

# **Our Elusive Constitution**

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**“A constitution is about public power and how it is exercised. A constitution is not just a document. It is not even a document ... A constitution is made up of the structures, processes, principles, rules, conventions and even culture that *constitute* the ways in which government power is exercised.”**

**Matthew Palmer “What is New Zealand’s Constitution and Who Interprets It” (2006)  
17 PLR 133**



# Five reasons to reform

- Our arrangements are obscure, opaque and inaccessible
- Protecting our most fundamental rules from meddling
- Even Parliament should be subject to the rule of law
- Forging a national identity
- The educative and symbolic value of a written Constitution



# Five reasons to support the status quo

- A bird in the hand?
- With stability comes inflexibility
- A written constitution transfers political power to judges
- Written constitutions can be inaccessible too
- Constitution-making can be divisive

