95-709 A
- Ratification of amendments to the U.S. Constitution, by David C. Huckabee. Updated Sept. 30, 1997. 5 p. 97-922 GOV

- The Religious Freedom Amendment: H. J. Res. 78, as reported by the House Judiciary Committee, by David M. Ackerman and James Sayler. May 28, 1998. 98-1504 A
- Supreme Court opinions: October 1997 term, by George A. Costello. July 14, 1998. 48 p. 97-639 A
- A Tax limitation constitutional amendment: issues and options concerning a supermajority requirement, by James V. Saturno. Updated May 1, 1998. 6 p. 98-368 GOV
- Term limits for Members of Congress: state activity, by Sula P. Richardson. Updated July 10, 1998. 6 p. 96-152 GOV
- Victims' Rights Amendment: background & issues associated with proposals to amend the United States Constitution, by Charles Doyle. July 25, 1997. 106 97-735 A

Additional Resources

- Bernstein, Richard B.
Amending America or fiddling with the Constitution? Prologue, v. 26, spring 1994: 64-72. LRS94-2851
"The history of the amending process is one of the most fascinating, yet least studied, spheres of American constitutional history."
- The Bill of Rights and beyond, 1791-1991. Washington, Commission on the Bicentennial of the Constitution, 1991. 106 p. LRS91-11563
Describes the provisions of the first ten amendments to the Constitution and the Thirteenth, Fourteenth, Fifteenth, Nineteenth, Twenty-third, Twenty-fourth, and Twenty-sixth Amendments.
- Block, Lawrence J. Rivkin, David B., Jr.
Auxiliary precaution. Policy review, no. 51, winter 1990: 68-73. LRS90-9779
Argues that in focusing on the Bill of Rights and the Fourteenth Amendment, many Americans "overlook the all-important safeguards contained in the structure of the Constitution itself."
- Clinton, Robert N.
A brief history of the adoption of the United States Constitution. Iowa law review, v. 75, May 1990: 891-913. LRS90-15227
- The Complete Bill of Rights: the drafts, debates, sources, and origins. Edited by Neil H. Cogan. New York, Oxford University Press, 1997. 708 p. KF4744 1997
- The Constitution of the United States.
URL: <http://www.nara.gov/exhall/charters/constitution/conmain.html> (as of June 23, 1998). LRS98-4603
Maintained by the National Archives and Records Administration.
Contents.--The Founding Fathers page features the biographies of the 55 delegates to the Constitutional Convention.--You can read a transcription of the complete text of the Constitution. This page also provides hyperlinks to biographies of each of the 39 delegates who signed the Constitution.--The article 'A More Perfect Union' is an in-depth look at the Constitutional Convention and the ratification process.--'Questions and answers pertaining to the Constitution' presents dozens of

fascinating facts about the Constitution.--Links to the Bill of Rights and Amendments 11-27.

Currie, David P.

The Constitution in Congress: the First Congress and the structure of government, 1789-1791. University of Chicago Law School roundtable, v. 2, no. 1, 1995: 161-218. LRS95-3448

Article summarizes the debate and enactments in the First Federal Congress concerning the organization and powers of the legislative, executive, and judicial branches. See LRS96-1081 for The Constitution in Congress, the Second Congress, 1791-1793 and LRS96-2837 for The Constitution in Congress: the Third Constitution, 1793-1795.

Devins, Neal.

The last word debate: how social and political forces shape constitutional values. American Bar Association journal, v. 83, Oct. 1997: 46-48, 50.

LRS97-8170

Epstein, Lee. Walker, Thomas G.

Constitutional law for a changing America: institutional powers and constraints. 3rd ed. Washington, CQ Press, 1998. 651 p. (LC call no: KF4548.E67 1998)

LRS98-2076

Constitutional law for a changing America: rights, liberties, and justice. 3rd ed. Washington, CQ Press, 1998. 869 p. (LC call no: KF4748.E67 1997) LRS98-15

The Federalist. Edited, with an introduction and notes, by George W. Carey and James McClellan. Student ed. Dubuque, Iowa, Kendall/Hunt Pub. Co., 1990. 531 p. JK154 1990

The Federalist: a collection of essays written in favor of the new Constitution as agreed upon by the Federal Convention, September 17, 1787 by Alexander Hamilton, John Jay, and James Madison.

Fisher, Louis. Devins, Neal.

Political dynamics of constitutional law. 2nd ed. St. Paul, West Pub. Co., 1996. 316 p. KF4549.F574 1996

Fitzgerald, Laura S.

Cadenced power: the kinetic Constitution. Duke law journal, v. 46, Feb. 1997: 679-779. LRS97-11301

“This Article takes seriously the Constitution’s structures for the practice of politics -- its nested constituencies and its deliberative policymaking sequences -- in order to rethink the Constitution’s idea of power and, in particular, its separation of powers.”

Fletcher, George P.

Unsound Constitution: Oklahoma City and the founding fathers. New republic, v. 216, June 23, 1997: 14, 16-18. LRS97-5061

“We have propagated myths about the binding force of the 1789 Constitution that some people, unfortunately, take too zealously. We have planted the ideas that have grown crooked in the minds of some.”

Graglia, Lino A.

Does constitutional law exist? National review, v. 47, June 26, 1995: 31-34.

LRS95-8759

“It is widely remarked that modern constitutional law is dragging public policy to the left. Less often noticed is that it has nothing to do with the Constitution.”

God and man in court. National review, v. 47, Aug. 14, 1995: 27-32.

LRS95-8755

“Judicial conservatives all agree that the Constitution must be interpreted in the light of its Framers’ intentions. But what were those intentions as regards natural law?”

