

NZCPL Conference 2013

“Unearthing New Zealand’s Constitutional Traditions”

IT IS OFTEN SAID that New Zealand’s dominant constitutional tradition is pragmatism – the “number eight wire” approach to constitutional change. But this hides other, and often richer, narratives from our constitutional past. This conference seeks to take a deeper look at, and to shed more light on, the fundamental ideals on which our constitution is based. It will carry on the Centre for Public Law’s own tradition of inquiry into our constitution by bringing together a number of distinguished scholars from New Zealand and abroad to reflect on these important questions and to begin unearthing the country’s traditions of constitutional thought.

29-30 August 2013

Parliament Buildings
Wellington, New Zealand

Hosted by:

Hon Chris Finlayson QC
Attorney-General of
New Zealand

Keynote speakers:

Professor David Hackett Fischer

University Professor and Earl Warren Professor
of History at Brandeis University

Emeritus Professor Andrew Sharp

Fellow in New Zealand Studies, Birkbeck College,
University of London/University of Auckland

Opening address:

Rt Hon Dame Sian Elias

Chief Justice of New Zealand

Other speakers include:

Professor Richard Boast

Victoria University of Wellington

Dr Petra Butler

Victoria University of Wellington

Professor Shaunnagh Dorsett

University of Technology Sydney

Dr Kirsty Gover Melbourne Law School

Dr Mark Hickford

Department of Prime Minister and Cabinet

Catherine Iorns

Victoria University of Wellington

Moana Jackson Te Wananga o Raukawa

Dr Carwyn Jones

Victoria University of Wellington

Professor Philip Joseph

University of Canterbury

Rt Hon Sir Kenneth Keith

International Court of Justice

Professor Geoff McLay

Law Commission/
Victoria University of Wellington

Professor Janet McLean

University of Auckland

Dr Grant Morris

Victoria University of Wellington

Rt Hon Sir Geoffrey Palmer QC

Victoria University of Wellington

Dr Matthew Palmer Thorndon Chambers

Professor Tony Smith

Victoria University of Wellington

Mamari Stephens

Victoria University of Wellington

Dr Damen Ward Crown Law Office

Professor David Williams

University of Auckland

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acknowledges the generous financial support of
the New Zealand Law Foundation for this event.

For more information or to register
your interest, please contact:

Events Coordinator

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Phone +64-4-463 6327

Email nzcpl@vuw.ac.nz

www.victoria.ac.nz/nzcpl-conference

NEW ZEALAND CENTRE FOR

PUBLIC LAW

TE WĀNANGA O NGĀ KAUPAPA TURE Ā IWI O AOTEAROA



PROGRAMME

Thursday 29 August 2013

8.15am Registration

8.45am **Pōwhiri, Host and Organisers' Welcome, and Opening Address**

Hon Chris Finlayson QC

Opening Address – The Rt Hon Dame Sian Elias

9.15am **Session 1: On the Idea of Tradition**

Chair: Dr Mark Bennett

Keynote Address: Emeritus Professor Andrew Sharp (Fellow in New Zealand Studies at Birkbeck College, University of London/University of Auckland)

10.30am Morning Tea

11.00am **Session 2: Plenary Panel - The Origins of New Zealand's Constitutional Order**

Chair: TBA

How Do Things Get Started? Legal Transplants and Domestication: Two Examples from Colonial New Zealand – Professor Shaunnagh Dorsett

Settler Politics, Courts of Revision and the Māori Franchise Before the Māori Seats – Dr Damen Ward

Considering the Historical, Political Constitution: Reflecting on some Constitutional Traditions and the Imperial Inheritance – Dr Mark Hickford

The Strong New Zealand Democratic Tradition and the 'Great Public Meeting' of 1850 in Nelson' – The Rt Hon Sir Geoffrey Palmer

1.00pm Lunch

2.00pm **Session 3: Plenary Panel - Māori Constitutional Traditions**

Chair: TBA

A Loving Excavation: Uncovering Māori Constitutional Thinking – Māmari Stephens

Who Will Sign? The problem of authority in Maori constitutional debates – Dr Miranda Johnson

