

Constitution Day 2010

A Term of Blockbuster Decisions

On September 17, 1787, the delegates to the Constitutional Convention gathered in Philadelphia's Independence Hall to sign the newly drafted U.S. Constitution. Every year, to celebrate that momentous date in liberty's history, the Cato Institute hosts a daylong conference. This year marked the ninth, and coincided with the release of the 2009-2010 *Cato Supreme Court Review*.

The conference, "The Supreme Court: Past and Prologue: A Look at the October 2009 and October 2010 Terms," featured panels of legal experts discussing the most important cases of the last term and what we can expect in the near future from the Supreme Court.

James Bopp Jr., the country's leading campaign finance attorney, addressed the landmark decision in *Citizens United v. Federal Election Commission*. Alan Gura, who argued before the Supreme Court in the Heller gun rights case, talked about his latest groundbreaking case, *McDonald v. Chicago*, which extended the Second Amendment right resurrected in *Heller* to states and localities.

Constitution Day closed with the annual B. Kenneth Simon Lecture, with a distinguished legal scholar presenting a paper to be included in the next year's *Supreme Court Review*. This September, the lecturer was William Van Alstyne, professor of law at William and Mary Law School. Drawing an analogy to the children's story "The



WILLIAM VAN ALSTYNE (left) of William and Mary Law School delivered the annual B. Kenneth Simon lecture to close the Constitution Day 2010 conference, discussing the role of the Supreme Court in setting limits on congressional power. **ALAN GURA** (above right) spoke on a panel titled "Guns, Enron, and Sexual Predators: The Scope of Federal Power" moderated by Cato chairman **ROBERT A. LEVY** and including noted civil liberties attorney **HARVEY A. SILVERGLATE** and George Mason University law professor **ILYA SOMIN** (also seen bottom right).

Emperor's New Clothes," Van Alstyne said, "The function of the Supreme Court is not that of the applauding crowd, that wants to see the emperor as suitably dressed in an adequate raiment." Rather, "if the emperor

lacks for suitable clothing—if Congress lacks the authority to deal with certain problems"—then it is up to Congress either to amend the Constitution or to act within its authority.

The 2009-2010 *Cato Supreme Court Review*

Accompanying the Constitution Day conference, as it does every year, was the release of the ninth edition of the *Cato Supreme Court Review*. Covering the 2009-2010 term, the *Review* features essays on major cases and what the future holds for the Court.

Among the *Review's* notable contents are

- The 2009 Simon Lecture by Judge Michael W. McConnell, "The Ninth Amendment in Light of Text and History."
- James Bopp Jr. and Richard E. Coleson examining the landmark campaign finance ruling, *Citizens United v. Federal Election Commission*.

- Nadine Strossen on speech restrictions and *United States v. Stevens*.
 - Richard A. Epstein discussing religion and freedom of association in light of *Christian Legal Society v. Martinez*.
 - Alan Gura, Ilya Shapiro, and Josh Blackman analyzing Chicago's handgun ban and the McDonald decision striking it down.
 - Erik S. Jaffe looking ahead to the October 2010 term.
- These essays and many others from the *Cato Supreme Court Review* can be downloaded for free from www.cato.org or purchased for \$15.

