THE 2018 TELOS CONFERENCE
THE TELOS-PAUL PICCONE INSTITUTE, IN COLLABORATION WITH DEUTSCHES HAUS AT NEW YORK UNIVERSITY, PRESENTS
CONSTITUTIONAL THEORY AS CULTURAL PROBLEM: GLOBAL PERSPECTIVES
FRIDAY, FEBRUARY 16, TO SUNDAY, FEBRUARY 18, 2018
NEW YORK CITY

THE 2018 TELOS-PAUL PICCONE INSTITUTE CONFERENCE WILL HOST A FORUM OF SCHOLARS AND THINKERS FROM A VARIETY OF DISCIPLINARY BACKGROUNDS TO DISCUSS THE THEORY AND PRACTICE OF THE CONSTITUTIONAL STATE, AS IT FACES NEW AND URGENT CHALLENGES, BOTH NATIONAL AND GLOBAL IN NATURE, IN THE TWENTY-FIRST CENTURY.

Keynote Speakers: PAUL KAHN and BERNHARD SCHLINK
XUDONG ZHANG · ANDREA GADBERRY · TAKAHIRO NAKAJIMA
QIN WANG · TIM LUKE · ADRIAN PABST · RUSSELL BERMAN · DAVID PAN
ARYEH BOTWINICK · MARIA PICCONE · JOSEPH BENDERSKY · MARCIA PALLY
GREG MELLEUISH · STEVEN EKOVICH · MARK WEINER

CO-SPONSORED BY THE INTERNATIONAL CENTER FOR CRITICAL THEORY

FOR MORE DETAILS, VISIT THE TELOS-PAUL PICCONE INSTITUTE WEBSITE AT WWW.TELOSINSTITUTE.NET

TO ATTEND THE CONFERENCE, PLEASE R.S.V.P. TO DEUTSCHESHAUS.RSVP@NYU.EDU
The challenges faced by the liberal democratic model in the twenty-first century have made constitutional theory into an urgent topic of global concern. Both the second Iraq War and the revolutions of the Arab Spring frustrated hopes of an easy trajectory toward liberal democratic constitutional orders. If there was the hope that liberation would mean the establishment of liberal democracy, the result has been that emancipation from tyranny does not naturally lead in a particular political direction. Such a conclusion presents fundamental problems for a constitutional theory that is built around a liberal democratic model. These questions indicate that the constitutional state, as theory and practice in modern Europe, North America, and Japan, while continuing to be the common point of reference, calls for renewed reflections as it faces new challenges both domestic/national and global in nature.

To attend the conference, please RSVP to deutschehaus.rsvp@nyu.edu

Conference Locations
The conference will be held at both Deutsches Haus and China House at New York University. The two venues are located on Washington Mews, just north of Washington Square Park in the heart of Greenwich Village in New York City. Deutsches Haus is located at 42 Washington Mews, and China House is located at 8 Washington Mews.

For more information about Deutsches Haus, visit their website at http://as.nyu.edu/deutschehaus.html. For more information about China House, visit their website at https://wp.nyu.edu/chinahouse/.

By Subway
The nearest subway stop is West 4th Street/Washington Square subway station, at the intersection of West 4th St. and 6th Ave. The stop can be reached on the A, C, and E trains as well as the B, D, F, and M trains.

From the West 4th Street station, walk north on 6th Ave. until you reach Waverly Place. Turn right on Waverly Place and walk three blocks east, passing Washington Square Park on your right, until you reach University Place. Turn left on University Place and walk half a block north until you reach Washington Mews. The entrances to Deutsches Haus and China House will be on your left.
Registration and Coffee/Tea
4:30 PM to 5:00 PM
Deutsches Haus

Introduction
5:00 PM
Deutsches Haus

Juliane Camfield, Director, Deutsches Haus
Xudong Zhang, New York University, Director, China House, and Director, International Center for Critical Theory (NYU-PKU)
David Pan, Executive Director, The Telos-Paul Piccone Institute

Keynote Address
5:10 PM to 6:30 PM
Deutsches Haus

Chair: David Pan, University of California, Irvine

Minimal Constitutionalism
Bernhard Schlink, Humboldt University of Berlin

Dinner Reception
(for paid conference registrants only)
7:00 PM to 9:00 PM
Buddakan
75 9th Avenue
New York, NY 10011
212-989-6699
www.buddakannyc.com
Session 1:
Tradition and State Structure
9:00 AM to 10:30 AM
Deutsches Haus

Moderator: Marcia Pally, New York University

Constitution-Making Perpetualized:
Is There an Invisible, Unwritten Contract between the Chinese State and the People?
   Xudong Zhang, New York University

Poetry and Political Responsibility:
Metaphors of the State in the Aristocratic Tradition of Pre-Modern Chinese Literature
   John Yu Zou, Chongqing University

What Is the Second Estate?
   Andrea Gadberry, New York University

From Practice to Theory:
How Australian Liberal Democracy Has Been Transformed, Not Necessarily for the Better
   Greg Melleuish, University of Wollongong

