

---

# Defending the Hobbesian Right of Self-Defense

Susanne Sreedhar  
*Boston University*

A well-known part of Hobbes's political theory is his discussion of the inalienability of the right of self-defense. In this article, I present and defend a reinterpretation of Hobbes's account of self-defense. I begin by showing the weaknesses of the standard interpretation of this account: It rests on an implausible thesis about the evil of death; it renders Hobbes's applications of the right of self-defense inexplicable; and it conflicts with Hobbes's claim that there are cases in which the right of self-defense can be given up. I argue that we should understand Hobbes's claim to be that the right of self-defense is inalienable only in the social contract, and I offer a new interpretation of how his argument on this point might go.

**Keywords:** *Hobbes; self-defense; social contract; obligation; rights*

The right of self-defense is simultaneously one of the least controversial and one of the most controversial subjects in moral, political, and legal philosophy. On the one hand, most everyone agrees that there *is* a right of self-defense. On the other hand, there are widespread disagreements over what this right permits. Is it morally permissible to cause the death of an innocent bystander in self-defense?<sup>1</sup> Is it morally permissible for a wife to kill her abusive husband while he sleeps (the burning bed phenomenon)? Does the right of self-defense require the right to bear arms? Do nations, as such, have a right of self-defense that is analogous to the individual right of self-defense? And if so, does this right allow for preemptive strikes? Strangely, few try to answer the more fundamental question: Why do people have this right at all? Perhaps if we understood why people have a right of self-defense in the first place, we might be able to approach the controversial questions about its scope in a more principled way.

---

**Author's Note:** This paper benefited from discussions with more people than I could list, but special thanks are owed to Heather Burke, Kinch Hoekstra, Katya Hosking, Bryce Huebner, Nancy Lawrence, Sharon Lloyd, Jill Locke, Colleen Murphy, Jerry Postema, Matt Smith, and the Philosophy Departments at University of North Carolina at Chapel Hill and Tulane University. Also, much gratitude goes to Mary Dietz and the anonymous referees for *Political Theory*.

In the seventeenth century, the existence of a self-defense right was hotly debated in both political and philosophical arenas. Perhaps surprisingly, it was Thomas Hobbes, the famous advocate of absolute monarchy, who insisted most strenuously that subjects in civil society possess an inalienable right of self-defense. Indeed, according to Jeremy Waldron, “the most famous philosophical account of self-defense is surely that of Thomas Hobbes.”<sup>2</sup> Hobbes was not, of course, the first philosopher to argue that people have a right of self-defense; but, as Waldron’s comment shows, he was the one to go down in history. However, while Hobbes is remembered for insisting that there *is* a right of self-defense, the *details* of his account of this right have yet to be fully appreciated.

In the secondary literature, Hobbes’s views on self-defense tend to be either largely ignored or in some way disparaged. In some commentaries on Hobbes, the right of self-defense gets little more than a quick mention; elsewhere, it is not mentioned at all.<sup>3</sup> Others make note of the interesting particulars of his views on self-defense but do not pursue them in any detail.<sup>4</sup> Extended discussions of Hobbes on self-defense are relatively rare and have a tendency to be highly critical.<sup>5</sup> Of those who pay attention to this issue, some see Hobbes’s right of self-defense as odd, trivial, and even unimportant. Gordon Schochet, for example, claims that Hobbes’s notion of the right to resist the sovereign in defense of one’s own life is “peculiar”; Deborah Baumgold calls Hobbes’s right of self-defense “politically irrelevant” and “inconsequential”; and James Martel dismisses it as simply the “right to kick and scream on the way to the gallows.”<sup>6</sup> For these scholars, the right of self-defense is altogether meaningless because Hobbes’s citizens lack the power to exercise this right in any robust way.

Other commentators depict the right of self-defense as a fundamental source of tension in Hobbes’s political theory. Richard Tuck, Glenn Burgess, and Jean Hampton all call attention to an apparent contradiction between Hobbes’s notion of self-defense and his view of sovereignty. Hampton puts the point in strong terms saying that the right of self-defense poses a “problem so serious that it renders the entire justification for absolute sovereignty invalid”; Burgess makes a similar point, worrying with Filmer that “Hobbes’s theory undermined its own conclusions.”<sup>7</sup> That is to say, the omnipotent sovereign and the inalienable right to self-defense cannot be reconciled. Of course, the positions of these authors are more subtle and complicated than this suggests; my aim has been simply to give a representative sample of the dominant trends in the literature. Notice that these trends are somewhat paradoxical: among the commentators who discuss Hobbes’s right of self-defense in detail, they tend to either see it as

annoyingly unimportant, or as absolutely central, but devastating to his overall political philosophy.

These debates, however, point to a key interpretive failure. Any adequate account of the nature, scope, and strength of the right of self-defense must rely on an account of why Hobbes thinks there is this right at all. Much of the secondary literature falters because it begins, rather unreflectively, from a natural, but ultimately flawed, reading of Hobbes's argument for the existence of a right of self-defense. I'll call this reading the "standard interpretation." The standard interpretation consists of two claims: first, the claim that Hobbes argues for the *absolute impossibility* of giving up one's right of self-defense; and second, the claim that Hobbes's argument relies on an assumption about human nature, that death is the worst possible evil for a person. The first claim is almost universally accepted in the secondary literature. Deborah Baumgold, whose work I will discuss in more detail below, is an important, yet rare, exception. As we will see, the second claim has been the subject of much debate. Nonetheless, even those who deny that Hobbes thought death is the worst evil do not deny that this strong claim about death is the key premise in his argument for the inalienability of the right of self-defense.

My central goal in this paper is to establish an alternative account of Hobbes's justification for the right of self-defense. While the standard interpretation does find support in the text, I argue that it suffers from at least three serious problems: First, the premise that death is the worst evil is implausible, and it is unlikely that Hobbes believed it; second, Hobbes's applications of the right of self-defense are inexplicable on the standard interpretation; and third, Hobbes does not intend to deny *categorically* the possibility of giving up one's self-defense right. As I shall argue, Hobbes does recognize the validity of some contracts in which the right is given up. My alternative interpretation takes Hobbes's claim that the right of self-defense cannot be transferred to be a claim only about the social contract—the contract in which people undertake their obligation to obey the laws of the sovereign. By focusing on what rights are alienable or inalienable in the context of the social contract, we gain a more accurate and more plausible picture of the Hobbesian right of self-defense. I will suggest that this has important consequences both for how we understand Hobbes's project as a whole and for how we understand the right of self-defense more broadly.

