



1. TITLE OF ASSIGNMENT

**The Difference Between Written and Unwritten
Constitutions, Rigid and Flexible Constitutions**

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3. SUBJECT NAME:

Introduction to Law

4. LECTURER NAME:

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❖ **Introduction:**

Constitutions can declare and define the character and authority of the political community. They often declare the state's fundamental principles and assumptions, likewise as where its sovereignty lies. Constitutions can express the identity and values of a national community. As nation building instruments, Constitutions may define the flag, anthem and other symbols, and will make proclamations about the values, history and identity of the state.

❖ **Written and Unwritten Constitution.**

The written constitution may be a single document which contains all of the provisions and requirements also brought up as a codified constitution, the written constitution may contain many of the identical principles same as the unwritten consistency, though the appliance between the 2 could also be quite different in line with the jurisdiction.

Written constitution is one which is found in one or quite one legal documents duly enacted within the sort of laws. It's precise, definite and systematic, it's the result and therefore the conscious and deliberate efforts of the people. A written constitution is usually rigid and a procedure become independent from that of enacting ordinary law is provided for its amendment or revision. In other words a distinction between constitutional law and ordinary law is maintained. The primary is considered superior to the second. A written constitution can also be termed as an enacted constitution.

The constitution of India, for an example, is a written constitution. It was framed by a representative Constituent Assembly and was promulgated on a definite date, 26th January 1950.

An unwritten constitution is one during which most of the principles of the govt. have ever been enacted within the variety of laws. It consists of customs, conventions, traditions, and a few written laws bearing different dates. It's unsystematic, indefinite and un-precise. Such a constitution isn't the results of conscious and deliberate efforts of the people.

It is generally the results of historical development. It's never made by a representative constituent assembly at an explicit stage of history, neither is it promulgated on a selected date. It is, therefore, sometimes called an evolved or cumulative constitution. The constitution of England. It's mainly the results of historical growth. It is unwritten because there's no single document that contains the fullness of the law. Examples include the UK.

❖ **Rigid and Flexible Constitution.**

A rigid constitution is one that's not easily changed. There is also a process for it, but it's generally burdensome or perhaps simply can not be changed in the slightest degree. A rigid constitution can't be easily amended. The procedure for amending the rigid constitution is cumbersome, expensive and time consuming whereas, a flexible construction will be easily amended.

A rigid constitution is sometimes in writing or a written constitution whereas, flexible constitution is also in written or unwritten form.

A flexible constitution one that's not readily changeable. Where amendments could be as easy as passing normal piece of legislation. A flexible constitution allows the people to collaborate for justice when injustices is discovered. With opinion because the basis for the constitution, as within the USA, injustice can wander per the whims of the present inhabitants. Therefore, the people should collaborate to find the target truth, the ineluctable evidence by which truth is measured.

However, you'll tell the difference between flexible and a rigid constitution because in flexible constitution, there'll be numerous laws that are flexible enough to adapt to different circumstances times, and places. A rigid

constitution may result in unfairness if applied inflexibly all told places in any respect times. For an example, the framer of the U.S. constitution recognized the requirement of both for a versatile system and for flexible laws, by affording each state legal jurisdiction over just about interstate matters.

The framer understood that social economic problems, likewise as standards of equity and fairness, can legitimately change over time and vary from region to region, even from town to town. Than our nation founders would be pleased to determine their flexible system that promotes equity and fairness because it operates today.

❖ **Conclusion:**

The rigid constitutions is considering the character of the constitutional rules, and with their standing in terms of objectivity. And also bringing stability and stability to the provisions of the Constitution, thus it makes it aloof from the assault of the parliament. Flexibility within the constitution may weaken its sanctity and diminish its prestige among citizens and also the ruling authorities.

Written Constitution refers to the constitution the laws of which are properly enacted and duly framed and stated during a single book. On the contrary, unwritten constitution may be a system which isn't incorporated during a series of documents as a book, likewise because the laws don't seem to be formally enacted on a particular date.

❖ **References:**

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