

LIBERTARIANISM

Libertarianism is a theory of justice that holds that agents initially fully own themselves and have moral powers to acquire private property rights in external things. It judges non-consensual force against a person to be just only when it is necessary to prevent that person from infringing someone's rights or to impose rectification for such infringement (e.g., compensation or punishment). These limits on the use of force radically limit the just powers of government.

Libertarianism is often thought of as “right-wing” doctrine. This, however, is mistaken for at least two reasons. First, on social—rather than economic—issues, libertarianism tends to be “left-wing”. It opposes laws that restrict consensual and private sexual relationships between adults, laws that restrict drug use, laws that impose religious views or practices on individuals, and compulsory military service. Second, in addition to the better-known version of libertarianism—right-libertarianism—there is also a version known as “left-libertarianism” (described below), which holds that unappropriated natural resources belong to everyone in some egalitarian manner.

Libertarianism can be understood as a basic principle or as a derivative one. Here it will be understood as a basic moral/principle (e.g., based on natural rights). It is possible, however, to defend libertarianism as a derivative principle. Rule utilitarianism could lead to libertarian principles, as could rule contractarianism.

Libertarianism is normally advocated as a theory of justice in one of two senses. In one sense, justice is concerned with the *moral duties that we owe others*. It does not address *impersonal* duties (duties owed to no one) or *duties owed to self*. In a second sense, justice is concerned with the morally *enforceable* duties that we have. It does not address duties for which it is impermissible to use force to ensure compliance or to rectify non-compliance (e.g. a duty to see your mother on her birthday).

Libertarianism holds that agents are, at least initially, *full self-owners*. This means that they own themselves in just the same way that they can fully own inanimate objects. This full private ownership of a person or thing includes (1) *full control rights* over its *use*, (2) a *full power to transfer* these rights to others (by sale, rental, gift, or loan), (3) a *full right to compensation* if someone infringes these rights, (4) *full enforcement rights* to prevent infringement of these rights, and (5) a *full immunity to the non-consensual loss* of any of the rights of ownership, as long as one does not infringe the rights of others. The property rights in question are *moral* rights and may not be legally recognized.

Something like self-ownership is arguably needed to recognize the fact there are some things (e.g., various forms of physical contact) that may not be done to a person without her consent, but which may be done with that consent. One might, however, endorse full *control* self-ownership without endorsing the other rights of full self-ownership.

Three main objections to full self-ownership are the following. (1) Because it holds that agents have, not only the right to control the use of their person, but also the right to *transfer* that right (e.g., by sale or gift) to others, voluntary enslavement is permitted. (2) Full self-ownership entails that that individuals have no duty of justice, except by voluntary agreement, to perform actions that help the needy. (3) Full self-ownership entails that forced service (e.g., draft into the military) is unjust, even when such service is needed to provide public goods. Libertarians typically defend voluntary slavery on the ground (roughly) that the right to *exercise* one's autonomy is more fundamental than the *protection or promotion* of one's autonomy. Libertarians typically defend the lack of a duty of justice to help the needy or to provide public goods on the ground that such duties involve a kind of partial involuntary slavery.

So far, we have considered agent self-ownership. There is an important distinction between *right-libertarianism* and *left-libertarianism*, depending on the stance taken on how

natural resources can be owned.

Right-libertarianism—the traditional form of libertarianism—holds that natural resources are initially unowned and typically may be appropriated without the consent of, or significant payment to, others. It holds, for example, that whoever first discovers, first mixes her labor with, or first claims a natural resource owns that resource provided, perhaps, that certain minimal conditions are satisfied. *Radical right libertarians* hold that that there are no constraining conditions. Natural resources are simply up for grabs. *Lockean right-libertarians* on the other hand, hold that appropriation is morally valid only if “enough and as good” (the Lockean proviso) is left for others.

Left-libertarianism, by contrast, holds that natural resources are owned by the members of society in some egalitarian sense, so that appropriation is legitimate only with their consent, or with a significant payment to them. According to one version of left-libertarianism, natural resources are *jointly owned* in the sense that authorization to use, or to appropriate, is given through some specified collective decision-making process (e.g., by majority or unanimous decision). The most well developed, and best known, form of left-libertarianism is *Georgist left-libertarianism* (as developed, for example, by Henry George). It holds that agents may appropriate unappropriated natural resources as long as they pay for the competitive value (based on supply and demand) of the rights they claim. Equal share versions divide up the rent pool equally among all, whereas equal opportunity for wellbeing versions divide up the rent pool unequal so as to equalize the opportunity for wellbeing.

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See also Agreement and Promises, Autonomy, Capitalism, Hayek and “Use of Knowledge in Society”, Individualism (Methodological), Public Goods, Sen’s Paretian Liberal, Spontaneous Order

FURTHER READINGS

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