



Routledge Frontiers of Political Economy

REINTERPRETING LIBERTARIANISM

NEW DIRECTIONS IN LIBERTARIAN STUDIES

Edited by

Łukasz Dominiak, Igor Wysocki,
Stanisław Wójtowicz, and Dawid Megger



Reinterpreting Libertarianism

This volume provides a thorough reconsideration of libertarian theory, offering novel perspectives that challenge established assumptions and initiate new directions for philosophical, legal and economic investigation.

By tackling such topics as voluntariness, dignity and inalienability of rights, game theory, healthcare, and the political relevance of monarchy, the chapters provide readers with novel analytical instruments for delving more deeply into libertarianism. Through detailed examinations of such issues as fraud, blackmail, slavery, liability, and technological disruption, contributors reconsider the foundations of libertarian principles while demonstrating how they apply to pressing contemporary practical problems. The book offers critical reassessments of established doctrines and constructive proposals for reformulating libertarianism, while trying to remedy its theoretical weaknesses. In doing so, it furnishes its readers with a framework that helps to understand both the theoretical coherence and the practical adaptability of libertarian ideas, ensuring its relevance for philosophers, legal theorists, economists, and policymakers alike.

The book will be of great interest to political economists, political philosophers, political scientists, ethicists, and everyone in libertarianism in all its forms.

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Introduction

Polish libertarian scholarship and new directions in the libertarian research

Łukasz Dominiak, Stanisław Wójtowicz, and Igor Wysocki

It is with pride and pleasure that we present to the reader the volume *Reinterpreting Libertarianism. New Directions in Libertarian Studies*, which is the result of the work of 13 Polish scholars interested in libertarianism.

In September 2023, an academic conference titled *New Directions in Libertarian Studies* was held at the Nicolaus Copernicus University in Toruń. Twenty-seven Polish researchers specialising in libertarianism or working within the framework of the Austrian School of Economics spoke at the event. This was not the first Polish academic conference on libertarianism, but it was by far the largest. Moreover, it had a distinctly different character from previous events of its kind: what distinguished it from so many previous ones, we believe, was its less presentational-critical and more creative character. This conference – and this volume of chapters resulting from it – is, we believe, a manifestation of changes in Polish research on libertarianism.

There seem to be four phases in the history of Polish research on libertarianism. The first was the period before 1989, that is, the period of the Polish People's Republic, when Poland, under communist rule and under the influence of the USSR, was separated from the Western world by an Iron Curtain. The Iron Curtain was not only a political and economic barrier but also (and perhaps especially, at least in the context of science) an information barrier. As a result, knowledge of libertarianism – the quintessential individualist and anti-authoritarian philosophy and thus a threat to the existing communist regime – reached Poland only to a very limited extent. Nevertheless, even then, some Polish researchers followed the development of libertarian philosophy with interest. One example is Ryszard Legutko's book *Dylematy kapitalizmu (Dilemmas of Capitalism)* (1986), in which the author analyses the thought of Ayn Rand and Murray Rothbard, among others.

After the collapse of communism, Polish science began to catch up at an accelerated pace after years of being cut off from the Western world – particularly in the social sciences and humanities, which had previously been heavily controlled by the communist regime. Freed from the ideological corset, Polish social sciences and humanities began to look around the world for inspiration. Thus began, from about 1990 to about 2005, the second period of the Polish reception of libertarianism. At that time there were many publications devoted to this political philosophy. Most of them were studies aimed at introducing libertarian thought to Polish

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academia and explaining its foundations (cf. Miklaszewska, 1994). Back then, the language barrier, a legacy of the communist period, as well as the lack of access to materials, played a significant role in delaying the internationalisation of Polish scholarship. Works on libertarianism from this period are full of definitions, references to the origins of libertarianism, and explanations of the specific cultural and historical context of its formation and development.

In the third period (from around 2006 to around 2015), a number of works introducing libertarianism to Polish academia continued to appear. Monographs and collective studies were published (Modrzejewska, 2010; Bulira & Gogłoza, 2010; Michalczenia & Sobiela, 2012; Juruś, 2012; Sepczyńska, 2013), as well as translations of the most important libertarian texts, including *Anarchy, State and Utopia*, *For New Liberty: The Libertarian Manifesto*, and *The Ethics of Liberty*. However, in addition to works familiarising Polish academics with libertarianism, works are also beginning to appear whose authors critically analyse libertarian thought. At that time, Polish researchers began to publish more and more in English-language journals and tried to join the global discourse. The key role here, of course, has been played by the Internet, which has greatly intensified the flow of information not only at the academic level (wide access to English-language literature) but also among the broader masses of society. Libertarianism is also entering Polish political discourse. Some politicians are beginning to refer directly to libertarian ideas and thinkers, and libertarianism is also becoming a reference point for columnists and political commentators. Libertarianism began to gain support among the general public, especially among younger people who were becoming more fluent in foreign languages and interested in international politics. This gave an additional impetus to the study of libertarianism, which was no longer an “American political philosophy” studied by Polish academics but became part of the Polish political and scientific discourse.

