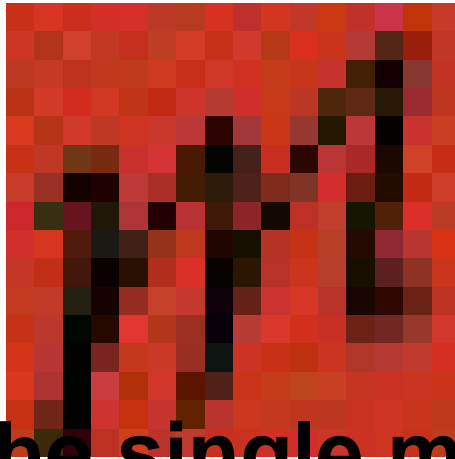


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## VI.7 On the single magistrate

- The Spirit of Law - Book VI. Consequences of the principles of the various governments with respect to the simplicity of the civil and criminal laws, the form of judgments, and the establishment of punishments -

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## VI.7 On the single magistrate

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There can be such a magistrate only under despotic government. We see in Roman history to what extent a single judge can abuse his power. How could Appius in his tribunal not have scoffed at the laws, since he violated even the one he had made ? [1] Livy tells us of the unjust distinction of the decemvir : he had suborned a man who claimed Virginia as his slave before him ; Virginia's family petitioned him by virtue of his law to return her to them pending the definitive judgment. He declared that his law had been made only for the father's benefit, and that in the absence of Virginius it could not apply. [2]

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[1] See Law 2, §24 ss., *De origine juris*.

[2] *Quod pater puellæ abesset locum injuriæ esse ratus* ['Because the girl's father was absent, he thought it an opportune moment to commit an injustice'] (Livy, *Decade I*, book III).