

lative power, that is, if the same persons were to be both legislators and judges, they would have an arbitrary authority over the lives and liberties of the other members of the state. For, if they passed judgements that were contrary to the laws, those judgements would nevertheless be considered as being agreeable to the laws, because the judges themselves in their other capacity of legislators, or makers of the laws, and consequently interpreters of them, would have a right to declare that they were so. And, on the other hand, if the judicial power was united to the executive power, or the person, or persons, who had the latter power, (which involves in it the command of all the military force in the state,) were likewise to have the power of judging, such judges would be so extremely powerful that there would be no hope of obtaining any redress against them in case they passed unjust and oppressive judgements.

Of the union  
of all the three  
powers afore-  
said.

VI. And therefore, thirdly, there would be no shadow of liberty left in a state, if all these three great powers, "of making laws, carrying into execution the publick measures of the community, and deciding criminal and civil suits," were to be united in the same persons, wheher