**Question: Discuss the salient features of British Constitution.**

Like other countries there was no constitutional assembly to enact the constitution of Britain. On the basis of the evolution the constitution came into existence. So, it is called “A child of chance and wisdom.” Though it is unwritten constitution, it can be said that there is no any constitution in Britain. It is the oldest constitution of the world. This constitution cannot found in a document form. It is a constitution, found in unwritten form. It is took the shape of constitution through historical evolutionary process. The main sources of the constitution are - Acts of Parliament, EU law, case law, and conventions. The features of British Constitution are explained as follows;

**Salient Features**

1. **Mostly unwritten and partly written:** By far the most important feature of British constitution is its unwritten character. There is no such thing as written, precise and compact document, which may be called the British constitution. It was really this aspect of the British constitution that led De Tocqueville to remark that English constitution does not really exist. The main reason for this is that it is based on conventions and political traditions, which have not been laid down in any document. However, it has some written parts too which includes Historical Documents, Parliamentary Statues, Judicial Decisions and Constitutional Characters, e.g. Magna Carta (1215), Petition of Rights (1628), Bill of Rights (1689), Parliamentary Act of 1911 & 1949 etc.
2. **British Constitution is Evolutionary:** The British constitution is a specimen of evolutionary development. It was never framed by any constituent assembly. No precise date of its birth can be given and no definite body of persons can claim to be its authors, because it is the product of gradual growth and development. It has an unbroken continuity of development over a period of more than thousand years. Its sources are several and the course of its development has been sometimes guided by accidents and sometimes by high designs.
3. **Flexible Constitution:** The British constitution is a classic example of flexible constitution. It can be passed, amended and repealed by simple majority of Parliament since no distinction is made between a constitutional law and an ordinary law. Both are treated alike. The element of flexibility has length the virtue of adaptability and adjustability to the British constitution. This quality has enabled it to grow with the needs of time.
4. **Unitary form of Government:** 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.
5. **Parliamentary form of Government:** England has a Parliamentary form of government. The King who is sovereign has been deprived of all his powers and authority. The real functionaries are Ministers who belongs to the majority party in Parliament and remain in office so long as they retain its confidence. The Prime Minister and his Ministers are responsible to the legislature for their acts and policies. In this system the executive and legislature are not separated as in the federal form of government
6. **Sovereignty of Parliament:** A very important feature of the British constitution is sovereignty of Parliament. Parliament is the only I4slative body in the country with unfettered powers of legislation can make, amend or repeal any law it likes. The courts have no purer to question the validity of the laws passed by British Parliament. It can also amend constitution on its own authority like ordinary law of the land. It can make illegal what is legal and legalize what is illegal.
7. **Rule of Law:** Another important feature of the British constitution is the Rule of Law. It implies equality or all before supremacy, uniformity and universality. It has three implications: All persons are equal before jaw irrespective of their position or rank. This doctrine emphasizes the supremacy of the law and not of any individual. No one can be detained or imprisoned without a fair and proper trial by a competent court of law. Nor can a person he punished or deprived of his life, liberty or property except for a specific breach of law proved in an ordinary court of law by an ordinary procedure. A corollary to this principle is the doctrine that, “the King/Queen can do no wrong”.
8. **Gap between Theory and Practice:** Unlike other constitutions there is a great gap between theory and practice in English political system. This fact results largely from the unwritten character of the Constitution, which is mainly based on conventions. As for instance, in theory, it is the King and Queen who is sovereign, but in practice it is the Parliament, which is sovereign. The King and Queen cannot veto any bill passed by the Parliaments, although he/she has the right to do so in theory. The Queen in theory is the fountain-head or patronage but in practice all honors and titles are conferred by the Prime Minister. This also justifies the remarks of Lord Sankay that “theory has no relation to realities in British constitution”
9. **Mixed Constitution:** The British constitution is a queer mixture of the monarchical, aristocratic and democratic principles. The institution of Kingship shows that there is monarchy in England. The existence of House of Lords gives an idea that .England has an aristocratic type of government. The House of Common reflects actual working of a Full-fledged democracy in this country. But all these diverse political elements have been beautifully welded together to produce the final effect of perfect representative democracy.
10. **Role of Conventions:** A necessary corollary to the unwritten character of the constitution is that the conventions play a vital role in the British political system. For example, while the Queen has the prerogative to refuse assent to a measure, passed by Parliament, but by convention, she cannot do so and the same has become a rigid principle of the constitution itself. By Convention, again, the Queen cannot go against the advice of the cabinet. Likewise, there are dozens of conventions, which do not have any force of law yet they are scrupulously adhered to and constitute the very blood and flesh of the constitution.
11. **Bi-Party System:** there are bi-party systems in Britain and these parties are – conservative party and labor party. In Britain, this party system has been going on since two hundred years ago. if one party forms government, the takes the part of opposition. Though there are other parties also, they cannot play significant role in politics. The success of political system in Britain is due to the existence of bi-party system party.
12. **Independence of Judiciary:** The Rule of Law is safeguarded by the provision that judges can only be removed from office for serious misbehavior and according to a procedure requiring the consent of both the houses of the Parliament. So, the judges are able to give their judgments without any fear or favor.