

AMERICAN SOCIETY OF COMPARATIVE LAW

YOUNGER COMPARATIVISTS COMMITTEE

“The Constitution of Conventions/Conventional Constitutionalism”

Trinity College Dublin

November 15, 2014

The Younger Comparativists Committee (“YCC”) of the American Society of Comparative Law (“ASCL”) is pleased to issue this **Call for Participants** for a Symposium on “The Constitution of Conventions/Conventional Constitutionalism,” to be held on **November 15, 2014 at Trinity College Dublin** in Dublin, Ireland.

The Symposium will accept up to five (5) YCC scholars affiliated with an ASCL Member Institution. The ASCL has authorized individual stipends to the selected scholars to assist their attendance at the Symposium.

The Symposium will feature leading scholars on constitutional conventions, including Nicholas Barber (Oxford), Lorenzo Cuocolo (Bocconi), Garrett Barden (University College Cork), Andrew Heard (Simon Fraser), Joseph Jaconelli (Manchester), George Letsas (University College London), Adrian Vermeule (Harvard). The Symposium is convened by Dr. Oran Doyle, Professor and Head of School designate at Trinity College Dublin.

Eligibility

Submissions will be accepted from younger scholars who: (1) are affiliated with an ASCL Member Institution; and (2) have been engaged as a law professor, lecturer, fellow, or in another academic capacity for no more than ten years as of June 30, 2014. Doctoral students at ASCL Member Institutions are also eligible to participate.

Subject-Matter of Symposium

Scholars engaged in the study of comparative constitutional change have given considerable attention to judicial interpretation as a method of informal constitutional amendment. Scholars have also explored how statutes, executive action and treaties can shape new constitutional meanings. Yet scholars have given much less attention to how constitutional conventions can create, retard or accelerate constitutional change.

To be sure, scholars oriented toward the study of constitutional change in constitutional regimes without a comprehensive written constitution have long studied constitutional conventions. In such regimes, constitutional change occurs largely through the adoption, adaptation and erosion of constitutional conventions.

But how should we understand conventional constitutional change in regimes governed by a master-text constitution? How do conventions in such regimes emerge and become entrenched? What sort of reasons, if any, do conventions provide to constitutional actors? How do and should

courts respond to claims constitutionality grounded in either contested or uncontested conventional understandings of the constitution? How should political actors resolve conflicts between conventional understandings and the constitutional text? What can the development of constitutional conventions in regimes without a master-text constitution teach us about conventions in regimes with such constitutions? More broadly, how do and should conventional understandings of the constitution affect the development of constitutional law?

The purpose of this symposium is to ask and begin to answer these and other questions about the constitution of constitutional conventions.

Submission Instructions

To submit an application, scholars should no later than May 30, 2014 email a CV/resume and a statement of up to two pages indicating how they could contribute to the Symposium and how the Symposium might assist them in their own scholarly projects, to the following email address: judy.yi@bc.edu. Scholars should identify their email with the following subject line: “YCC—Trinity College Dublin [NAME].”

Notification and Participation Requirements

Successful applicants will be selected by a Symposium Selection Committee and notified no later than August 1, 2014.

Participants will be required to write a paper of up to 6,000 words in response to the main Symposium papers, which will be circulated on September 1, 2014. Response papers will be due by October 31, 2014 in order to facilitate their distribution to Symposium participants well in advance of the date of the event.

Participants may have the opportunity to publish a paper on the Symposium theme in the peer-reviewed Dublin University Law Journal, which intends to publish the successfully peer-reviewed Symposium papers in June 2015.

Costs

There is no cost to participate in the Symposium but successful participants are responsible for securing their own funding for travel, lodging and other incidental expenses.

Successful participants will receive individual stipends amounting up to \$500 from the American Society of Comparative Law.

Acknowledgements

The YCC acknowledges Dr. Oran Doyle (Trinity Dublin College) for inviting the participation of YCC scholars and thanks the ASCL for its generous support of younger scholars.

Questions

Please direct inquiries in connection with YCC participation in this Symposium to Professor Richard Albert (Boston College), Chair of the YCC, by email at richard.albert@bc.edu or telephone at 617-552-3930.

Please circulate this Call for Participants widely.

Symposium Selection Committee

Richard Albert (Boston College)
Oran Doyle (Trinity College Dublin)
David Landau (Florida State University)
Aparna Polavarapu (South Carolina)
Rachael Walsh (Trinity College Dublin)

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