A perennial topic in New Zealand constitutional debate is the question of New Zealand’s constitutional status: should the country remain a monarchy, or is the time right and the reasons compelling enough to make the transition to a republic? A number of Prime Ministers have said that they think that the move to republic status is one that New Zealand will eventually make. However, unlike Australia, little has been done by way of serious governmental consideration of the issues or asking the question of the New Zealand people. This inertia, frustrating though it may be for advocates of change, just as it is comforting for proponents of the status quo, has created a space for academics and other interested parties to engage with both the symbolism and practicalities involved in the republic versus monarchy debate in a considered and measured way.

The question of who should occupy the office of Head of State – a member of the British royal family or an indigenous New Zealander? – raises in turn a number of other questions: When should that change occur? What powers should that person have? Should the Head of State be elected or appointed, and by whom? What is the effect on (or of) the Treaty of Waitangi? At times the discussion has threatened to move from its foundations into other constitutional topics such as the status of the Bill of Rights, or codification of the constitution more generally, or the design of the flag, none of which is strictly necessary to decide the fundamental points at the heart of the debate.

The Reconstituting the Constitution conference saw the presentation of arguments from opposing sides of the debate: Dr. Michael Cullen, a long-serving MP and former Deputy Prime Minister, speaking as a monarchist, and Dean Knight of the Law Faculty at Victoria University of Wellington as a republican. But those expecting a fiery clash would have been disappointed. The tone of the debate was instead restrained and moderate in tone – in fact the two chapters from these speakers contained in this section are mostly in agreement that the real question is, as heralded by various Prime Ministers, one of when, not whether. As this brief introduction to these papers reveals, this session of the conference was a remarkable illustration of the maxim plus ca change, plus c’est la meme chose.
In Chap. 6 Michael Cullen addresses several of the arguments put forward by republicans for moving towards a republic, and declares them “less substantial than at least their proponents seem to believe”. These include concerns about the constitutional independence of New Zealand, her national identity, and the introduction of other constitutional reforms. He concludes nevertheless that the time will come for New Zealand to become a republic, not least because of the changing demographic in New Zealand. He advocates that no change should occur during the present Queen’s lifetime, but at that point, the people should decide whether to continue as a monarchy. If the answer is no, then an election should be held, or perhaps an appointment made by Parliament, depending on the powers the new Head of State will have. Alternatively, Parliament could simply legislate for the present Governor-General to become the actual, rather than acting, Head of State. The status of the Treaty of Waitangi should remain unaffected.

In Chap. 7 Dean Knight presents the case for “soft republicanism”. He disagrees with Dr. Cullen’s conclusion on the strength of the claims about national identity, saying “symbols and identity matter”. Apart from this point, the two speakers find themselves largely in agreement, as Knight expresses his preference for the existing powers of the present Head of State to be transferred to the Governor-General, for the Governor-General to be appointed through a super-majority parliamentary vote, for the question of whether to become a republic to be decided by referendum, and for the status of the Treaty to remain unchanged.