NATIONAL CONFERENCE OF
CONSTITUTIONAL LAW SCHOLARS

Conference Agenda

Day 1: Friday, March 16, 2018

8-8:30 a.m. Registration and Welcome

8:30-9:45 a.m. Plenary Session 1: Moderator Pamela Karlan
Aaron Tang – Rethinking Political Power in Judicial Review
Franita Tolson – The Lure of Federalism in Election Law Doctrine

9:45-10 a.m. Break

10-11:15 a.m. Plenary Session 2: Moderator Aziz Huq
Kiel Brennan-Marquez – Overzealous Enforcement and Remedial Proportionality
David Fontana – Paper Title TBA
Deborah Pearlstein – Constitutional Law Limits on the Use of Military Force: How Much Does Compliance Tell Us About the Effectiveness of Legal Constraint?

11:15-11:30 a.m. Break

11:30-12:45 p.m. Plenary Session 3: Moderator Frank Michelman
Ian Bartrum – An Intellectual History of Article III
Jeffrey Schmitt – A Historical Reassessment of Congress’s “Power to Dispose Of” the Public Lands
John Stinneford – Original Meaning and the End of Long-Term Extreme Solitary Confinement

12:45-1:45 p.m. Lunch

1:45-3 p.m. Plenary Session 4: Moderator Richard Primus
William Araiza – Animus and Its Discontents
Luke Boso – Dignity, Inequality and Stereotypes
Evan Zoldan – State Constitutional Restrictions on Special Legislation

3-3:15 p.m. Break
3:15-4:30 p.m.  Plenary Session 5: Moderator Jamal Greene
Aziz Huq & Genevieve Lakier – The Triumph of Fault in Public Law
Victoria Nourse – Reclaiming the Constitutional Text from Originalism: The
Case of Executive Power
Shalev Roisman – Presidential Fact Finding

4:30-4:45 p.m.  Break

4:45-5:45 p.m.  Keynote Speaker Adrian Vermeule

5:45-6:45 p.m.  Reception on Rooftop Terrace
Open to all conference attendees. No host.
Day 2: Saturday, March 17, 2018

8:30-9 a.m.  Continental Breakfast

9-10:30 a.m.  Plenary Session 6: Moderator Robin West
Rebecca Aviel – Revanchist Rights Talk
Yxta Murray – The Takings Clause of Boyle Heights

9-10:30 a.m.  Roundtable Session 1
Stephen Griffin – The Historic Logic of Constitutional Change
Zachary Price – Reliance on the Office of Legal Counsel, or Self-Dealing Constitutional Interpretation in the Executive Branch
Mila Sohoni* - Lochner’s Latest Legacy: The Trump Administration and the Law of the Lochner Era

10:30-10:45 a.m.  Break

10:45-12 noon  Plenary Session 7: Moderator Cristina Rodriguez
Richard Primus – Last Refuge: Enumerated Powers and the Bank of the United States
Christopher Schmidt – Section 5’s Forgotten Years: Congressional Power to Enforce the Fourteenth Amendment Before Katzenbach v Morgan
David Schwartz – Exorcising McCulloch’s Ghost

10:45-12 noon  Roundtable Session 2
Chad Flanders* – What Makes the Death Penalty Arbitrary?
Kyle Langvardt – After the Marketplace of Ideas
Ilan Wurman – Constitutional Primary and Secondary Rules

12 noon-1 p.m.  Lunch and Conclusion of Conference