

itself the power to preserve the property, and in order thereunto, punish the offenses of all those of that society—there, and there only, is political society, where every one of the members has quitted¹² this natural power, resigned it up into the hand of the community in all cases that exclude him not from appealing for protection to the law established by it. And thus all private judgment of every particular member being excluded, the community comes to be umpire by settled standing rules, indifferent and the same to all parties; and by men having authority from the community for the execution of those rules, decides all the differences that may happen between any members of that society concerning any matter of right; and punishes those offenses which any member has committed against the society, with such penalties as the law has established. Whereby it is easy to discern who are, and who are not, in political society together. Those who are united into one body and have a common established law and judicature to appeal to, with authority to decide controversies between them and punish offenders, are in civil society one with another. But those who have no such common people (I mean on earth) are still in the state of nature, each being, where there is no other, judge for himself and executioner—which is, as I have before showed it, the perfect state of nature.

And thus the commonwealth comes by a power to set down what punishment shall belong to the several transgressions which they think worthy of it, committed among the members of that society (which is the *power of making laws*), as well as it has the power to punish any injury done unto any of its members by anyone that is not of it (which is the *power of war and peace*), and all this for the preservation of the property of all the members of that society, as far as it is possible. But though every man who has entered into civil society and is become a member of any commonwealth, has thereby quitted his power to punish offenses against the law of nature in prosecution of his own private judgment; yet with the judgment of offenses, which he has given up to the legislative¹³ in all cases where he can appeal to the magistrate, he has given a right to the commonwealth to employ his force for the execution of the judgments of the commonwealth, whenever he shall be called to it—which indeed are his own judgments, they being made by himself or his representative. And herein we have the original of the legislative and executive power of civil society, which is to judge by standing laws how far offenses are to be punished when committed within the commonwealth; and also to determine, by occasional judgments founded on the present circumstances of the fact, how far injuries from without are to be vindicated; and in both these to employ all the force of all the members when there shall be need.

Wherever, therefore, any number of men are so united into one society as to quit everyone his executive power of the law of nature and to resign it to the public, there and there only is a political, or civil, society. And this is done wherever any number of men in the state of nature enter into society to make one people, one body politic, under one supreme government; or else when anyone joins himself to, and incorporates with, any government already made. For

¹²quitted: relinquished. [D. C. ABEL]

¹³legislative: legislature. [D. C. ABEL]

hereby he authorizes the society or (which is all one) the legislative thereof to make laws for him, as the public good of the society shall require—to the execution whereof, his own assistance (as to his own decrees) is due. And this puts men out of the state of nature into that of a *commonwealth*, by setting up a judge on earth with authority to determine all the controversies and redress the injuries that may happen to any member of the commonwealth; which judge is the legislative, or magistrates appointed by it. And wherever there are any number of men, however associated, that have no such decisive power to appeal to, there they are still in the state of nature. . . .

CHAPTER VIII. OF THE BEGINNING OF POLITICAL SOCIETIES

Men being, as has been said, by nature all free, equal, and independent, no one can be put out of this estate and subjected to the political power of another without his own consent. The only way whereby anyone divests himself of his natural liberty and puts on the bonds of civil society is by agreeing with other men to join and unite into a community, for their comfortable, safe, and peaceable living one among another in a secure enjoyment of their properties and a greater security against any that are not of it. This any number of men may do, because it injures not the freedom of the rest; they are left as they were in the liberty of the state of nature. When any number of men have so consented to make one community or government, they are thereby presently incorporated and make *one body politic*, wherein the majority have a right to act and conclude¹⁴ the rest.

For when any number of men have, by the consent of every individual, made a community, they have thereby made that community one body, with a power to act as one body, which is only by the will and determination of the majority. For that which acts¹⁵ any community, being only the consent of the individuals of it, and it being necessary to that which is one body to move one way, it is necessary the body should move that way whither the greater force carries it, which is the *consent of the majority*—or else it is impossible it should act or continue one body, one community, which the consent of every individual that united into it agreed that it should. And so everyone is bound by that consent to be concluded by the majority. And therefore we see that in assemblies empowered to act by positive laws, where no number is set by that positive law which empowers them, the act of the majority passes for the act of the whole and of course determines, as having by the law of nature and reason, the power of the whole.

And thus every man, by consenting with others to make one body politic under one government, puts himself under an obligation to everyone of that society to submit to the determination of the majority and to be concluded by it; or else this original compact, whereby he with others incorporates into one society, would signify nothing and be no compact, if he be left free and under no other ties than he was in before in the state of nature. For what appearance would there be of any compact? What new engagement if he were no farther tied by

¹⁴conclude: bind, oblige. [D. C. ABEL]

¹⁵acts: actuates; moves to action. [D. C. ABEL]