

**THE USAGES OF THE
AMERICAN CONSTITUTION**

AMERICAN CONSTITUTION

BY

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TO
K. F. H.
THE MOST DISCRIMINATING OF READERS
AND
THE MOST HELPFUL OF CRITICS

PREFACE

THE welcome given to Lord Bryce's *American Commonwealth* might have been expected to encourage English writers to pursue the line of inquiry which he followed with such conspicuous success. On the contrary, during the thirty-six years since that book was first published little addition has been made by any of his fellow-countrymen to the body of literature on the American political system. Possibly the very pre-eminence of his book has had a deterrent influence. It was so obviously *hors concours* that scarcely anyone else has ventured into a field where every opportunity of contributing to an understanding of the subject seemed to have been already pre-empted.

Yet, however accurate and comprehensive Lord Bryce's study may have been, it did not cover the whole ground in adequate detail. The subject of the present volume, although full of interest to English and American readers alike, occupies only

a few pages of *The American Commonwealth*. It is, indeed, singular that American research, which during recent years seems to have peered into almost every nook and cranny of the edifice of American government, has so largely ignored the part played by usage in the actual working of the Constitution. Perhaps the explanation of such an oversight is that the importance of this subject is less likely to be recognized by an American than by an Englishman, in whose mental background the constitutional significance of usage is naturally prominent.

This book has been written primarily for an English public, and American readers must therefore be asked to excuse the inclusion of some information which to them may seem quite elementary but which one cannot assume to be common knowledge on this side of the Atlantic. It is hoped that they may find compensation in the collection and presentation of many significant historical facts not mentioned in their own text-books, to say nothing of the arguments and conclusions which, if accepted, will necessarily give a new turn to the discussion of the whole question of the American Constitution.

It may be as well to add that the present

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volume is not the product of academic reflection at a distance. The author has spent more than six years, in all, in the United States, and during the winters of 1922-23 and 1923-4 he enjoyed the advantage of observing the working of the national political machinery close at hand in the capital city itself. He takes this opportunity of expressing his obligation not only to the Library of Congress but to the Washington Public Library, whose generous practice of allowing borrowers to take home as many as five books at the same time greatly facilitates study and research.

H. W. H.

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