

**THE ELECTORATE
AND THE
LEGISLATURE**

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The Electorate and the Legislature by Spencer Walpole

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SPENCER WALPOLE

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BY
SPENCER WALPOLE
AUTHOR OF "THE HISTORY OF ENGLAND FROM 1815"



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P R E F A C E

A WRITER who professes to describe "the electorate and legislature" of the United Kingdom is necessarily forced to travel over many chapters of the constitutional history of England. In doing so he has the advantage of clear guidance. The constitutional history of England to the reign of Henry VII. has been written by Mr. Stubbs; from the accession of Henry VII. to the death of George II. by Mr. Hallam; from the accession of George III. to the present time by Sir Erskine May. But the English Constitution has also been described by De Lolme and Lord Russell in former generations and by Mr. Freeman and Mr. Bagehot in our own time. The precedents of proceedings in the House of Commons were collected more than sixty years ago by Mr. Hatsall. The law and practice of Parliament has been described in recent years by Sir Erskine May.

Independent researches, made for a larger object, have also enabled the author of this book to add to

some extent to the information which is thus accessible to the ordinary student. But he desires, on the first page of the work, to acknowledge the debt under which he lies to the authorities whom he has already named. The acknowledgment is the more necessary because in a little book of this character it is impossible to give the references which would be inserted in a larger work. To all the authorities he has named he is under an obligation; to three of them—Mr. Hallam, Mr. Stubbs, and Sir Erskine May, he is specially indebted. Sir Erskine May's work on Parliamentary Practice is the substructure on which every writer on Parliament must build. The great works of Mr. Hallam and Mr. Stubbs are too well known to require a compliment; but they are possibly susceptible to a criticism. Mr. Hallam's labours have perhaps done more than Mr. Stubbs's researches to give the general reader a clear idea of constitutional progress, but Mr. Stubbs's work has done more to assist the student than Mr. Hallam's history. Mr. Hallam excels in manner, Mr. Stubbs in matter; Mr. Hallam is superior to Mr. Stubbs in his generalisations; Mr. Stubbs to Mr. Hallam in the copiousness of his details.

LONDON, *June*, 1881.

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CHAPTER I.

PARLIAMENT.

IN the second book of the *Iliad*, when Ulysses checks the flight of the Greeks, he addresses arguments to the leaders, he arrests the common people by blows. But, in the nineteenth century, when a modern statesman, gifted with the eloquence of Ulysses, desires to change the policy which a nation is pursuing, he addresses his arguments to the populace; he reserves his blows—blows of rhetoric—for their leaders. The difference between the conduct of Ulysses and that of the modern statesman is due of course to revolutions both in manners and government. Now, as in the olden time, men reason with those whom they wish to convert. It would have been a waste of time and breath if Ulysses had endeavoured to convince the masses; the modern statesman knows that it is useless to convert the people's leaders if the people themselves do not em-