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A constitution is, therefore, the basic design of the structure and powers of the government and the rights and duties of its citizens. There can be no State without a constitution. Sometimes the constitution of a State is definitely formulated in a document or documents; sometimes it is found in an established body of rules, maxims, traditions and practices in accordance with which its government is organised and its powers are exercised. The constitution need not be written. Nor does a written constitution represent the actual structure of the country and of its political institutions.

Custom plays a considerable and often a preponderant role. "The attempt to embody the fundamental institutions of a State in a single document or small groups of documents," says Lowell, "is rarely, if ever, successful; and even if the constitution when framed covers all the main principles on which the government is based, it often happens that they become modified in practice, or that other principles arise, so that the constitution no longer corresponds fully with the actual government of the country." What the constitution establishes is some sort of legal order which is enforced and which keeps the parts of the State together. Woolsey says that a constitution is the "collection of the principles according to which the powers of government and the rights of the governed and the relationship between the two are adjusted." Bryce defines it as "the aggregate of laws and customs under which the life of the State goes on"; "or the complex totality of laws embodying the principles and rules whereby the community is organised, governed, and held together" Herman Finer says, "The State is a human grouping in which rules a certain power relationship between its individuals and associated constituents. This power relationship is embodied in political

institutions. The system of fundamental political institutions is the constitution the autobiography of a power relationship." Where defines it as " that bodies of rules which regulates the ends for which and the organs through which governmental power is exercised." Gilchrist writes that the constitution consists of " that body of rules or laws written or unwritten, which determine the organisation of government, the distribution of powers to the various organs of government, and the general principles on which these powers are to be exercised."