Contents

Part 1  Reconstituting the Constitution: An Overview

1  *Building the Constitution*: Debates; Assumptions; Developments 2000–2010 ................................................. 3
   Elizabeth McLeay

2  Reconstituting the Constitution: Opening Address I .................. 35
   Greg Robins

3  Reconstituting the Constitution: Opening Address II ................ 41
   Catherine Harwood

Part 2  Reforming Constitutions: Lessons from Abroad

4  *South Africa’s Experience in Constitution-Building* ................. 51
   Heinz Klug

5  Constitutional Reform in the United Kingdom: Past, Present and Future ................................................................. 83
   Robert Hazell

Part 3  The Republican Question

6  *A Republic for New Zealand? A Modest Approach* ................. 99
   Michael Cullen

7  Patriating Our Head of State: A Simpler Path? ....................... 107
   Dean R Knight
Part 4 The Need for a Written Constitution? Strengthening the Bill of Rights Act and the Place of the Treaty of Waitangi

8 The Advantages and Disadvantages of a Supreme Constitution for New Zealand: The Problem with Pragmatic Constitutional Evolution ................................................................. 123
Mai Chen

9 Protecting Rights ............................................................... 157
Andrew Butler and Petra Butler

10 The Status and Nature of the Treaty of Waitangi .................. 185
Joe Williams

Part 5 The Future of Electoral Law

11 The Future of Electoral Law .............................................. 195
Simon Power

12 A Better Democracy, Thanks to MMP .............................. 199
Charles Chauvel

13 The Future of Electoral Law .............................................. 219
Philip A Joseph

14 Misbehaving Members of Parliament and How to Deal with Them ............................................................... 243
Caroline Morris

Part 6 Australia: Involving Civil Society in Constitutional Reform

15 Involving Civil Society in Constitutional Reform:
An Overview of the Australian National Human Rights Consultation and the Proposed National Human Rights Framework ................................................................. 267
Frank Brennan SJ AO
### Part 7  Influence of International Treaties

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>Global Treaties and the New Zealand Constitution</td>
<td>291</td>
</tr>
<tr>
<td></td>
<td>Kennedy Graham</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>The Influence of International Law in New Zealand: Some Reflections</td>
<td>319</td>
</tr>
<tr>
<td></td>
<td>Treasa Dunworth</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>International Economic Law and the New Zealand Constitution: Towards an End to Executive Dominance?</td>
<td>337</td>
</tr>
<tr>
<td></td>
<td>Ben Thirkell-White</td>
<td></td>
</tr>
</tbody>
</table>

### Introduction to Part 8  The Trans-Tasman Relationship

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td>Waltzing Matilda (or Not): New Zealand’s Constitutional Relationship with Australia</td>
<td>367</td>
</tr>
<tr>
<td></td>
<td>Colin James</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>The Evolution of the Australia–New Zealand Relationship</td>
<td>375</td>
</tr>
<tr>
<td></td>
<td>Philippa Mein Smith</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>The Trans-Tasman Relationship: Past, Present and Future</td>
<td>387</td>
</tr>
<tr>
<td></td>
<td>Paul O’Sullivan AO</td>
<td></td>
</tr>
</tbody>
</table>

### Part 9  The Role and Governance of Sub-National Government

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>The Role and Governance of Sub-National Government: Impact of the “Super-City”</td>
<td>399</td>
</tr>
<tr>
<td></td>
<td>Jenny Rowan</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Local Government: The Search for Constitutional Certainty</td>
<td>405</td>
</tr>
<tr>
<td></td>
<td>Mike Reid</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>The Role and Governance of Sub-National Government: Current Issues</td>
<td>415</td>
</tr>
<tr>
<td></td>
<td>David Shand</td>
<td></td>
</tr>
</tbody>
</table>
Part 10  Protecting Future Generations

25  Keeping It Clean and Green: The Case for Constitutional Environmental Protection Rights ........................................... 425
Susan Glazebrook

26  A Youth Perspective on Changing the Constitution ................. 459
Rayhan Langdana

27  Protecting Future Generations .......................................... 465
Tama Potaka

28  Creating a Constitutional People ........................................ 485
Kate Stone

Appendix

Consideration of Constitutional Issues .................................... 505

Proposed Terms of Reference ................................................. 518
Reconstituting the Constitution
Morris, C.; Boston, J.; Butler, P. (Eds.)
2011, XII, 519 p., Hardcover
ISBN: 978-3-642-21571-1