

Mr. Monk as a Constitutionalist.

IT is difficult to refrain from some criticism of the attempt frequently made by Mr. F. D. Monk to lay down constitutional principles dogmatically in the House of Commons. He is almost invariably wrong. He told the House a week or two ago that the Governor-General apportioned the portfolios which we all know to be the prerogative of the Prime Minister. Mr. Monk will find it laid down in Todd as follows: "By modern usage it is understood that no one but the Premier is the direct choice of the Crown. Accordingly the privilege is conceded to him of choosing his own colleagues." And again: "When any vacancy occurs in the existing ministry it is the privilege of the Prime Minister to recommend some one chosen by himself to fill the same." He offers a portfolio to a gentleman and when he accepts the Prime Minister submits his name and the gentleman is sworn of the Privy Council and becomes an adviser of the crown, not by reason of holding a portfolio but by reason of membership in the Privy Council.

Mr. Monk, the other evening, detailed a number of things which he said remained personal prerogatives of the crown. Among these, he said, is the prerogative of mercy, the prerogative of being the fountain of honor, the prerogative of initiating all financial measures, the prerogative of concluding treaties, and the prerogative of the command of troops. If Mr. Monk will read more closely his constitutional history he will find that the clemency of the crown as an act of mercy has never been exercised since the accession of Queen Victoria and by his commission the Governor-General of Canada is expressly deprived of any such prerogative. The prerogative of the command of the troops can only be exercised through a secretary of state and the prerogative of the command of

troops in England is exercised only through the secretary of state for war. Ministers or state are responsible for every exercise of the kingly authority. The prerogative of choosing a prime minister was long ago declared by distinguished parliamentary authority in England to be the only prerogative left to the Crown. The Duke of Wellington declared that this was the sole act of personal government now exercised by the King and in 1845 Sir Robert Peel said: "That is almost the only act which is the personal act of the sovereign." Sixty years later Mr. Monk gravely tells a House of Commons, the heir at law of a House which fought to substitute itself for the personal authority of the crown, that the control of the army, the finances, the grace of pardon, and the apportioning of portfolios remain vested in the King! The member for Jacques Cartier must be a lineal descendant of the Bourbons. As a matter of fact these prerogatives are obsolete. For instance the prerogative of the Crown to veto has never been invoked since the reign of Queen Anne.

Mr. Monk could have had no other object in insisting that the Crown retains the prerogative of the command of the troops than to endeavor to make out that Lord Dundonald, as general officer commanding the militia represented in some way or other the head of the executive. What a strange argument to inject into a discussion of a free parliament! Mr. Monk asserted that the command which we can exercise today over the armed force is obtained by what he would call "intricacies in parliamentary procedure." That is the best term Mr. Monk can find for the broad constitutional doctrine that not a soldier can be moved, not a military appointment made, not a wagon load of supplies started, without the initiative of the secre-