

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 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 defended² (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 any detail here):

- 1) *Abstract theory*. Interpersonal liberty in itself: the absence of initiated interpersonal constraints on want/preference-satisfactions (for short, no proactive impositions [of costs]).
- 2) *Optimisation policy*. Minimise overall proactive impositions that clash; defences must not proactively impose by ‘overkill’; proactive impositions must be fully rectified, nothing more.
- 3) *Hypothetical implications*. The theory and policy can be hypothetically applied to realistic state-of-nature 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, the positive implications may be instituted as private-property (‘rule libertarianism’; also rule preference-utilitarianism, assuming the classical-liberal compatibility theory): 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>, especially <https://philpapers.org/rec/LESQCL>.

² I.e., libertarianism can provisionally be squared (or ‘justified’: a non-foundationalist homonym) with all currently known tests and criticisms.