

pend upon its subsequent acceptance." (2) No doubt the principle of the temperance and library acts could well be applied to other subjects which are not of a complicated nature, like bankruptcy and insolvency for instance, but involving broad and easily intelligible questions of public policy on which there is a decided division of opinion, which can be best resolved by a popular vote. A prohibitory liquor law seems clearly to fall into such a category. The same principle of limiting the power of the representative assemblies of England and her dependencies has been compared with the practice of dissolving the Parliament on the defeat of the government and obtaining an expression of opinion at the polls on the question at issue. Lest it be thought that this is a far-fetched idea, the reader is referred to the comments of Professor Bryce on the subject. "It is now beginning to be maintained as a constitutional doctrine" says this sagacious critic of institutions. (3) "that whenever any large measure of change is carried through the House of Commons, the house of lords has a right to reject it for the purpose of compelling a dissolution of parliament, that is an appeal to the voters, and there are some signs that the view is making way, that even putting the house of lords out of sight the house of commons is not morally, though of course it is legally, entitled to pass a bill seriously changing the constitution, which was not submitted to the electors at the preceding general election. A general election, although in form a choice of particular persons as members, has not practically become an expression of popular opinion on the two or three leading measures then propounded and discussed by the party leaders, as well as a vote of confidence or no confidence in the ministry of the day. It is in substance a vote on these measures; although, of course, a vote only on their general principles, and not, like the Swiss referendum, upon the statute which the legislature has passed. Even, therefore, in a country which clings to and founds itself upon the absolute supremacy of its representative chamber, the notion of a direct appeal to the people has made progress."

But while there are undoubtedly strong grounds for the comparisons made by Mr. Bryce, a dissolution in the English or Canadian sense can never elicit that unequivocal, free expression of public opinion on a question of importance, which the referendum must, in the nature of things, give wherever a popular vote is taken solely and exclusively on a measure. When parliament is dissolved, and a ministry goes to the people, it is not possible under a system of party government, to prevent the real question at issue—say, for argument's sake it is Home Rule in Ireland, or the National Policy in Canada, being complicated by the introduction of issues entirely antagonistic to a definite verdict on it alone. The success of the party to which men belong will as a rule—we may say, almost invariably—outweigh all considerations that should and would in the ordinary nature of things, influence them to support a great vital measure of public policy to which their leaders are opposed. We have examples in the history of Canada and of England too, of constitutencies forgetting all considerations of truth, justice and morality and simply looking to the success of a particular candidate, because he is a supporter of the

government or of the opposition of the day. The popularity of a great leader, and the natural desire on the part of his friends and followers to see him again victorious over his opponents will lead men, in times of violent party conflict to overlook reasons, which in all probability at moments of calmness, apart from the excitement of the strife, would influence them—and I am speaking of honest minded men and not of political machines—to look to the measure and not to the leader. The abuses of party government are obvious to every thoughtful man, but still experience seems to show that it is impossible to carry on a government under a system which gives all power to a majority in an elected or representative body, except under conditions which array two hostile camps on the floor of parliament and in the country. A conservative majority will have a conservative ministry, and the same with the liberals. In the United States, party government is under the control of political rings, the caucus, conventions, and machine politics, which have sadly weakened public morality in the course of time. There, too, republicans and democrats are arrayed against each other on the floor of congress where the political situation is complicated by the fact that there is no ministry to guide and direct legislation and assume all the responsibilities of power. Party government, when practised with all that sense of political obligation that attaches to a set of sworn ministers, sitting in parliament, exposed to the closest criticism, fully alive to the current of public opinion, is very different from party government, when worked by a president and cabinet, not immediately answerable to the legislature or to the people, and by a congress practically governed by committees, not responsible to the authority that appointed them; that is, the Speaker, whose duty as a leader of his party, ceased with their nomination. In Switzerland, on the other hand, the cabinet being virtually a mere administrative body, its members being chosen for their ability to perform certain public duties,—does not depend on party in the English or Canadian sense, although of course the assembly that elects it is influenced by the knowledge that its members represent certain opinions and principles which commend themselves to the majority of the houses. When a question comes before the people under the referendum, there are no considerations of party to influence the decisions of the people; men are not swayed by a desire to keep a particular set of men in office. The nature of the measure submitted to them is well known to them; it has been thoroughly discussed in the councils of the nation, and throughout the country, and men are well able to give their vote on its merits. A vote under the Swiss referendum and an appeal to the people under the English system are therefore subject to conditions which in one case generally give an impartial expression of opinion on a question, and in the other case may practically bury a great measure of public policy under the weight of entirely subordinate and irrelevant issues.

