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Research Guide

Junior Politics Seminar: The First Amendment, Fall 2004

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Refining Your Research: The following sources can provide you with a general overview and introduction to different aspects of the First Amendment. They can help you to identify potential paper topics, and may prove useful at different stages in your research, analysis and writing as a source of background information. Use them as you begin to clarify and articulate the issues and questions you want to address, or when you simply need an introduction to novel concepts or terms. Be aware, however, that they may not be adequate authority to support your analyses and arguments.

Encyclopedias:

Corpus Juris Secundum (CJS). 7607.269 [Law Cases and Statutes (Law), Social Science Reference Center (SSRC), Firestone]. To find relevant entries in this legal encyclopedia, check the subject index for sub-headings under Constitutional Law, such as Establishment Clause, First Amendment, Freedom of Speech, and Freedom of Religion.

***Encyclopedia of the American Constitution*, 2nd ed. (2000)**. KF4548 .E53 2000 [Social Science Reference Center (SSRC), Firestone]. Includes articles on such topics as the First Amendment, freedom of

speech, and freedom of the press, as well as brief summaries of significant U.S. Supreme Court cases.

Religion and American law: an encyclopedia (2000). KF4783.A68 R45 2000 [Social Science Reference Center (SSRC), Firestone]. Includes articles and numerous references to the First Amendment, the Flag Salute Cases, freedom of religion, the Establishment of Religion Clause, freedom of speech, and freedom of the press.

Treatises and Reference Books:

The Constitution of the United States of America: analysis and interpretation (1987). KF 4527 .U54 1996 [Social Science Reference Center (SSRC), Firestone]. The current 1992 edition with supplements for 1996, 1998 & 2000 is available at the U.S. government website GPO Access: <http://www.gpoaccess.gov/constitution/browse.html#1992>. This annotated edition of the U.S. Constitution prepared by the Library of Congress Congressional Research Service includes notes to cases decided by the Supreme Court of the United States. An extensive analytical scholarly comment on the First Amendment includes a discussion of its historical and philosophical background. **Research Tip:** The table of contents for the chapter on the First Amendment provides a concise outline of First Amendment principles and issues that may be useful for selecting or narrowing a paper topic.

Constitutional law (2000), by John E. Nowak & Ronald D. Rotunda. KF4550 .N6 7th ed. [Social Science Reference Center (SSRC), Firestone]. This introduction to American constitutional law discusses leading U.S. Supreme Court cases within in-depth summaries of constitutional principles and their history. Chapter 16 discusses freedom of speech; chapter 17 addresses freedom of religion.

First Amendment law in a nutshell, 3rd ed. (2004), by Jerome A. Barron & C. Thomas Dienes. KF 4770.Z9 F577 3rd ed. 2004 [Social Science Reference Center (SSRC), Firestone]. Provides a general overview and introduction to First Amendment law in a single volume.

A practical companion to the Constitution: how the Supreme Court has ruled on issues from abortion to zoning (1999), by Jethro K. Lieberman. KF4548 .L54 1999 [Social Science Reference Center (SSRC), Firestone]. Provides summaries, with references to cases, of the U.S. Supreme Court's holdings on constitutional principles and issues, including freedom of speech, freedom of association, freedom of assembly, freedom of intimate association, freedom of religion, freedom of the press, flag burning and desecration, obscenity and pornography, hate

speech, offensive and indecent speech, the Establishment Clause, and several other relevant topics.

Legal Dictionary:

Black's Law Dictionary. KF156 .B53 2004 [Social Science Reference Center (SSRC) Ready Reference, Firestone], and KF 156 .B53 1999 [Social Science Reference Center (SSRC), Firestone].

Finding Resources on Current First Amendment Issues: Beyond the news media and the topics you are covering in class, the following sources can provide you with timely information about First Amendment issues that are currently being reviewed by the U.S. Supreme Court or simply debated in American society.

Current Awareness Publications:

CQ Researcher, 1991-present. *CQ Researcher* provides a series of in-depth, non-biased, issue-oriented reports published weekly and available online at <http://library.cqpress.com/cqresearcher>. Each report summarizes a single current and controversial issue, and discusses many sides of the debate. Bibliographies and other aids to researchers are included. Users may browse through articles in the current issue or search for past articles using words, dates or other criteria. Reports on such First Amendment issues as campaign finance reform, faith-based initiatives, hate crimes, libraries and the Internet, movie ratings, school vouchers and student journalism are available, along with many more.

The United States Law Week, Supreme Court Today. 7680.922 [Social Science Reference Center (SSRC). Firestone]. This weekly print publication chronicles the proceedings of the U.S. Supreme Court, lists all docketed and recently filed cases, and summarizes the arguments made in important cases. First Amendment cases currently under consideration by the Court can be found by looking in the subject index to the current volume under First Amendment.

