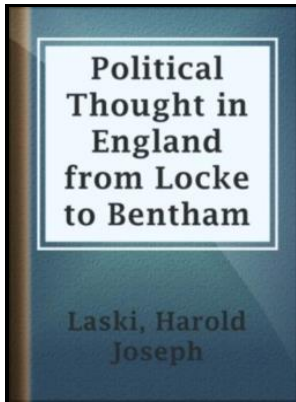


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The state of nature again supervenes, and a new contract may be made with one more fitted to observe it. The theory of consent is vital because without the provision of channels for its administrative expression, men tend to become the creatures of a power ignorant at once and careless of their will.

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Though Locke thus insisted upon the separation of powers, he realized that emergencies are the parent of special need; and he recognized that not only may the executive, as in England, share in the task of legislation, but also may issue ordinances when the legislature is not in session, or act contrary to law in case of grave danger. And anyone who surveys the history of Church and State in America will be tempted to assert that in the last hundred years the separateness for which Page 26 Locke contended is not without its justification.

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And other ingenious compromises were suggested. Democracy alone proffers adequate safeguards of an enduring good rule; a democracy, that is

to say, which is in the hands of delegates controlled by popular election.

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Exclusion thus became a fundamental article of the Tory creed; and it was the more valued because it enabled them to strike at their opponents through an institution which at the trial of Sacheverell, in 1710, still showed an overwhelming hold upon the mass of the people. For the observer of this age can hardly fail, as he notes its relative barrenness of abstract ideas, to be impressed by the large part Divine Right must have played in the politics of the succeeding century. .

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It is better, therefore, to separate the two both as to powers and persons.

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