Let me begin with a bit of background. Hobbes famously attempts to justify the rule of an absolute sovereign on the grounds that only an absolute sovereign can ensure that life is anything other than "solitary, poor, nasty, brutish and short" (*Leviathan*, 13.9).<sup>8</sup> According to Hobbes, in the state of nature, everybody has the right to do whatever they judge conducive to their

own self-preservation, but they will contract to give up this “Right of Nature” to institute a sovereign, who has the authority and power to secure peace and safety. Citizens of the resulting commonwealth are then obligated to obey the laws of that sovereign. Hobbes defines injustice as the breaking of a covenant, so when subjects disobey, their disobedience is an injustice because it breaks the social contract. For Hobbes, the ills of the state of nature are so great that people agree to transfer almost all of their natural rights to institute an “absolute” sovereign, a sovereign who has no obligations to his subjects, whose power is unlimited and undivided, and whose rule is permanent (the famous Leviathan). So, on this picture, acts of disobedience to such a sovereign’s commands are both imprudent and, more importantly, morally illegitimate. There is, however, this important caveat: According to Hobbes, subjects have a right of self-defense, and this right provides a justification for disobedience in certain circumstances. The crucial stipulation of the Hobbesian right of self-defense is that those who disobey the law to defend themselves do so, Hobbes writes, “without injustice.”

Unfortunately, Hobbes never gives a precise definition of this right of self-defense; however, we can infer such a definition from the various examples that he gives of its exercise—the most common being that of a convicted criminal either resisting the imposition of the death penalty or disobeying a command to commit suicide (*Leviathan*, 14.29, 21.14; *De Cive*, 6.13). On Hobbes’s account, Socrates was under no obligation at all to drink the hemlock; indeed, Socrates would have been justified in escaping, even if he needed to kill his guards on the way out. Moreover, according to Hobbes, one may permissibly defend oneself against attacks from other citizens, if the help of the law is unavailable—this is how we usually think of the right of self-defense. Lastly, Hobbes makes it clear that the right of self-defense may be exercised even in the absence of a direct attack; for instance, one can permissibly break the law to procure the necessities of life. Thus, if a subject is starving, he has the right to do whatever he can to alleviate this condition. If he steals food, for example, he has not committed an injustice, even though he broke the law (*Leviathan*, 27.26). Thus, the right of self-defense can perhaps best be characterized as *the right to do what one judges necessary to preserve one’s life*.

Many commentators use the terms “right of self-defense” and “right of self-preservation” interchangeably, but I think that this is misleading.<sup>9</sup> I take the former to refer to the particular right that Hobbes thinks subjects retain in the commonwealth. I take the latter to describe the entirety of the right of nature, the almost unlimited right that people have in the state of nature (the state in which there is no political authority). Hobbes understands the right

of self-preservation contained in the right of nature to be an extremely broad right, including the right to anything one judges necessary or *conducive* to one's preservation. So, in the state of nature, I have the right to kill you if I judge that your death is conducive to my preservation by, for example, eliminating you as a potential future threat (*Leviathan*, 14.4). The right of self-defense is, of course, a vestige of the right of self-preservation, but needs to be clearly distinguished from it. The scope of the Hobbesian right of self-defense can surely be debated, but it must be more restricted than the right of nature; otherwise nothing is given up in the social contract.

Finally, it is important to note that Hobbes's conception of rights is very different from our own. For Hobbes, the right of self-defense (like the right of nature, from which the right of self-defense derives) is a *permission right*. On this understanding of rights, if one has the right to do X, then one is morally permitted to do X. That is, one does nothing wrong when one does X and one does not have an obligation to refrain from doing X. This is why Hobbes speaks of subjects who resist the sovereign power in self-defense as "having the liberty to disobey" or of their disobedience being "without injustice." But importantly, this permission right does not impose any duties on anyone else to respect its exercise. So for example, on Hobbes's account, the Athenian state had a right to order Socrates to drink the hemlock even though Socrates had a right to disobey. Moreover, Hobbes insists that the right of self-defense exists irrespective of the (alleged) guilt of subject. Both the guilty and the innocent are morally permitted to resist the sovereign if he tries to use force to threaten their lives.

The question, then, is what are Hobbes's reasons for thinking that the subjects in a commonwealth have this inalienable right of self-defense? In addressing this question, I first discuss the passages that the standard interpretation relies on most heavily. I then explain three of the major problems with the standard interpretation. Finally, I give my own interpretation of Hobbes's account of the inalienable right of self-defense.

## **The Standard Interpretation of Hobbes's Argument for the Inalienability of the Right of Self-Defense**

Hobbes discusses the question of the inalienability of the right of self-defense in all of his major works in political philosophy; however, his views on the matter seem to have changed over time. In *The Elements of Law*, an early work, Hobbes implies that subjects both can and must give up *all* their natural rights, including the right of self-defense, when they enter the commonwealth

(*The Elements of Law*, II.1.7). However, Hobbes's mature view is taken to be that it is impossible to give up one's right of self-defense.<sup>10</sup> The most definitive version of Hobbes's argument for the inalienability of the right of self-defense is found in chapter 14 of *Leviathan*. On a natural reading of the pertinent passages in this chapter, Hobbes offers two different, but related, arguments for the inalienability of the right of self-defense: a conceptual impossibility argument and a psychological impossibility argument.<sup>11</sup> In this section I take each of these arguments in turn.

The first appearance of the right of self-defense in *Leviathan* reads as follows:

Whensoever a man transferreth his Right, or renounceth it, it is either in consideration of some right reciprocally transferred to himself or for some other good he hopeth for thereby. For it is a voluntary act, and of the voluntary acts of every man, the object is some *good to himself*. And therefore there be some rights, which no man can be understood by any words, or other signs, to have abandoned or transferred. As, first, a man cannot lay down the right of resisting them who assault him by force, to take away his life, because he cannot be understood to aim thereby at any good to himself (*Leviathan*, 14.8).

