

any decrees of the society than he himself thought fit and did actually consent to? This would be still as great a liberty as he himself had before his compact, or anyone else in the state of nature has, who may submit himself and consent to any acts of it if he thinks fit. . . .

Every man being, as has been showed, naturally free, and nothing being able to put him into subjection to any earthly power but only his own *consent*; it is to be considered what shall be understood to be a sufficient declaration of a man's consent, to make him subject to the laws of any government. There is a common distinction of an *express* and *tacit* consent, which will concern our present case. Nobody doubts but an express consent of any man entering into any society makes him a perfect member of that society, a subject of that government. The difficulty is what ought to be looked upon as a tacit consent and how far it binds—that is, how far anyone shall be looked on to have consented and thereby submitted to any government, where he has made no expressions of it at all. And to this I say that every man that has any possessions or enjoyment of any part of the dominions of any government, does thereby give his tacit consent and is as far forth obliged to obedience to the laws of that government, during such enjoyment, as anyone under it—whether this his possession be of land to him and his heirs forever, or a lodging only for a week, or whether it be barely traveling freely on the highway. And in effect, [this consent] reaches as far as the very being of anyone within the territories of that government. . . .

CHAPTER IX. OF THE ENDS¹⁶ OF POLITICAL SOCIETY AND GOVERNMENT

If man in the state of nature be so free, as has been said; if he be absolute lord of his own person and possessions, equal to the greatest, and subject to nobody, why will he part with his freedom? Why will he give up this empire and subject himself to the dominion and control of any other power? To which it is obvious to answer that though in the state of nature he has such a right, yet the enjoyment of it is very uncertain and constantly exposed to the invasion of others. For all being kings as much as he, every man his equal, and the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very insecure. This makes him willing to quit a condition which, however free, is full of fears and continual dangers—and it is not without reason that he seeks out and is willing to join in society with others who are already united, or have a mind to unite, for the mutual preservation of their lives, liberties, and estates, which I call by the general name *property*.

The great and chief end, therefore, of men's uniting into commonwealths and putting themselves under government is the preservation of their property. To which in the state of nature there are many things wanting:

First, there wants¹⁷ an established, settled, known law, received and allowed by common consent to be the standard of right and wrong, and the common

¹⁶*ends*: purposes, goals. [D. C. ABEL]

¹⁷*wants*: is lacking. [D. C. ABEL]

measure to decide all controversies between them. For though the law of nature be plain and intelligible to all rational creatures, yet men being biased by their interest, as well as ignorant for want of study of it, are not apt to allow of it as a law binding to them in the application of it to their particular cases.

Secondly, in the state of nature there wants a known and indifferent judge with authority to determine all differences according to the established law. For everyone in that state being both judge and executioner of the law of nature, men being partial to themselves, passion and revenge is very apt to carry them too far, and with too much heat, in their *own* cases—as well as negligence and unconcernedness, to make them too remiss in *other men's*.

Thirdly, in the state of nature there often wants power to back and support the sentence when right, and to give it due execution. They who by any injustice offended, will seldom fail, where they are able, by force to make good their injustice. Such resistance many times makes the punishment dangerous, and frequently destructive, to those who attempt it.

Thus mankind, notwithstanding all the privileges of the state of nature, being but in an ill condition while they remain in it, are quickly driven into society. Hence it comes to pass that we seldom find any number of men live any time together in this state. The inconveniences that they are therein exposed to by the irregular and uncertain exercise of the power every man has of punishing the transgressions of others, make them take sanctuary under the established laws of government and therein seek the preservation of their property. It is this [that] makes them so willingly give up every one his single power of punishing, to be exercised by such alone, as shall be appointed to it among them; and by such rules as the community, or those authorized by them to that purpose, shall agree on. And in this we have the original right and rise of both the legislative and executive power as well as of the governments and societies themselves.

For in the state of nature (to omit¹⁸ the liberty he has of innocent delights) a man has two powers:

The first is to do whatsoever he thinks fit for the preservation of himself and others within the permission of the law of nature—by which law, common to them all, he and all the rest of mankind are one community, make up one society, distinct from all other creatures. And were it not for the corruption and viciousness of degenerate men, there would be no need of any other—no necessity that men should separate from this great and natural community, and by positive agreements combine into smaller and divided associations.

The other power a man has in the state of nature is the power to punish the crimes committed against that law. Both these he gives up when he joins in a private (if I may so call it) or particular politic society and incorporates into any commonwealth, separate from the rest of mankind.

The first power—namely, of doing whatsoever he thought for the preservation of himself and the rest of mankind—he gives up to be regulated by laws made by the society, so far forth as the preservation of himself and the rest of that society shall require, which laws of the society in many things confine the liberty he had by the law of nature.

¹⁸*omit*: disregard. [D. C. ABEL]