

## Summary

### **Austro-libertarian theory of voluntariness: presuppositions, problems, and consequences.**

#### **Introduction**

To begin with, let us say up front that the present thesis investigates libertarianism, which is – quite incontrovertibly – a *political* doctrine. First of all, let us note that what makes libertarianism a *political* doctrine (rather than, say, just a moral theory) is the fact that libertarianism delineates the situations wherein the use of violence would be justified. And so, libertarianism does not only cover morally justified claims. Its aspirations are higher: it also takes a stand on the claims that should be also legally enforceable. And so libertarianism can justifiably be deemed a *strictly political* – rather than merely moral – doctrine.<sup>1</sup>

*Qua* a political doctrine, libertarianism takes a stand on the question of whether the state is justified. The default answer among libertarians is in the negative (see Nozick, 1974; Rothbard, 2006). More precisely, the two authors share a presumption of liberty and hence, it is the state that needs justifying. Rothbard's (2006) avowed anarchism finds any state unjustified. Nozick's (1974) minarchism makes some minimal room for state-like institutions but only as long as they are allegedly “immaculately” conceived (see: Rothbard, 2002); that is, by respecting individual rights in the process.

Moreover, that libertarianism is a political doctrine can be also appreciated from the fact that its underlying principles of justice project contours of a *political system*. More specifically, from the said principles we can to some extent deduce the shape of stateless (or minimal state) political system.<sup>2</sup> Now, let us touch upon the principles in question. First and foremost, the central normative tenet of libertarianism is the so-called self-ownership right.<sup>3</sup> Absent certain contracts (as well as crimes or torts), each human agent enjoys the self-ownership right. Moreover, libertarianism recognizes a property right in external objects.<sup>4</sup> In a nutshell, if certain natural facts obtain, a person may *acquire* a right in a thus far unowned external resource. Equally importantly, libertarianism acknowledges the so-called voluntary transfer. That is to say, as long as *A* owns a resource *x* and *B* owns a resource *y*, each is at liberty to engage in a

---

<sup>1</sup> Generally, the distinction between legal and moral norms is elucidated in e.g. Ossowska (1960); Johnson (1975); Kramer (2024).

<sup>2</sup> As already alluded to, libertarians of various persuasions make different predictions as to *via* which steps a just political order is going to emerge. For example, according to Nozick (1974), people are going to exercise their liberty one way or another but since liberty is justice-preserving, a just political regime is going to emerge one way or the other. According to Hayek (1978), a political order is going to emerge spontaneously through a more or less evolutionary process. Although there is a dissenting view to the effect that the Hayekian spontaneous order is not necessarily libertarian, it is almost universally acknowledged that it is (see: Benzecry, 2024).

<sup>3</sup> An analysis of a right to one's body and of its apparent axiomatic character is to be found in Dominiak (2016).

<sup>4</sup> We are going to elaborate on the nature of the said rights and the natural facts on which they supervene in the forthcoming part of the text.

trade. Hence, as a result *B* may well end up with a right in *x* and *A* with a right in *y*. It is precisely this principle that accounts for a redistribution of rights.

It is clear to see that a certain shape of a stateless (or a minimal state) political system can emerge as a function of these three principles<sup>5</sup> applied recursively. Just to illustrate the point, apply the self-ownership rights first. *A* and *B* are born self-owners. This basically means that *A* holds a right to his body and *B* to his. But then the two engage in a voluntary transfer. Apply the voluntary transfer principle now. *A* gives up the right to his body and cedes it to *B* for some remuneration, or what have you. Now, *A* is *B*'s employee. By the same token and less simplistically, due to a recursive application of the libertarian principles of justice a just *political* system of one form or the other will emerge.

Generally, studies on the libertarian theories involve imagining how certain institutions would operate in a stateless society. Hence, it is no stretch to say that libertarian first principles of justice exhibit some predictive power as to which *political* or institutional order is compatible with them. For example, it is a received libertarian view that a stateless society would not recognize intellectual property rights. Given this, for example, no exclusive right to copy would be legally enforceable in a free society. But this is nothing short of making a certain political statement: that a certain claim would not be backed up by institutionalized force. So, it is in this sense that libertarian principles of justice purport to predict which political systems are compatible with them and which are not. Similarly, the principles enable us to decide which institutions can *justly* (by their recursive application) emerge in a free society and which cannot. This, we believe, satisfactorily accounts for the *political* character of libertarianism.