Let us call this the “conceptual impossibility argument,” since for Hobbes, it is something central to the *concept* of transferring a right that rules out transferring the right to self-defense. The argument seems to be that when an agent transfers a right, he is always doing so with an eye to some benefit, what Hobbes calls, some “good to himself.” One cannot transfer one's right of self-defense because there can be no benefit to oneself in doing so. Why? Presumably, because death is the worst evil—and if death is the worst evil, there can be no possible benefit in submitting to one's own death. According to this argument, then, the “transfer of the right of self-defense” can only be merely apparent, because actually transferring that right would contradict a crucial element of what is involved in transferring a right at all, namely the expectation of a benefit. The general idea of this passage is that no matter what words I say or what gestures I make, you cannot thereby understand me as agreeing to renounce my right of self-defense. I can scream until I am hoarse that I agree not to resist you if you try to kill me, but I cannot thereby obligate myself. To put this in another way, my attempt at the renunciation of my right of self-defense is unintelligible to you (and so Waldron, quite understandably, calls this the argument from “the unintelligibility of renouncing the right of self-defense”). The reason for this unintelligibility is that renouncing such a right violates something central to the concept of transferring a right—the expectation of a benefit. The implicit

assumption in this argument is obvious: Since death is the worst evil, there can be no benefit in agreeing to it.

The second argument for the inalienability of the right of self-defense, according to the standard interpretation, is that it is *psychologically* impossible for people to undertake an obligation not to resist death. Hobbes says, “to promise that which is known to be impossible is no covenant” (*Leviathan*, 14.25). He explains that “the promise of not resisting force, in no covenant transferreth any right, nor is obliging” because,

man by nature chooseth the lesser evil, which is danger of death in resisting, rather than the greater, which is certain and present death in not resisting. And this is granted to be true by all men, in that they lead criminals to execution and prison with armed men, notwithstanding that such criminals have consented to the law by which they are condemned (*Leviathan*, 14.29).

Hobbes takes the fact that the condemned are led to their death in chains to be evidence for his psychological claim that people would inevitably choose the lesser evil of possible escape. His idea is that if prisoners sentenced to hang were unchained and unguarded on their walk to the gallows, they would reasonably and justifiably attempt to escape.

Hobbes puts the sentiment slightly differently in *De Cive*, saying,

An obligation not to resist [death] is an obligation to choose what will seem the greater of two present evils. For certain death is a greater evil than fighting. But it is impossible not to choose the lesser of two evils. Hence by such an agreement we would be obligated to the impossible, and that is contrary to the nature of agreements (*De Cive*, 2.18).

The argument seems to be: It is impossible for people to choose the greater evil over the lesser evil; death is always the greater evil, so it is impossible for people to choose death. A promise to do the impossible is not binding (ought implies can). Therefore, one cannot promise to choose death. Hence, one is always morally permitted to do what one judges necessary to preserve one’s life. Moreover, these passages make it clear why scholars like Martel see Hobbes’s right of self-defense as so feeble that it justifies nothing more than “the right to kick and scream on the way to the gallows.”

On the standard reading, then, the right of self-defense is inalienable because it is impossible, either conceptually or psychologically, to transfer it in a binding covenant. Since there are *no* circumstances under which such an apparent transfer could impose obligations, one is *always* at liberty to resist. It is clear from the text why commentators have been led to adopt the

standard interpretation. However, this interpretation has at least three serious problems.

### The “Death as Worst Possible Evil” Premise

Much of the received wisdom on Hobbes takes this strong premise about death to be at the center of his philosophical project (although this has increasingly become a matter of debate). And Hobbes gives good reason to be taken in this way. He repeatedly characterizes death as the greatest of all evils and claims that man fears death, especially painful death, above all else. At one point he even says that man avoids death with the necessity that a stone falls downward (*De Cive*, 6.13; see also, *De Cive*, 1.7 and *The Elements of Law*, 1.14). Many have taken Hobbes at his word, interpreting him to be unequivocally committed to the view that bodily death is the ultimate evil, necessarily feared and avoided by all mankind. For example, J. W. N. Watkins says that Hobbes “regarded aversion to violent death as men’s overriding passion.” Similarly, according to Mark Murphy, Hobbes ascribed to the view that “for every human being, any state of affairs including that agent’s remaining alive is preferable to any state of affairs that includes that agent’s not remaining alive”<sup>12</sup> Yet, although it is easy to read Hobbes in this way, there are compelling reasons to reject this interpretation. First, it is implausible *as a claim about human nature*, and second, a close look at the text reveals that it is unlikely that Hobbes wanted or needed to espouse it.

The principle of charity urges us to hesitate before accepting an interpretation of Hobbes that credits him with the view that death is always the worst evil. After all, this view seems untrue. Indeed, some attribute this view to him only to turn around and disparage him for it. Jean Hampton calls his views on death “the most crude and overly simplistic aspect of Hobbesian psychology.” Gregory Kavka argues that, contrary to what Hobbes says, choosing death is not always choosing the greater evil.<sup>13</sup> For example, if the sovereign gave a person a choice between her life and the life of her child, that person could plausibly see her own death as the lesser evil. Even if she thought she had a chance to escape, she still might prefer to die rather than see her child killed. The force of the example is this: If it is psychologically possible to choose, without total irrationality, not to resist threats to one’s life, then both the conceptual and the psychological arguments for the retention of the right of self-defense fall apart. Indeed, Waldron, another proponent of the “death as the worst evil” interpretation of Hobbes, insists that Hobbes’s arguments for the right of self-defense fail on precisely this point; “the Hobbesian account of self-defense is hostage

to the peculiarities of his psychology. So long as people care ultimately about nothing other than their own preservation, the argument goes through. But if they care about other things, the argument collapses."<sup>14</sup>

In the end, Hobbes does not need to assume that death is the worst evil to establish the right of self-defense in the first place; however, I first pause to give some textual evidence that casts doubt on this widely held view that Hobbes believed death to be the worst possible evil. Note, however, that this is a topic that has been hotly debated in the secondary literature, and there is much more to be said about it. I merely want to indicate some important points at which Hobbes himself seems to dispute this claim.

First, Hobbes recognizes that people might rationally prefer death to life if their lives are sufficiently painful (*De Homine*, 11.6). Second, he acknowledges that "there are commands that I would rather be killed than perform." He gives an example in which a son is ordered on pain of death to kill his own father and says the son "may prefer to die rather than live in infamy and loathing" (*De Cive*, 6.13). Third, Hobbes's analysis of courage, which he defines as "contempt of wounds and fear of death, when they oppose a man in the way to his end," seems to describe the virtue of courage in terms of overcoming one's fear of death (*The Elements of Law*, 9.4, 17.14). Moreover, the Hobbesian political system relies on people who possess courage. For instance, it needs a force of police and soldiers to keep internal peace and protect the commonwealth from external threats, and such people must be willing to risk their lives. The collective weight of these three considerations lends credence to the claim that Hobbes could not have really believed that it was psychologically impossible for people to accept death. Indeed, Sharon Lloyd, the most prominent critic of the "death as the worst evil" interpretation, argues convincingly that Hobbes understood people to have many "transcendent interests," which move them to override their fear of death.<sup>15</sup> Thus, the claim that death is the worst possible evil is not only implausible in its own right; it is doubtful that Hobbes even believed it to be true. However, as I will show, there are other grounds for constructing an argument for the Hobbesian right of self-defense in a way that does not depend on this overly strong claim about the disvalue of death.