The Lost Jurisprudence of the Native Land Court – Professor Richard Boast

3.30pm Afternoon Tea

4.00pm **Session 4: Concurrent Panels**

Concurrent Panel I: Traditions of Democracy and Citizenship

Chair: TBA

Constituting Political Community: New Zealand's Extension of National Voting Rights to Non-Citizens – Dr Fiona Barker and Dr Kate McMillan

Ingredients for a Successful Written Constitution – Gay Morgan

It Takes Two to Tango – Have They Learned their Steps? – Dr Petra Butler

Concurrent Panel II: Developing Traditions

A Māori Constitutional Tradition – Dr Carwyn Jones

The Environment in Constitutional Thought: Developing a Constitutional Tradition – Catherine Iorns

A Challenge to New Zealand's Constitutional Traditions? The History of Mediation in New Zealand in the Context of Justice Winkelmann's Defence of the Civil Justice System – Dr Grant Morris

5.15pm End of Day 1

6.30pm Conference dinner at Foxglove Bar and Kitchen

Friday 30 August 2013

8.30am **Session 5: New Zealand's Constitutional Tradition: A Comparative Perspective**

Chair: Dr Joel I Colón-Ríos

Keynote Address: Professor David Hackett Fischer (University Professor and Earl Warren Professor of History at Brandeis University)

9.45am Morning tea

10.15am **Session 6: Plenary Panel – Constitutional Traditions and the Crown**

Chair: TBA

The Reasonable Australasian Executive: Common-law Constructs of "the Crown" and its Powers in Australia and New Zealand – Dr Kirsty Gover

Commitment and the Constitution – Professor Geoff McLay

Diverse Constitutional Traditions in Māori Responses to "the Crown": 1840-1940 – Professor David Williams

12.00pm Lunch

1.00pm **Session 7: Concurrent Panels**

Concurrent Panel III: Early Constitutional Steps and Choices

Chair: TBA

Section 2 of the New Zealand Constitution Act 1852 (UK): Between Constitutional (Law) Tradition and Constitutional (Economics) Perdition – Ben Gussen

New Zealand's First Chief Justice and Early Constitutional Steps - Peter McKenzie QC

Concurrent Panel IV: Constitutional Legitimacy

Chair: TBA

Transitional Justice in New Zealand – Dr Stephen Winter

Constitutional Authority: Legitimising the Exercise of Public Power in New Zealand – Edward Willis

2.00pm **Session 8: Plenary Panel – Reviewing the Constitution**

Chair: TBA

What Do We Mean by Constitutional Transformation? – Moana Jackson

New Zealand's Constitutional Review: Tradition and Change – Professor Janet McLean

Assessing the Strength of the Rule of Law in New Zealand – Dr Matthew Palmer

3.45pm Afternoon Tea

4.15pm **Session 9: Plenary Panel – Rapporteurs' Comments**

Chair: TBA

Rt Hon Sir Kenneth Keith, International Court of Justice

Professor Philip Joseph, University of Canterbury

Rt Hon Sir Geoffrey Palmer QC, Victoria University of Wellington

Professor Tony Smith, Victoria University of Wellington

5.15pm Conference closing

REGISTRATION FORM

Unearthing New Zealand's Constitutional Traditions Conference

29 – 30 August 2013

Title/Position	Name
Organisation	
Address	
Phone	Fax
Email	
Dietary requirements	

Registration (includes lunches, morning/afternoon teas)	Price
<input type="checkbox"/> Early Bird Registration (before 15 July)	NZD\$280.00
<input type="checkbox"/> Standard Registration (after 15 July)	NZD\$380.00
<input type="checkbox"/> Full-time Student Registration (ID Required)	NZD\$50.00
<input type="checkbox"/> One Day Registration	NZD\$220.00
<input type="checkbox"/> Thursday 29 August	
<input type="checkbox"/> Friday 30 August	

Conference Dinner (Thursday 29 August 2013)

Conference dinner at Foxglove Bar and Kitchen

I will attend the Thursday night dinner at NZD\$110.00 per person

- Yes
- Additional guest
- No

CANCELLATIONS

A substitute delegate is welcome if you are unable to attend (please just let us know).

An administration fee of \$50 may be charged for cancellations received in writing before 24 August 2013.

No refunds will be made after this date.

Payment

- Please invoice me for payment / Payment by cheque (payable to Victoria University of Wellington)
- Visa Mastercard

Card Number:																	
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Please post, fax or email this form to:
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