

Constitutional Frameworks and National Development: The Impact of Government Institutions on Progress and Regress

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ABSTRACT

This paper explores the impact of constitutional frameworks on national governance by analyzing three distinct types of constitutions: completely written, completely unwritten, and those that are partially written and partially unwritten. This study investigates how each type of constitution influences the functionality and adaptability of government institutions, focusing on their roles in fostering or hindering national progress. Through comparative analysis, the paper highlights that while the form of the constitution plays a role in shaping governmental operations, the key determinants of a country's trajectory—whether towards progress or regression—are the effectiveness, flexibility, and responsiveness of its institutions. By examining examples of various countries, the research underscores that institutional dynamics, leadership quality, and societal engagement are crucial factors in determining a nation's success, regardless of its constitutional format.

Keywords: Types of Constitutions, Written Constitution, Unwritten constitution, Government institutions controlling the constitution.

1. INTRODUCTION

The constitution stands as the bedrock of a nation's legal and political framework, embodying its fundamental principles, values, and governing structure (Sridhar, 2017). A constitution serves as "the fundamental law of the land" (Sathe, 2006). It serves as a guiding document that delineates the

distribution and limitation of state power, establishes the rights and duties of citizens, and outlines the mechanisms for governance and administration. The basic principles and laws of a nation, state, or social group that determine the powers and duties of the government and guarantee certain rights to the people in the constitution. In essence, a constitution represents the collective will and aspirations of a people, encapsulating their ideals for justice, equality, liberty, and prosperity. They serve to stabilize and institutionalize the rule of law, providing a blueprint for the functioning of governmental institutions and the relationship between the state and its citizens (Jack, Sargeant, and Pannell, 2022).

Constitutions are not static documents; they are living instruments that evolve alongside society's changing needs and values. They often incorporate mechanisms for amendment or revision to ensure they remain relevant and reflective of contemporary norms and challenges (Roznai, 2017). Moreover, constitutions vary widely in scope and detail, ranging from concise statements of overarching principles to extensive legal frameworks that meticulously delineate the powers and responsibilities of each branch of government (Freeman, 1992).

Fundamentally, a constitution acts as a safeguard against tyranny and arbitrary rule by establishing checks and balances among different branches of government—typically the executive, legislative, and judicial branches (Vile, 1967). This separation

of powers ensures that no single entity can monopolize authority, thereby preserving individual rights and fostering a stable and equitable society. (Goel, Sharma, and Kaushal, 2022).

Constitutions usually include the basic elements such as a passionate introductory statement setting out the purpose of the constitution, known as a preamble, a detailed description of how power is to be distributed between the three branches of government - the legislature, executive and judiciary - as well as between national and state levels of government and a guarantee of certain basic rights enjoyed by individual citizens of the country. (LexisNexis, 2013).

The constitution has been classified into two categories – Written Constitution and Unwritten Constitution. However, in today’s world the constitution is adopted in three various ways over various countries which are Completely Written Constitution, Completely Unwritten Constitution and a Combination of Written and Unwritten Constitution.

A written constitution is one in which the duties and rights of governments and citizens, the structure of the constitutional arrangement, and the laws that regulate the entire system are all contained in a formal and legal book or a series of documents bound together as a book (Milewicz, 2020). The essential objective of a written constitution is for it to be enacted and is perfectly framed and duly passed. Therefore, a specialized body is charged with drafting and adopting the written Constitution, which specifies the government’s fundamental organs and bodies. Examples of countries which have this type of constitution are Brazil, France, Germany, India, and United States of America, among others.

The Unwritten Constitution is defined as a constitution in which the nation’s legal choices, fundamental laws, and norms are not written down or systematically represented in a single document (Milewicz, 2020). Usage, formal and legal enactments, conventions, precedents, and documents such as a writ, will, bonds, process, certificates, deeds, acts, and more represented in the Judiciary’s judgments and legislation defines the Unwritten Constitution. Examples of countries

which have this type of constitution are United Kingdom, New Zealand, and Sweden, among others.