### **Hobbes's Applications of the Right of Self-Defense**

One of the most interesting features of the Hobbesian right of self-defense is that Hobbes uses it to derive a host of other rights, all of which go well beyond the narrow right of self-preservation. He calls these rights the "true liberties of subjects." For example, Hobbes claims that subjects

have a broad right to resist the punishment commands of the state, including the right to resist “wounds, chains, and imprisonment” (*Leviathan*, 14.8; see also 14.29 and 21.12.). He says that people can disobey commands that threaten their honor (*Leviathan*, 21.15; *De Cive*, 6.13). He uses the right of self-defense to derive a right against self-incrimination, which gives subjects permission to refuse to testify against themselves and against those who are close to them (*Leviathan*, 14.30, 21.15; *De Cive*, 2.19). Finally, he also claims that the right of self-defense gives people the right to avoid a draft and to flee the battlefield (*Leviathan*, 21.15, 21.16). These applications of the right of self-defense are puzzling and have raised serious concerns among some Hobbes scholars. Kavka calls Hobbes’s applications of the right of self-defense “arbitrary and ad hoc”; and Burgess refers to them as “peripheral, of little practical importance, perhaps even embarrassing logical implications of his own theory that Hobbes would have liked to sweep under the carpet.”<sup>16</sup>

I think that these criticisms are unfair, but it is easy to see how they would arise. According to the standard interpretation of the right of self-defense, it is utterly mysterious why it would give subjects the right to protect their loved ones or their own honor. That is, it is not clear why a covenant purporting to give up one’s right to defend one’s honor would be invalid, on the standard interpretation.

The scope of the Hobbesian right of self-defense is not only much broader than is usually recognized, it is much more interesting. My point here is that the standard interpretation cannot make any sense out of these applications. Nothing in the conceptual impossibility argument or the psychological impossibility argument can explain why Hobbes thinks that all of these other rights follow from the right of self-defense.<sup>17</sup>

## The Soldier Contract

The final and most compelling objection to the standard interpretation is that its conclusion (namely, that there is *no* possible valid covenant in which the right of self-defense can be transferred) seems open to various counterexamples. For example, Claire Finkelstein imagines the following situation: You threaten to kill me right now unless I promise to relinquish my right of self-defense on all future occasions. Obviously, I would benefit from making this agreement, even if the benefit is only more time alive. Finkelstein, thus, concludes that it is “surely false . . . that it cannot be to a person’s benefit to transfer away the right to self-defense.”<sup>18</sup> Or consider another example: Suppose you hold my daughter hostage, but are willing to

trade her life for mine. You say, “Let me kill you and I’ll release your daughter.” Arguably I *can* make this covenant. The object of the covenant is a good to myself (saving the life of my daughter), and surely in that situation it would be psychologically possible for me to stand there and accept your blows. Notice that this is supposed to demonstrate the possibility of seeing my own death as the lesser of two evils. But it seems that on the Hobbesian principles we have just discussed, such a covenant is impossible. If we want to recognize the possibility of this kind of covenant (and Finkelstein thinks we do), then we must also recognize the inadequacy of the standard interpretation of Hobbes’s arguments for the inalienability of the right of self-defense.

Many fail to acknowledge, however, that Hobbes *does* recognize the validity of contracts in which the right of self-defense is alienated, namely the contract made by a soldier to fight in the army. In chapter 21 of *Leviathan*, he makes the following two claims:

- (1) If an ordinary citizen is ordered to fight in battle, he can desert without injustice. [This is one of the applications of the right of self-defense.]
- (2) If a person enlists in the army (by volunteering or accepting money), he is then obligated to stay and fight until given leave by his captain.<sup>19</sup>

Consider the implications. If an enlisted soldier (as opposed to a drafted citizen) fears for his life on the battlefield, he is obligated to stay and fight. Ordinary subjects, however, do not have this obligation; so when they flee the battlefield, they do no wrong.<sup>20</sup> Hobbes makes it clear that in becoming soldiers, people create new obligations for themselves. Deborah Baumgold calls this the “soldier contract,” and points out that what makes this an alienation of the right of self-defense is Hobbes’s stipulation that soldiers give up their right to flee mortal danger.<sup>21</sup> The soldier obligates himself to stay and fight, even when he sees that doing so will invariably lead to his own death. This must mean that the soldier does not have the right to do whatever he judges necessary to preserve himself. Hobbes thus can, and does recognize the validity of a covenant in which the right of self-defense is renounced.

Of course, the soldier retains the right to defend himself from enemy soldiers that are trying to kill him. It is not as though the soldier is obligated to submit willingly to his own death by, say, not resisting enemy attacks. However, the soldier contract can still be understood to involve the alienation of the soldier’s right of self-defense for an important range of cases. For example, there is a military tactic known as “standing in the breach.” If the walls of a city were breached, commanders would order their soldiers to stand

in the hole in the wall to try to ward off the besieging army. In many cases this order entailed certain death. However, Hobbes claims that an enlisted soldier would be obligated to follow an order to stand in the breach, even if he believed that he would be sure to die if he did so. This suggests that the soldier must be understood to have given up his right of self-defense because he is not at liberty to disobey a command that will most likely kill him.

I have offered three reasons to revisit Hobbes's argument for the inalienability of the right of self-defense. First, I have argued that Hobbes is not, and does not need to be, committed to the premise that death is always the worst evil. Second, I have argued that taking Hobbes's applications of the right of self-defense seriously means rejecting the standard interpretation of his arguments. Third, I have shown that the conceptual and psychological impossibility arguments are too strong and, if taken at face value, generate inconsistencies in Hobbes's account. The arguments seem to rule out the possibility of *any* valid covenant to renounce the right of self-defense, but as I have shown, Hobbes does recognize the validity of at least one such covenant, namely the "soldier contract." The result of all these lines of reasoning is the same: we need to look for other principles to ground the right of self-defense.