Now, what does the present thesis deal with in particular? It subjects the Austro-libertarian notion of voluntariness (i.e. the thematic core of the whole dissertation) to critical scrutiny. As already hinted at, it is through voluntary actions in general (and voluntary transfers in particular) that a shape of a just political order is determined. Hence, analyzing what counts as a voluntary exchange is of utmost importance, for what is at stake is precisely what is to be regarded as a just political order. In other words, by libertarian lights, voluntary actions (whatever they are) delineate a range of just political orders. It is in this sense that the former matter and so does the notion of voluntariness. On the other hand, the libertarian idea of voluntary actions carries certain presuppositions and entailments and these are in turn also investigated in the present work.

And so, to put it more technically, this dissertation examines (1) various logical consequences entailed by the libertarian notion of voluntariness; (2) the presuppositions (whether metaphysical or moral) of voluntary choices, as understood by Austro-libertarians; (3) the problems revealed by both what the notion of voluntariness entails and what it presupposes. First and foremost, what this dissertation identifies in particular is that the libertarian notion of voluntariness is moralized in the sense of its being *rights-based*. In other words, the concept of voluntary action, as employed by Austro-libertarians, *presupposes* libertarian individual rights. This particular presupposition has weighty *logical consequences*. For example, we spot that the

---

<sup>5</sup> Just to anticipate a caveat forthcoming in later parts of the text, this thesis makes no use of restitutive principles of justice which also characterize libertarianism.

moralized notion of voluntary action (and that of coercion) tallies poorly with Austrian methodological postulate of *Wertfreiheit*. Moreover, adopting this notion in Austrian welfare economics begs the question of the free-market efficiency. It also falsely predicts that all blackmail exchanges should be legalized. Additionally, we discover that Austrians simply presuppose a contra-causal sort of freedom of the will, something apparently incoherent with the Rothbardian idea of ordinal value scales. Finally, we note that some Austrians (Block in particular) embrace such an idea of choice which seems in consequence to commit them to behaviourism, a rather unwelcome result.

However, before we will be able to elaborate on these consequences, problems and presuppositions more thoroughly, it is worth noting that the Austrian concept of voluntariness (in the context of voluntary exchanges) is a special case of voluntary or free action, as it is understood in libertarianism. So, we would be well-advised at this point to elucidate the idea of voluntary action according to libertarianism. Each economic actor chooses from what is known as an *opportunity set*. According to Nozick (1974: 262), whether the actor *A*'s action is voluntary is a sole function of whether *A*'s opportunity set was constrained legitimately or not by any other economic actor *P*. Certainly, the notion of *illegitimately* or *legitimately* constraining an opportunity set of an arbitrarily chosen economic agent *A* is normatively charged. More specifically, the said notion presupposes libertarian individual rights. Hence, if an arbitrary agent *P* acts in such a manner that *A*'s opportunity set is constrained so that *A*'s rights recognized by libertarians are necessarily violated, then *A*'s action resulting from the said constraint would be regarded by Austro-libertarians as *involuntary*. On the other hand, if *P* by means of making a certain proposal or as a result of a non-verbal action constrains *A*'s opportunity set in such a manner that no libertarian rights *A* holds are violated, then *A*'s resultant actions would be deemed *voluntary*.<sup>6</sup> In its turn, the above theory raises the question of the contours of libertarian individual rights.<sup>7</sup>

At this point, we should first and foremost notice that a starting point for any voluntary redistribution of rights among their respective holders is the so-called property right in one's body (self-ownership). The said right reduces to a right to exclusively possess or control one's body, with this right being by nature a negative right *in rem*. In other words, if any arbitrary agent *a* enjoys the self-ownership right, every other agent owes *a* a duty of non-interference. The right in question supervenes<sup>8</sup> on natural (non-normative) fact of possessing one's body. Furthermore, it is on other two natural facts (i.e. mixing one's labour with a scarce resource and taking first possession of it) that a property right to external objects supervenes.<sup>9</sup> This right is also negative and is held *in rem*. Certainly, property rights may be voluntarily redistributed due

---

<sup>6</sup> Note that what follows trivially from Nozick's formula is that natural events cannot render our actions involuntary. After all, natural events by definition exclude human interventions. And if so, the presupposition of Nozick's formula would not be met: there would be nobody who would illegitimately constrain *A*'s opportunity set.

<sup>7</sup> In this necessarily brief exposition of libertarian individual rights, we are going to focus on the so-called first-order rights; that is, on such that are correlated with first-order duties, which already excludes, say, duties of rectification which result from failing to discharge relevant first-order duties.

<sup>8</sup> The idea of supervenience is brilliantly illuminated in e.g. Hare (1952); Kim (2010); Harrison (2013).

