

1999

Fidelity, Economic Liberty, and 1937 (Program)

Institute of Bill of Rights Law at the William & Mary Law School

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*The Institute of Bill of Rights Law
Scholarly Symposium Series*

Fidelity, Economic Liberty, and 1937

February 27, 1999

1:00 p.m. - 5:00 p.m.



The College of William and Mary
School of Law
Williamsburg, Virginia

Fidelity, Economic Liberty, and 1937

The past three decades have witnessed a resurgence of “substantive due process.” In particular, courts have relied upon this doctrine to protect certain “personal” rights, such as the right to employ contraceptives, the right to abortion, and the right to refuse medical treatment. Moreover, prominent scholars have urged courts to employ substantive due process to recognize new rights, including, for instance, the right to rely upon a physician’s assistance to commit suicide. At the same time, courts have been steadfast in their refusal to accord any protection to so-called economic liberties, such as liberty of contract and liberty of occupation. Indeed, since 1937, no regulation of these rights has failed substantive due process review.

You are cordially invited to attend a conference at the William and Mary School of Law that will examine whether the disparate treatment of economic and non-economic liberties can be explained as a faithful rendering of the original meaning of the due process clauses. The conference will not reopen the controversy over whether the clauses provide substantive protection for certain liberties. Instead, participants will explore whether there is any legitimate justification for according protection to so-called “personal” rights while at the same time refusing protection for economic rights such as liberty of contract. Legal scholars with a variety of perspectives will present original papers on this question and discussion will follow.



We very much hope that you will be able to attend this event. If you are interested and would like more information, please contact us at 757-221-3810, or on-line at ibrl@facstaff.wm.edu.

Directions To The Conference:

- * Take Interstate 64 toward Williamsburg, Virginia
- * Take exit 242-A (Route 199 toward Jamestown)
- * Travel approx. 5 miles on Route 199
- * Turn Right at the 2nd stoplight (South Henry Street)
- * Travel approx. 2 miles
- * The Marshall-Wythe School of Law will be the 3rd campus building on the right.

Registration:

Name _____

Phone _____

Affiliation _____

Address _____

City _____

State/ZIP _____

E-Mail _____

FAX _____

\$50.00 Registration Fee:

Please make check or money order payable to:
Institute of Bill of Rights Law

Send to:

Institute of Bill of Rights Law
School of Law
College of William & Mary
P.O. Box 8795
Williamsburg, Virginia 23187

If you have any questions regarding this conference or any of the activities presented by the Institute, please visit our website:

http://www.wm.edu/law/programs/bill_of_rights.htm
or call us at (757) 221-3810.

PANELISTS:

David Bernstein,

George Mason School of Law

Rebecca Brown,

Vanderbilt School of Law

Barry Cushman,

University of Virginia School of Law

James Fleming,

Fordham School of Law

John Harrison,

University of Virginia School of Law

Lawrence Lessig,

Harvard Law School

John McGinnis,

Cardozo School of Law

Alan Meese,

William & Mary School of Law

Hotel Registration:

A block of hotel rooms reserved for conference attendees is being held at the Williamsburg Hospitality House. The hotel is offering a special rate to conference attendees of \$65.00 per night, single or double. Please call 1-800-932-9192, or fax 757-220-1560 to make hotel reservations. Be sure to refer to the Institute of Bill of Rights Law conference on Substantive Due Process to receive the special rate. Please note that these rooms are being held for conference attendees until 2/2/98 and are limited in number.

The Institute of Bill of Rights Law
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