Excerpt from Charles de Secondat, Baron de Montesquieu, *The Spirit of the Laws (1748)*

In every government there are three sorts of power; the legislative; the executive; and the judicial. The power of the legislature is to enact laws, and amend or abrogate those that have been already enacted. The executive establishes the public security, enforces laws, and provides against invasions. The judiciary power punishes criminals, or determines the disputes that arise between individuals.

Political liberty is a tranquillity of mind arising from the opinion each person has of his safety. When the legislative and executive powers are united in the same person there can be no liberty; because apprehensions may arise that tyrannical laws may be enacted, or executed in a tyrannical manner. Again, there is no liberty if the power of judging is not separated from the legislative and executive powers. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control, for the judge would then be the legislator. Were it joined to the executive power, the judge might behave with all the violence of an oppressor. There would be an end of everything were the same man, or the same body, exercise all three powers that of enacting laws, that of executing the public resolutions, and that of judging the crimes or differences of individuals.

The executive power ought to be in the hands of an individual because this branch of government is better administered by one than by many: Whereas, whatever depends on the legislative power, is oftentimes better regulated by many than by a single person.

The executive should have a right of putting a stop to the legislative body to prevent it from becoming despotic. But too the legislative power in a free government ought to have a right to examine in what manner its laws have been executed. And whatever may be the issue of that examination, the legislative body ought not to have a power of judging the executive, that should be the province of the judiciary.

Neither should the legislative body should assemble itself. For a body that can convene and adjourn itself would be extremely dangerous. It is fit therefore that the executive power should regulate the time of convening, as well as the duration of those assemblies, according to the circumstances and exigencies of state. So too, once an army is established by deliberation and consent of the legislature, it ought not to depend immediately on the legislative, but on the executive power, and this from the very nature of the thing; its business consisting more in action than in deliberation.