<sup>9</sup> For an elaboration on the said two natural facts on which property rights to external objects supervene, see e.g. Dominiak (2017).

to exchanges. And finally, it is also in consequence of voluntarily concluded contracts that a party thereto may give up certain Hohfeldian<sup>10</sup> liberties and thus incur some positive duties (with the other party thereby acquiring correlative positive rights). For example, *A* may agree to draw a painting for *B* in exchange for money. This promise would make – among other things – one party incur a positive duty to draw a painting. Still, as we said above, first-order positive duties arise in libertarianism only as a result of voluntarily concluded contracts.

The above sketch already gives us a hint as to what voluntary action (together with a voluntary exchange as a special case thereof), as it is understood in Austro-libertarianism, involves. Additionally, the notion of voluntary action presupposes a certain contour of individual rights. Austro-libertarian theory of voluntariness presupposes the existence of individual rights compatible with the libertarian theory of justice, the outline of which was presented above.

We can now see that the subject matter of the present thesis are various logical consequences stemming from the above-sketched moralized (i.e. *rights-based*) notion of voluntariness and their assessment in light of what we know otherwise. This in turn makes some room for our reasoning assuming the form of *modus tollens*. For example, if a moralized reading of voluntariness leads to the logical consequences which clearly contradict some already well-justified propositions within Austro-libertarianism, then it is most likely the very normative idea of voluntariness that should be revised. Similarly, we argue that if this understanding of voluntary exchange characterizing Austrian welfare theory begs the question of whether the free market is efficient, then it is most probably the moralized (i.e. presupposing the libertarian theory of rights distribution) concept of voluntariness that is flawed.<sup>11</sup> Before we go on to elaborate on specific problems generated by the assumption of the moralized idea of voluntariness, let us attempt to demonstrate the thematic and methodological unity of the present dissertation.

The central notion tackled by the present thesis is the **normative idea of voluntariness**, as it is understood in libertarianism. Chapter 1, bearing the title “Moralized presuppositions of the libertarian theory of voluntariness” and including **paper 1** (i.e. Megger, Dawid., Wysocki, Igor. (2023) “Coercion, Voluntary Exchange, and the Austrian School of Economics,” *Synthese* 201, 8.) and **paper 2** (i.e. Wysocki, Igor. (2024a). „Blackmail, Unproductive Exchanges, Fraud and the Libertarian Theory of Voluntariness,” *Polish Political Science Review* 12(1): 76–93.), identifies two main problems pertaining to the said moralized concept of voluntary actions. We demonstrate that since the Austrian school of economics (hereinafter also referred to as ASE) with its postulate of value-freedom is logically forced to accept a descriptive idea of (in)voluntary exchange and since coercion is a sufficient condition for an exchange to count as involuntary, then ASE is logically forced to embrace a purely descriptive idea of coercion. While working out this much desired account of coercion, we look to the speech act theory with its account of warnings, threats and offers. Moreover, we are building on Lamond’s (1996) theory of coercion (the theory in itself being almost entirely free

---

<sup>10</sup> The analytic elaboration on fundamental legal relations is to be found in e.g. Hohfeld (1913); Kramer (2002); Hurd and Moore (2018); McBride (2021).

<sup>11</sup> It is in this sense that the method (or epistemology) assumed for the purpose of the present thesis is the one characteristic of *coherentism*.

of moralized presuppositions), only to finally develop a value-free account of coercion which tallies well with the Austrian methodological pronouncements.

Additionally, we point to another reason why the moralized understanding of voluntariness should be revised. We claim that the libertarian idea of voluntariness needs mending in light of certain findings as to the nature of *some* blackmail exchanges. We reason as follows. Some blackmail exchanges are concluded due to the blackmailee having been deceived. But if so, then such blackmail exchanges are fraudulent. Libertarians are adamant on banning fraud. Fraudulent exchanges are not the ones voluntarily concluded. However, libertarians permit all blackmail exchanges due to their moralized account of voluntariness, which construes voluntary action as *only* requiring the absence of coercion, or the absence of the threats promising the violation of the recipient's right, if you will. Hence, we submit that libertarians should adopt a stronger concept of voluntariness; that is, the one which – over and above the absence of coercion – also requires the absence of ignorance.

