Q # 01: Explain the salient (Numaya) feature of the British constitution.

1) Introduction

- A constitution means certain principles on which the government of the state organizes and determines the relations between the people and the government.
- The constitutions of U.K is unique in nature and has provided inspiration to other all constitutions of the world.
- The object of the constitutions is to provided justice and to take up against issues related to violation of rights.

2) Definition of constitution

- A constitution is a set of fundamental principles according to which a state is governed.

3) Salient features of U.K constitution

Following are the salient features of the U.K constitution:

1. Unwritten
   - The British constitution is unwritten in nature but it does not mean that all constitution is unwritten.
   - It means that constitution has not been written in a single document.
   - Some of the components are in written form such as Parliament act of 1911 etc.

2. Evolutionary (Gradual) growth
   - The British constitution is a result of an evolutionary growth. Conscious efforts as well as needs to time shaped its unintentional growth.

3. Flexible constitution
   - The British constitution is a flexible constitution and the parliament can amend it by a simple majority by making alterations in the statutory law.

4. Unitary (Wahadaniat)
   - Britain has a unitary constitution. All powers of the state are in the hands of single government for the whole country. There are no states in Britain.

5. Bicameralism (DO aewaani)
   - The parliament consists of two chambers House of Lords and house of commons.
   - House of commons is a popular chamber whose members directly elected by the people.
   - While the house of lords is basically a hereditary chamber and its members are nominated by the Queen.
6. Supremacy of the Parliament
   - In U.K Parliament has complete supremacy or sovereignty. Any enacted law by the parliament cannot be challenged in the court that it is against the constitution

   ➢ According to De loeme
     “British Parliament can do everything except to make a man into a woman”

7. Constitutional monarchy (Badshahi)
   - From the constitutional point of view, the crown is the foundation of the entire government

8. Contrast in theory and practice
   - There is a sharp constrast between theory and practice. Theoretically British government is absolute monarchy but practically the government structure is closer to democratic form

9. Collective responsibility
   - Ministers are collectively responsible for making law and they cannot make their decisions against government policy. Every minister is individually responsible to play his role positively

10. Limited separation of power
    - In Britain, there is limited separation of powers. Cabinet which exercise the executive powers is the committee of the parliament and many acts has been provided in order to secure committee from undue influence from the two branches of the government

11. Independence of judiciary
    - Necessary safeguards have been provided to judicial process from undue interference
    - Judges are being paid high salaries and their jobs are totally secured

12. Rule of law
    - U.K constitution provides rule of law. The Principle of rule of law defines as none of the person is above or below the law. The all persons are equal in the eye of law. If any person violates the law he should face the trial of the case in government and no person is given imprisonment until his offense is proved in the court

13. Fundamental rights
    - Fundamental rights of the citizens have not been gathered in the form of a list in the English constitution. But fundamental rights have been recognized by the courts with the needs to time
14. **Conventions (Majalis)**
   - Conventions play a vital role in the Britain political system. A government can be established and removed on the basis of conventions in Britain.

15. **Two party system**
   - Liberal party has lost its political significance now and now there are only parties Conservative party and second are labour party in Britain.

16. **Universal adult suffrage**
   - In Britain every individual of the age of 18 has the right to vote.

17. **Mixed constitution**
   - One of the best quality of the British constitution is that, the British constitution is a mixture of the monarchial and democratic principles.

18. **Conservativeness (Qadamat pasandi)**
   - The British constitution is a symbol of conservativeness. The trend of the people of U.K is absolutely in favor of old institutions and this concept shows their conservativeness.

19. **Establishment of local government institutions**
   - The existence of local government institutions are symbols of the civil liberties and freedom the of the people of Britain.

20. **Unreality**
   - Another characteristic of the English constitutions is its unreality. It has been pointed out that noting is in it. This is totally unreal constitution.

4) **Elements of English constitution**
   - Following are the elements of the English constitution:
     1) Statutes of Parliament
     2) The common law
     3) Constitutional land mark
     4) Conventions
     5) Judicial decision
5) Conclusion

- U.K constitution is neither absolutely unwritten nor absolutely written it is the combination of the both
- It has varies from other exist laws in the world and is very flexible but strong
- It has different in nature from other constitutions because theoretically it seems a strong but practically it seems different in nature and very flexible
- On the other hand it has been globally recognized by all other constitutions