How Abstract Liberty Relates to Private Property: a One-Page Outline

'Liberty' in its most general sense means 'absence of constraint' (a relevant contrast to 'constraint' is 'assistance'). The issue here is interpersonal liberty: the absence of constraint on people by each other (not any natural constraint, whether *intra*personal or external). But what is to be unconstrained? At its most abstract, this must be the satisfaction (i.e., fulfilment, not a psychological sensation) of our wants or preferences. However, simply failing to assist someone's want-satisfaction (not providing a benefit or gain) is not equivalent to proactively constraining that want-satisfaction (proactively imposing a cost or loss). Therefore, abstract liberty is 'the absence of interpersonal proactively-imposed constraints on want-satisfaction'. But for brevity, 'no proactively imposed costs' or simply 'no (proactive) impositions'. This also solves the problem of what, in abstract principle, constitutes 'inflicted harm' from a libertarian viewpoint. This eleutherology is the theory of the abstract—not propertarian or normative—perfect, or complete, interpersonal liberty-in-itself that libertarianism presupposes. This is a descriptive and falsifiable theory (by counterexample or sound criticism). It is not a definition; whether persuasive, stipulative, or about usage (as the non-philosophical may mistakenly view it). However, any theory can also be used as a definition.

There are three general theoretical problems with applying this account of perfect liberty: clashes, defences, and rectifications. 1) What if our want-satisfactions clash? I want to do something which, coincidentally, proactively imposes on you (say, by causing obnoxious and hard-to-avoid smoke), but to stop me would also proactively impose on me (I want a fire for warmth and cooking). The most libertarian option is to minimise overall proactive impositions, with situation-specific compromise or compensation. 2) How far can one go to defend oneself from proactive impositions? Not so far as to proactively impose by overall exceeding any imposition that is threatened (e.g., putting landmines in one's garden to stop children using it as a shortcut). 3) If a proactive imposition occurs, then what would rectify it? Restitution matching the degree of imposition, including any <u>risk-multiplier</u> proportional to the statistical chance of the imposer's evading rectification. Therefore, we see that some very broad interpersonal comparisons of normal cost-impositions are necessary to solve these problems. But these three solutions are only about the liberty of the people directly involved. They do not amount to collective libertarian consequentialism (with the knowledge problem causing self-defeating unintended consequences). This is an individualistic liberty-maximisation theory.

If such abstract liberty were to be applied or observed in a state of nature, then what general things would this entail? Primarily, people want to have ultimate control of the bodies that they more or less are. They do not proactively impose on other people by having this, unless trivially and reciprocally by merely existing and being composed of resources now unavailable. Therefore, liberty-maximisation entails that they have this ultimate control of their bodies. Next, people want to have ultimate control of any unused resources they start using, and thereby closely involve in their want-satisfactions. They do not proactively impose on other people by having this, unless trivially and reciprocally by their chosen use and those resources now being unavailable. Therefore, liberty-maximisation entails that they have this ultimate control of used resources. Otherwise, and consequently, all interpersonal interactions and resource-transfers need to be consensual or they are likely to significantly proactively impose. These three principal, positive, *prima facie*, libertarian rules of liberty-in-practice fit abstract liberty-in-itself almost perfectly. They maximally internalise externalities with respect to want-satisfaction, and are thereby economically efficient (in the sense of maximising general want-satisfaction). To break any of these three positive rules infringes interpersonal liberty *prima facie*. However, philosophically problematic cases may require the application of the abstract theory or the maximisation theory.

In a hypothetical world of perfect libertarians, those three practical rules and three solutions to clashes might be enough for libertarianism to exist. But in order to better protect and promote liberty-in-practice in the real world, the above positive rules and solutions can be instituted as enforceable private property and legal remedies (one added sophistication is similarly derivable <u>intellectual property</u>). As a result, strictly speaking, self-ownership, such private property, and such legal remedies are contingent, practical, libertarian legal principles. They are not what liberty or even libertarianism is inherently (as propertarian-libertarianism assumes). Otherwise, we risk conflating liberty and property into an unfalsifiable persuasive theory (or even a mere stipulative definition). However, once libertarian legal rights have been derived, then proactive impositions can normally be interpreted in terms of breaching them: there is no need to return to the abstract theory and pre-legal implications except for philosophically problematic cases. This is why private-property libertarianism alone has so much intuitive verisimilitude; and is, therefore, sometimes mistaken for the necessary and sufficient totality of libertarianism.

It is a further completely separate and normative matter whether this overall positive system of liberty-in-itself and liberty-in-practice is moral, just, rights-observing, etc. Only after the positive theories, of abstract liberty and its practical implications, have been determined is it possible to ask normative questions about them both. As a result, strictly speaking, self-ownership, such private property, and such legal remedies are not inherently moral, just, rights-observing, etc. (as theories of libertarianism sometimes appear to assume). Otherwise, we risk conflating liberty and morality into an unfalsifiable persuasive theory (or even a mere stipulative definition). Correctly interpreted, philosophically and empirically, consequentialism, contractarianism, and deontologism (the three main moral theories) all point towards libertarian liberty-in-practice as the outcome (the real top of Derek Parfit's moral mountain). However, libertarianism can simply be morally posited and defended in itself without requiring that it follow from some allegedly more-fundamental moral theory. (A more-detailed explanation of this liberty-centred, <u>critical-rationalist</u>, theory is <u>here</u>.)