The next issue, raised throughout chapter 2, which bears the title “Metaphysical underpinnings of a free choice in ASE” and comprises **paper 3** (i.e. Wysocki, Igor & Łukasz Dominiak. (2021). “Dismantling Rothbard’s *Mantle of Science?*”, in *Austrian economics 150 years after Carl Menger, 10th International Conference The Austrian School in the 21st century*, Federico N. Fernández, Barbara Kolm, Victoria Schmid (eds.), Wien: Friedrich A. von Hayek Institut, 439–452.) and **paper 4** (i.e. Wysocki, Igor., Łukasz Dominiak. (2024a). “Austrian Economics and Compatibilist Freedom”, *Journal for the General Philosophy of Science* 55: 113–136.), is **metaphysical presuppositions of voluntary choices**. The said issue relates to the thematic core of our thesis inasmuch as a voluntary choice *presupposes* a free choice, that is such that is guided by the free will of an acting agent. The chapter in question deals with the following query: which sort of free will (libertarian or compatibilist) is Austro-libertarianism logically committed to embracing? Our point of departure is the Rothbardian version of Austrian economics with its reliance on ordinal values scales, which manifest themselves in human action. Since for Rothbard, in light of the resultant perfect alignment of actions and their underlying value scales, there is no conceptual room for counter-preferential choice, Rothbardians must jettison their avowed metaphysical libertarianism. After all, it is libertarian freedom that allows for doing otherwise, everything else equal and hence, in particular: with the value scale being fixed. Moreover, we demonstrate that embracing the truth of determinism and thus opting for the compatibilist sort of freedom of the will is no threat to human action at all. We can still meaningfully speak of, say, acts of persuasion, choosing and deliberating even if we were to come to terms with determinism.

Chapter 3 (i.e. “Normatively charged notion of voluntary exchange in Austrian welfare economics”), which comprises **paper 5** (i.e. Igor Wysocki, Łukasz Dominiak. (2024b). “Social Welfare, State Interventions, and Indeterminacy: In Defense of Rothbard,” *Philosophical Problems in Science* 76: 297–315.), **paper 6** (i.e. Wysocki, Igor. (2023). “Justice vis à vis Welfare: How Austrian Welfare Economics Should Fit in the Austro-Libertarian Framework”, *Economia Politica* 40: 445–467.) and **paper 7** (i.e. Igor Wysocki, Łukasz Dominiak. (2023). “How does Justice Relate to Economic Welfare? A Case against Austro-Libertarian Welfare Economics” *Croatian Journal of Philosophy* 23(67): 51 – 67.), probes the notion of a voluntary exchange, as it is understood in Austrian **welfare economics**, and

especially in its Rothbardian version. The analysis of what counts as a voluntary exchange is crucial since, as Austrian welfare economics submits, it is exclusively voluntary exchanges that increase social utility. **Paper 5** attempts to take the sting out of some important criticisms levelled at the Rothbardian version of Austrian welfare economics. Whereas this paper partly rehabilitates the Rothbardian welfare theory (i.e. vis-à-vis its specific critics), **paper 6** and **paper 7** in turn illuminate the theoretical problems implied by the moralized concept of voluntary exchange this particular theory embraces. It is worth stressing that Austrian welfare economics – especially in its Rothbardian version – is related to the thematic core of our dissertation (that is, to the normative idea of voluntary action) in this sense that it is – according to the theory in question – precisely a voluntary character of exchanges that constitutes both a necessary and sufficient condition of mutually beneficial exchanges. And the chapter in question (especially **paper 6** and **paper 7**) demonstrates what sort of difficulties the adoption of a moralized idea of a voluntary exchange in Austrian welfare economics brings. First and foremost, we demonstrate that conceiving of a voluntary exchange in a (moralized) way presupposing the libertarian ethic begs the question of whether the free-market is efficient. Granted, it is plausible to say that all voluntary exchanges are mutually beneficial at least *ex ante* (see: Rothbard, 2011b). However, if we define into the concept of voluntariness the libertarian ethic of property right, it is little wonder that it is only the exchanges which respect libertarian individual rights that turn out to increase social utility. But this definitional move achieves nothing. We can still ask the question of whether the exchanges respectful of libertarian rights *also happen* to be economically efficient. In **paper 6**, we suggest that Nozick’s productive exchanges might serve as a criterion for assessing whether social utility increased. Eventually, we conclude chapter 3 (i.e. in **paper 7**) by arguing that justice and welfare are two logically separate ideals. Hence, most interestingly, we can think of (1) just but welfare-diminishing exchanges and (2) unjust but welfare-enhancing exchanges. All in all, within Austro-libertarianism, Austrian prong could investigate the changes in social utility brought about by both legitimate and illegitimate exchanges. Conceived in this way, Austrian welfare economics would be most desirably divorced from the libertarian ethic.

