Contents

Acknowledgments ix
Introduction xi

PART I CREATION

One • First Things First 3
Two • Our First Amendment 20
Three • The Military Amendments 46
Four • Searches, Seizures, and Takings 64
Five • Juries 81
Six • The Popular-Sovereignty Amendments 119

PART II RECONSTRUCTION

Seven • Antebellum Ideas 137
Eight • The Reconstruction Amendment: Text 163
Nine • The Reconstruction Amendment: History  181
Ten • Refining Incorporation  215
Eleven • Reconstructing Rights  231
Twelve • A New Birth of Freedom  284

Afterword  295
Appendix: Amendments I–X and XIV  309
Notes  313
Index  397