

The Emergence and Meaning of the Constitutional Conventions in the Legal-Political Systems of Iran and the United Kingdom

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Abstract

The roots of Constitutional Conventions depend on the political, cultural and social contexts of any society. The characteristics of the parliamentary regime in the United Kingdom and the relationship between the head of state and the head of government and the evolution of the role of parliament from advisory to special function can be the source of some Constitutional Conventions and arise from these customs and is equally important in quantity and quality. Which is used in Constitutional Conventions to regulate the relations between the two irresponsible elements (queen = king) and the responsible (prime minister) and to fill the gaps in the unwritten constitution, including in regulating the relations between the cabinet and the parliament. In Iran, the Constitutional Conventions have a hidden and of course important role in the political-legal life of society, and in all government institutions and in the relations between these institutions, traces of these customs can be seen that in addition to the field of behaviors, establishment Some institutions, such as the

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Expediency Council or the creation of some phenomena, such as the revision of the Constitution in 1989, are practical examples of the impact of these customs. A comparative study shows that the origins of customs in England are rooted in tradition; Thus, in England, customs are more stable, but in Iran, customs are typically born of the exercise of power by institutions of power, and for this reason, they try to cover up the custom of law.

Keywords: Constitutional Conventions; British Legal System; Constitution; Iranian Law; Sources of Constitutional Law.

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