

# Eleutherological-Conjecturalist Libertarianism: a One-Page Explanation<sup>1</sup>

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## The philosophical problem

The key libertarian insight is that private property both protects people and their projects and promotes productivity. 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 defended<sup>2</sup> (and criticised and tested)—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 (for short, no proactive impositions).
- 2) *Practical policy*. Minimise overall proactive impositions that clash; defences must not themselves proactively impose; proactive impositions 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, 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; and consensual interactions and exchanges otherwise.
- 4) *Private Property*. For greater liberty in practice, the positive implications may be instituted as private-property rights: 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.

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

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