Sir Henry Maine, like some other writers, has confounded the referendum with a plebiscite, (4) but Mr. Dicey, in an admirable article in an English review, (5) shows that no two institutions can be marked by more essential differences. "The plebiscite," he says, "is a revolutionary, or at best abnormal proceeding;

it is not preceded by debate. The form and nature of the question to be submitted to the nation is chosen and settled by the men in power. Rarely indeed, when a plebiscite has been taken, has the voting itself been either fair or free. The essential characteristics, the lack of which deprives a French plebiscite of significance, are the undoubted properties of the Swiss referendum. When a law revising the constitution is placed before the people of Switzerland, every citizen throughout the land has enjoyed the opportunity of learning the merits and demerits of the proposed alteration. The subject has been 'threshed out,' as the expression goes, in parliament: the scheme, whatever its worth, has received the deliberate approval of the elected legislature; it comes before the people with as much authority in its favour as a bill which in England, has passed through both houses. The referendum, in short, is a regular, normal, peaceful proceeding, as unconnected with revolutionary violence or despotic coercion and as easily carried out as the sending up of a bill from the house of commons to the house of lords. The law to be accepted or rejected, is laid before the citizens of Switzerland in its precise terms; they are concerned solely with its merits or demerits; their thoughts are not distracted by the necessity for considering any other topic."

J. G. BOURNOT.

SHAKESPERE.

O shade impenetrable when the light
Streams forth the brightest then we see
thee least
As the altar-flame surrounds the great high-
priest
Thy soul keeps hid thy body from our sight!
As thus it is so thus it must be right,
And quick we turn, our love to joy in-
creased,
Not dream-like following the receding East,
But to thy book whence shines thy spirit bright.
Behold the mountains mirror'd in the sea,
The lines of life writ fair on open scroll,
The violet blue along the dappled lea,
The planet circling heaven's highest pole,
Life, love, hate, peace and sorrow slowly roll
Around, till lost in the light are we!

ROBERT ELLIOTT.

Plover Mills, Ont.

A PARSON'S PONDERINGS

CONCERNING THE HIGHER CRITICISM.

One sometimes hears of a religious magazine, or of a preacher, that it, or he, is "abreast of the times." It must be very nice to be abreast of the times; but these times are very disquieting. The breezes are very fresh and the seas are very rough. It is precarious work to breast the waves of modern thought. Sometimes a divine makes too powerful a stroke and gets ahead of the times, and then he is relegated to a back seat, and runs the risk of being, like Jonah, thrown overboard.

Rut, after all, in spite of the waves and storms which have ruffled the surface of the sea of modern thought, how very little has the "ark of Christ's Church" been harmed! Indeed the storms have done her good; they have called forth the activity and skill of her pilots and mariners, they have forced her to trim the ship, to make everything snug, to shorten sail it may be, and even to lighten her load by casting overboard some of the cargo which she had accumulated in the long course of her voyages. But everything that was thrown away had proved useless, though sentimental

2.—See Cooley, "Constitutional Limitations," pp. 139-148.

3.—"The American Commonwealth," ii, 71, 72.

4.—"Popular Government," pp. 40, 41.

5.—"Contemporary Review," April, 1890.