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The fact that a government may exercise power with legal authority does not in itself determine that its actions are constitutional. And here lies the paradox between constitutions that effectively limit the arbitrary exercise of power and constitutions that are designed to serve the interests of those in power.

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It would be an absolute absurdity to suggest totalitarian regimes, whose governments and legislatures function in accordance with their constitutions are constitutional governments. Constitutionalism demands something above the ideal of legality. The doctrine stresses conformity with the broad philosophical values that make up a democratic state. It is a set of political values and aspirations that reflect the desire to protect individual liberty by ensuring that government institutions and political processes are effectively constrained by constitutional rules. In a sense it is a species of **political liberalism**.

Constitutionalism is characteristically expressed in its support for constitutional provisions that achieve democratic values and aspirations and include a system of transparent, free and fair elections held at regular intervals, a Bill of Rights, sufficient dispersal of power between the three branches of government and the decentralisation of the administration, as well as, a free and independent judiciary. These underline the doctrine of responsible accountable government and the limitation on the exercise of arbitrary power.

