

## THE ORIGIN AND DEVELOPMENT OF CONSTITUTIONAL GOVERNMENT IN ENGLAND.

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(Continued from page 12.)

HOW British sovereignty came to be lodged in the joint hands of the Crown, the Lords and the Commons as assembled in Parliament will appear hereafter. For the moment the proposition is this:—Regarding the Crown as one unit, the Lords as the second unit, and the Commons as the third unit, it may be said that individually each is powerless, collectively they are sovereign. In short, by the theory of our constitution, no change can be effected in it without the concurrence of the three elements. In other words, when a change is suggested three wills are necessary to make it law—the will of the Commons, the will of the Lords, and the will of the Crown, *i.e.*, A, B, and C must agree. Each of the three has the indisputable and equal right to his opinion, and has not merely the right, but is, from the very nature of the position, bound to exercise it conscientiously, for A, B, and C are each and all trustees of the national interests. If for the sake of, the proposition it is assumed that it is arranged between the three that B and C shall take the initiative in all matters, and that when B and C are agreed the assent of A shall be asked, it is obvious that when B and C do agree A should be able and prepared to assign a strong reason for withholding assent; nor is it less obvious that, as one of three fiduciaries, nothing could justify A in concurring with B and C contrary to A's clear conviction of duty to the *cesqui que trust*—the nation. If impersonal propositions of this kind

are unanswerable, how is it possible logically to alter the case by individualizing? If we take A to represent the Crown, B the Lords, and C the Commons, then I say that by our constitution the Crown, the Lords, and the Commons has each its distinct duty to the nation. That duty is to act conscientiously and independently the one of the other when they cannot agree. The reciprocal duty of the nation is to support all when they do, and each when it does. If the matter under consideration is deemed important and agreement appears hopeless, our constitution has provided the means of solving the difficulty. By a dissolution of Parliament, and an appeal to the constituencies, the opinion of the nation at large may be ascertained, and A, B, and C thus relieved from the responsibility of acting on their individual conviction.

In 1679 one faction of the nation wished to coerce Charles II. to become a party to the exclusion of his brother James from the throne—James was an avowed Papist. The members of that faction were branded by their opponents with the epithet "Petitioners," and afterwards with that of "Whigs." They in their return branded their opponents with the epithet "Abhorrors," and afterwards with that of "Tories." It was not, however, till the accession of the House of Hanover that the nation itself became divided into the two great parties, the Whigs, or friends of the new establishment, and the Tories