



1. Understanding the constitution

Social Studies (Level 5)

Overview

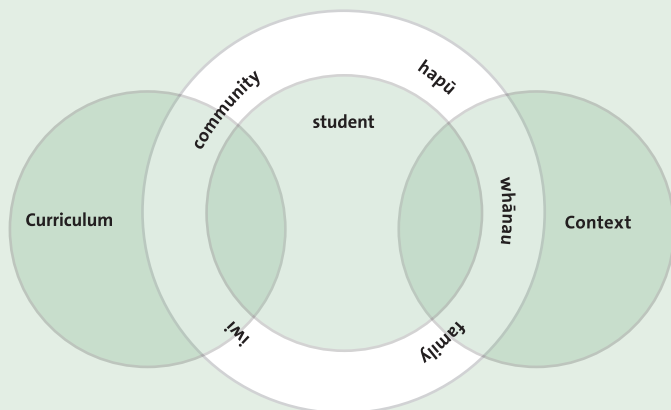
This resource provides support for social studies teachers to incorporate learning related to understanding our constitution into their social studies programmes. The materials use fact sheets produced for the 'Constitution Conversation'. It is envisaged that the teaching and learning can be integrated into current classroom programmes.

Aspects of planning

When planning consider:

- the big ideas that underpin *The New Zealand Curriculum*, as well as the social sciences learning area
- the relevance of the topic and contexts for your students
- the learning strengths and needs of your students and what they bring with them to the learning.

These aspects of planning are integral and reciprocal. They naturally overlap, so learning tasks and activities incorporate all three aspects.



Students' strengths and needs

What skills and knowledge do the students (and their whānau/ family, hapū, and iwi) bring to the learning?

What support will the students need to fully express their social sciences understandings?

Context

Suggested key conceptual understandings

- Students will understand that the rules about how we live together, and what we value, are reflected in formal and informal ways.
- Students will understand their role in the development and implementation of these rules and values.

Curriculum

Social Studies – Level 5

- Understand how systems of government in New Zealand operate and affect people's lives, and how they compare with another system.
- Understand how the Treaty of Waitangi is responded to differently by people in different times and places.
- Understand how people define and seek human rights.

Resources that support the understanding of our constitution

- Our Constitution website
- Our Constitution external links
- Parliamentary service
- Electoral Commission
- Civics Education
- What is a Constitution?
- An essay on New Zealand's Constitution
- New Zealand Constitution booklet

Link to Social Studies – Level 4

Understand how formal and informal groups make decisions that impact on communities.

Monitoring the development of conceptual understanding

Initially, assess each student's understanding of the key ideas in order to track their ongoing progress and to modify your teaching.

New Zealand's Constitution:

"A constitution is the set of rules that determines how a country is governed and how its people live together."

"New Zealand has a constitution – it's just not all written down in a single document."

Constitution principles include:

- the rule of law, i.e. everyone in New Zealand, including governments, must follow the law
- New Zealand is a representative democracy, i.e. voters elect people to represent them in parliament.

New Zealand Bill of Rights Act 1990:

"The New Zealand Bill of Rights Act 1990 (the Act) confirms fundamental rights and freedoms that the state must respect."

"Legislation may limit rights. Not all rights are absolute. Sometimes limits on rights can be justified."

Students could display their current understanding of concepts related to the exploration of the constitution (see page 3 of this resource), by creating a concept map. (See Building Conceptual Understandings in Social Sciences – BCUSS.)

To develop knowledge and understanding of the purpose of the constitution, students could view **video clips** that describe the constitution from different perspectives, and write down key words that help communicate the messages of the individuals. After a period of learning, students could make their own video clips to explain how they see the purpose of a constitution, and then compare clips with classmates, exploring the similarities and differences and the reasons for these.

To link ideas about the constitution to their own lives, students could make connections between their knowledge of the development of rules and protocols at their school, local marae, or sports or community group, and the development of constitutional rules.

To develop knowledge and understanding of specific elements of the constitution, students (in groups) could explore the **Constitution Act 1986**, **New Zealand Bill of Rights Act 1990**, the **Treaty of Waitangi**, and Constitutional principles, and then present to the class three key ideas from the resources and ideas that relate to their own lives.

