

SYMPOSIUM

STATE CONSTITUTIONS

INTRODUCTION

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The 2010 *Stanford Law Review* Symposium, “State Constitutions,” examines a critical area of law that has been inadequately addressed in legal literature. The Articles presented in this Issue address the intersection of state constitutional rights and the common law,¹ the need for a state-focused approach to understanding state constitutional law,² develop a working theory of state constitutions,³ and discuss the strategic wisdom of the plaintiffs in the case challenging California’s Proposition 8 (banning same-sex marriage) having brought a federal constitutional challenge.⁴ The Note analyzes state government from an original understanding of the federal Guarantee Clause.⁵

The live Symposium at Stanford Law School on February 19 and 20, 2010, cosponsored by the Stanford Constitutional Law Center, and the Stanford chapters of the Federalist Society and the American Constitution Society, expanded on these issues, to include panels on “California: a Constitution in Crisis” and “Judicial Elections and Ethics.”⁶ The event brought together the authors published in this Issue as well as California Supreme Court Chief Justice Ronald George, who delivered the keynote address, which is published

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1. Helen Hershkoff, “*Just Words*”: *Common Law and the Enforcement of State Constitutional Social and Economic Rights*, 62 STAN. L. REV. 1521 (2010).

2. Neal Devins, *How State Supreme Courts Take Consequences Into Account: Toward a State-Centered Understanding of State Constitutionalism*, 62 STAN. L. REV. 1629 (2010).

3. Tom Ginsburg & Eric A. Posner, *Subconstitutionalism*, 62 STAN. L. REV. 1583 (2010).

4. Erwin Chemerinsky, Essay, *Two Cheers for State Constitutional Law*, 62 STAN. L. REV. 1695 (2010).

5. Jacob M. Heller, Note, *Death by a Thousand Cuts: The Guarantee Clause Regulation of State Constitutions*, 62 STAN. L. REV. 1711 (2010).

6. Video of the event is available at <http://www.law.stanford.edu/calendar/details/3182/Stanford%20Law%20Review%20Symposium:%20State%20Constitutions/>.

in this Issue, Professor Bruce Cain of the University of California-Berkeley, former California Assembly Speaker pro Tempore Fred Keeley, Steven Miller of Hanson Bridgett, LLP, Minnesota Supreme Court Justice Alan Page, former Michigan Supreme Court Chief Justice Clifford Taylor, Bert Brandenburg of Justice at Stake, and Cynthia Gray of the American Judicature Society. Professors Daniel Rodriguez of the University of Texas-Austin School of Law, Jane Schacter of Stanford Law School, and Norman Spaulding of Stanford Law School moderated the panels.

The Symposium's success would not have been possible without the tireless efforts of the Editorial Board of the *Stanford Law Review* and the members of the Symposium Committee: Shelton Abramson, Blair Albom, Tina Cheng, Rodkangyil Orion Danjuma, Kara Kapp, Kyle Maurer, Andrew Schupanitz, N. Andrew Sfeir, and Janine Wetzell. I would also like to thank Professor Michael McConnell of the Stanford Constitutional Law Center, Professor Pamela Karlan, Jillian Del Pozo, and the Stanford Law School Program Group for their invaluable support.