Group conflict and the Constitution: race, sexuality, and religion. Yale law journal, v. 106, June 1997: 2313-2561.

LRS97-6514

Interpretive methodologies: perspectives on constitutional theory. Hastings constitutional law quarterly, v. 24, winter 1997: 281-664.

LRS97-6515

Lutz, Donald S.

The State constitutional pedigree of the U.S. Bill of Rights. Publius, v. 22, spring 1992: 19-45.

LRS92-5071

"This famous addition to the federal Constitution was a summary of the common core found in the seven existing state bills of rights."

O'Connor, Sandra Day.

Women and the constitution: a bicentennial perspective. Women & politics, v. 10, no. 2, 1990: 5-16.

LRS90-12235

Public administration and the Constitution. Public administration review, v. 53, May-June 1993: 237-267.

LRS93-8591

Story, Joseph.

Commentaries on the Constitution of the United States. Buffalo, William S. Hein & Co., 1994. 2 v.

KF4541.S7 1994

"With a preliminary history of the colonies and states before the adoption of the Constitution." Originally published: Boston, Little, Brown and Co., 1891.

Strickland, Ruth Ann.

Population size, diversity and the proclivity of States to oppose or support the ratification of amendments to the U.S. Constitution. Southeastern political review, v. 20, fall 1992: 269-293.

LRS92-11227

"Examines whether less populous states are more likely to oppose civil liberties amendments than larger states."

Sullivan, Kathleen M.

Constitutional amendmentitis. American prospect, no. 23, fall 1995: 20-27.

LRS95-8690

Argues that the “strong presumption against constitutional amendment has been bedrock in our constitutional history, and there is no good reason for overturning it now.”

U.S. Congress. House. Committee on the Budget.

Why the balanced budget amendment is good for Americans. Hearing, 105th Congress, 1st session. Feb. 5, 1997. Washington, G.P.O., 1997. B851997

U.S. Congress. House. Committee on the Judiciary.

Congressional term limits amendment; report together with additional and dissenting views to accompany H.J. Res. 2 including cost estimate of the Congressional Budget Office. Feb. 6, 1997. Washington, G.P.O., ~~LRS97-25381~~ LRS97-25381

Proposals to provide rights to victims of crime. Hearing, 105th Congress, 1st session on H.J. Res. 71 and H.R. 1322. June 25, 1997. Washington, G.P.O., 1997. 125 p. LRS97-9835
 "Serial no. 28"

Proposing a balanced budget amendment to the Constitution of the United States. Hearing, 105th Congress, 1st session on H.J. Res. 1. Feb. 3, 1997. Washington, G.P.O., 1997. 141 p. KF27.J8 1997
 "Serial no. 1"

Proposing an amendment to the Constitution of the United States with respect to tax limitations; report together with dissenting views to accompany H.J. Res. 62, including cost estimate of the Congressional Budget Office. Washington, G.P.O., 1997. 22 p. (Report, House, 105th Congress, 1st session, Report 105-50) LRS97-2623

U.S. Congress. House. Committee on the Judiciary. Subcommittee on the Constitution.

Limiting terms of office for Members of the U.S. House of Representatives and U.S. Senate. Hearing, 105th Congress, 1st session. Jan. 22, 1997. Washington, G.P.O., 1997. 67 p. LRS97-9838
 "Serial no. 30"

U.S. Congress. Senate. Committee on Judiciary.

Balanced Budget Amendment. Hearings, 105th Congress, 1st session on S.J. Res. 1. Jan. 17-22, 1997. Washington, G.P.O., 1997. 263 p. (Hearings, 105th Congress, 1st session, S. Hrg. 105-115) LRS97-9527
 "Serial no. J-105-1"

The balanced-budget constitutional amendment; report together with additional and minority views to accompany S.J. Res. 1. Washington, G.P.O., 1997. 79 p. (Report, Senate, 105th Congress, 1st session, no. 105-3) LRS97-163

Congress' constitutional role in protecting religious liberty. Hearing, 105th Congress, 1st session. Oct. 1, 1997. Washington, G.P.O., 1998. 88 p. (Hearing, Senate, 105th Congress, 1st session, S. Hrg. 105-405) LRS98-3446
 "Serial no. J-105-55"

A proposed constitutional amendment to protect victims of crime. Hearing, 105th Congress, 1st session on S.J. Res. 6. Apr. 16, 1997. Washington, G.P.O., 1997. 189 p. (Hearing, Senate, 105th Congress, 1st session, S. Hrg. 105-197) KF2652.197b

U.S. Congress. Senate. Committee on the Judiciary. Subcommittee on the Constitution, Federalism, and Property Rights.
Judicial activism: defining the problem and its impact. Hearings, 105th Congress, 1st session on S.J. Res. 26. June 11-July 29, 1997. Washington, G.P.O., 1997. 205 p. (Hearing, Senate, 105th Congress, 1st session, S. Hrg. 105-261) LRS97-13722
“Serial no. J-105-23”

U.S. Constitution.
Constitution of the United States of America: analysis and interpretation; annotations of cases decided by the Supreme Court of the United States to June 29, 1992. Prepared by the Congressional Research Service, Library of Congress. Washington, G.P.O., 1996. 2444 p. (Document, Senate, 103rd Congress, 1st session, no. 103-6) KF4527.U54 1996
For an Internet copy of this publication and the 1996 supplement (cases decided to July 1, 1996; Senate document no. 104-14), see URL:
<http://www.access.gpo.gov/congress/senate/constitution/index.html>.

Vile, John R.
Encyclopedia of constitutional amendments, proposed amendments, and amending issues, 1789-1995. Santa Barbara, CA, ABC-CLIO, 1996. 427 p. KF4557.V555 1996