

CONSTITUTIONAL LAW VIRTUAL COLLOQUIUM
CENTER FOR CONSTITUTIONAL LAW

Sexual Orientation, Gender Identity, and the Constitution: How LGBTQ Rights are Defined, Protected, and Preempted

[The Center for Constitutional Law at Akron](#) seeks proposals for its annual Colloquium. The Center is one of four national centers established by Congress in 1986 on the bicentennial of the Constitution for legal research and public education on the Constitution. Past programs have included Justice Sandra Day O'Connor, Justice Arthur Goldberg, Professor Reva Siegel, Professor Lawrence Solum, Professor Ernest Young, Professor Julie Suk, and Judge Jeffrey Sutton of the U.S. Court of Appeals for the Sixth Circuit.

The 2022 Colloquium explores the questions of sexual orientation and gender identity under the Constitution. These rights are at the intersection of many recent decisions of the U.S. Supreme Court and other courts. On one hand, the Court has interpreted “sex” to include sexual orientation and transgender in the context of federal statutory law. Yet under the Constitution, it has refused to identify sexual orientation or identity as a suspect class, even as it strikes down law that socially discriminate on this basis. Another recent line of cases seems to preempt these equality rights by counter-balancing the religious and speech rights of those seeking to discriminate against LGBTQ people by denying services, disrespecting preferred pronouns, or restricting students.

This Colloquium brings together scholars exploring what the Constitution does or should say about sexual orientation and gender identity. Topics may include, but are not limited to: the rise of religious liberty preemptions in business and/or education, counter-balances of free speech, the meaningful use of rational basis scrutiny, interpretative methods of constitutional and statutory law, the legal history of LGBTQ rights, meanings of privacy and self-determination, the importance of language and pronouns, or comparisons with international norms and laws.

The Virtual Colloquium will be held on Friday, **February 4, 2022**. This virtual format allows for expanded access to scholars by reducing costs, balancing work/life/health demands, and reaching widely across geographic bounds. Papers will then be published in a spring symposium edition of the Center’s open-access journal, [ConLawNOW](#) (also indexed in Westlaw, Lexis, and Hein). Papers are typically shorter, essay style and we expedite publication within four weeks of final paper submission.

Those interested in participating should send an abstract and CV to Professor Tracy Thomas, Director of the Center for Constitutional Law, at thomast@uakron.edu by September 30, 2021.