

is no other, Judge for himself, and Executioner; which is, as I have before shew'd it, the perfect *State of Nature*.

§ 88. 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 amongst the Members of that Society, (which is the *Power of making Laws*) as well as it has the Power to punish the Injury done to any of its Members, by any one 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 is possible. But tho every Man, who has entred into Civil Society, and is become a Member of any Commonwealth, has thereby quitted his Power to punish Offences against the Law of *Nature*, in Prosecution of his own private Judgment; yet with the Judgment of Offences, which he has given up to the Legislative 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 Offences 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.

§ 89. Wherever therefore any number of Men are so united into one Society, as to quit every one his executive Power of the Law of Nature, and to resign it to the publick, there and there only is a *political, or Civil Society*. And this is done wherever any
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