The present dissertation is concluded by chapter 4 (i.e. “Choice vis-à-vis indifference in Austrian School of Economics”) comprising **paper 8** (i.e. Wysocki, Igor. (2021b). “The Problem of Indifference and Homogeneity in Austrian Economics: Nozick’s Challenge Revisited”, *Philosophical Problems in Science* 71: 9–44.) and **paper 9** (i.e. Wysocki, Igor. (2024b). “Rejoinder to Block on Indifference”, *Philosophical Problems in Science* 76: 459–479.). These two papers are thematically connected with the core issue of our thesis as long as they examine the very **conceptual foundations of choice as such**, especially in contrast with indifference. After all, probing the conceptual foundations of choice as such is *a fortiori* probing the conceptual foundations of *voluntary choice*. In chapter 4, we note that for Austrians to meaningfully state the law of diminishing marginal utility and the one of time preference, they must have at their disposal an independent notion of the same economic good. We work out this much needed definition by introducing a double time indexation of physical units which are believed to be equally serviceable in the eyes of a certain economic agent. What we thereby accomplish is to grant a proper role to indifference and to choice. That is to say, Austrians do indeed need the notion of indifference to make sense of units of the same good. And yet, we show that each action exhibits strict preference somewhere. For example, when we successively employ units of the same economic good, among which we are indifferent, we do so for the satisfaction of decreasingly pressing needs, among which we are not indifferent. Hence, the law of diminishing marginal utility depends for its formulation on both the concept of indifference

as well as on that of strict preference. Nozick's (1977) criticism was correct but the Austrian conceptual edifice remains unscathed. Finally, the dissertation is concluded with **paper 9**, the task of which is to further defend the account of choice and indifference (elaborated in **paper 8**) against the criticism levelled at it by Block (2022).

Thus, more concisely, the table of contents of our dissertation can be reconstructed in the following way:

## TABLE OF CONTENTS

### **Chapter 1:** Moralized presuppositions of the libertarian theory of voluntariness

**Paper 1:** Megger, Dawid., Wysocki, Igor. (2023) "Coercion, Voluntary Exchange, and the Austrian School of Economics," *Synthese* 201, 8.

**Paper 2:** Wysocki, Igor. (2024a). "Blackmail, Unproductive Exchanges, Fraud and the Libertarian Theory of Voluntariness," *Polish Political Science Review* 12(1): 76–93.

### **Chapter 2:** Metaphysical underpinnings of a free choice in ASE

**Paper 3:** Wysocki Igor, Łukasz Dominiak. (2021). "Dismantling Rothbard's *Mantle of Science*?", in *Austrian economics 150 years after Carl Menger; 10th International Conference The Austrian School in the 21st century*, Federico N. Fernández, Barbara Kolm, Victoria Schmid (eds.), Wien: Friedrich A. von Hayek Institut, 439–452.

**Paper 4:** Wysocki, Igor., Łukasz Dominiak. (2024a). "Austrian Economics and Compatibilist Freedom", *Journal for the General Philosophy of Science* 55: 113–136.

**Chapter 3:** Normatively charged notion of voluntary exchange in Austrian welfare economics

**Paper 5:** Wysocki Igor, Łukasz Dominiak. (2024b). "Social Welfare, State Interventions, and Indeterminacy: In Defense of Rothbard," *Philosophical Problems in Science* 76: 297–315.

**Paper 6:** Wysocki, Igor. (2023). "Justice vis à vis Welfare: How Austrian Welfare Economics Should Fit in the Austro-Libertarian Framework", *Economia Politica* 40: 445–467.

**Paper 7:** Wysocki Igor, Łukasz Dominiak. (2023). "How does Justice Relate to Economic Welfare? A Case against Austro-Libertarian Welfare Economics" *Croatian Journal of Philosophy* 23(67): 51 – 67.

### **Chapter 4:** Choice vis-à-vis indifference in Austrian School of Economics

**Paper 8:** Wysocki, Igor. (2021b). "The Problem of Indifference and Homogeneity in Austrian Economics: Nozick's Challenge Revisited", *Philosophical Problems in Science* 71: 9–44.

**Paper 9:** Wysocki, Igor. (2024b). "Rejoinder to Block on Indifference", *Philosophical Problems in Science* 76: 459–479.