A combination of a written and unwritten constitution refers to a system of governance where constitutional principles are derived from both explicit, codified documents and unwritten sources such as conventions, traditions, and judicial decisions. This hybrid approach incorporates elements of both types of constitutional arrangements to establish the framework for governance. This hybrid approach reflects the unique historical, political, and legal context of each country, shaping the governance and rule of law in diverse ways. Examples of countries which have this type of constitution are Canada, Denmark, Israel, Norway, and Australia, among others.

In this article I will assess the different types of constitutions which have been mentioned above. This paper will also involve how the institutions which control the various types of constitutions decide whether the country will progress or regress. This paper is outlined as follows. The Section 2 discusses about The Completely Written Constitution. The Section 3 discusses about The Completely Unwritten Constitution. The Section 4 discusses about The Combination of a Written Constitution and an Unwritten Constitution. The Section 5 is the Discussion section which involves various topics such as the role of the institutions controlling the Constitution of the country which leads the country to progress or regress. Lastly, the Section 6 is the conclusion of the whole paper which summarizes and concludes the paper.

2. COMPLETELY WRITTEN CONSTITUTION

A country having a completely written constitution means that its fundamental laws and principles governing the state, its citizens, and institutions are codified into a single formal document. Such a constitution typically outlines the structure of the government, delineates the rights and responsibilities of citizens, establishes the separation of powers among branches of government, and defines the relationships between the state and its citizens. By being written, it provides a clear, tangible reference point for legal and political decisions, ensuring consistency and

predictability in governance. This document serves as a foundational framework that guides legislation, judicial decisions, and societal norms, embodying the collective values and aspirations of the nation. Having a completely written constitution signifies a commitment to rule of law and constitutionalism, anchoring the country's governance in a stable and structured legal framework that is essential for democratic governance and the protection of individual rights; much of the information for this subsection is coming from Milewicz (2020).

2.1 Methods of Adoption

Countries with completely written constitutions typically follow their constitution through adherence to its provisions and principles in several keyways such as the follows – Firstly, the constitution is established as the supreme law of the land, meaning all other laws and actions of the government must conform to its provisions. This ensures that no law or action can contradict the constitution, providing a framework for legal and political stability (Freeman, 1992). Secondly, the constitution typically establishes the separation of powers among the legislative, executive, and judicial branches of government. Each branch is assigned specific powers and responsibilities, and the constitution defines how they should interact and balance each other's authority. Thirdly, many written constitutions include a bill of rights or similar protections for individual rights and liberties. These rights are typically enforceable by the judiciary, ensuring that citizens are protected from governmental overreach and ensuring due process and equal treatment under the law. Furthermore, written constitutions often include provisions for their own amendment or revision. This process is usually deliberately difficult to ensure stability and to prevent hasty or ill-considered changes. Amendments must typically pass through specific procedures, such as approval by a supermajority of the legislature or through a referendum. Also, in many countries with written constitutions, the judiciary has the authority to interpret the constitution and determine whether laws and government actions comply with its provisions. This power of judicial review ensures that the constitution remains a living document capable of adapting to changing societal norms and challenges (Ghai, 2016). Lastly, governments and civil society often promote public awareness and education about the constitution to ensure that citizens understand

their rights and responsibilities under the law. This helps to foster a culture of constitutionalism and respect for the rule of law.

2.2 Merits and Demerits

A country which has a completely written constitution enjoys many beneficiaries. A written constitution provides a clear and precise framework for the organization and functioning of the government. It outlines the powers, functions, and responsibilities of different branches of government, ensuring everyone understands their roles. It serves as the supreme law of the land, providing a legal foundation upon which all other laws and regulations are based. This helps in maintaining order and consistency in the legal system. They often include a Bill of Rights or similar provisions that guarantee fundamental rights and freedoms to the citizens. These rights are explicitly stated and protected, making it harder for governments to infringe upon them. A written constitution typically establishes a system of checks and balances among different branches of government. This prevents any one branch from becoming too powerful and ensures a separation of powers. It provides stability and continuity in governance by outlining basic principles and procedures that transcend changes in political leadership. It educates citizens about their rights and the functioning of their government, fostering civic engagement and participation in the democratic process.