### **An Alternative Interpretation of the Hobbesian Right of Self-Defense**

Having developed this line of argument, I now turn to offer an alternative interpretation of the Hobbesian right of self-defense. If we recognize the distinction between the social contract and other contracts, we can see a Hobbesian argument that the right of self-defense is inalienable *in the social contract* while acknowledging that it may be given up *in other contracts*. My argument picks up on three neglected principles in the Hobbesian account of covenants. I call these the "reasonable expectations principle," the "fidelity principle," and the "necessity principle." I will show that in his discussion of covenants, Hobbes describes various conditions that need to be met for any particular covenant to be valid. For a right to be transferred in a covenant, these conditions need to be met; and, if any of these conditions are violated, the right is not transferred and the covenant is not binding. Taken together, these three principles provide the grounds for a revised picture of the Hobbesian right of self-defense. My strategy is to show that once we understand what Hobbes thinks is necessary for a covenant to be valid, we will see why he thinks that the right of self-defense cannot be transferred in the social contract.

Hobbes's first principle of covenants is the reasonable expectations principle.

*The reasonable expectations principle.* A covenant is valid only if each party can reasonably expect every other party to perform their part of the covenant.

Hobbes does not use the term "reasonable expectations"; rather, he speaks in terms of trust. Hobbes insists that if the parties to an agreement cannot trust each other to fulfill it, they literally cannot make a binding agreement. According to Hobbes, "trust is the only bond of agreements." This is a general principle of covenants, according to Hobbes, and he invokes it to explain why covenants are invalid in the state of nature, but valid in civil society. Here's the general idea: Suppose Alice and Charlie attempt to make a covenant of mutual cooperation in the state of nature. Alice grows more apples than she needs, and Charlie grows more corn than he needs. Alice agrees to give Charlie half of her apples tomorrow, if Charlie gives Alice half his corn next week. But can Alice and Charlie make a binding promise to exchange their excess food? For Hobbes, this depends on the following question: Can Alice reasonably expect that if she gives Charlie the apples, Charlie will repay the favor next week with his corn? Hobbes says no; so, on Hobbes's account, it would be irrational for Alice to perform her part of the covenant because she knows that it will be in Charlie's best interest to renege next week. And since Charlie's obligation depends on Alice's reasonable expectation that Charlie will perform, Alice and Charlie literally cannot make this covenant. They can say the words, but they cannot thereby impose moral obligations on themselves.

Notice that this putative covenant fulfills the two conditions stipulated by the conceptual and psychological impossibility arguments: There is some good to each party and it is psychologically possible for the parties to perform. But, according to Hobbes, this is not enough to make it valid. Each party must also be able to reasonably expect that the other will fulfill his or her part of the bargain. But because each knows it would be irrational for the other to do so, neither can form the requisite beliefs.

According to Hobbes, the "validity of covenants begins. . . with the constitution of a civil power sufficient to compel men to keep them" (*Leviathan*, 15.3). In the commonwealth, the existence of an enforcement agency gives people sufficient assurance that others will comply, because they will be punished if they don't. To be more precise, the parties to a covenant can reasonably expect each other to comply because they are both subject to sufficiently compelling sanctions if they go back on their word. So in civil society, Alice and Charlie can expect each other to keep their respective

parts of the bargain, and so their contract to exchange apples for corn *is* valid. The “reasonable expectations” principle is a general principle of covenants that Hobbes invokes to explain why covenants are always void in the state of nature.

Now let’s look at the social contract. The social contract is a contract of each with all. The parties have to draw on their general knowledge of human nature. Is it reasonable for them to expect one another to fulfill a contract not to resist threats on their lives? Hobbes is very clear that they can say the words, “We renounce our right to self-defense,” but the question is: Do these words bind? Can the parties thereby succeed in obligating themselves? The social contractors know that humans have a powerful natural impulse to avoid death, even if at times they can succeed in overcoming it. But they know that such moments tend to be rare, and that people, in general, cannot be relied upon to stand firm in the face of certain death. Furthermore, everyone knows this about human nature and so cannot reasonably expect others or even themselves to do otherwise. Hobbes argues this is precisely why condemned men are led to their death in chains—even if they had made an agreement not to resist, one would not trust them to actually abide by it. Therefore, it is impossible for each party to the social contract to be able to form an expectation of each of the other parties that they will be able to abide by an obligation not to resist death. It follows that although they may speak the words, “I agree with each of you to give up my right of self-defense,” they cannot succeed in thereby obligating themselves.

Hobbes’s original formulation makes it sound as if it were *literally impossible*, within the confines of right reason, to see death as anything other than the greatest evil. But, as I have argued, this is an overstatement. While it might, strictly speaking, be rational in particular extreme cases for someone willingly to accept death, people cannot, in general, be *depended upon* to do so. The mere possibility of seeing death as the lesser evil does not give the contracting parties sufficient reason to trust others in the way the *social* contract demands, that is, the population as a whole, consistently. We can never reasonably count on others (who might be strangers) to choose the lesser evil of death even when they acknowledge it as such. However, while we cannot agree to obey if the sovereign commands us to commit suicide, we can agree to obey his laws concerning property, religion, education, and so on. In fact, it is precisely the punishment power of the state that ensures that we are for the most part able to count on other people to obey these laws.

This interpretation of Hobbes’s argument for the right of self-defense is preferable to the standard interpretation because it establishes the requisite conclusion (i.e., that subjects always retain the right of self-defense in the

commonwealth), while also respecting the idea behind the psychological impossibility argument. But it does so in a way that doesn't require it to be absolute, so it is not vulnerable to various counterexamples. Such cases merely show that it is possible for death to be a rational choice on rare occasions. This mere possibility *is* enough to defeat the traditional psychological impossibility reading. However, the argument for the inalienability of the right of self-defense just constructed rests on the claim that parties to the social contract will not have sufficient reason to trust one another to fulfill a covenant not to resist death. To put it another way, the right of self-defense cannot be transferred in the social contract because the conditions of the reasonable expectations principle cannot be met.

According to my interpretation, two additional principles of valid covenants must be invoked in explaining the Hobbesian argument for a right of self-defense: the fidelity principle and the necessity principle. I show that the right of self-defense cannot be transferred in the social contract because it would violate both of these principles.

*The fidelity principle.* The transfer of a right has to be faithful to the purpose of the covenant, that is, one cannot transfer a right the transfer of which contradicts (or undermines) the purpose for which that right is transferred.