The present dissertation is unified not only theoretically and topically, but also methodologically. One of the methods characterizing it is the one of *reflective equilibrium*, popularized by John Rawls (1971). For example, in the chapter dedicated to Austrian welfare economics (i.e. chapter 3), we demonstrate how counterintuitive consequences stem from the

assumption of the moralized concept of voluntary exchange. More specifically, assuming this conception predicts that buying off the blackmailer is mutually beneficial, whereas paying the same amount to the tax collector fails to constitute a mutually beneficial exchange. But now, since we cherish a well-considered judgement that the above exchanges are *economically* on a par, we thereby have a reason to cast doubt upon the moralized idea of voluntary exchange itself. It is worth mentioning that the method of reflective equilibrium relies on (if not reduces to<sup>12</sup>) the use of *thought experiments*. These involve designing such purely imaginary situations which, while abstracting from certain inconsequential variables, evoke in us certain strong intuitions in the domain of interest. Then again, a good example is the comparison between buying off the blackmailer *vs* paying the aggressor to avoid an illegitimate imprisonment, everything else equal, (the thought experiment we resort to in paper 1). With the thus designed thought experiment there emerges a strong intuition that the said two exchanges are economically indistinguishable, which in turn undermines the theory which predicts that the economic effects of the two transactions are diametrically different. By way of another example, we, rather interestingly, develop *Fridge* thought experiment in paper 7. This particular imaginary scenario is supposed to evoke in us the intuition that unjust but welfare-enhancing exchanges are indeed conceivable. Additionally, paper 4 resorts to multiple thought experiments envisaging an economic agent whose behaviour is guided by various values scales across different possible worlds. The thought experiments perform their role, as they abstract from all irrelevances, while focusing exclusively on the relation between the agent's behaviour and the values scales guiding it. In sum, thought experiments are meant to raise certain intuitions which in turn serve to test the scrutinized theories. Or, in other words, it is in light of certain intuitions that certain theories either get corroborated or call for revisions. And it is in this sense that thought experiments are part and parcel of the method of reflective equilibrium. Finally, let us note that this dissertation makes use of the Hohfeldian analysis of the fundamental legal conceptions or, more broadly speaking, of deontic logic. In the present thesis, we do not use the word *right* indiscriminately. Rather, we carefully distinguish (and this is of utmost importance) between, say, Hohfeldian *privilege* or *liberty* and Hohfeldian *claim-right*. Hohfeldian nomenclature permeates paper 2, wherein we attribute, for example, certain juridical positions of a blackmailer towards a blackmailee; that is the former's liberty to gossip and not to gossip vis-à-vis the blackmailee. Such analytic sharpness helps – among other things – avoid equivocations in our reasoning. Let us also add that some arguments herein are formalized in the form of syllogisms or by dint of propositional logic. It is, for example, paper 2 and paper 7 that rely on the syllogistic representation of otherwise verbal arguments.

Finally, a few summarizing words are due on what this thesis establishes and how it contributes to Austro-libertarian scholarship. First of all, this dissertation illuminates why the moralized notion of voluntariness, as employed by Austro-libertarians, is wanting. To this effect, we demonstrate, for instance, that embracing the said normatively charged notion of voluntariness leads Austrians to also adopting the moralized notion of coercion, which in turn tallies poorly with Austrian postulate of value-freedom. So, we argue that it is for the sake of theoretical coherence that Austrians should jettison the moralized notion of coercion and instead

---

<sup>12</sup> After all, the fundamental ideas of *the original position* and *the veil of ignorance*, employed in Rawls' (1971) ground-breaking work, just *were* thought experiments.

embrace some descriptive account thereof. In paper 1, we elaborate on such a much-desired theory of coercion by building on both speech act theory and Lamond's (1996) account of coercion. Moreover, we identify another reason why the moralized conception of voluntariness is flawed. Since libertarians basically equate a voluntary action with an uncoerced action (i.e. with the actor receiving no threats promising inevitable right violations), this makes a false prediction with regard to certain blackmail exchanges. As we show, some blackmail exchanges meet the definition of fraud. But libertarians unyieldingly ban fraud. There would be no place for fraud in a free society. Fraudulent exchanges are deemed unjust. And since voluntary exchanges are justice-preserving, fraudulent exchanges would not be agreed to voluntarily. So then again, some blackmail exchanges (i.e. the ones involving deception as causally responsible for the blackmailee parting with his property) call for another revision of the moralized notion of voluntariness, as understood by libertarians.

Additionally, the thesis purports to establish that it is only the compatibilist conception of the freedom of the will that can be squared with the Austrian methodology, especially in its Rothbardian version. If there can be no mismatch between one's value scales and one's behaviour, then, given one's value scales, one could not have acted differently to the way one actually did. Hence, one's choices are determined by one's value scales (coupled with one's relevant beliefs), and the case for so-called metaphysical libertarianism collapses. Austrians do have a reason to embrace the compatibilist notion of free will.