Alongside the merits it enjoys, it also has certain demerits which countries must face. Written constitutions can be difficult to amend or adapt to changing circumstances, as the amendment process is often complex and requires consensus among various stakeholders. The interpretation of a written constitution can be contentious and subject to differing opinions. Courts and legal experts may disagree on the meaning of certain provisions, leading to conflicts. It may limit the flexibility of the government to respond quickly to emergencies or new challenges, as changes require formal amendments. Constitutions are often rooted in the cultural and historical context of a specific nation at a particular time, which may not fully accommodate future societal changes or diverse cultural perspectives. They can be lengthy and complex documents, which may be difficult for the public to understand or for lawmakers to implement effectively. When constitutional provisions are

vague or open to interpretation, courts may have significant discretion in interpreting them, which can lead to accusations of judicial activism or bias; much of the information for this subsection is coming from Singh (2021) and THE WEEK UK (2024).

2.3 Socio-political, Economic and Cultural Effects

Having a completely written constitution can have profound socio-political, economic, and cultural effects on a country. Following is an exploration of each.

2.3.1 Socio-political Effects

A written constitution provides clear guidelines on the organization of government, the distribution of powers, and the rights of citizens. This clarity can foster stability by reducing ambiguity and potential for conflict over governmental authority. Constitutions typically include a bill of rights that guarantees fundamental freedoms and protections for citizens. This can empower individuals and groups to challenge government actions that infringe upon their rights, promoting a more just society. Written constitutions often establish checks and balances among branches of government, limiting the concentration of power and preventing authoritarianism. This can enhance democracy by ensuring accountability and transparency. A written constitution serves as the supreme law of the land, providing a framework for the legal system. This promotes consistency in legal interpretation and application, contributing to a more predictable environment for citizens and businesses; much of the information for this subsection is coming from Colley (2021) and Elkins and Ginsburg (2021).

2.3.2 Economic Effects

A stable constitutional framework can attract domestic and foreign investment by providing predictability and security. Investors are more likely to commit resources to countries where property rights and contractual obligations are protected by law. Constitutions often outline economic principles and the role of government in the economy. This can influence regulatory policies, such as taxation, trade, and labour laws, shaping the business environment and economic growth. Some constitutions include provisions for fiscal responsibility and budgetary processes, promoting transparency and accountability in public finance management. This

can contribute to sustainable economic development and debt management; much of the information for this subsection is coming from Elster (1994) and Colley (2021).

2.3.3 Cultural Effects

A written constitution can reflect and promote national values and identity. It may incorporate cultural aspects that are significant to the country's history and development, influencing societal cohesion and unity. Constitutional provisions related to equality, non-discrimination, and cultural rights can foster inclusivity and tolerance within society. This can mitigate social tensions and promote a more harmonious multicultural environment. Constitutions often serve as educational tools, teaching citizens about their rights, responsibilities, and the principles of governance. This can contribute to civic engagement and the development of an informed electorate; much of the information for this subsection is coming from Colley (2021).

3. COMPLETELY UNWRITTEN CONSTITUTION

A completely unwritten constitution is a system of governance where the fundamental principles and rules that define the structure and operation of the state are not consolidated into a single, authoritative document. Instead, these principles emerge from a diverse array of sources such as historical documents, legal precedents, statutes, conventions, and traditions. This approach contrasts sharply with written constitutions, which are typically codified in a specific document or set of documents that serve as the supreme law of the land. Despite its lack of a single, codified document, an unwritten constitution still upholds fundamental principles essential to governance. These include the rule of law, the separation of powers, individual rights, and the sovereignty of Parliament or the legislature. These principles are embedded within the legal and political traditions of the country and are reinforced through judicial interpretations, institutional practices, and public expectations; much of the information for this paragraph is coming from Willis (2015) and Milewicz (2020).

