

CONSTITUTION SOURCE 1

(Adapted from an article on Parliament's website).

The case for a written constitution is that it would enable everyone to know what the rules and institutions were that governed and directed ministers, civil servants and parliamentarians in performing their public duties. The sprawling mass of common law, Acts of Parliament, and European treaty obligations, surrounded by a number of important but sometimes uncertain unwritten conventions, is impenetrable to most people, and needs to be replaced by a single document of basic law dictating the working and operation of government in the United Kingdom easily accessible for all.

Furthermore, it has become too easy for governments to implement political and constitutional reforms to suit their own political convenience, and entrenched procedures to ensure popular and parliamentary consent are required that necessitate a written constitution.

The present 'unwritten constitution' is an anachronism riddled with references to our ancient past, unsuited to the social and political democracy of the 21st century and future aspirations of its people. It would become a symbol and expression of national identity today and a source of national pride.

The case against a written constitution is that it is unnecessary, undesirable and un-British. The fact that the UK system of government has never been reduced to a single document is an indication of the success of the Westminster system of parliamentary democracy and the stability it has brought to the country. This is in contrast to most other countries whose written constitutions were the product of revolution or independence.... it reminds us of a great history, and is a source of national pride. Contrary to claims that it is out of date, it is evolutionary and flexible in nature, more easily enabling practical problems to be resolved as they arise and individual reforms made, then would be the case under an entrenched constitutional document. While some are concerned about the supposed existence of an "elective dictatorship" and inadequate checks and balances in the political system, there is in fact a wide range of considerable pressures exerted upon ministers seeking to make controversial changes. A written constitution would create more litigation in the courts, and politicise the judiciary... when the final word on legal matters should lie with elected politicians in Parliament, not unelected judges.

As a public policy proposal it lacks any depth of genuine popular support and, especially given the massive amount of time such a reform would entail, it is a very low priority even for those who support the idea.

Using the source, evaluate the view that the need for a codified constitution now outweighs the benefits of an uncodified constitution (30 marks)

In your response you must:

- Compare and contrast the different opinions in the source
- Examine and debate these views in a balanced way
- Analyse and evaluate only the information presented in the source.