

Eleutherological-Conjecturalist Libertarianism: a One-Page Explanation¹

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The philosophical problem

The key libertarian insight is that private property both protects people and their projects and promotes economic efficiency. But orthodox private-property libertarianism is severely philosophically confused. It conflates theories of rights, property, consequences, and ‘justifications’. And this is all done without an explicit abstract theory of interpersonal liberty: an eleutherology. This is as absurd as if utilitarianism were to have no theory of utility.

The eleutherological-conjecturalist solution

Critical-rationalist epistemology and its application

As Karl Popper (1902-1994) explained, there are no supporting ‘justifications’. Empirical theories have infinite implications, which finite and theory-laden evidence logically cannot support but it can test: a counterexample, if true, logically refutes a theory (but all within the realm of conjecture). So-called ‘supporting arguments’ face a trilemma: infinite regresses, or circularities, or dogmatic (‘axiomatic’) starting assumptions (arguments are really conjectural explanations). Hence libertarianism, like all theories, is unjustifiable. However, it can still be conjecturally explained and defended² (and tested and criticised)—philosophically and social scientifically—in terms of theory, practice, and morals (three different things).

An abstract (not moral or proprietarian) theory of interpersonal liberty and what it entails

Five stages can be distinguished (but not explained and defended in detail here):

- 1) *Abstract theory*. An abstract theory of interpersonal liberty in itself: the absence of initiated interpersonal constraints on preference-satisfactions (‘no proactive impositions’).
- 2) *General policy*. Unavoidable clashes of liberty must be minimised; defences of liberty must not themselves proactively impose; infractions of liberty must be maximally rectified.
- 3) *Hypothetical implications*. The theory and policy can be hypothetically applied to contingent real circumstances to deduce the principal, prima facie, practical, positive implications: ultimate control of one’s body (this being what one more or less is); ultimate control of unused resources once one starts to use them; consensual interactions and exchanges otherwise.
- 4) *Private Property*. For greater liberty in practice, the positive implications may be instituted as enforceable private property: self-ownership, physical property, intellectual property, etc. Infringing these proactively imposes, prima facie (problem cases require the theory and policy).
- 5) *Moral defences*. The positive stages are independently explicable and defensible morally.

¹ For further explanations and defences, see the many relevant essays and publications here: <https://philpapers.org/profile/409254>.

² I.e., libertarianism can be squared (another, but non-foundationalist, sense of ‘justified’) with all known tests and criticisms.