

THE ORIGIN OF PARLIAMENTARY REPRESENTATION IN ENGLAND.

invented anything. It is no slight historical error to believe that Alfred, out of his own head, called into being an institution of which the germs may be traced ages before his time, but of which the finished shape is not to be seen till ages after his time. Still this is less wonderful than the general misconception of supposing that any institutions are called into being in this way out of the brain of a single man. Yet no belief has been more common in all times and all places. Critical historians have remarked over and over again, that the mythical position of Alfred in English history, as the supposed inventor of everything, is exactly parallel to the mythical position of Servius at Rome, and of Lycurgus at Sparta. It might perhaps have been dangerous to doubt the claims of Servius at Rome, or those of Lycurgus at Sparta; and we would not rashly affirm that it may not be a breach of the law of England to doubt whether Alfred invented the English constitution as a finished work out of his own head. It is certain that such was the belief of Blackstone, and whatever Blackstone says goes with many a lawyer for law. The passage is worth quoting:

"When therefore the West-Saxons had swallowed up all the rest, and King Alfred succeeded to the monarchy of England, whereof his grandfather Egbert was the founder, his mighty genius prompted him to undertake a most great and necessary work, which he is said to have executed in as masterly a manner; no less than to new-model the constitution; to rebuild it on a plan that should endure for ages; and out of its own discordant materials, which were heaped upon each other in a vast and rude irregularity, to form one uniform and well-connected whole."
—*Commentaries*, iv. 410. Ed. 1809.

Such were the notions of a West-Saxon king of the ninth century which were held by the legal oracle of the eighteenth, notions which his editors went on reprinting as late as 1857, with the feeblest protest against the venerable fable. In the face of this, it is some comfort that of later years it has almost become a proverb that "constitutions are not made but grow." But it is also very lately that men have begun fully to take in how very slowly they grow. I am writing for American readers, and some American readers may perhaps be inclined to throw in my teeth the fact that the Federal constitution of the United States, though not the work of one man, was the work

of one set of men—that it was written down in a single document, and that it has lived on for nearly ninety years without any substantial change. But a wider view looks on the constitutions of the English-speaking nations on both sides of the ocean as simply parts of one whole; and in this wider view the constitutional work of Washington and his fellow-workers was not the creation of anything new. It was the shaping of what was old into such new forms as altered circumstances needed. It was a work answering to the work of the days of Henry the Second, of Edward the First, and of William the Third. It was a work which differed from theirs only in this—that the circumstances of the case required the change to be more formal and systematic, to be recorded in the definite shape a constitution, instead of being left to be gathered from a number of separate statutes and separate administrative acts. The broad outlines of the old constitution are preserved in the new. The form of the executive is changed; the form of the second chamber is changed; because circumstances called for such a change; but the three great powers of the state remain in the new system as in the old, and, in a wide view of historical politics, the points of likeness are far more striking than the points of unlikeness. The new system, like the old, has one legislative body which is chosen by the direct voice of the people, and another legislative body which is not chosen by their direct voice. That the same system has been imitated over and over again in other lands may be set down as a witness to the practical excellence of the elements which England and America have in common. But the American constitution itself stands on another ground. It is not an imitation of the English constitution; it is the thing itself, with such changes as new circumstances called for. The development of that constitution, the steps by which it grew up out of elements common to the whole Teutonic race, is a historic possession in which the men of the United States have an equal right with the men of Great Britain. The work was the work of the common forefathers of both. The germs which we see in their first rude form in the oldest England on the European continent, have