

Constitutional History of England

It is nearly a quarter of a century since the late Professor F. W. Maitland delivered, at Cambridge University, the course of lectures on English constitutional history now for the first time put into print under the title of "The Constitutional History of England."²

Like all of Professor Maitland's writings, this posthumous volume is distinguished by profound erudition and clearness of exposition. It has none of the fullness of his later productions, and, as its editor, Professor H. A. L. Fisher, candidly admits, is not to be regarded as "a specimen of Maitland's

²The Constitutional History of England. A Course of Lectures delivered by F. W. Maitland. G. P. Putnam's Sons, New York. \$3.50, net.

polished and mature work." Nevertheless, it is welcome as an illuminating introduction to the study of the legal and governmental development of England, and, to the man of affairs, as a convenient substitute for more elaborate works. Though little more than an outline sketch, it is most comprehensive in scope, tracing rapidly the evolution of those laws, customs, and traditions which, taken together, form the flexible, unwritten Constitution of England, and the structure and operation of England's governmental machinery. Scant attention is paid to the political struggles which brought about the successive changes. The emphasis is almost altogether on results; and while this undoubtedly diminishes the readability of the book, it has the advantage of concentrating attention on the really vital facts. Particularly worthy of mention is Professor Maitland's elucidation of the development of the jury system, the differences between the feudal systems of England and France, the growth of the idea of ministerial responsibility, the location of sovereignty, and the present status of King and Parliament. A good many popular misconceptions, perhaps more prevalent here than in England, are cleared away, and a better understanding had of the factors making for England's continued strength and stability.