

Nature of Constitutional Law

Class 1

(1).Definition

The term "Constitution" is used in three different senses

First

- it is used to denote the collection (group) of rules, which establish and regulate the government of country

Second

- it is used to mean a document having a special legal sanctity, which sets out the framework and the principle of organs of government of state.

Third

- the word "Constitution" is sometime understood as the fundamental law.

(2). **Universal phenomena:** Whatever may be the precise definition of the word "constitution" the latter is an almost a world-wide phenomenon. Nearly every state has its constitution which may be of one kind or another a state may not have a constitution as a single coherent document, yet it has an aggregate of rules establishing the principles of social and state system these rules form its constitution.

(3). **Essence (spirit) of constitutional rules:** As we shall see later, these rules may be written. But irrespective of the form they may take, they are not merely formal legal rules to a great degree they reflect the will interests and aspirations of the dominant social forces.

Thus in their essence they are sociopolitical rules. This means that they do not operate in vacuum or isolation. They are part of the whole sociopolitical system.

In other words, they should be looked at in the context of the political system in which they are set and the political in which they are operative.

This may will be shown by the fact that the constitution affects the interests of the whole society. It does so by defying the nature and

aims of state power and the rights and duties of citizens in relation to it.

In addition, the constitution determines the relations between the Institutions of state power, and between the state as a whole and its component parts.

Vocabulary

English	Arabic
Senses	يدرك ، يفهم
Sanctity	قداسة ، حرمة
Constitutional Law	القانون الدستوري
Collection	مجموعة
Government	حكومة
Essence	جوهر ، روح
Principals	المبادئ
Fundamental law	القانون الأساسي
Citizens	مواطنين ، سكان
Residents	مقيمين
Phenomenon	ظاهرة
Interests	مصالح
Aspirations	طموحات ، تطلعات
Political system	النظام السياسي