While Hobbes never explicitly articulates the fidelity principle in general terms, it is implicit in his first attempt to justify the right of self-defense in *Leviathan*. Hobbes says,

the motive and end for which this renouncing and transferring of a right is introduced, is nothing but the security of a man's person, in his life. . . . and therefore if a man by words or other signs seem to despoil himself of the end for which those signs were intended, he is not to be understood as if he meant it, or that it was his will, but that he was ignorant of how such words and actions were to be interpreted (*Leviathan*, 14.8).

Hobbes's point seems to be that one cannot incur an obligation to do X under covenant C, if avoiding X is the reason you undertook covenant C in the first place. According to Hobbes, people enter into the social contract for one reason, and one reason only: "the foresight of their own preservation, and of a more contented life thereby" (*Leviathan*, 17.1). Since the purpose of the social contract is the preservation of life, a covenant within it not to do what one can to preserve one's life is invalidated by the fidelity principle.<sup>22</sup> In fact, if a person seems to be giving up his right of self-defense in the social contract, "he is not to be understood as if he meant it." Consider,

in contrast, the covenant in which you give up your own life for the life of your daughter. In that covenant, the purpose is not the saving of your life; it is the saving of your daughter's life. This covenant *can* generate an obligation to give up your life because your sacrifice is not contrary to the purpose of the covenant.

Moreover, the fidelity principle and the reasonable expectations principle are connected. We can ask: What can we reasonably expect of people given the purpose of the covenants they are making? Given that the purpose of the social contract is the preservation of life, we cannot reasonably expect the social contractors to give up the right to defend themselves against deadly attacks. Notice that this argument does not rely on any dubious premise about death always being the worst evil, and it leaves room for the kinds of private contracts alienating the right of self-defense that Hobbes needs: The purpose of the soldier contract, presumably, is not the preservation of the soldier's life.

*The necessity principle.* One only transfers those rights that are necessary to achieve the purpose of the covenant; that is, one does not transfer any right the transfer of which is not necessary to fulfill the purpose of the covenant.

The necessity principle provides a third reason for Hobbes to claim that the right of self-defense is retained in the commonwealth. Not only is it *impossible* to include this right among the rights transferred in the social contract, for the reasons given above, it is also *unnecessary* to include it. Hobbes's position is that people transfer only those rights that are essential for the existence of the absolutely powerful Hobbesian sovereign. Thus, Hobbes says,

Nor doth the law of nature command any divesting of other rights, than those only which cannot be retained without the loss of peace (*The Elements of Law*, 17.2. See also, *Leviathan*, 15.1 and 15.22).

Hobbes is clear about which rights cannot be retained without the loss of peace, that is, which rights need to be given up to establish an effective government. He repeatedly insists that one must give up one's right to judge right and wrong, make and interpret laws, levy taxes, raise and maintain an army, and interpret religious scripture. Retaining any of these rights would be inconsistent with Hobbes's idea of sovereignty. But the right of self-defense is the perfect example of a right that *can* be retained without the loss of peace. Hobbes makes this point, saying,

Nor need the commonwealth itself require of anyone, as a condition of punishment, an agreement not to resist. . . . Hence, if I am told to kill myself, I have no obligation to do so. So if I refuse, the right of government is not frustrated, since others may be found who will not refuse to carry out the order [for me to die] (*De Cive*, 2.18, 6.13).

My death is easily secured by others, so it is not necessary for me to obligate myself to obey a command to commit suicide. The Hobbesian right of self-defense is merely a permission right; it does not impose any obligations on others to respect the right. The sovereign is just as powerful, and has just as much ability to do the things for which he was instituted, without my incurring this obligation.<sup>23</sup> Indeed, whether I bind myself in this way or not is irrelevant to the power and authority of the sovereign. My retention of the right of self-defense means only that if I disobey the command to commit suicide, I do so without injustice. The sovereign is still able to kill me and may be justified in doing so.

If everybody retained all of their natural rights, there would be chaos—“loss of peace,” in Hobbes’s words. Some, if not most, of our natural liberties need to be given up. But a plausible argument can be constructed that the right of self-defense is retained because it is *unnecessary* to transfer it.

### Concluding Remarks

I have argued that the right of self-defense is retained in a Hobbesian commonwealth. It is not retained because death is the worst evil, or because it imposes a demand that is psychologically impossible to fulfill. Rather, the right is retained in the commonwealth, first, because there is no assurance that all parties would fulfill a promise not to resist death; second, because such a promise would undermine the purpose of the social contract; and third, because the Hobbesian commonwealth does not require such a promise.<sup>24</sup> Although Hobbes may have tried to defend his claim in the wrong way, it is nonetheless defensible on Hobbesian grounds.

Hobbes scholars have often seen the right of self-defense as a weakness or a liability in his theory; it has been seen as a right that might be better excised from the Hobbesian project. While a full response to the various objections that have been raised against Hobbes’s right of self-defense would require a more extensive treatment of Hobbes’s political theory as a whole, I have given reasons for thinking that Hobbes’s account of this right is more sophisticated and plausible than has typically been recognized. As

I understand the larger political project, Hobbes intended to show that political obligation coincides with rational or enlightened self-interest. Consequently his views on cases of justified disobedience must be very nuanced. Hobbes noticed that although it is in people's interests to institute and follow an absolute sovereign, there are rare occasions when it is simply not in a subject's interest to obey particular commands. For example, almost never will it be in a subject's best interest to obey a command to commit suicide. And so he argued that in such instances obedience could not be expected, nor was it necessary to the sovereign's authority. While Hobbes argued for the necessity of an "absolute" sovereign, he did not require "absolute" obedience to that sovereign.

On this view of Hobbes's argument, the right of self-defense provides an opportunity to revisit some of the fundamental assumptions that have been made about the nature of Hobbes's project as a whole. A typical reader is likely to conclude that Hobbes presumes that the state will always look out for the interest of its subjects. Because the sovereign was instituted to preserve life, it might be assumed that Hobbes believed that the sovereign would never pose a threat to the self-preservation of subjects. Locke's contention that it is far better to face the mischief of polecats and foxes than to face the lethal threat of a lion is intended to demonstrate the implausibility of this belief. However, on my reading, Hobbes clearly understood that the state, by necessity, will put some citizens in harm's way. I contend that Hobbes argued for the existence of a right of self-defense not simply to allow a person to protect herself from her neighbor, but also to protect herself from the potential threat from the sovereign power itself. This provides a compelling argument for radically recasting our understanding of Hobbes as a naive apologist for centralized power.