3.1 Methods of Adoption

An unwritten constitution represents a unique and somewhat enigmatic form of governance, diverging markedly from the more familiar written counterparts found in many nations globally. Unlike its codified counterparts, an unwritten constitution relies on a complex web of historical precedents, statutes, conventions, and judicial decisions rather than a single, centralized document. While not part of a single constitutional document, specific laws and statutes may outline important constitutional principles and structures. Court decisions, particularly those from higher courts, establish precedents that interpret constitutional principles. Over time, these judicial interpretations become part of the constitutional framework, guiding how laws are applied and enforced. Important historical texts, treaties, and agreements may hold constitutional significance even if they are not codified into a single document. They can inform interpretations of constitutional principles and provide context for understanding the constitution. Long-standing political practices, traditions, and understandings shape how the government operates and how constitutional norms are respected and followed. In such systems, fundamental principles of governance, rights of citizens, and the distribution of powers are not entrenched in a single document but are derived from a diverse array of sources, including legal statutes, judicial decisions, customary practices, and conventions. The key lies in the recognition and acceptance of these unwritten norms, practices, and precedents as essential components of the constitutional order. At its core, an unwritten constitution embodies a dynamic relationship between legal norms and societal expectations, reflecting a continuous dialogue between tradition and modernity; much of the information for this subsection is coming from Willis (2015).

3.2 Merits and Demerits

A country which has a completely unwritten constitution enjoys many advantages. Unwritten constitutions are flexible and adaptable to changing circumstances and societal needs. They can evolve more easily through statutes, conventions, and judicial interpretations without the need for formal amendments. They often reflect the organic growth of a nation's political system and can incorporate new principles and practices as they emerge over time. Unwritten constitutions can be more pragmatic

in nature, allowing for adjustments and refinements in governance practices without being bound by strict legal texts. They contribute to political stability by allowing for gradual change and adaptation to societal norms and values without the potential gridlock that can accompany formal amendment processes. Unwritten constitutions often preserve and reflect historical traditions, conventions, and customs that contribute to a sense of continuity and national identity. They are less susceptible to legal rigidity and the potential for overly strict interpretations that could impede effective governance or responsiveness to public needs; much of the information for this paragraph is coming from Grey (1988) and The Lawyer Portal (2023).

Alongside the merits it enjoys, it also has certain demerits which countries must face. The absence of a single, authoritative document can lead to ambiguity and uncertainty regarding fundamental principles, rights, and governmental powers. Unwritten constitutions may be susceptible to abuse by political leaders or institutions that interpret conventions or historical practices in ways that undermine democratic principles or rights. Without explicit constitutional protections, there may be gaps in safeguarding individual rights and freedoms, leaving them vulnerable to legislative or executive actions. Since principles are often derived from conventions and traditions rather than explicit legal texts, enforcing constitutional norms can be challenging, particularly in cases of political disputes or conflicts. The informal nature of an unwritten constitution may result in a lack of transparency and accountability in governance practices, as conventions and unwritten rules may not be readily accessible or understood by the public. In times of crisis or significant political change, the absence of clear constitutional guidelines can lead to instability or uncertainty about the legitimacy and authority of governmental actions; much of the information for this paragraph is coming from McLean (2016) and The Lawyer Portal (2023).

3.3 Socio-political, Economic and Cultural Effects

Having a completely unwritten constitution can have profound socio-political, economic, and cultural effects on a country. Following is an exploration of each.