Coffee/Tea
10:30 AM at Deutsches Haus

Session 2:
Constitutions and Culture in the Mediterranean
10:45 AM to 12:15 PM
Deutsches Haus

Moderator: Tim Luke, Virginia Tech

Revolution and the Tunisian Constitution
   Steven Ekovich, American University of Paris

Constitutional Art in Early Republican Tuscany
   William Klein, New York University

Democratic and Republican Coups
   Brendan Mullen, The Wilkes Firm
Session 3: State Structure and the Social Question
10:45 AM to 12:15 PM
China House

Moderator: Adrian Pabst, University of Kent

Rousseau's Ambivalences about the “General Will” and New Middle-Class Authoritarianism
Pekka Sulkunen, University of Helsinki

Social Movements and Constitutional Theory: Self-Transcendence and Tradition
Thomas Ponniah, George Brown College

The Irony behind the Discreet Legal Charm of Marx’s Writings
Dana Neacsu, Columbia University

Lunch
12:15 PM to 1:15 PM
Deutsches Haus

Session 4: U.S. Political Movements
1:15 PM to 2:45 PM
Deutsches Haus

Moderator: Joseph Bendersky, Virginia Commonwealth University

The Clash of Cultures and the U.S. Constitution since 1989
Tim Luke, Virginia Tech

Climate Change Denial as the Historical Consciousness of Trumpism: A Challenge to Liberal Constitutional Theory
Mark Weiner, Rutgers Newark School of Law

State Movement People: Contemporary Antinomies of Political Identity
David Pan, University of California, Irvine

Crises of Parliamentary Democracy
Russell Berman, Stanford University

Coffee/Tea
2:45 PM at Deutsches Haus
Session 5:
Constituent Moments and Constitutional Assemblies
3:00 PM to 4:30 PM
Deutsches Haus

**Moderator:** Greg Melleuish, University of Wollongong

Theoretical Issues in the Making of the Constitution of Nigeria 1999 and the Quest for Restructuring of the Nigerian Federation

*Michael Chukwuindu Ogwezzy, Rivers State University, Nigeria*

The Power to Give Society a Form: Constituent Moments and the Force of Concepts (Reflections from the Drafting of Chile's 1980 Constitution)

*Rodrigo Cordero, Universidad Diego Portales*


*Agust Thor Arnason, University of Akureyri*

The (Cultural) Vices of the Political System: James Madison's Early Work as a Mirror into Constitutional Culture

*Samuel Ulmschneider, Maggie L. Walker Governor's School*

Session 6:
Legal Structures and Political Policies
3:00 PM to 4:30 PM
China House

**Moderator:** Loren Goodman, Yonsei University

Revolting Toward What? In Search of an Objective beyond Promethean Modernity

*Andrew Wender, University of Victoria*

Is Democracy in India Viable without the Caste System?

*Carolin Mehnert, University of California, Irvine*

Constitutional Implications of War

*Robert Reuschlein, Real Economy Institute*

Surveillance, Profiling, and the Nation-State: Constitutional Theory in a “Post-Privacy” Era

*Jo Ann Oravec, University of Wisconsin–Whitewater*
Keynote Address
5:00 PM to 6:30 PM
Deutsches Haus

Chair: Russell Berman, Stanford University

A Constitutional Culture: Between Law and Power
Paul Kahn, Yale University

Dinner
(for paid conference registrants only)
7:00 PM to 9:00 PM
Knickerbocker Bar & Grill
33 University Place
New York, NY 10003
212-228-8490
www.knickerbockerbarandgrill.com
Session 7:
Japanese Constitutionalism in World-Historical Context
9:00 AM to 10:30 AM
Deutsches Haus

Moderator: Xudong Zhang, New York University

Constitutionalism and Sovereignty: On Japanese Constitutional Problems
Takahiro Nakajima, University of Tokyo

Toward a Destituent Constitution:
A Politico-Philosophical Reading of Article 9 of the Japanese Constitution
Qin Wang, Peking University

Poetic Impositions: Japanese–U.S. Constitutional Problems of Peace and Tranquility
Loren Goodman, Yonsei University

Coffee/Tea
10:30 AM at Deutsches Haus

Session 8:
Cultural Foundations of Political Life
10:45 AM to 12:15 PM
Deutsches Haus

Moderator: David Pan, University of California, Irvine

A Tale of Two Covenants: The Dangers of Uncoupling Constitutional Form from Ontology
Marcia Pally, New York University

“Commonwealths of Culture” and Shared “Social Imaginaries”:
A Cultural Approach to Constitutional and Political Order
Adrian Pabst, University of Kent

Nothing Surprising—Then or Now:
Carl J. Friedrich’s Early Pessimistic Diagnosis of Constitutionalism in Emergent Nations
Joseph Bendersky, Virginia Commonwealth University

Epistemological Skepticism, Textual Skepticism, and the Role of Constitutions
Aryeh Botwinick, Temple University

Lunch
12:15 PM to 1:30 PM
Deutsches Haus