

THE MAKING OF OUR CONSTITUTION

Address Delivered by the Hon. G. W. Ross, before
Montreal Women's Canadian Club, Jan. 21,
1908, Lady Drummond, President of
the Club Presiding

Generally speaking, Constitutions are of two kinds, written and unwritten. To the former class belong the Constitution of the United States, of the individual States of the Republic, of France, Australia and Canada; to the latter class the Constitution of Great Britain and of nearly all the older political divisions of Europe. It must not be supposed, however, that because a Constitution is unwritten that it is therefore nebulous or inchoate. It may not be codified and subdivided into so many articles or clauses, and yet it may have all the reality and constancy of a more formal declaration of principles and obligations. To know and understand it one must know its history and the civil or religious elements which affected its growth and development. It may be as old as the nation to which it belongs, and as new as the latest event in such a nation's history. A written Constitution is, on the contrary, a fixed and somewhat rigid compact. It is of necessity adapted to the conditions existing at the time of its adoption, as it is impossible to foresee what the future may require. If existing conditions are not varied by change of circumstances, then a written Constitution is quite compatible with the fullest enjoyment of rational Government, otherwise it becomes a source of irritation and restraint to be overcome by amendment or by the interpretation of a Court of last resort established for the purpose, or by the people.