

But though this be a state of *liberty*, yet it is not a state of *license*. Though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. The *state of nature* has a law of nature to govern it, which obliges everyone. And reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions. For men, being all the workmanship of one omnipotent and infinitely wise maker, all the servants of one sovereign master, sent into the world by his order, and about his business—they are his property, whose workmanship they are, made to last during his, not one another's pleasure. And being furnished with like faculties, sharing all in one community of nature, there cannot be supposed any such subordination among us that may authorize us to destroy one another, as if we were made for one another's uses, as the inferior ranks of creatures are for ours. Everyone, as he is bound to preserve himself and not to quit³ his station willfully, so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind and may not, unless it be to do justice on an offender, take away or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another.

And that all men may be restrained from invading others' rights and from doing hurt to one another, and the law of nature be observed, which wills the peace and preservation of all mankind, the execution of the law of nature is, in that state, put into every man's hands, whereby everyone has a right to punish the transgressors of that law to such a degree as may hinder its violation. For the law of nature would, as all other laws that concern men in this world, be in vain if there were nobody that in the state of nature had a power to execute that law and thereby preserve the innocent and restrain offenders. And if *anyone* in the state of nature may punish another for any evil he has done, *everyone* may do so. For in that state of perfect equality where naturally there is no superiority or jurisdiction of one over another, what any may do in prosecution of that law, everyone must needs⁴ have a right to do.

And thus, in the state of nature one man comes by a power over another, but yet no absolute or arbitrary power to use⁵ a criminal, when he has got him in his hands, according to the passionate heats or boundless extravagancy of his own will; but only to retribute to him, so far as calm reason and conscience dictate, what is proportionate to his transgression, which is so much as may serve for reparation and restrain—for these two are the only reasons why one man may lawfully do harm to another, which is that we call *punishment*. In transgressing the law of nature, the offender declares himself to live by another rule than that of reason and common equity, which is that measure God has set to the actions of men for their mutual security. And so he becomes dangerous to mankind—the tie which is to secure them from injury and violence being slighted and

³quit: depart from. [D. C. ABEL]

⁴needs: necessarily. [D. C. ABEL]

⁵use: treat. [D. C. ABEL]

broken by him: which being a trespass against the whole species and the peace and safety of it, provided for by the law of nature, every man upon this score, by the right he has to preserve mankind in general, may restrain—or where it is necessary, destroy—things noxious to them, and so may bring such evil on anyone who has transgressed that law, as may make him repent the doing of it and thereby deter him, and by his example others, from doing the like mischief. And in this case and upon this ground, every man has a right to punish the offender and be executioner of the law of nature. . . .

Besides the crime which consists in violating the law and varying from the right rule of reason, whereby a man so far becomes degenerate and declares himself to quit the principles of human nature and to be a noxious creature, there is commonly injury done to some person or other, and some other man receives damage by his transgression; in which case he who has received any damage, has, besides the right of punishment common to him with other men, a particular right to seek reparation from him that has done it. And any other person who finds it just may also join with him that is injured and assist him in recovering from the offender so much as may make satisfaction for the harm he has suffered.

From these two distinct rights, the one of *punishing* the crime for restraint and preventing the like offense, which right of punishing is in everybody, the other of *taking reparation*, which belongs only to the injured party, comes it to pass that the magistrate, who by being magistrate has the common right of punishing put into his hands, can often, where the public good demands not the execution of the law, remit the punishment of criminal offenses by his own authority, but yet cannot remit the satisfaction due to any private man for the damage he has received. That [satisfaction], he who has suffered the damage has a right to demand in his own name, and he alone can remit. The *damned*⁶ person has this power of appropriating to himself the goods or service of the offender by right of self-preservation, as every man has a power to punish the crime, to prevent its being committed again, by the right he has of preserving all mankind and doing all reasonable things he can in order to that end. And thus it is, that every man in the state of nature has a power to kill a murderer, both to deter others from doing the like injury, which no reparation can compensate, by the example of the punishment that attends it from everybody; and also to secure men from the attempts of a criminal, who having renounced reason (the common rule and measure God has given to mankind), has, by the unjust violence and slaughter he has committed upon one, declared war against all mankind and therefore may be destroyed as a lion or a tiger, one of those wild savage beasts with whom men can have no society nor security. And upon this is grounded that great law of nature, "Whoso sheds man's blood, by man shall his blood be shed." And Cain was so fully convinced that everyone had a right to destroy such a criminal, that after the murder of his brother, he cries out, "Everyone that finds me shall slay me"⁷—so plain was it writ in the hearts of all mankind.

⁶damned: having suffered damage. [D. C. ABEL]

⁷Genesis 4:14. [D. C. ABEL]