Melbourne Law School

CENTRE FOR COMPARATIVE CONSTITUTIONAL STUDIES
MELBOURNE LAW SCHOOL

The Invisible Constitution: Comparative Perspectives
IACL Roundtable, Melbourne Law School
Monday 2nd - Wednesday 3rd May 2016

185 Pelham Street, Carlton. Level 9, Room 920.

Day 1 - MONDAY 2 MAY	
8.30 – 9.00	**Coffee and Registration**
9:00 – 9.15	**Welcome: Professors Adrienne Stone and Rosalind Dixon**
9.15 – 9.30	**Introduction: Justice Kate O'Regan** (formerly of the Constitutional Court of South Africa)
9.30 – 11.00	**Session 1: Conceptual and Theoretical Questions** *Chair: Professor Adrienne Stone* *Commentators: Dr Tarun Khaitan and Dr Lulu Weis* *Larry Solum* - 'Written & Unwritten Constitutional Law' *Caitlin Goss* - 'Interim Constitutions and the Invisible Constitution' *Patrick Emerton* - 'Thoughts on the Unwritten/Invisible Constitution'
11.00 – 11.30	**Morning Tea**
11.30 – 1.00	**Session 3: The View from Asia** *Chair: Professor Rosalind Dixon* *Commentator: Dr William Partlett* *Simon Butt* - 'Constitutional Implications in Indonesia' *Yvonne Tew* - 'Malaysia's Invisible Constitution' *Jongcheol Kim* - 'Is the Invisible Constitution Really Invisible?: Some Reflections in the Context of Korean Constitutional Adjudication'
1.00 – 2.15	**Lunch**
2.15 – 3.30	**Session 4: The View from Europe and the Middle East** *Chair: Professor James Stellios* *Commentator: Professor Rosalind Dixon* *Russell Miller* - 'Constitutional Implications in Germany: The Civil Law Influence ' *Iddo Porat* - 'A Constitutional Revolution Without a Constitution – Text and its Absence in Israeli Constitutional Adjudication'
3.30 – 4.00	**Afternoon Tea**
4.00 – 4.45	**Skype Session: The View from Europe cont:** *Chair: Professor Eva Brems* *Commentator: Professor David Bilchitz* *Eoin Carolan* - 'The Evolution of Natural Law in Ireland'

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Day 1 – MONDAY 2 MAY *(Evening Events will be at the Woodward Conference Centre, on Level 10)*	
5.00 – 6.00	**Drinks Reception and Book Launch** Professor Cheryl Saunders AO will launch Charles Fombad (ed) *Separation of Powers in African Constitutionalism* (OUP 2016).
6.00 – 7.00	**Public Lecture:** **The Peace Process and the Constitution: Constitution-making as Peace Making?** ***Professor Manuel José Cepeda Espinosa*** – President, International Association of Constitutional Law, and formerly President of the Constitutional Court of Colombia. This occasion will also launch the 'Constitutional Transformation Network', a project of the Centre for Comparative Constitutional Studies.
7.30	**Dinner at The Woodward, Level 10**

Day 2 - TUESDAY 3 MAY	
9.00 – 10.00	**Skype Session cont:** *Chair: Professor Rosalind Dixon* *Commentator: Professor Adrienne Stone* *David Schneiderman* -'Unwritten Constitutional Principles in Canada: Genuine or Strategic' *Irene Spigno* - 'The 'Additive Judgments' of the Italian Constitutional Court: A Way to Create Constitutional Rights'
10.00 – 11.30	**Session 5: The View from Asia 2** *Chair: Dr William Partlett* *Commentator: Dr Farrah Ahmed* *Sudhir Krishnaswamy*-'The Invisible Constitution and the Basic Structure Doctrine' *Johannes Chan* - 'Behind the Text of the Basic Law: Some Constitutional Fundamentals' *Albert Chen & P.Y. Lo*-'The Constitutional Orders of "One Country, Two Systems: A Comparative Study of the Written and Unwritten Bases of Constitutional Review and Proportionality Analysis in the Chinese Special Administrative Regions of Hong Kong and Macau'
11.30 – 11.45	**Morning Tea**
11.45 – 1.15	**Session 6: The View from Asia and Australia** *Chair: Professor Cheryl Saunders* *Commentator: Professor Theunis Roux* *Rosalind Dixon* - 'Constitutional Implications in Australia: Tales of Acceptance & Resistance' *Jeffrey Goldsworthy* - 'Constitutional Implications in Australia Revisited' *Han Zhai* - 'The Invisible Constitution in Reformative China'
1.15 – 1.45	**Conference Close / Lunch**
1.45	**IACL Executive Meeting, Boardroom Level 10** (Access via Level 9 stairs)