

Features of the British Constitution

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The features of the British constitution are as follows:

- British Constitution is unwritten

The British Constitution is not a particular codified document like that which exists in India (the Indian Constitution). It is unwritten and is an aggregate of several documents which together constitute the rules of the land. There is no documented, accurate, and compact document that can be referred to as the British constitution. The fundamental reason for this is that it is founded on customs and political traditions that are not codified in any text. The main reason for this is that it is based on conventions and political traditions, which have not been laid down in any document, unlike a written constitution, which is usually a product of a constituent assembly.

- The British Constitution keeps evolving with time

The British constitution is an example of how things have evolved over time. There was no presence of a constituent assembly to frame the British Constitution like the one that framed the Indian constitution. This nature is due to the fact that it is the result of slow growth and evolution. A particular date of its creation cannot be provided, and no one group of people can claim to be its authors. It has had a continuous evolution for over a thousand years.

- British Constitution has a unitary character

In contrast to a federal constitution, the British constitution is unitary in character. The British Parliament, which is a sovereign body, has complete control over the administration. It is subservient to the executive organs of the state, which have delegated powers and are accountable to it. The British constitution has unitary character as opposed to a federal one. All powers of the government are vested in the British Parliament, which is a sovereign body.

The executive organs of state are subordinate to it and exercise delegated powers and are answerable to it. There is only one legislature. England, Scotland, Wales etc. are administrative units and not political autonomous units.

- British Constitution promotes a parliamentary executive

The United Kingdom is governed by a Parliamentary system. All of the King's powers and authority have been taken away from him. Acts and policies of the Prime Minister and his ministers are accountable to the legislature. The executive and legislative branches of government are not separated in this system, as they are in the Presidential form of government.

- British Constitution promotes a Sovereign Parliament

Parliamentary sovereignty is a key aspect of the British constitution. Parliamentary sovereignty refers to the fact that parliament is superior to the executive and judicial spheres of the government and so have the power to adopt or repeal any law. Parliament is the sole legislative body in the country with unrestricted legislative powers, allowing it to enact, amend, and abolish any law it sees fit. The courts have no authority to question the validity of the laws passed by British Parliament.

- British Constitution upholds the Rule of Law

The main function of the judiciary is to uphold the rule of law. The principles of the rule of law are:

In the eyes of the law, everyone is equal, regardless of their position or rank.

- This theory emphasises that the law, not any individual, is supreme.
- Without a fair and adequate trial by a competent court of law, no one can be detained or imprisoned. A person cannot be punished or deprived of his or her life, liberty, or property unless there has been a specific breach of law proven in a regular court of law through a regular procedure.

- British Constitution prescribes an Independent Judiciary

The Rule of Law in the United Kingdom is protected by the fact that judges can only be removed from office for significant misconduct and only after a procedure that requires the approval of both Houses of Parliament. As a result, the judges are free to make their decisions without fear or favour. The same approach has been taken in India, where judicial independence is regarded as an important component of the Constitution.