3.3.1 *Socio-political Effects*

Unwritten constitutions are often more flexible than written ones. This allows for easier adaptation to changing societal norms, technological advancements, and geopolitical shifts without the need for formal amendments. This flexibility can contribute to a more agile governance system. Constitutional conventions play a crucial role in an unwritten constitution. They guide the behaviour of political actors and provide a framework for governance. The adherence to conventions can enhance stability and predictability in political processes. Judicial interpretation becomes paramount in an unwritten constitution. Courts play a significant role in defining and evolving constitutional principles through their decisions. This can lead to a strong judicial influence on the political landscape. In some cases, an unwritten constitution may foster a closer link between elected representatives and their constituents. This can be due to the reliance on political traditions and the role of conventions in ensuring accountability; much of the information for this paragraph is coming from Grey (1988) and MacDonnell (2019).

3.3.2 *Economic Effects*

A clear and predictable legal framework is crucial for economic stability and attracting investments. While unwritten constitutions rely on conventions and judicial decisions, the clarity and consistency of legal principles may sometimes be perceived as less robust compared to written constitutions, potentially affecting business and individual investors' confidence. The interpretation of economic and regulatory laws under an unwritten constitution can vary depending on judicial decisions and evolving conventions. This may create uncertainty for businesses and investors regarding the consistency and predictability of regulatory frameworks; much of the information for this paragraph is coming from Persson and Tabellini (2003).

3.3.3 *Cultural Effects*

A country's constitution often reflects its national identity and values. In the case of an unwritten constitution, these values may be dispersed across various historical documents, traditions, and judicial interpretations. This can influence how citizens perceive their national identity and the foundational principles of their society. Unwritten constitutions may be more adaptable to cultural changes and societal shifts over time. The reliance on evolving

conventions and judicial interpretations allows for a gradual evolution of constitutional principles to align with changing cultural norms and values. Understanding an unwritten constitution requires familiarity with historical documents, legal precedents, and political conventions. This can impact civic education and public awareness about constitutional principles and governance; much of the information for this paragraph is coming from MacDonnell (2019).

4. COMBINATION OF A WRITTEN CONSTITUTION AND AN UNWRITTEN CONSTITUTION

The combination of a written constitution and an unwritten constitution represents a constitutional framework that integrates both explicit legal provisions and implicit norms and practices. This hybrid system is characterized by the coexistence of codified constitutional principles, usually found in a single written document or set of documents, alongside unwritten conventions and traditions that shape the functioning and interpretation of those principles. The combination of these two forms of constitutional principles creates a dynamic and adaptive system of governance. It enables the constitutional system to respond to new challenges and developments while maintaining the core principles and values enshrined in the written document. Countries with a combination of a written and unwritten constitution often benefit from the strengths of both systems. The written component provides legal certainty and a formal framework for governance, while the unwritten component allows for organic growth and adaptation over time. This dual approach can enhance the legitimacy of the constitutional system by integrating historical precedent and evolving societal values into the interpretation and application of constitutional principles.

4.1 **Methods of Adoption**

A constitution that is partially written and partially unwritten blends codified and customary elements to create a dynamic framework for governance. The written component typically consists of formal documents that clearly outline the fundamental principles, the structure of government, and essential rights and freedoms. This codified part serves as the supreme legal authority, providing a

stable and predictable foundation for governance. It details how various branches of government should operate, how powers are distributed, and the processes for amending the constitution. In contrast, the unwritten component includes customs, conventions, judicial precedents, and traditional practices that have evolved over time but are not formally documented. These unwritten elements fill gaps left by the written constitution, guiding the day-to-day functioning of government and allowing for flexibility and adaptability in response to changing circumstances. This combination ensures that the system remains both stable and responsive, with the written constitution providing consistency and the unwritten components offering adaptability. Judicial interpretation plays a crucial role in harmonizing these elements, resolving ambiguities, and ensuring that the constitution functions cohesively as a unified system.

4.2 Merits and Demerits

A constitution that combines both written and unwritten elements offers a range of merits and demerits, reflecting the complexities of blending codified laws with evolving practices.

