SYMPOSIUM

ORIGINALISM AND LIVING CONSTITUTIONALISM: A SYMPOSIUM ON JACK BALKIN’S LIVING ORIGINALISM AND DAVID STRAUSS’S THE LIVING CONSTITUTION

EDITORS’ FOREWORD

The Boston University Law Review is pleased to publish this symposium on Jack Balkin’s Living Originalism and David Strauss’s The Living Constitution. This symposium is the first of the Boston University Law Review’s series of symposia on significant recent books in law. The distinctive format is to pick two significant books that join issue on an important topic, invite the author of each book to write an essay on the other book, and invite several Boston University School of Law faculty to write an essay on one or both books.

The symposium took place on November 3, 2011, at Boston University School of Law. Professors Balkin and Strauss presented papers critiquing the other’s book. Boston University School of Law faculty James Fleming, Linda McClain, Hugh Baxter, Gary Lawson, David Lyons, Abigail Moncrieff, and Larry Yackle presented papers in response to the books. Professors Balkin and Strauss responded to these papers and a colloquy between Professors Balkin and Strauss, panelists, and audience members took place. In this publication, we include Professor Balkin’s and Professor Strauss’s papers, the seven panelists’ essays, and a transcript of Professor Balkin’s and Professor Strauss’s responses and much of the accompanying colloquy.

We would like to thank all the contributors, and most especially Professors Balkin and Strauss. Thank you to Professor James Fleming, faculty advisor to the Law Review, who conceived the series and organized this symposium. Thank you as well to Dean Maureen O’Rourke for her continuing support of the Law Review. Finally, this publication would not be possible without the hard work of our dedicated Law Review editorial board and staff.

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