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#### Fidelity, Economic Liberty, and 1937 (Program)

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

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Institute of Bill of Rights Law at the William & Mary Law School, "Fidelity, Economic Liberty, and 1937 (Program)" (1999). IBRL Events. 49.

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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.

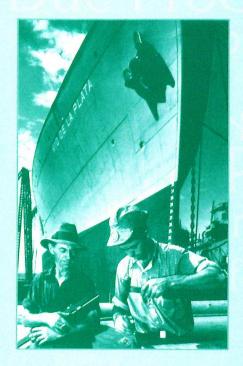


The College of William and Mary School of Law Williamsburg, Virginia

# 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 aprox. 5 miles on Route 199
- \* Turn Right at the 2nd stoplight (South Henry Street)
- \* Travel aprox. 2 miles
- \* The Marshall-Wythe School of Law will be the 3rd campus building on the right.

# Registration:

Phone			
Affiliation .			
Address		700476	
City			
State/ZIP _			
E-Mail			

#### \$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/progams/bill\_of\_rights.htm

or call us at (757) 221-3810.

Name

FAX

#### 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 School of Law College of William & Mary P.O. Box 8795 Williamsburg, Virginia 23187-8795

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