Websites: Many organizations monitor, litigate and lobby on behalf of First Amendment issues. The following organizations' websites can serve as an indicator of current controversies, and often provide extensive information and resources, such as cases, legislation and reports.

First Amendment Center (<http://www.firstamendmentcenter.org/>). The First Amendment Center is funded by the non-partisan Freedom Forum and affiliated with the Vanderbilt University's Institute for Public

Policy Studies. This site includes a collection of sources on the First Amendment, including selected cases and legislation, Congressional Research Service reports for Congress on First Amendment issues, and a listing of First Amendment cases on the U.S. Supreme Court's docket sheet from 2000 to the present term, with briefs, transcripts of oral arguments and issued opinions. Since 1997 the Center has released an annual survey of public attitudes toward freedom of speech, press, religion and the rights of assembly and petition conducted by the Center for Survey Research & Analysis at the University of Connecticut. Copies of the report, entitled *The State of the First Amendment*, are available here. Data from the annual studies is archived by the Cultural Policy and the Arts National Data Archive (CPANDA) at Princeton University Library and available at: <http://www.cpanda.org/data/profiles/sofa.html>.

First Amendment Online (<http://1stam.umn.edu/>).

This site maintained by the University of Minnesota Law School and Law Library is edited by Adam Samaha, a professor of law and former law clerk to U.S. Supreme Court Justice John Paul Stevens. The site's content includes First Amendment cases, primary sources, historical materials and links to other websites.

American Civil Liberties Union (<http://www.aclu.org/>).

American Library Association (<http://www.ala.org/>).

Center for Democracy and Technology (<http://www.cdt.org/>).

Electronic Frontier Foundation (<http://www.eff.org/>).

Electronic Privacy Information Center (<http://www.epic.org/>).

National Coalition Against Censorship (<http://www.ncac.org/>).

The Reporters Committee for Freedom of the Press
(<http://www.rcfp.org/>).

Research Note: These websites are offered as sources for leads on current First Amendment-related issues and controversies, as well as possible sources for information and authority. However, before you rely on a source found on a website to support your own arguments, be sure to evaluate the reliability of the information. Ascertain who is maintaining the site and try to determine their level of expertise. Many of the sites listed above have a clear and explicit political bias. Is the website selective in its coverage of an issue or topic in its attempt to support its position? Is the information it provides current and up-to-date?

While much of the information on these sites is highly reliable, and includes well-organized access and links to primary sources that may be invaluable if not essential to your own analysis of an issue, it will no doubt be necessary to support your arguments with scholarship found in books and articles.

Finding and Forming Arguments: You can begin your research for books and articles to use in developing and articulating your own arguments with research tools found on the Princeton University Library homepage (<http://libweb.princeton.edu>).

Finding Books: Search the **online catalog** to find books and journals (not journal articles!) with a known title or author. If you are beginning your search for books, you can search by keywords or subject. Try starting with a keyword search using a single term or phrase, such as “First Amendment,” or use combined terms to find books on concepts considered in relation to each other, such as obscenity in art or literature.

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Author/Artist: [Hunter, Ian, 1949-](#)

Title: On pornography : *literature*, sexuality, and *obscenity* law / Ian Hunter, David Saunders, Dugald Williamson.

Published/Created: Houndmills, Basingstoke, Hampshire [England] : Macmillan, 1993.

Physical Description: xiii, 290 p. ; 23 cm.

Series: Language, discourse, society

Location: Firestone Library (F)

Call Number: K5293 .H86 1993b

Status: Not Charged

The record for a book shows its location and status – whether it is currently checked out or not. If a book is checked out or otherwise not available at Princeton, you can use Borrow Direct to borrow books from one of six cooperating university libraries.

To find other books on the same topic, view the record for a book under [long view](#) to show its subject headings, then click on a selected subject heading to find possible additional publications on the topic.

Finding Articles: Hundreds of searchable databases of indexed articles, some with full text, are available through the library's website (under Find Articles and Databases). Suggested databases in political science, law, philosophy (and political theory) and religion (for Establishment Clause issues) include:

ATLA Religion Database: indexes over 600 international journals, multi-author works, and book reviews from the research literature of religion and related fields in 26 languages.

Hein-on-Line: a database of full-text law review and journal articles.

Index to Legal Periodicals and Books: provides indexing of articles in leading legal journals and government publications, as well as approximately 1,400 monographs per year.

International Political Science Abstracts (IPSA): index of articles from periodicals published throughout the world. The abstracts summarize the source articles. Articles in English are abstracted in English; those in other languages are abstracted in French. All titles translated into English.

JStor: a searchable and browsable archive of full-text academic journals.

Legaltrac: an index of legal periodicals, some with abstracts and full-text articles.

PAIS: Public Affairs Information Service: indexes articles, books, conference proceedings, government documents, book chapters, and statistical directories about public affairs.

Philosopher's Index: indexes and abstracts books and more than 480 journals of philosophy and related fields in many languages.

