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On the Ideology of Constitutional Law Casebooks

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For some years now, I have been studying legal and historical materials that are routinely omitted from Constitutional Law books. Historians, Legal Historians, and Constitutional Law casebook authors all face the problem of having to be selective: they must choose what to include and what to exclude. But how do they decide? How is importance decided? How is relevance decided?

By using cases which are usually consigned to the study of "Race Law," but which are also important constitutional decisions, I hope to shed some light on some of the underlying value judgments contained in ostensibly neutral Constitutional Law books. I plan to discuss a case from "Indian Law," *Dred Scott*, the Chinese Exclusion Cases, and possibly several others to explore the different constitutional narratives that are available based on evidence not routinely considered.