In the penultimate chapter of the thesis, we illuminate what sort of problems are entailed within Austrian welfare economics by the adoption of the moralized idea of a voluntary exchange. We submit that Rothbardians, having employed the said notion, only beg the question of the free-market efficiency. Definitional moves aside, it remains yet to be established whether all rights-respecting exchanges are indeed mutually beneficial. We argue that there are conceivable scenarios in which rights-respecting exchanges prove to be, rather interestingly, welfare-diminishing. Similarly, we demonstrate a logical possibility of rights-violating and simultaneously welfare-enhancing exchanges. Thus, we seem to make a case for separateness of welfare and justice – *pace* Austrians. On a positive note, we make an effort to show that it is Nozickian productive exchanges that might serve as a criterion for judging increases in social welfare. It is to be noted that Nozick's criterion would not beg the question of whether the free market is efficient. For unproductive exchanges on the free market are at least *prima facie* thinkable.

In the final chapter, we take pains to analyze the Austrian idea of choice as such. This analysis matters especially given the fact that there are ongoing debates on choice vis-à-vis indifference in Austrian economics. Austrians standardly repudiate indifference as anathema to praxeology. However, Nozick compellingly demonstrated that the notion of a supply of a good (and hence the very formulation of the law of diminishing marginal utility) does depend on the concept of indifference. We show that Nozick's challenge can be answered. The agent's successive actions illustrating the law of diminishing marginal utility demonstrates strict preference (as Austrians would want) but there is some place (as Nozick would want) for indifference too. And crucially, we show that characteristically Austrian worries can be put to rest, as indifference does not figure in action *under intentional description*. After all,

Rothbardians are keen on stressing that action never demonstrates indifference (see Rothbard, 2011b). In sum, the last chapter ties up some loose conceptual ends in the otherwise coherent Austrian conceptual framework. Moreover, we seem to take the sting out of the Nozick's (1977) challenge present in his seminal paper involving criticisms levelled at Austrians.

Now, what remains to be said is that all the findings mentioned above amount to significant revisions of the Austro-libertarian political theory. After all, a couple of my papers making up this dissertation already sparked a scholarly debate. Namely, paper 7 ("How does Justice Relate to Economic Welfare? A Case against Austro-Libertarian Welfare Economics") has already been replied by Fegley and Israel (2024). Additionally, Block (2022, 2024) responded to my paper 8 and paper 9, respectively. It is also worth noting that some of the papers included in the present dissertation were published in apex journals. For example, paper 1 ("Coercion, Voluntary Exchange, and the Austrian School of Economics") was published in *Synthese* and paper 4 ("Austrian Economics and Compatibilist Freedom") in *Journal for General Philosophy of Science*, both world-famous journals dealing with philosophy of science. Furthermore, my various works on Austro-libertarianism were numerously cited. What one should take heed of is that in 2024 alone, my papers were cited as many as 51 times – mainly due to me co-editing with Walter Block a special issue of *Philosophical Problems in Science* (no. 76), with the issue being dedicated to philosophical foundations of economics. Interestingly and reassuringly enough, the majority of papers came from the Austrian economics quarters. This alone testifies to the fact that the Austro-libertarian scholarship starts burgeoning on the international arena, with its impact starting resembling the one it exerted back in the seventies. Moreover, research grants are awarded to the authors investigating libertarianism. For example, in 2020, Łukasz Dominiak's project "The Paradox of Blackmail: A Pro Tanto Solution and Its Implications for the Libertarian Theory of Coercion and Voluntary Exchange" received funding from the National Centre of Science, Poland. Similarly, in 2024, my project "Economic Analysis of a Libertarian Legal System" was granted funding by the same institution. What is worth stressing is that both projects deal with the libertarian political theory. Then again, the relevance of the present dissertation is particularly clear, given the said resurgence of the international interest in Austro-libertarianism and given the institutional support for researching libertarianism as such.

### References:

Benzecry, Gabriel. (2024). "The Conservative of the Spontaneous Order," *Journal of Libertarian Studies* 28 (1): 76–90.

Block, Walter. (2022). "Response to Wysocki on Indifference," *Philosophical Problems in Science* 72: 37–62.

Block, Walter. (2024). "Response to Wysocki's Rejoinder to Block on Indifference," *Philosophical Problems in Science* 76: 481–503.

Dominiak, Łukasz. (2016). "Problem Aksjomatyczności Zasady Autowłasności w Filozofii Politycznej Libertarianizmu," *Athenaeum. Polskie Studia Politologiczne* 49: 42–64.

