

Suggested Readings
The U.S. Constitution: Foundations and Interpretations
Fall 2021
Instructor: John Vile

Please Note: You are not required to read any of these, and even if you were in a college class, I would not expect you to try to read all of them. I have barely scratched the surface of the books that are available and welcome any suggestions that you might have.

Formative documents:

I took most of my first lecture from a book that I wrote for ABC-CLIO entitled *Documents Decoded: The Founding Period*

The best account of the actual deliberations at the Constitutional Convention of 1787 is a 4-volume work (available in paperback), edited by Max Farrand, entitled *The Records of the Federal Convention of 1787* (New Haven, Ct: Yale University Press, 1966). The backbone of these volumes consists of notes that James Madison took at the Convention, and these are available in a number of one-volume paperback books.

Alexander Hamilton, James Madison, and John Jay. *The Federalist or The Federalist Papers*. These were originally published in 1787-1788 in advocacy of the Constitution. They are now available in a variety of paperback editions. There are also numerous collections of Anti-Federalist writings, many in paperback. The best summary is probably Herbert A. Storing, *What the Anti-Federalists Were For: The Political Thought of the Opponents of the Constitution* (Chicago: The University of Chicago Press, 1981). He also published several volumes of Anti-federalist writings.

Donald S. Lutz, *The Origins of American Constitutionalism* (Baton Rouge: Louisiana State University Press, 1988).

Marvin Meyers, ed. *The Mind of the Founder: Sources of the Political Thought of James Madison* (New York: The Bobbs-Merrill Company, Inc. 1978). I do not think that Madison should be identified as *the* Founder, but this is an excellent collection of his writings, including those prior to the Convention.

Winton Solberg, *The Federal Convention and Formation of the Union of American States* (New York: The Liberal Arts Press, 1958). This contains key texts of important documents and speeches from debates at the Constitutional Convention.

The U.S. Constitution is easily accessible on the internet.

Declaration of Independence

Carl L. Becker, *The Declaration of Independence: A Study in the History of Political Ideas* (New York: Vintage Books, 1970).

Pauline Maier, *American Scripture: Making the Declaration of Independence* (New York: Alfred a. Knopf, 1997).

David McCullough, *1776* (New York: Holt, 2006).

John R. Vile. *The Declaration of Independence: America's First Founding Document in U.S. History and Culture* (Santa Barbara, CA: ABC-CLIO).

Gary Wills, *Inventing America: Jefferson's Declaration of Independence* (New York: Doubleday, 1978).

Historical Analysis:

Bernard Bailyn. *The Ideological Origins of the American Revolution* (Cambridge, MA: Harvard University Press, 1967).

Gordon S. Wood, *The Creation of the American Republic: 1776-1787* (Williamsburg: The University of North Carolina Press, 1969).

The Delegates to the Constitutional Convention:

There are many excellent treatments of the subject. A recent addition to the literature, which is relatively cheap, is Denise Kiernan and Joseph D. Agnese, *Signing Their Rights Away* (Quirk Books, 2011). I object strongly to the title (I think the Convention enhanced protection of rights), and this does not include the contributions of non-signers, but it is cheap and reads well.

John R. Vile, *The Men Who Made the Constitution: Lives of the Delegates to the Constitutional Convention* (Lanham, MD: Scarecrow Press, 2013).

One of you asked about Benjamin Franklin. For a great story of Franklin's fall from grace in Great Britain, by a local author, Kenneth Penegar. see *The Political Trial of Benjamin Franklin: A Prelude to the American Revolution* (New York: Algora Publishing, 2011).

There are great biographies of George Washington, James Madison, Alexander Hamilton, Gouverneur Morris, and other founders, each of which provides a perspective on the men and the time period. My favorites include Edward Larson, *The Return of George Washington, 1783-1789* (New York: William Morrow, 2014); Walter Isaacson, *Benjamin Franklin: An American Life* (New York: Simon & Schuster, 2003); Ron Chernow, *Alexander Hamilton* (New York: The Penguin Press, 2004), Lynn Cheney, *James Madison: A Life Reconsidered* (New York: Viking, 2014); Richard Brookhiser, *Gentleman Revolutionary: Gouverneur Morris, The Rake Who Wrote the Constitution* (New York: Free Press, 2003), David McCullough, *John Adams* (New York: Simon & Schuster, 2002) John Meacham, *Thomas Jefferson the Art of Power* (New York: Random House, 2013) and Bruce Chadwick. *Triumvirate, The Story of the Unlikely Alliance That Save the Constitution and United the Nation* (Napierville, IL: Sourcebooks, 2010).

