

may thwart temporarily, if not permanently, the popular will. On the contrary, the British Constitution of to-day demands the rule of the majority—it demands the supremacy of the people's branch of the Legislature, and compels the Executive in the long run to conform to public opinion. Whatever may have been the operation of checks and balances in the past, it is certain that to-day in the British Isles no check exists on the popular will except moral checks. We have now reached two points of distinction between the British and United States systems, viz., the distinction between a *written* and an *unwritten* Constitution, and the fact that in consequence of this difference the British system is *elastic*, and readily changes and adapts itself to the changes in popular sentiment; while the American system is *inelastic*, or rigid, and does not conform itself to the changing circumstances and needs of the people with much readiness.

If we now compare our Canadian Constitution with the British and American in these two points, we are struck with the fact that we have borrowed something from both systems. Like the American Constitution the Canadian is a *written* Constitution, and we have not the power to change it one iota without the consent of the British Parliament. Our rights, duties, powers, both as Provinces and as a Dominion, are strictly defined by the British North America Act—an Act we cannot change as long as we remain in our present dependent condition. In one sense, then, our system is even less elastic than that of the United States—their Constitution can be changed by the people with considerable difficulty; our's cannot be changed except by the Parliament of the Mother Country. Unlike, however, the United States system, our Canadian system, within prescribed limits, follows the British in

demanding a close dependence of the Executive and the Legislature on the will of the people. Our system does not provide many checks and balances; the will of the people is directly felt in our Legislature. This question, however, of the relative influence of popular opinion in British and American Legislation and Government calls for a fuller explanation; and therefore we may say that there is another and cardinal point of distinction.

3. *The British possess a Cabinet form of Government; the people of the United States a Presidential form of Government.* I have used to describe this difference the language of political writers and thinkers, but the phraseology may not be entirely understood. Let me explain. When we say that the British possess a Cabinet form of Government, we mean that Britain is governed by its Parliament, acting through certain executive officers responsible directly to Parliament for their actions, and retaining their posts as long as they possess the confidence of the majority of the people's representatives. This body of executive officers is sometimes called a Cabinet or Ministry. In England all the members of the Ministry do not belong to the Cabinet, in Canada they do. The remarkable feature about the Cabinet is that it has no legal basis, and is not an institution called into being by any Act of Parliament. It is essentially a growth of the last few centuries, and its existence furnishes an excellent example of the way an unwritten Constitution develops in accordance with the wants of the nation. Gradually emerging out of the Privy Council of olden times, it assumed something of its present form in the reign of William III., and was almost completely organized by the time George III. began his reign. Since that time its character and influence have been