One of the primary advantages of this hybrid system is its flexibility. The unwritten components, such as conventions and customs, allow the constitution to evolve and adapt to new circumstances and societal changes without the need for formal amendments. This adaptability helps the system respond effectively to contemporary issues and shifting public values. The written portion of the constitution provides a clear, codified framework for governance. It outlines fundamental principles, structures of government, and individual rights, ensuring legal consistency and stability. This codification helps prevent arbitrary decision-making and provides a reliable basis for legal and political processes. The combination of written and unwritten elements allows for the integration of traditional practices with modern legal principles. This can create a governance system that respects historical norms while incorporating contemporary values and practices. The combination also facilitates a balance between stability and responsiveness, leveraging the strengths of both written codification and unwritten tradition. Courts play a crucial role in interpreting both written laws and unwritten conventions, helping to reconcile and integrate these elements. Judicial decisions can clarify ambiguities and ensure

that the constitution functions cohesively, bridging gaps between codified statutes and evolving practices.

However, the combination also presents some challenges. Unwritten conventions and practices can be vague and subject to varying interpretations, leading to potential ambiguity and uncertainty in governance. This lack of formal documentation can make it difficult to clearly define and enforce certain rules and norms. The interplay between written statutes and unwritten practices can sometimes result in conflicts or inconsistencies. This can create confusion about how laws and conventions should be applied and may lead to disputes over their interpretation. The reliance on judicial interpretation to integrate written and unwritten elements can sometimes lead to concerns about judicial overreach. Courts might play an overly influential role in shaping constitutional norms, which could undermine the balance between legislative, executive, and judicial powers. Managing a hybrid system requires careful balancing between formal codified laws and evolving practices. This complexity can make the governance system harder to navigate and may require ongoing adjustments to ensure that both written and unwritten elements align effectively.

4.3 Socio-political, Economic and Cultural Effects

Having a combination of a written constitution and an unwritten constitution can have profound socio-political, economic, and cultural effects on a country. Following is an exploration of each.

4.3.1 Socio-political Effects

The dual nature of a written and unwritten constitution provides a balanced framework for governance. The written constitution offers clear, codified rules and principles, ensuring stability and consistency in the political system. This clarity helps prevent arbitrary decision-making and enhances public trust in legal and political institutions. Meanwhile, the unwritten elements, such as conventions and customs, introduce flexibility, allowing the political system to adapt to evolving social norms and political realities. This adaptability is crucial in addressing contemporary issues and accommodating diverse viewpoints. However, the reliance on unwritten practices can lead to ambiguities and potential conflicts in governance, as

these practices are not formally documented and can vary in interpretation. Additionally, the role of the judiciary in interpreting both written and unwritten components can be both a strength and a challenge. While judicial interpretation helps reconcile and integrate different elements, it can also lead to concerns about judicial overreach and its impact on the balance of power among governmental branches.

4.3.2 *Economic Effects*

A written constitution provides a stable and predictable legal environment essential for business and investment. It outlines fundamental economic principles, such as property rights and contract enforcement, which foster investor confidence and support economic growth. The unwritten elements add another layer of adaptability, enabling the legal system to respond to new economic trends and challenges more flexibly. For example, conventions and judicial precedents can evolve to address emerging economic issues without the need for formal amendments. This flexibility can be advantageous in adjusting economic policies and regulations. However, the interplay between written statutes and unwritten practices can sometimes create regulatory uncertainty. Businesses and investors may face difficulties navigating a system where some rules are codified while others are based on evolving conventions, leading to potential inconsistencies and confusion.

4.3.3 *Cultural Effects*

The combination of written and unwritten constitutional elements can foster a sense of continuity and identity. The unwritten components often embody long-standing traditions and customs that reflect the country's cultural heritage, contributing to societal stability and a shared sense of historical identity. This integration of tradition with modern legal principles helps maintain cultural relevance while embracing contemporary values. The unwritten elements also encourage public engagement by reflecting shared values and experiences, enhancing civic participation and a sense of belonging. However, managing the balance between modernity and tradition can sometimes lead to cultural tensions, especially if there are disagreements over the interpretation or application of cultural practices. Effective governance requires careful navigation to respect and incorporate cultural traditions while ensuring that legal principles align with contemporary societal needs.