Deliberations at the Constitutional Convention

Richard Beeman, *Plain, Honest Men: The Making of the American Constitution* (New York: Random House, 2009).

David Brian Robertson, *The Constitution and America's Destiny* (New York: Cambridge University Press, 2005).

Clinton Rossiter, *1787: The Grand Convention* (New York: W.W. Norton, 1966).

John R. Vile, *The Writing and Ratification of the U.S. Constitution: Practical Virtue in Action* (Lanham, MD: Rowman & Littlefield, 2012).

John R. Vile, *The Constitutional Convention of 1787: An Comprehensive Encyclopedia of America's Founding*, 2 vols. (Santa Barbara, CA: ABC-CLIO, 2005). This is far too expensive to buy but it will give you an idea how obsessed I am with the topic!

The U.S. Constitution

Akhil Reed Amar. *The Words That Made Us: America's Constitutional Conversation, 1760-1859*. New York: Basic Books. Caution: 800+ pp.

Akhil Reed Amar, *America's Constitution: A Biography* (New York: Random House, 2005).

Michael Kammen, *A Machine That Would Go of Itself: The Constitution in American Culture* (New York: Alfred A. Knopf, 1987).

Linda R. Monk, *The Words We Live By: Your Annotated Guide to the Constitution* (Stonesong, 2004).

John R. Vile, *A Companion to the United States Constitution and Its Amendments*, 6th ed. (Santa Barbara, CA: Praeger, 2015). The next edition will be released on October 31, so I would not recommend buying the current edition unless you can get it cheap!

John R. Vile, *The United States Constitution: Questions and Answers*, 2nd ed. (Santa Barbara, CA: ABC-CLIO, 2014).

There are numerous books on the U.S. Constitution. I would advise against getting any that try to weave giant conspiracies and stick to those that give a historical or a clause-by-clause analysis.

U.S. Supreme Court Decisions

Especially as we get to the text of the Constitution, we will be talking about Supreme Court decisions.

Kermit Hall, ed. *The Oxford Companion to the Supreme Court of the United States*, 2nd ed. (New York: Oxford University Press, 2005).

John R. Vile, *Essential Supreme Court Decisions: Summaries of Leading Cases in U.S. Constitutional Law* 17th ed. (Lanham, MD: Rowman & Littlefield, 2018). The next edition should be published in the next few months.

The Bill of Rights

Henry J. Abraham and Barbara A. Perry, *Freedom and the Court: Civil Rights and Liberties in the United States*, 8th ed. (Lawrence: University Press of Kansas, 2003).

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

Ellen Alderman and Caroline Kennedy, *In Our Defense: The Bill of Rights in Action* (New York: William Morrow & Company, 1991).

Irving Bryant, *The Bill of Rights: Its Origin and Meaning* (Indianapolis: Bobbs-Merrill, 1965).

Robert A. Goldwin, *From Parchment to Power: How James Madison Used the Bill of Rights to Save The Constitution* (Washington, DC: AEI Press, 1997).

Richard Labunski, *James Madison and the Struggle for a Bill of Rights* (New York: Oxford University Press, 2006).

Robert S. Peck, *The Bill of Rights and the Politics of Interpretation* (St. Paul, MN: West Publishing Company, 1992).

Subsequent Constitutional Amendments

Richard B. Bernstein with Jerome Agel, *Amending America* (New York: Times Books, 1993).

Alan P. Grimes, *Democracy and the Amendments to the Constitution* (Lexington, MA: Lexington Books, 1978).

John F. Kowal and Wilfred U. Codrington III, *The People's Constitution 200 Years, 27 Amendments, and the Promise of a More Perfect Union* (New York: The New Press, 2021).

David E. Kyvig, *Explicit and Authentic Acts: Amending the U.S. Constitution, 1776-1995* Lawrence: (University Press of Kansas, 1996).

Kris E. Palmer, *Constitutional Amendments, 1789 to the Present* (Detroit, MI: Gale Group, 2000).

John R. Vile, *Encyclopedia of Constitutional Amendments, Proposed Amendments, and Amending Issues: 1789-2005*, 2 vols., 4th ed. (Santa Barbara, CA: ABC-CLIO, 2015).