



What's a Constitution?

A constitution is a set of rules governing a state. It is a tool that can define the relationship between citizen and state, organise and constrain government power, and set out rights and freedoms

What kind of constitutions are there?

There are two main types: **codified** and **uncodified**

A **codified constitution** - or a written constitution, is usually a single document with all the **dos** and **don'ts** of the social contract between the state and the citizens

An **uncodified constitution** - or an unwritten constitution, is made up by a set of rules, some can be written down and others can be agreed



as conventions

which aren't legally enforceable

What's the role of the constitution in a democracy?

Constitutions can **define the shape of a state:**

Federal or Unitary

In a federal system each state, province or region has significant authority; in a unitary system, the national government is supreme

Parliamentary or Presidential

In a parliamentary system, voters elect a legislative branch who elect a prime minister; in a presidential system, voters elect both a legislative branch and a president

Unicameral or Bicameral

A bicameral legislature has two separate assemblies, chambers, or houses; in a unicameral legislature, members vote as a single group

Power rotation

Establishes how long a candidate or party can hold power

Judges' role

Defines what a judge can do and for how long - this could be tenure for life or for a limited period of time

Constitutional amendments

Sets out how to make constitutional changes - like referenda with the public's participation

Every constitution is **different**, but they can **include:**

A **bill of rights** to define what the rights of citizens are



Socio-economic rights to guarantee rights like access to adequate housing and education

Judicial review to determine whether a supreme court can or cannot review the lawfulness of a decision made by a public body



What can a constitution do?

Define the role of power

- how are laws made, who by and who for

Protect our rights and freedoms

Make it clear **what to do** when power is abused



Constitutions can...



Reflect the **values** of the people

Come from a **consensus** among those who are subject to its limits and afforded its protections