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**Newsletter Issue 9 | April 2020**

*This newsletter is published by the Constitution Transformation Network (ConTransNet) based at Melbourne Law School. We are a network of expert scholars sharing our latest research and experiences regarding the development of constitution-making processes, content and implementation.*

## On the Radar

### "Constitution transformation in the wake of COVID-19"

The COVID-19 pandemic that swept the world from the start of 2020 has affected many aspects of life in most places. Constitutional government is no exception. Already, it is possible to see some of the implications of COVID-19 for the operation of constitutional systems and for the relations between states and other orders of government. Other implications can be expected to emerge over time. In this CTN blog, five such implications have been analysed.

For example, some governments have used the crisis to further consolidate executive power and silence accountability mechanisms, while others have put in place regulations that severely restrict civil liberties and other practices in order to enforce social distancing. On the other hand, some governments have been creative in how they have managed imminent elections or how they have harnessed federal structures to implement more responsive, locally-nuanced decision-making. This CTN blog highlights a range of case studies to highlight these issues and makes further reflections on some of the issues that may benefit from further analysis as the crisis subsides.

[Read more](#)

## Launch

### Policy Brief on "Women and Constitutions in Action"

In November 2019, ConTransNet was pleased to host the [2019 Australia-ASEAN Women in Constitution-Building Capacity Development Program](#), which was supported by the Australian Government through the Australia-ASEAN



on the IACL Blog, writing on "[Irish Re-Unification: Perspectives from Elsewhere](#)". Her blog post was part of an [IACL-AIDC Blog Symposium](#) on unification of the island of Ireland. Cheryl's blog reflects on experiences with unification and secession from across the world, including reunification of the two Germany's at the end of the Cold War, the division of Sudan and the break up of Czechoslovakia, and the possible options for the two Koreas, to draw out lessons learned and good practice of relevance to the two Irelands.

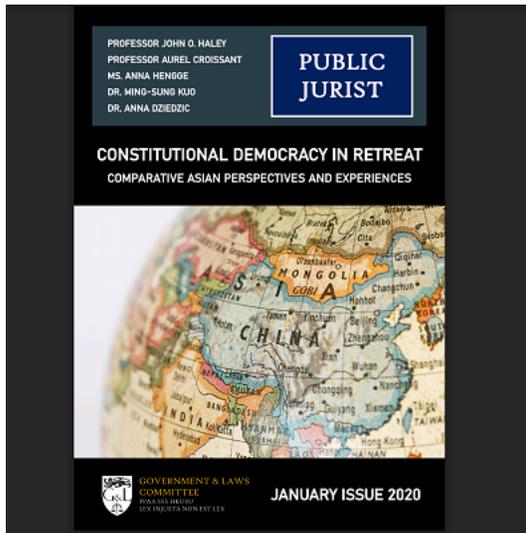
The screenshot shows the top of a blog post on the IACL-AIDC Blog. The header includes the blog's name and navigation links: 'OUR MISSION | BLOG TEAM | POSTS | BLOG SYMPOSIUM | IACL-AIDC | PARTNERS | BOOKSHELF | SUBMIT A POST | CALLS FOR PAPERS | ANNOUNCEMENTS | CONTACT US'. The main title is 'Constitutional Dimensions of Irish Re-Unification'. Below the title is a photo of Cheryl Saunders, identified as 'Constitution Transformation Network'. To the right is a 'Subscribe' form and an 'RSS Feed' section. The main text begins with an 'Editor's Note' and a paragraph of text.

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Will Partlett, CTN Convenor, published an IACL Blog Post on "[Russia's Unconstitutional Zeroing Amendment](#)" in response to the last-minute amendment of Article 81 of the Russian Constitution on 10 March 2020. The amendment "zeroes out" the number of terms any prior or current president has served and allows the current President (Vladimir Putin) to run for two additional terms. Will argues that the amendment contradicts three key constitutional principles enshrined in the Russian Constitution, namely, popular sovereignty, separation of powers and a republican form of government.

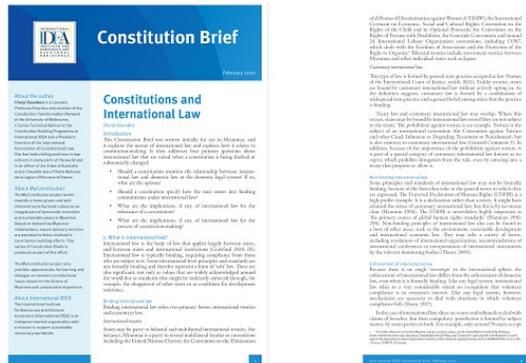
Cheryl Saunders published an article on ConstitutionNet, reflecting on "[The Impact of Climate Change on the Australian Federation](#)". Her article explores the dynamics of federalism in the particular context of climate change, showing the role that effective intergovernmental relations can play and how bottom up initiatives can assist in building nationwide consensus on solutions to climate change. This article comes after a 2019 [CTN blog](#) which reflected on innovative climate change strategies which are being implemented at sub-national levels across the world.

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In February 2020, Dr Anna Dziedzic, CTN Convenor, published an article on "[Popular Protest: Constitutional Democracy In Crisis Or Constitutional Democracy In Action](#)". Anna's article is part of a bigger collection reflecting on "[Constitutional Democracy In Retreat: Comparative Asian Perspectives And Experiences](#)", published by Public Jurist. Anna is part of their Advisory Board. Anna's article reflects on the recent rise in popular protest movements across Asia and their connection to broader discussions regarding constitutional democracy backsliding in the region recently.

Will Partlett published an article reflecting on early proposals by Russian president Vladimir Putin mooted in January 2020, which suggested the President was developin in "[Exit Plan](#)", for his life as an ex-president - with some caveats. These proposals have now been superceded (see Will's articles below), but this analysis provides interesting insights into Putin's early thinking.



Cheryl Saunders wrote a [Policy Brief on "Constitutions and International Law"](#), which was published by [International IDEA](#). The Policy Brief explores four key questions about how constitutional and international law intersect, including whether and how international law should be specifically referenced in constitutional texts and the implications of international law for constitution-building process and substance.

## Courses

### [Multi-level Government \(LAWS90180\)](#)

Michael Crommelin and Cheryl Saunders will teach an intensive Masters subject from 5 August to 11 August 2020 on multi-level government. The course will canvass issues such as democratic representation, distribution of fiscal resources, structure/operation of the public sector, judicial interpretation, management of

natural resources and constitutional change.



### **Post-Conflict Statebuilding (LAWS70313)**

Bruce Oswald and Cheryl Saunders will teach an intensive Masters subject from 21-27 October 2020 on post-conflict statebuilding. This subject deals with the body of law and practice that applies to states as they emerge from conflict and try to build strong, prosperous and responsive communities.



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