Policy File: an index of research and publication abstracts addressing the complete range of public policy research.

Social Sciences Abstracts Full Text: citations index with selected full-text access to international, English language journals in sociology, anthropology, geography, economics, political science and law.

Retrieving articles: Once you have found potentially relevant articles, search the online catalog for the journal title (not the article title!). Journals available electronically are included in the online catalog and listed in the E-Journals list on the Library's web page (under Electronic Resources > Electronic Journals).

Finding U.S. Supreme Court First Amendment Cases:

With a Citation: Books and articles on First Amendment issues will frequently reference U.S. Supreme Court and other federal court decisions. Citations are by volume and page number, with an abbreviated reference to a reporter. For example, 103 U.S. 168 refers to a case published in volume 103 of the *United States Reports*, starting on page 168. Decisions of the U.S. Supreme Court are published in the following reporters, listed here with their abbreviated reference and locations in Firestone Library:

United States Reports (U.S.) 7684.89.101.11 [Law Cases and Statutes (Law), Social Science Reference Center (SSRC), Firestone] and [Electronic Database: Hein-on-Line (1754 – 2003) (Library homepage, under Find Articles and Databases)].

United States Supreme Court Reports - Lawyers' Edition (L.Ed.) 7684.89.101 [Law Cases and Statutes (Law), Social Science Reference Center (SSRC), Firestone].

Supreme Court Reporter (S.Ct.) KF101 .A322 [Firestone] Vols. 1 – 112 (1882 – 1991) only.

The United States Law Week, Supreme Court Today (U.S.L.W.) 7680.922 [Social Science Reference Center (SSRC), Firestone]. The most up-to-date print source for U.S. Supreme Court opinions.

Official Website of the U.S. Supreme Court (<http://www.supremecourtus.gov/>) Provides timely access to new (slip) opinions; a searchable record of the Court's docket; merits briefs (from 2003 – latest available); transcripts of selected oral arguments (from 2000 – latest available); and research guides on locating and retrieving briefs and oral arguments.

Without a Citation: Researching federal case law can be difficult and complicated. One source that systematically indexes and abstracts First Amendment cases in one relatively easy-to-use source is:

United States Code annotated. Constitution of the United States annotated; annotations from federal and state courts [Location: 7691.921 Law Cases and Statutes (LAW), Firestone]. First Amendment cases are organized by subject in three volumes, with abstracts and citations to cases. Religion cases are indexed separately (in volume one) from speech and press cases (found in volumes one through three).

A second reference source that indexes leading First Amendment cases and provides summaries of their history and holdings is:

***The Oxford guide to United States Supreme Court decisions*, by Kermit L. Hall, editor (1999).** KF4548 .O97 1999 [Public Administration Collection (SF). Firestone].

Additional Information – Briefs, Oral Arguments and Other Cases:

Lexis Academic Universe and Westlaw Campus. (Library homepage, under Find Article and Databases)]. Other cases, both federal and state, can be retrieved from the databases Lexis and Westlaw, by citation, with party names or by using keywords.

For additional information on finding federal case law, transcripts of attorneys' oral arguments or legal briefs (written arguments submitted to courts by attorneys or interested parties) at Princeton University Library, see the Legal Research Guide on the Library's homepage (<http://www.princeton.edu/~law/lawguide.html>). See the section on Case Law – United States (Federal).

Drafting Legal Arguments: While traditional style and citation guides, such as Chicago, Strunk or Turabian, will probably suffice for your seminar paper, legal analysis and writing sometimes presents unique dilemmas and challenges. The following legal style and citation manuals may be useful as you are writing and making reference to legal authority.

Legal Writing Style Manuals:

***Case analysis and fundamentals of legal writing*, by William P. Statsky (1984).** KF 240 .S78 1984 [Social Science Reference Center (SSRC), Firestone].

***Dictionary of modern legal usage*, by Bryan A. Garner (1995).** KF 156 .G367 1995. [Social Science Reference Center (SSRC), Firestone].

***Legal writing: sense and nonsense*, by David Mellinkoff (1982).** KF 250 .M44 1981b [Social Science Reference Center (SSRC) Firestone].

Legal Citation Manuals:

The Bluebook: a uniform system of citation, 17th ed. (2000). K50 .xU64 [Social Science Reference Center (SSRC), Ready Reference, Firestone]. The classic citation manual for sources of law

User's guide to the Bluebook, by Alan L. Dworsky (2000). KF245 .D853 2000 [Social Science Reference Center (SSRC), Firestone]. This short guide simplifies and explains the often inscrutable citation rules found in The Bluebook.

Prince's Bieber dictionary of legal citations: reference guide for attorneys, legal secretaries, paralegals, and law students, by Mary Miles Prince (2001). KF 246 .P73 2001 [Social Science Reference Center (SSRC), Ready Reference, Firestone]. This dictionary of legal abbreviations can help you to decipher references to legal sources you may encounter.