To enable students to consider the connections between the elements of the constitution in different settings, they could view the **cartoon**, and then make up their own cartoons showing how they view aspects of the constitution working. To explore how the concept of democracy is linked with the constitution in different settings, students could draw two concept arrows (See BCUSS); one for New Zealand and one for another country.

To develop an understanding of the links between the New Zealand Bill of Rights Act 1990 and the Universal Declaration of Human Rights (UDHR), students could create a Venn diagram to show the similarities and differences between the two. It may be useful to use the **Human Rights Commission information**.

To gain a greater understanding of the New Zealand Bill of Rights Act 1990, students could place decision making cards (made from the Act), onto three pieces of paper entitled: always, most, some. Students could decide whether people should be able to have the right to these aspects (such as freedom of expression) always, mostly, or some of the time. To relate the Act to their own lives, students could look at the example of students being **searched at school**. If a school decides to undertake a search, the school needs to refer to the Act. Students could consider a scenario; such as the school suspects a student is concealing a dangerous weapon. How does this situation limit the student's other rights? Is this acceptable? Students may wish to write or video a submission for their school, to outline concerns, considerations, and solutions to this issue.

Finding out

Introduce the learning by establishing the students' prior knowledge and understanding of concepts, and/or show the **Getting the Constitution Conversation started video clip**.

Ask questions to make links between personal experiences of protocols, rules, and constitutional rules.

- What is a constitution?
- What does a constitution do?
- What rules do we follow?
- Where do constitutional rules come from?

Considering responses and decisions

- Who has a voice when rules and protocols are established?
- Who has the power to make decisions?
- How are rules maintained?

Reflecting and evaluating

- Why do we have our rules documented in a number of ways?
- Should we have one document instead?

Prompt students to consider the ways in which having a constitution affects them, their families, hapū, and iwi.

Values and perspectives

Prompt students to explore perspectives on what should make up our constitution.

Finding out

Ask questions to prompt thinking about the relevance of the New Zealand Bill of Rights Act 1990 to students' lives.

- How does the New Zealand Bill of Rights Act 1990 relate to the Universal Declaration of Human Rights?
- What does the New Zealand Bill of Rights Act 1990 do?

So what?

Prompt students to consider the value of engaging with this learning by asking questions, such as:

- What relevance does this have for you and your participation in making laws, voting, and fair representation?
- How can you ensure that your rights are protected?

Now What?

Direct students to consider if there is anything they would like to change (since they have engaged in the learning).

Give feedback, evaluating students' understanding of the conceptual understanding, so that the next learning steps can be co-constructed.

Concepts

- constitution
- democracy
- government
- rules
- rights
- tikanga
- rangatiratanga

Appropriate activities (such as creating concept maps, walls, and concept circles) can help to draw on students' understandings and build upon these, make connections between contexts, and transfer understandings from one context to another. Further explanation of these activities can be found in the **approaches to building conceptual understandings resource**.

Command words

- describe
- explain
- examine
- analyse
- critically analyse
- interpret
- comprehensively
- in-depth

Interpretation of these words can vary within learning areas, so exposing students to questions associated with **command words** will help their understanding.

Co-construct meanings with students, and within learning areas with teachers, to develop a holistic view of these words.

Specific knowledge and understanding required, for example:

- Knowledge of the functions of Parliament and government
- Understanding of how laws are made
- Understanding of how laws that are passed by Parliament can contribute to our rights as citizens
- The current role of the Waitangi Tribunal in response to the adherence to the Treaty of Waitangi
- Knowledge and understanding of the Universal Declaration of Human Rights
- Linking concepts of human rights to social justice

You may wish to teach this in response to students learning about how our system of government operates compared with other systems. **Parliamentary service** provide resources that may help with the teaching of this.

www.parliament.nz/en-nz/parl-support/agencies/ps/

www.waitangitribunal.govt.nz/resources/school_info/

www.un.org/en/documents/udhr/

www.justice.govt.nz/services/access-to-justice/civics-education-1/ideas-for-teachers/setting-the-scene

Key Competencies

The focus of this learning can support the development of:

Participating and contributing – through developing an understanding of what it means for the students themselves to contribute to conversations around political issues.