- Dominiak, Łukasz. (2017). "Libertarianism and Original Appropriation," *Historia i Polityka* 22 (29): 43–56.
- Fegley, Tate, and K.-F. Israel. (2024). "A Defense of Austrian Welfare Economics," *Philosophical Problems in Science* 76: 19–42.
- Hare, Richard. (1952). *The Language of Morals*. Oxford: Oxford University Press.
- Harrison, Gerald. (2013). "The Moral Supervenience Thesis is not a Conceptual Truth", *Analysis* 73: 62–68.
- Hayek, Friedrich. (1978). *The Constitution of Liberty. The Definitive Edition*. Chicago: University of Chicago Press.
- Hurd, Heidi, and M. Moore. (2018). "The Hohfeldian Analysis of Rights," *The American Journal of Jurisprudence* 63(2): 295–354.
- Hohfeld, Wesley. (1913). "Some Fundamental Legal Conceptions as Applied in Judicial Reasoning," *Yale Law Journal* 23(1): 16–59.
- Johnson, Conrad. (1975). "Moral and Legal Obligation," *The Journal of Philosophy* 72(12): 315–333.
- Kim, Jaegwon. (2010). *Essays in the Metaphysics of Mind*. Oxford: Oxford University Press.
- Kramer, Matthew. (2002). "Rights Without Trimmings". In *A Debate Over Rights*, eds. M. H. Kramer, N. E. Simmonds, and H. Steiner, 7–112. New York: Oxford University Press.
- Kramer, Matthew. (2024). *Rights and Right-Holding*. Oxford: Oxford University Press.
- Lamond, Grant. (1996). "Coercion, Threats, and the Puzzle of Blackmail". In *Harm and culpability* eds. A. P. Simester & A. T. H. Smith, 215–238. Oxford: Clarendon Press.
- McBride, Mark. (2021). "The Dual Reality of No-Rights," *The American Journal of Jurisprudence* 66(1): 39–48.
- Megger, Dawid, and I. Wysocki. (2023) "Coercion, Voluntary Exchange, and the Austrian School of Economics," *Synthese* 201, 8.
- Nozick, Robert. (1974). *Anarchy, State, and Utopia*. Oxford: Basil Blackwell.
- Nozick, Robert. (1977). "On Austrian Methodology," *Synthese* 36: 353–392.
- Ossowska, Maria. (1960). "Moral and Legal Norms," *The Journal of Philosophy* 57(7): 251–258.
- Rawls, John. (1971). *A Theory of Justice*. New York: Cambridge University Press.
- Rothbard, Murray. (2002). *Ethics of Liberty*. New York and London: New York University Press.
- Rothbard, Murray. (2006). *For a New Liberty. The Libertarian Manifesto*. Auburn: Ludwig von Mises Institute.

Rothbard, Murray. (2011a). "The Mantle of Science". In: *Economic controversies* (pp. 3–23). Auburn, AL: Ludwig von Mises Institute.

Rothbard, Murray. (2011b). "Toward a Reconstruction of Utility and Welfare Economics." In: *Economic controversies* (pp. 289–333). Auburn, AL: Ludwig von Mises Institute.

Wysocki, Igor. (2021b). "The Problem of Indifference and Homogeneity in Austrian Economics: Nozick's Challenge Revisited", *Philosophical Problems in Science* 71: 9–44.

Wysocki, Igor. (2023). "Justice vis à vis Welfare: How Austrian Welfare Economics Should Fit in the Austro-Libertarian Framework", *Economia Politica* 40: 445–467.

Wysocki, Igor. (2024a). "Blackmail, Unproductive Exchanges, Fraud and the Libertarian Theory of Voluntariness," *Polish Political Science Review* 12(1): 76–93.

Wysocki, Igor. (2024b). "Rejoinder to Block on Indifference", *Philosophical Problems in Science* 76: 459–479.

Wysocki Igor, and Ł. Dominiak. (2021). "Dismantling Rothbard's *Mantle of Science*?", in *Austrian economics 150 years after Carl Menger; 10th International Conference The Austrian School in the 21st century*, Federico N. Fernández, Barbara Kolm, Victoria Schmid (eds.), Wien: Friedrich A. von Hayek Institut, 439–452.

Wysocki Igor, and Ł. Dominiak. (2023). "How does Justice Relate to Economic Welfare? A Case against Austro-Libertarian Welfare Economics" *Croatian Journal of Philosophy* 23(67): 51 – 67.

Wysocki, Igor, and Ł. Dominiak. (2024a). "Austrian Economics and Compatibilist Freedom", *Journal for the General Philosophy of Science* 55: 113–136.

Wysocki Igor, and Ł. Dominiak. (2024b). "Social Welfare, State Interventions, and Indeterminacy: In Defense of Rothbard," *Zagadnienia Filozoficzne w Nauce* 76: 297–315.