**Question: Write the Sources of British Constitution**

The UK constitution is a composite of character and statue, of judicial decisions, of common law, of precedents, usages and traditions. It is not one document, but thousands of them. There are several sources of British Constitution and these are explained as follows;

1. **Historic Documents:** There are, in the first place historic documents embodying, solemn agreements arrived at between the King and his subjects at time of political stress and crisis. Magna Carta (1215), the Petition of Rights and the Bill of Rights are examples of such documents. The Magna Carta was signed by King John in 1215. It may be described as the foundation of British constitution because it was for the first time that certain rights of the people were recognized by the King. The rights claimed were mainly those of justice and property. One important principle was established that the King must govern according to law and not according to his will or caprice. The Petition of Rights (1628) to which King Charles-I yielded contained protest against taxation without the consent of Parliament, unlawful imprisonment and grievances against the military. The Bill of Rights (1689) made it illegal For the King to overridden laws, to maintain a standing army without the consent of Parliament, or to demand taxes by prerogative.
2. **Statutes and Acts of Parliament**: Then there are statutes, which Parliament has passed from time to time. They deal with significant constitutional matters. The Act of Habeas Corpus (1679), the Act of Settlement (1701), the Reform Acts of 1832, 1897, 1884, 1918 and1928, the Parliament Act of 1911 & 1949, the Statute of West Minister of 1931 etc. are the example of such statutes. The Act of Habeas Corpus stipulates that a person who is imprisoned without legal justification can obtain release. The Act of Settlement lays down that the King must be of Protestant faith. The various Reform Acts determine franchise (right to vote) and Parliamentary representation. The Parliament Act of 1911 as amended in 1949 deals with the powers of the House of Lords. The Statute of Westminster defines the status of the Dominions and their relationship with the mother country Britain.
3. **Judicial Decisions:** The courts interpret statutes, solemn agreements and common law whenever disputes are referred to them. Their decisions have contributed a good deal to the development of the British constitution. Dicey has remarked that the English Constitution is a judge-made. Most of the rights enjoyed by the British people today are the outcome of contests carried on in the courts. The right to personal liberty, the right to public meeting, the right to freedom of speech, etc. is in England are the result of judicial decisions.
4. **Commentaries of Eminent Jurists:** Legal authorities and eminent jurists have written comments on constitutional law of England. Arson’s Law and Customs of Constitution, May’s Parliamentary Practice and Dicey’s Law of Constitution are regarded to be authoritative comments on law and practice of English constitution.
5. **Common Law:** The four elements of the British constitution mentioned above are of written character. Common law is of unwritten character. It is the law based on the immemorial customs of the people and recognized by law courts. Originally, it was based on common law of the land. It was by common law that the sovereign King and Queen was the source of all power in the country. Though much has now been changed by statutes, a considerable portion, of the British constitution is still based on common law. The prerogative (discretionary power) of the sovereign, for example, rests entirely on common law. Many basic rights of the people, jury trial, freedom of speech and assembly etc. are based on common law as interpreted and applied by the courts of the country.
6. **Conventions:** Convention is another source of the British constitution lies in its conventions or political traditions. These conventions are neither a part of written law, nor can they be enforced and recognized through the courts. But they obeyed by the people because they are very helpful in the smooth working of the government. For example, if the Queen re ruse assent to a bill passed by both houses of the Parliament legally, she has the right to reject the bill but the convention lays down that she will no use her veto power. Another very important convention is that the cabinet has to resign when they lose the vote of confidence in the House of Commons. The Prime Minister must belong from the House of Commons. It is also the convention that all the cabinet members including the Prime Minister are responsible to the House of Common for their conduct, acts and policies. There are many other conventions, which form the very soul of the British constitution

**Question: Write the Conventions of British Constitution**

Conventions are often thought of as "unwritten" but sometimes conventions are recorded in writing e.g. the Cabinet Manual, the Ministerial Code. Similarly conventions are often thought of as evolving over time but they can sometimes be created at a specific moment in time e.g. the Salisbury Convention. In Britain the constitutional conventions play a key role. Some the Important conventions of British constitution are explained as follows;

1. The monarch will accept and act on the advice of their ministers, who are responsible to Parliament for that advice; the monarch does not ignore that advice, except when exercising Reserve powers.
2. All money bills must originate in the House of Commons.
3. The monarch will grant dissolution of Parliament if the Prime Minister advises the monarch.
4. The monarch grants the Royal Assent to all legislation.
5. The Prime Minister should be a member of either House of Parliament- House Commons or House of Lords.
6. All Cabinet members must be members of the Privy Council, since the cabinet is a committee of the council.
7. The House of Lords should not reject a budget passed by the House of Commons.
8. During a General Election, no major party shall put up an opponent against a Speaker seeking re-election.
9. The Westminster Parliament will only legislate on reserved matters. It will not legislate on non-reserved matters
10. The House of Lords shall not oppose legislation from the House of Commons that was a part of the government's manifesto (the Salisbury Convention).
11. Ministers of the Crown are individually and collectively responsible to Parliament.
12. Ministers are almost always members of either the House of Commons or the House of Lords.
13. Parliament must be summoned to meet at least once each year.
14. Judges shall not play an active part in political life.
15. Members of Parliament shall not criticize the judiciary.
16. The opinion of the Law Officers of the Crown is confidential.
17. Advice of the prime minister or the cabinet — who are then accountable to Parliament for the decision — is required for the Royal Prerogative to be exercised.