Perhaps more importantly, there are interesting implications of Hobbes's analysis for contemporary debates about rights. Recall that Hobbes claims that subjects have a broad right to resist the commands of the state. He proposes that we retain the right to resist "wounds, chains, and imprisonment," the right to disobey commands that threaten our honor, the right to refuse to testify against ourselves and against those who are close to us, and the right to avoid a draft and to flee the battlefield. These claims are worth taking seriously as instances of the right of self-defense, and certainly have interest and importance that go far beyond the Hobbesian context. This point has been missed in current debates about self-defense. For example, contemporary philosophers often employ thought experiments to explore the nature and limits of what people may do to save their own lives. They ask questions like: Is it permissible to kill an innocent bystander in self-defense? If so, how many innocent bystanders is it permissible to kill in order to save oneself?

Hobbes asks us to consider a rather different sort of question: Under what conditions is a subject free to resist the state's use of power?

To take just one example where this understanding of Hobbes might offer an insightful contribution to the evaluation of a contemporary context, consider the right to resist "wounds, chains, and imprisonment." If a prison sentence is likely to make your life as bad as, or perhaps even worse than, the state of nature, you are free to resist incarceration. Such a right to resist, however, is not exhausted by the right to resist incarceration; it also extends to the right to resist arrest where you have reason to suppose that arrest will lead to such an incarceration. Moreover, Hobbes argues that this is a right that applies equally to the guilty and the innocent alike. The imagination does not have to stretch too far in the contemporary world to find examples where such conditions are arguably met. The threat of unwarranted incarceration and torture in China has become a key human rights issue in recent years; journalists in China know that they must constantly be on guard against the possibility of imprisonment on the basis of trumped up charges. What we would now call serious human rights violations abound in prisons throughout the world. Resistance to these uses of state power would be justified by a straightforward application of the Hobbesian fidelity principle. The purpose of the state is to protect you from the evils of the state of nature; where the state threatens you with conditions equal to the evils of the state of nature, you have no obligation to obey and so you have a Hobbesian right to resist.

The richness of Hobbes's applications of the right of self defense, when coupled with the three justificatory principles which ground this right (i.e., the reasonable expectations principle, the fidelity principle, and the necessity principle), offer a new approach to our understanding of the limits of political obligation. The Hobbesian way of thinking may not in the end offer a viable account of many of our socially significant rights. However, his approach opens up a region of philosophical territory. Moreover, it suggests a far more plausible approach to our rights against the state than could ever be hoped for in an appeal to thought experiments about the permissibility of killing innocent bystanders in self-defense.

## Notes

1. The question about innocent bystanders has been hotly debated in legal and philosophical circles. For example, see Larry Alexander, "Justification and Innocent Aggressors," *Wayne Law Review* 33 (1987): 1179-89; Michael Gorr, "Private Defense," *Law and Philosophy* 9 (1990): 241-68; and Jeff McMahan, "Self-Defense and the Innocent Attacker," *Ethics* 104 (1994): 252-90.

2. Jeremy Waldron, "The Morality of Criminal Law: A Symposium in Honor of Professor Sandy Kadish: Self-Defense: Agent-Neutral and Agent-Relative Accounts," *California Law Review* 88 (2000): 715.

3. Quentin Skinner, for example, has little to say about the basis and import of Hobbes's claim that subjects necessarily retain a right of self-defense in civil society. Indeed, the term "self-defense" does not appear at all in his book, *Reason and Rhetoric in the Philosophy of Hobbes* (Cambridge: Cambridge University Press, 1996).

4. For example, see A. P. Martinich, *Hobbes* (New York: Routledge, 2005), 117-22.

5. Two notable exceptions are Claire Finkelstein, "A Puzzle About Hobbes's Right of Self-Defense," *Pacific Philosophical Quarterly* (2000): 332-61; and Eleanor Curran, *Reclaiming the Rights of the Hobbesian Subject* (Houndsmills: Palgrave Macmillan, 2007). Both Finkelstein and Curran take themselves to be defending Hobbes on this issue.

6. Gordon Schochet, "Hobbes and the Voluntary Basis of Society," in *Thomas Hobbes and Political Theory*, edited by Mary Dietz (Lawrence: University Press of Kansas, 1990), 62; Deborah Baumgold, *Hobbes's Political Theory* (Cambridge: Cambridge University Press, 1988), 29, 30; and James R. Martel, "The Radical Promise of Thomas Hobbes: The Road not taken in Liberal Theory," *Theory and Event* 4 (2000): 34.

7. Jean Hampton, *Hobbes and the Social Contract Tradition* (Cambridge: Cambridge University Press, 1986), 197; and Glenn Burgess, "Hobbesian Resistance Theory," *Political Studies* 42 (1994): 74. See also, Richard Tuck, *Natural Rights Theories* (Cambridge: Cambridge University Press, 1979), 120-2. Interestingly, Tuck in a later work claims to no longer see such a contradiction; see Richard Tuck, *Philosophy and Government 1572-1651* (Cambridge: Cambridge University Press, 1993), 309.

8. Hobbes's works are cited by chapter and paragraph number, using the following editions of his texts: Thomas Hobbes, *The Elements of Law: Natural and Politic*, ed. Ferdinand Tönnies (London, Frank Cass & Co, 1969); Thomas Hobbes, *On the Citizen [De Cive]*, eds. Richard Tuck and Michael Silverthorne (Cambridge: Cambridge University Press, 1998); Thomas Hobbes, *Leviathan with selected variants from the Latin edition of 1668*, ed. Edwin Curley (Indianapolis: Hackett Publishing Company, 1994); Thomas Hobbes, *De Homine in Man and Citizen*, ed. Bernard Gert (Indianapolis: Hackett Publishing Company, 1991).

9. For a good example, see Tuck, *Philosophy and Government*, 304-7.

10. See Tuck, *Philosophy and Government*, 317. Hobbes does not always include the right of self-defense qualification when he discusses the social contract. The most striking omission of the right of self-defense is found in his first description of the social contract in *Leviathan*, where he does not mention the right of self-defense at all (*Leviathan*, 17.13).

