

Duke Program in Public Law Roundtable
*Constitutional Conventions in the United States and
Commonwealth Countries*
Duke Law School, Room 3000

Thursday, March 1

- 6:15 pm Shuttle departs from JB Duke Hotel for dinner.
- 6:30 pm Dinner for participants at [Parizade](#).

Friday, March 2

8:30 – 9:15 am Continental Breakfast

9:15 – 10:30 am **Session 1: Norms and Conventions**

Papers:

Richard Fallon, *What are “Norms” and “Conventions,” and What Do They Have to Do with Moral, Legal, and Political Obligation?*

Gerald Postema, *Reflections on Constitutional Conventions and the Democratic Ethos*

Neil Siegel, *Political Norms and Constitutional Conventions*

Commentator: Richard Primus

10:30 – 10:45 am Coffee Break

10:45 am – 12:00 pm **Session 2: The Role of Constitutional Conventions**

Papers:

Aziz Huq, *A Note on the Origins of Conventions and the Incomplete Nature of Constitutional Bargains*

Janet McLean, *Constitutional Conventions: The Habitual and the Normative*

Keith Whittington, *Norms and Conventions*

Commentator: Curtis Bradley

12:00 – 1:00 pm

Lunch

1:00 – 2:15 pm

Session 3: The Decline of Constitutional Conventions

Papers:

Josh Chafetz & David Pozen, *How Constitutional Norms Break Down*

Richard Primus, *Judicial Review as a Phase-Two Convention*

Mark Tushnet, *The Pirate's Code: Constitutional Conventions in U.S. Constitutional Law*

Commentator: Neil Siegel

2:15 – 2:30 pm

Coffee Break

2:30 – 3:45 pm

Session 4: Conventions, Law, and the Courts

Papers:

Richard Albert, *Informal Repeal by Constitutional Convention: The Desuetude of the Notwithstanding Power*

Nicholas Barber, *Laws and Conventions*

Curtis Bradley, *Conventions and Gloss*

Commentator: Richard Fallon

6:15 pm

Shuttle departs from JB Duke Hotel for dinner.

6:30 pm

Dinner for participants at [Nana's](#).