Thinking – by reflecting on how and why people vary in their viewpoints.

Relating to others – by listening actively, recognising different points of view, and sharing ideas.

Using language symbols and text – through the analysis of visual representations of our constitution.

Values

With the focus of this instructional guide being on the development of understanding of the constitution, use the ideas to help students:

- express their own values
- discuss disagreements that arise from differences in values.

Resources

Teaching resources

Building Conceptual Understandings Series – access to PDFs
Education homepage for Parliamentary service
Electoral Commission – Activities and resources using a social inquiry approach
Legal process – Activity ideas for teachers
– Legal studies units
Waitangi Tribunal information for schools

www.ssol.tki.org.nz/
www.parliament.nz/en-NZ/AboutParl/Education/
www.elections.org.nz/your-voice-your-choice-learning-units
www.justice.govt.nz/services/access-to-justice/civics-education-1/ideas-for-teachers/exploring-ideas
www.waitangitribunal.govt.nz/resources/school_info/

Constitution Conversation resources

Constitution Conversation website
New Zealand's Constitution: The Conversation So Far
New Zealand Constitution booklet
New Zealand Constitution Conversation videos
Our Constitution external links
Perspectives on the constitution – video clips
The Bill of Rights Act
The Constitution Conversation's summary of the principles underpinning the constitution
The Treaty of Waitangi in reference to the constitution

www.ourconstitution.org.nz/Our-Constitution
www.cap.govt.nz/store/doc/The_Conversation_So_Far.pdf
www.ourconstitution.org.nz/store/doc/NZC_Booklet.pdf
www.youtube.com/user/NZConstitution/videos
www.ourconstitution.org.nz/External-Links
www.ourconstitution.org.nz/New-Zealands-Constitution/Perspectives
www.ourconstitution.org.nz/Bill-of-Rights-Act
www.ourconstitution.org.nz/New-Zealands-Constitution
www.ourconstitution.org.nz/Treaty-of-Waitangi

Legislation

Human Rights and the New Zealand Bill of Rights Act 1990
New Zealand Bill of Rights Act 1990

New Zealand Bill of Rights in more detail

New Zealand's Constitution Act 1986
Te Ara Encyclopedia of New Zealand's explanation of the constitution
Te Ara Encyclopedia of New Zealand's explanation of the Constitution Act 1986

www.hrc.co.nz/human-rights-environment/what-are-human-rights
www.justice.govt.nz/publications/global-publications/t/the-new-zealand-bill-of-rights-act-1990/publication
www.hrc.co.nz/human-rights-environment/human-rights-legislation/new-zealand-of-rights-act
www.teara.govt.nz/en/constitution/page-1
www.teara.govt.nz/en/constitution/page-1
www.teara.govt.nz/en/video/35894/constitution-act-1986

Other constitutions

The Constitution of Japan
The Constitution of the United Kingdom
The United States Constitution explained for children

www.en.wikipedia.org/wiki/Constitution_of_Japan
www.ucl.ac.uk/constitution-unit/research/uk-constitution
www.usconstitution.net/constkids.html

Other sources of information

Introduction to the constitution by Rt. Hon. Sir Kenneth Keith, ONZ
Elements of the constitution – A 2004 cartoon by Ashley Smith
International civic and citizenship education study publications in response to New Zealand's involvement in ICCS in 2008
Ministry of Education publication for Boards to support searching and confiscating from students
The NSW Government's glossary of command words

www.cabinetmanual.cabinetoffice.govt.nz/node/68
www.teara.govt.nz/en/cartoon/35876/constitution-cartoon
www.educationcounts.govt.nz/publications/series/iccs
www.minedu.govt.nz/~media/MinEdu/Files/Boards/Support/SearchingStudentsAndConfiscation.pdf
www.boardofstudies.nsw.edu.au/syllabus_hsc/glossary_keywords.html