

**CONSTITUTION OF THE
UNITED
KINGDOM(BRITAIN)**

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SALIENT FEATURES OF THE CONSTITUTION

- Partly written and unwritten
- Evolutionary
- Difference between theory and practice
- Parliamentary Sovereignty
- A Unitary Constitution
- A Flexible Constitution
- Rule of Law

- A Parliamentary Form of Government
- Separation of powers combined with Concentration of Responsibility
- A Blend of Monarchy, Aristocracy and Democracy.
- A Bicameral Legislature

THE CROWN

Executive Powers

The Crown is the executive. All executive authority is vested in it. It appoints all the high executive and administrative officers, judges, bishops and the officers of the army, navy and air force, directs the work of administration.

However, all these powers of the Crown are exercised by the ministers, or the Cabinet.

Legislative Powers

The Crown is not only an executive but also an integral part of the national legislature. The king summons and prorogues the sessions of the British parliament, dissolves the House of Commons, assents to the bills passed by the parliament and issues Order-in-Council. All this is done on the advice of the Cabinet, rather it is the cabinet which exercises all these powers. The king has long lost the power of issuing decrees without the concurrence of Parliament.

Judicial Powers

It is said , “The king is the fountain of justice”.

The King appoints the judges,including the justices od peace in the counties and boroughs in name only. They are the nominees of the cabinets

The Cabinet

Features of the Cabinet System

Exclusion of the King from the Cabinet

Cooperation between Cabinet and Parliament

Ministerial Responsibility

Leadership of the prime Minister

Political Homogeneity

The Prime Minister

The office of the prime minister is the result of a mere accident, Walpole was the first prime minister of England who was commissioned to preside over the meetings of the Cabinet. Not until 1878, did the term “Prime Minister” make its appearance in any public document. It was in the Treaty of Berlin that Lord Beaconsfield was referred to as ‘first Lord of Her Majesty’s Treasury, Prime Minister of England’.

It was by the Act of 1906 which gave a definite and exalted rank to the Prime Minister by fixing the order of precedence in state ceremonials, and made him the fourth subject of the realm. The Chequers Estate Act 1917, refers to “the person holding the office popularly known as Prime Minister’

Functions of the Prime Minister

- Formation of the Cabinet
- Distribution of Portfolios
- Shuffling of the Ministry
- Chairman of the Cabinet
- Act as coordinator
- Leader of the House of Commons
- Power of Dissolution
- Channel of Communication
- Chief Adviser of the King
- Representative of the Nation

Position Of the Prime Minister

- Lord Morley describes position of British prime minister as *primus inter pares* or the first among equals.
- Harcourt describes the prime minister as *Inter stellas luna minores*— a moon among lesser stars.
- Munro called him ‘the captain of the ship of the state’.
- Laski described him as ‘The pivot around which the entire governmental machinery revolves.’

The British Parliament

Bicameral Legislature

- House of Lords(Upper House)
Membership 764
- House of Commons(Lower House)
Membership 650

References

- World Constitution (A Comparative Study) by Vishnoo Bhagwan,Vidya Bhushan and Vandana Mohla
- Select Constitution by J.C.Johari