

recommendations to His Majesty's Government in Great Britain as to suitable forms of government for Newfoundland. That is as near as I can go to it without referring to the Act. Now, sir, forms of government may mean very little, they may mean a whole lot. But I feel that a proper approach to this problem can best be made if we keep in our mind's eye a picture of the growth of political theory down through the past years, and particularly the picture as presented to us from the time of James I by such philosophic writers as Thomas Hobbes, Rousseau, Edmund Burke and John Stuart Mill.

Time does not permit of a prolonged dissertation upon how men, by a slow process, arrived at the point of thinking in terms of democracy as we know it today. But briefly let us refresh our minds with regard to certain essential points. James I of England, like the Tudors before him, believed in the divine right of kings; in other words, the right to govern and regulate the actions of mankind was a right divinely bestowed. The Tudor monarchs claimed this divine right of supremacy over the lives of their fellow men, and so did James I, but unlike the previous kings he attempted to justify this claim to sovereignty by an appeal to the will of God as revealed in the Scripture, and as manifested in the order of nature. The conclusions he arrives at are summed up at the end of his book, *The True Law of Free Monarchies*, 1598. These are his words: "The King is overlord of the whole land. In the Parliament (which is nothing else but the Head Court of the King and his vassals) the laws are but craved by his subjects." You will remember how in trying to defend this philosophy one Stuart king lost his head, and another was deposed and banished.

The idea was growing amongst men that an elected parliament was more than a mere craver of laws — they were the cravers of the laws and framers of statutes as expressed by the will of the people. Thomas Hobbes in his book *Leviathan* said — whereas James claimed sovereignty from God, Hobbes goes a step further towards present-day thinking. He saw clearly that the divine right doctrine was a bankrupt trouble-maker, but he saw equally clearly that some person or persons not only do claim sovereignty, but must do so if society is not to disintegrate. However, he argues, sovereign power must be absolute. There must be

a common power vested in one man, or one assembly of men, by all the people. All men, he says, must submit their will to this absolute will of one man or assembly of men, and their judgement to his judgement. Although he favours absolute power, a mortal god so to speak, he admits that the people from whom such power comes ought to reserve certain rights in case the sovereign authority or government should overreach itself.

John Locke, who tried to defend the revolution in England of 1688, rests his defence on the grounds that government depends upon the consent of the people. "There is", he says, "a contract between the government and the people. If the government violates this contract, revolution is justified." Both Locke and Rousseau — Locke in his book *Two Treatises of Government* and Rousseau in his *Social Contract* — claimed that an ideal government for any people is one which permits self-government by the people, and that true self-government is the imposition by each individual on himself of rules and limitations demanded by him of all others. The evolution of self-government, however, was slow. It took the American Revolution of 1775 and the French Revolution of 1789, as well as the teachings of Tom Paine and Jeremy Bentham, to instil into men's minds the idea of liberal, social and parliamentary reform. These latter writers argued that customs, laws, institutions and constitutions could be evaluated in terms of one standard only, and that is the greatest happiness of the greatest number.

Burke, who wrote about the same time, was most conservative, and held that the people should draw on the experience and wisdom of the most intelligent and most honest in the community. It remained, however, for John Stuart Mill in 1861, in his considerations on representative government, to outline clearly that political theory which most men in democratic countries believe in today. The form of government for any country, he argues, is open in some degree to choice. By what test shall we make our choice? The test, says Mill, is twofold. First, to what extent does a proposed form of government make for the moral and intellectual development of the people? Secondly, to what extent does it make use of the moral and intellectual resources at its command? On these grounds, he says, the