INTERNATIONAL CONFERENCE ON
EMERGENCY POWERS AND CONSTITUTIONS
SUNDAY–MONDAY, MAY 4–5, 2003

55 FIFTH AVENUE
NEW YORK, NY 10003
Floersheimer Center for Constitutional Democracy

With a generous gift from Dr. Steven Floersheimer, Benjamin N. Cardozo School of Law founded a center for the study, discussion, and evaluation of constitutional law. While focused primarily upon the development of leadership models for American constitutional law, the Floersheimer Center for Constitutional Democracy seeks to enrich the unfolding of law in emerging democracies, and will seek the wisdom of developed democracies in alternative approaches to domestic and worldwide challenges. The Center draws on the diverse and interdisciplinary talents of the Cardozo faculty as well as on the perspectives of its scholars-in residence, visitors, and lecturers.

Professors Michel Rosenfeld and Richard Weisberg are the Center’s co-directors.
The use of extraordinary powers to deal with national emergencies is a world-wide practice dating back at least to ancient Rome. Furthermore, constitutional democracies are divided between those that have specific provisions authorizing and regulating the exercise of emergency powers in their written constitutions and those that do not. There has been a long-standing debate on whether abuses of emergency powers are more likely to be minimized in countries with explicit provisions on the subject in their constitution or in countries without such provisions.

In recent years, and in particular since September 11, 2001, new threats to national security posed by internal and external actors, and fears concerning the use of biological, chemical, and nuclear weapons by agents of international terrorism, have raised new problems concerning emergency powers and have cast a different light on its constitutional implications.
These new developments present daunting new challenges to the pursuit of a proper balance between national security, democracy, and fundamental rights. The conference will reassess the place, scope, and use of emergency powers in constitutional democracies in light of recent events. Topics will include historical and theoretical analyses of emergency powers, international constraints on national uses of emergency powers, assessments of the respective strengths and weaknesses of different constitutional approaches to emergency powers, balancing national security and democracy, and emergency powers and fundamental rights, e.g., free speech, privacy, equality, and fair trial.

Papers presented at this conference will be included in a symposium issue of I-CON, sponsored by New York University School of Law and published by Oxford University Press.

Advanced registration is requested; admission is free.

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Benjamin N. Cardozo School of Law
55 Fifth Avenue, New York, NY 10003

For more information or to register,
email: dmcantor@ymail.yu.edu
THE FOLLOWING SCHOLARS WILL BE SPEAKING

Prof. Bruce Ackerman ............... Yale Law School
Prof. Andrew Arato ............... New School University
Prof. Radhika Coomaraswamy ........ Director, Center for Ethnic Studies in Colombo, Sri Lanka, U.N. Special Rapporteur on Violence Against Women
Prof. David Dyzenhaus ............... University of Toronto Law School
Prof. Jon Elster ............... Columbia University
Prof. John Ferejohn ............... Stanford University
Prof. Stephen Holmes ............... New York University Law School
Prof. Vicki Jackson ............... Georgetown Law School
Prof. Claude Klein ............... Hebrew University of Jerusalem Law School
Prof. Mattias Kumm ............... New York University Law School
Prof. Dominick Mc Goldrick ........ University of Liverpool Law School
Prof. Pasquale Pasquino ............... CNRS, Paris
Prof. Richard Pildes ............... New York University Law School
Prof. Carlos Rosencrantz ............... University of Palermo Law School (Argentina)
Prof. A.W.B. Simpson ............... University of Michigan Law School
Prof. Geoffrey Stone ............... University of Chicago Law School

Professors Barry Friedman of New York University Law School and Cheryl Saunders of University of Melbourne Law School; symposium editors, International Journal of Constitutional Law (I·CON); and Professors Michel Rosenfeld and Richard Weisberg, co-directors, Floersheimer Center for Constitutional Democracy, will also participate.