

carried on, but the way in which it ought to be carried on, and more specifically, certain rules or recognized principles by which the arbitrary authority of rulers was restricted. Thus Bolingbroke in his *Dissertation upon Parties*, writes, "If this [the freedom and independence of parliament] be shaken, our constitution totters. If it be quite removed, our constitution falls into ruin." In this sense, to take another example, it could be said that during the 18th century, "*Habeas Corpus* was part of the British constitution," by which was meant that it was claimed by the nation generally, and recognized by the Courts and the Executive, that if a man were detained beyond the time really necessary to arrange for a trial, without being brought to trial, his friends had a right to set a process at work which would procure his speedy delivery—or to put it shortly, freedom from arbitrary imprisonment was a recognised part of the British "constitution" at that time. There is, however, a natural tendency to antedate ideas and institutions,—a tendency especially strong in England, where almost every constitutional struggle was regarded by, at any rate, a large part of those engaged in it on one side, as an endeavor to regain or to confirm ancient liberties. Accordingly, the practice has grown up of judging events by a later standard—of calling some action of the government unconstitutional, when, as a matter of fact, the principle which it violated had not yet been generally recognized. In cases like these, the adjective more fitly to be applied would perhaps be "tyrannical," or "unjust," or perhaps not more than "unwise."

From this use of the word came the term "constitutional monarchy," as the common equivalent for limited monarchy. The circumstances of the latter part of the 18th, and of the early part of the 19th century caused this term to receive a still further limitation—to be applied to states which had a king as the possessor of executive authority,