11. It is debatable whether Hobbes is better understood as offering two arguments or two versions of the same argument. In *Leviathan*, they appear in the same chapter, but the psychological impossibility argument comes a number of paragraphs after the conceptual impossibility argument. Moreover, while there is significant overlap between them, they represent sufficiently different lines of reasoning. Thus, I hold that it is helpful to treat them separately. Other commentators, notably Claire Finkelstein and Jeremy Waldron, have also separated these arguments, though they name them differently than I do. Claire Finkelstein terms them the "argument from benefit" and the "argument from involuntariness"; and Waldron calls them the "argument from the unintelligibility of a covenant renouncing self-defense" and the argument from the "impossibility of renouncing the right of self-defense."

12. J. W. N. Watkins, *Hobbes's System of Ideas* (London: Hutchinson & Co., 1973), 93; and Mark Murphy, "Hobbes on the Evil of Death," *Archiv für Geschichte der Philosophie* 82 (2000): 36-61. The claim is echoed in many of the canonical commentaries on Hobbes; for

example, see Leo Strauss, *The Political Philosophy of Thomas Hobbes: Its Basis and Genesis*, trans. Elsa M. Sinclair (Chicago: University of Chicago Press, 1952), 121.

13. Hampton, *Hobbes and the Social Contract Tradition*, 15; and Gregory Kavka, *Hobbesian Moral and Political Theory* (Princeton: Princeton University Press, 1986), 80-81.

14. Waldron, "Self-Defense: Agent-Neutral and Agent-Relative Accounts," 721.

15. Sharon Lloyd, *Ideals as Interests in Hobbes's Leviathan: The Power of Mind over Matter* (Cambridge: Cambridge University Press, 1992), 250-4. A number of others have also made the argument that Hobbes should not be interpreted as endorsing a view of human psychology in which death is always the greatest evil (e.g., Bernard Gert, "Hobbes's Psychology," in *The Cambridge Companion to Hobbes*, ed. Tom Sorrell (Cambridge: Cambridge University Press, 1996), 163; and A. P. Martinich, *Hobbes: A Biography* (Cambridge: Cambridge University Press, 1999), 365).

16. Kavka, *Hobbesian Moral and Political Theory*, 25; and Burgess, "Hobbesian Resistance Theory," 69.

17. Perhaps this is too quick. There seem to be at least two things that can be said in defense of the standard interpretation on this point. First, at least *some* of these auxiliary rights might be explicable on the standard interpretation—those that are exercised in response to the threat of physical harm or death. One might, for example, think that the right to resist imprisonment could be derived from the right of self-defense, because accepting imprisonment arguably means subjecting myself to others who have the power to determine whether I live or die. I am doubtful this strategy can succeed. As Finkelstein notes: "it might not take very much to induce me to abandon *this* right [to resist imprisonment]. There is probably some large sum of money someone could offer me that would make me regard abandoning it as worthwhile, especially if the imprisonment were of limited duration" (Finkelstein, "A Puzzle About Hobbes's Right to Self-Defense," 339). Alternatively, one could argue that Hobbes viewed the "self" expansively in a way that encompassed both a person's loved ones and reputation. However, while Hobbes does, at times, speak in this way, I think we should resist this interpretation. He neither develops nor defends it anywhere; nor is it clear how one would draw precise boundaries around such a "self" to get a right of self-defense off the ground. Of course, a longer discussion of Hobbes's true liberties of subjects is required to completely dispel these worries. However, such a discussion would take me far a field of the central line of argument in this paper. However, I hope that it is clear that such applications of the right of self-defense are not straightforwardly accommodated by the standard interpretation. I am grateful to Kinch Hoekstra for pushing me to think about these points.

18. Finkelstein, "A Puzzle About Hobbes's Right of Self-Defense," 338.

19. These claims are drawn out in the text as follows: "Upon this ground a man that is commanded as a soldier to fight against the enemy, though his sovereign have right enough to punish his refusal with death, may nevertheless in many cases refuse without injustice, as when he substituteth a sufficient soldier in his place; for in this case he deserteth not the service of the commonwealth. And there is allowance to be made for such natural timorousness, not only to women (of whom no such dangerous duty is expected), but also to men of feminine courage. When armies fight, there is, on one side or both, a running away; yet when they do it not out of treachery, but fear, they are not esteemed to do it unjustly, but dishonorably. For the same reason, to avoid battle is not injustice, but cowardice. But he that enrolleth himself a soldier, or taketh imprest money, taketh away the excuse of a timorous nature, and is obliged, not only to go to the battle, but also not to run away from it without his captain's leave" (*Leviathan*, 21.16).

20. Hobbes adds a puzzling, and perhaps troubling caveat at the very end of this discussion in which he says that "when the defense of the commonwealth, requireth at once the help

of all that are able to bear arms, everyone is obliged.” This makes it sound like ordinary subjects can be obligated to fight under certain circumstances. While I would argue this is not, in fact, the correct way to take Hobbes’s point, I’ll set aside this wrinkle for the purposes of this paper. For an interesting discussion of this case, see Kavka, *Hobbesian Moral and Political Theory*, 424-33.

21. Deborah Baumgold, “Soldiers and Subjects: Hobbes on Military Service,” *History of Political Thought* (1983): 71.

22. There are further questions about how to understand Hobbes’s description of the second purpose of the social contract, namely, “a more contented life.” It is clear that Hobbes thinks that the purpose of the commonwealth is not simply to ensure the mere survival of its subjects, but it is not at all clear what more is required or what Hobbes thinks is a more contented life. For interesting discussions of this issue see Kavka’s *Hobbesian Moral and Political Theory* and Curran’s *Reclaiming the Rights of the Hobbesian Subject*. For the purpose of the current paper, however, I set this issue aside. After all, we must first establish the narrow right of self-defense before we discuss the additional requirements Hobbes might have had in mind.

23. Sharon Lloyd makes a similar point saying, “the stability of the mighty commonwealth which has the power to punish us without our cooperation, does not depend on our willingness to refrain from attempting to defend ourselves” (Sharon Lloyd, Hobbes’s Self-Effacing Natural Law Theory,” *Pacific Philosophical Quarterly* 82 (2001): 298.

24. Hobbes invokes these three principles (the reasonable expectations principle, the fidelity principle, and the necessity principle) at various points in justifying the right of self-defense. However, it is plausible to think that each one of them alone could establish the claim. There are further questions about the use of these principles to establish the true liberties of subjects. Developing these applications of the right of self-defense seems to require the use of different principles at different times in order to establish the various rights. However, developing these lines of argument goes beyond the scope of this project.

**Susanne Sreedhar** is an assistant professor of philosophy at Boston University. She is currently working on a book on Hobbes’s theory of political obligation.