5. DISCUSSION

This paper aimed to explore the implications of different types of constitutions - completely written, completely unwritten, and combination of a written constitution and an unwritten constitution - on the governance and progress of nations. The research highlights that while the form of a constitution plays a significant role in shaping the legal and institutional framework of a country, the ultimate determinant of a nation's progression or regression lies more in how effectively these constitutions are implemented and adapted by government institutions. Each type of constitution has its own merits and demerits, but the government institutions should know how to use its merits as an advantage and overcome its demerits.

Countries with completely written constitutions, such as the United States and India, benefit from a clear and codified legal framework that outlines the structure of government, the distribution of powers, and the rights of citizens. This written clarity provides a stable foundation for governance and legal adjudication, which can contribute to political stability and economic development. However, our research finds that merely having a written constitution does not guarantee progress. There are many countries, such as Pakistan and Sri Lanka, which have a completely written constitution, but they are not in a good condition. The effectiveness of governance under such systems depends heavily on the ability of institutions to interpret and enforce the constitution's provisions. Without these institutional checks, even a well-drafted constitution can become ineffective or corrupt.

In contrast, countries with completely unwritten constitutions, such as the United Kingdom, rely on a collection of statutes, conventions, judicial decisions, and historical documents. This flexible and evolving framework allows for adaptability and responsiveness to changing societal needs. The unwritten nature facilitates gradual reforms and adjustments, potentially fostering resilience in the face of new challenges. Nonetheless, our research indicates that the effectiveness of such a system is highly contingent on the strength of political traditions and the adherence to unwritten norms. In the absence of these elements, the lack of a single codified document may lead to ambiguities and power struggles that could hinder progress.

Countries with a hybrid approach, combining both written and unwritten elements, such as Canada and Denmark, experience a balance between the clarity of codified laws and the flexibility of customary practices. This hybrid model can offer a pragmatic approach to governance by providing both a solid legal foundation and the ability to adapt to changing circumstances. The success of this model, however, depends on the harmonious integration of these elements. Our findings suggest that when written provisions and unwritten practices are well-aligned and mutually reinforcing, they can create a dynamic and responsive governance framework. Conversely, discord between written laws and customary practices can lead to conflicts and inefficiencies, potentially impeding national progress. Hence again it lies in the hands of the government institutions to thoughtfully use all its features for the country to progress otherwise the country, such as Israel, will face serious problems.

Irrespective of the type of constitution, the research underscores that the key factor in determining whether a country progresses or regresses is the effectiveness of its government institutions. Institutions must be capable of upholding the constitution's principles, addressing societal needs, and adapting to changing conditions. Effective governance is characterized by transparency, accountability, and responsiveness.

6. CONCLUSION

The paper concludes that while the form of a constitution—whether written, unwritten, or a combination—shapes the legal and institutional landscape of a nation, the progression or regression of a country is predominantly influenced by the effectiveness of its governing institutions. Effective institutions that uphold constitutional principles, promote transparency, and adapt to changing needs are fundamental to national development and stability. Therefore, irrespective of the constitutional framework, the focus should be on strengthening institutions and fostering good governance practices to achieve sustained progress.

Some countries may fall under a category not discussed in this paper. For example, Saudi Arabia, Maldives, Iran, and Afghanistan, among others. These countries fall under a different section

A religious text or scripture as the constitution refers to a system of governance where the fundamental

principles, laws, and norms of society are primarily derived from a religious text or a set of religious doctrines considered sacred and authoritative by the population (Comunale, 2023). In such systems, the religious text serves as the supreme legal and moral authority, shaping the laws, institutions, and societal norms of the country. It reflects a belief that moral and ethical guidance should originate from divine sources, guiding both public policy and private conduct within the society. Examples of countries which have this type of constitution are Saudi Arabia, Maldives, Iran, and Afghanistan, among others.

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