

Speakers & Chairs

RiBVerfG Prof. Dr. Dr. h.c. Susanne Baer – Humboldt University Berlin
Prof. Or Bassok, Ph.D. – University of Nottingham
Prof. Josh Chafetz, D.Phil. – Cornell University
Prof. Justin Collings, Ph.D. – Brigham Young University
Prof. Dr. Philipp Dann – Humboldt University Berlin
Prof. Dr. Patricia Egli – University of St. Gallen
Prof. Jill M. Fraley, J.S.D. – Washington & Lee University
Prof. Amanda Frost – American University Washington College of Law
Dr. Thomas W. Gijswijt – University of Tübingen
RiBVerfG a.D. Prof. em. Dr. Dr. h.c. mult. Dieter Grimm – Wissenschaftskolleg Berlin / Humboldt University
Dr. Michaela Hailbronner, J.S.D. – University of Pretoria
Prof. Samuel Issacharoff – New York University
Dr. Marc Jacob – University of Tübingen
Prof. Dr. Anna-Bettina Kaiser – Humboldt University
PD Dr. Thomas Kleinlein – Goethe University of Frankfurt
Prof. Dr. Oliver Lepsius – University of Bayreuth
Prof. Dr. Nora Markard – University of Hamburg
Prof. Jud Mathews, Ph.D. – Pennsylvania State University
Prof. Dr. Greta Olson – University of Gießen
Prof. Vlad Perju, S.J.D. – Boston College
Prof. Dr. Niels Petersen – University of Münster
Prof. Dr. Johannes Saurer – University of Tübingen
PD Dr. Antje von Ungern-Sternberg – University of Munich
Prof. Georg Stephan Vanberg – Duke University
Yoan Vilain, LL.M. – Humboldt University Berlin
Dr. Thomas Wischmeyer – University of Freiburg

Conference Venue

Humboldt University Berlin, Germany
Faculty of Law, Room E 25
Special room for Keynote lecture: UL 9, 213

Further Information

Prof. Dr. Anna-Bettina Kaiser, LL.M. (Cambridge)

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Prof. Dr. Niels Petersen, M.A. (Columbia)

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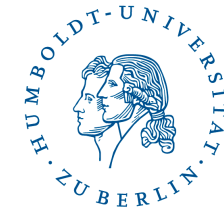
Prof. Dr. Johannes Saurer, LL.M. (Yale)

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Registration

To register, please email to sekretariat.kaiser@rewi.hu-berlin.de before 30 September 2016. There is no fee for attendance. The number of participants is limited.

With financial support by:



Obama's Court:

Recent Changes in U.S. Constitutional Law in Transatlantic Perspective

International Conference

October 28/29, 2016

Berlin/Germany



Introduction

Since the beginning of the presidency of Barack Obama in 2009, we can observe a noticeable change in U.S. constitutional law. The *Economist* has recently qualified the Supreme Court's jurisprudence in the term 2014/2015 as the Court's "most liberal term in decades". Regardless of the political qualification, the Court has shaped, through several landmark judgments, the content of U.S. constitutional doctrine across different legal fields. These concern the extent of federal powers with regard to the Obamacare health insurance legislation, executive law-making in environmental law, the deregulation of campaign financing or the strengthening of LGBT rights.

The conference wants to bring together legal and political science scholars from the USA and Europe in order to analyze and discuss these developments. The panels will address several overarching questions: To what extent is the described development due to Obama's presidency? Did Obama's election in 2008 lead to constitutional change or did the mentioned developments happen by coincidence?

Furthermore, we want to look at parallels, convergences and divergences in the law of Germany, the European Union and the European Convention on Human Rights. To what extent is the American experience reflected in U.S. jurisprudence? Can we observe a mutual influence of the Courts across the Atlantic?

Friday, October 28, 2016

- 3.00 p.m.** **Panel 1: The Obama Era in Context**
Georg Vanberg
The political landscape of the Obama presidency and its influence on the Supreme Court Jurisprudence
Greta Olson
U.S. American culture and society after 11th September 2001
Jill Fraley
The U.S. President and the constitution – the influence of individual U.S. Presidents on constitutional interpretation in historical perspective
Thomas W. Gijswijt
Shifting demographics and race relations in 21st century USA
Or Bassok
The relevance of constitutional law in the U.S. public discourse
Chair: *Dieter Grimm*
- 5 p.m.** Coffee Break
- 5.30-7 p.m.** **Panel 2: The U.S. Supreme Court in a Comparative Perspective**
Susanne Baer
Comparing constitutional courts
Justin Collings
A U.S.-American perspective on the Bundesverfassungsgericht
Vlad F. Perju
Proportionality in U.S. Constitutional Law
Comment: *Yoan Vilain*
Chair: *Anna-Bettina Kaiser*
- 7.15-8pm** **Keynote lecture**
Samuel Issacharoff
Constitutional Change and the Rules Governing the Political Process
- 8.30 p.m.** Dinner

Saturday, October 29, 2016

- 9-10.30 a.m.** **Panel 3: The constitution and the democratic process**
Josh Chafetz
Interbranch Interaction in the Policymaking Process
Jud Mathews
Presidential Administration in the Obama Era
Nora Markard
Constitutional Challenge of Obamacare
Patricia Egli
Key issues of federalism during the Obama presidency
Chair: *Johannes Saurer*
- 10.30 a.m.** Coffee Break
- 11 a.m. – 12.30 p.m.** **Panel 4: Fundamental Rights**
Amanda Frost
Immigration law in the Obama era
Michaela Hailbronner
Same sex marriage and the constitution
Oliver Lepsius
The Second Amendment and the debate on original intent
Antje von Ungern-Sternberg
Freedom of religion and church-state relations
Chair: *Niels Petersen*
- 12.30 p.m.** Lunch
- 1.30-3 p.m.** **Panel 5: U.S.-EU Relationship**
Thomas Wischmeyer
Transnational exchange of data and the protection of privacy
Thomas Kleinlein
TTIP and the legal and political challenges of investor-state-arbitration
Marc Jacob
Kiobel and the Alien Torts Claims Act
Chair: *Philipp Dann*
- 3 p.m.** Conclusion