

Part-II

Constitutional Law

Defining a Constitution & .1

Constitutional Law

A constitution is a *fundamental law* enacted by the people to guarantee their fundamental rights and define and limit the powers of the government .

Thus, Constitutional law:-

- is a branch of public law that governs the interplay of the government in relation both to the public as well as within its subdivisions.
- it is the highest law of the land the guarantee fundamental rights of the citizens
- It incorporates basic constitutional principles

Constitutional law making process

- In the ordinary sense of the term law-making involves an assigned law-making organ that functions in the interest of those for whom the laws are made.
- Constitution-making process is different in the sense that it needs active participation of the people either during approval or sometimes through out the whole process.
- This makes the constitution the supreme law of the land

- Ordinary law-making process involves initiation, deliberation, adoption and promulgation by the parliament itself.
- However, Constitutional Law making process involves various organs at the different stages.
 1. Initiation Stage- Needs a commission composed of representatives from the society
 2. Discussion/Deliberation stage- Needs active involvement of the people through systematized mechanisms
 3. Approval/ratification/adoption- through referendum or Constitutional Assembly
 4. Promulgation- signature by the president/Head/ of the state and publication at the Negarit Gazettea.