



NATIONAL CONFERENCE OF CONSTITUTIONAL LAW SCHOLARS

CONFERENCE AGENDA

SATURDAY, MARCH 9, 2019

- 8–8:30 a.m. Registration and Continental Breakfast
- 8:30–9:45 a.m. Plenary Session 1 – Moderator Victoria Nourse
- ▶ Earl Maltz – *The Ripples of Backlash: Same-Sex Marriage, The Election of 2004, and the Contingent Nature of the Evolution of Constitutional Law*
 - ▶ Zachary Price – *Symmetric Constitutionalism: An Essay on Masterpiece Cakeshop and the Post-Kennedy Supreme Court*
 - ▶ Jed Shugerman – *Faithful Execution and Article II*
- 9:45–10 a.m. Break
- 10–11:15 a.m. Plenary Session 2 – Moderator Jessica Bulman-Pozen
- ▶ Laurence Claus – *Deciding Distribution*
 - ▶ Miriam Seifter – *Judging Power Plays in the American States*
 - ▶ Carolyn Shapiro – *Democracy, Federalism, and the Guarantee Clause*
- 11:15–11:30 a.m. Break
- 11:30–12:45 p.m. Plenary Session 3 – Moderator Aziz Huq
- ▶ Kiel Brennan-Marquez – *Combinatorial Stare Decisis*
 - ▶ Donald Kochan – *The Framing Effects of Labeling Constitutional Products*
 - ▶ David Schraub – *Doctrinal Sunsets*
- 12:45–1:45 p.m. Lunch
- 1:45–3 p.m. Plenary Session 4 – Moderator Gillian Metzger
- ▶ Tara Grove – *Presidential Laws and the Missing Interpretive Theory*
 - ▶ Aziz Huq – *Article II and Antidiscrimination Norms*
 - ▶ Lisa Manheim – *Reviewing Presidential Orders*
- 3–3:15 p.m. Break

- 3:15–4:30 p.m. Plenary Session 5 – Moderator Stephen Sachs
- ▶ Frederick Gedicks – *The “Fixation Thesis” and Other Implausibilities*
 - ▶ Stephen Griffin – *Optimistic Originalism Meets the Unfortunate Nineteenth Century*
 - ▶ David Sloss – *Universal Human Rights and Constitutional Change*
- 4:30–4:45 p.m. Break
- 4:45–5:45 p.m. Keynote Speaker – David Strauss
- 5:45–6:45 p.m. Reception on Rooftop Terrace
Open to all conference attendees. No host.

SUNDAY, MARCH 10, 2019

- 8:30–9 a.m. Continental Breakfast
- 9–10:15 a.m. Plenary Session 6 – Moderator John Harrison
- ▶ Travis Crum – *The Superfluous Fifteenth Amendment?*
 - ▶ Craig Green – *United/States: A Revolutionary History of Statehood, the United States, and American Federalism*
 - ▶ Ilan Wurman – *The Specification Power*
- 9–10:15 a.m. Roundtable Session
- ▶ Rebecca Aviel* – *Advising Activists: The Free Speech Implications of Professional Regulation*
 - ▶ Laura Cisneros – *The Supreme Court in the State of Exception: A Dialectical Model of Judicial Review*
 - ▶ David Schwartz – *“Withholding the Most Appropriate Means”: The New Deal and Judicial Crisis, 1932–1936*
- 10:15–10:30 a.m. Break
- 10:30–11:45 a.m. Plenary Session 7 – Moderator Bertrall Ross
- ▶ Emily Berman – *Individualized Suspicion in the Age of Big Data*
 - ▶ Paul Gowder – *Reconstituting We the People*
 - ▶ Helen Norton – *The Government’s Speech and the Constitution*
- 11:45–1 p.m. Lunch and Conclusion of Conference

THE REHNQUIST CENTER

The William H. Rehnquist Center on the Constitutional Structures of Government was established in 2006 at the University of Arizona James E. Rogers College of Law. The non-partisan center honors the legacy of Chief Justice Rehnquist by encouraging public understanding of the structural constitutional themes that were integral to his jurisprudence: the separation of powers among the three branches of the federal government, the balance of powers between the federal and state governments, and among sovereigns more generally, and judicial independence.