In the fourth period (from about 2016 to the present), we have witnessed not only a deepening of critical and analytical reflection on libertarian philosophy (especially thanks to a more self-conscious and confident use of the analytical apparatus) but also an increasing number of Polish libertarian scholars who have begun to actively contribute to libertarian theory. In recent years, we have seen a growing number of publications by Polish researchers who are beginning to speak “from within libertarianism.” Polish researchers publish not only in international philosophical and political science journals, in libertarian-friendly journals (such as the *Journal of Libertarian Studies*, *Libertarian Papers*, or the free market-oriented *Review of Austrian Economics* or the *Quarterly Journal of Austrian Economics*), but also in Polish journals. They debate not only among each other – to mention the recent polemic between Slenzok and Dominiak (Slenzok, 2021; Dominiak et al., 2025) and between Wójtowicz and Dominiak and Wysocki (Dominiak & Wysocki, 2022; Wójtowicz, 2025; Dominiak & Wysocki, 2025) – but also with American libertarian thinkers, to mention only Wiśniewski’s extensive polemic with Block in “Libertarian Papers” (initiated by Wiśniewski, 2010), and Dominiak’s numerous polemics with Block (cf. Dominiak, 2017, 2019, 2021; Block, 2021, 2022).

Do Polish studies of libertarianism from the recent period have a common theme or character? On the one hand, Polish researchers of libertarianism are very diverse. They follow different research programmes and look at libertarianism from different perspectives. The internal diversity of libertarianism is reflected in the diversity of Polish researchers. Nevertheless, we can identify a number of characteristic features of Polish libertarian scholarship. First, the subject matter. Polish libertarian scholarship focuses predominantly on what can be called the Rothbardian branch of libertarianism. Rothbardianism is the most radical version of right-libertarianism (understood not as the political or cultural right but in terms of its approach to land ownership which according to this variety of libertarianism can be full and virtually unlimited), which finds its original expression in the works of Murray Rothbard, Walter Block, Hans-Hermann Hoppe, David Gordon, Stephan Kinsella, and many others (we purposefully concentrate on thinkers whose work centres on libertarianism rather than Austrian economics, although there are many great Austrian economists who also contribute to Rothbardianism). Thus, the fourth wave of Polish libertarian scholarship critically builds on these foundations and develops the Rothbardian theory of justice in new directions, both in depth and in breadth.

Second, the research program. The fourth wave of Polish libertarian scholarship investigates which *specific* legal and social institutions (not only the general institution of the state) are consistent with the Rothbardian theory of justice and which of them would develop both in just steps and due to their economic efficiency. Research questions that are explored within this programme pertain to such problems as absoluteness of libertarian rights, infringement/violation distinction, accession, legal status of public domain, threats, offers, fraud, blackmail, voluntary slavery, unjust enrichment, proceeds of crime, official immunity, argumentation duties, theory of liability, theory of punishment, theories of original appropriation, and inalienability of libertarian rights. At the same time, all these research questions are approached from within the Rothbardian theory. That is, the theoretical ambition of the said research programme is to solve these problems by demonstrating how their solutions are in fact implicit in the core Rothbardian principles. As a result, Polish libertarian scholarship quite often takes up the form of a theoretical reconstruction of, on the one hand, specific legal and social institutions and, on the other, specific elements of the Rothbardian theory. It's worth noting that these developments and reinterpretations of Rothbardian theory tend to bring it closer to common moral intuitions without diluting its radical social and political conclusions.

Third, the method. The fourth wave of Polish libertarian scholarship implements the methods, tools, conceptual innovations, and theoretical perspectives specific to the contemporary analytic philosophy. At the forefront of this programme is the Neo-Hohfeldian analysis of rights, which allows Polish scholars to unearth a deep logical structure of many familiar libertarian arguments that traditionally have been taken for granted simply due to the lack of sufficiently fine-grained methodology. The Neo-Hohfeldian analysis remedies this situation and thus pushes the Rothbardian scholarship forward by eliminating some equivocations and tightening up the reasoning. However, the Neo-Hohfeldian analysis is hardly the only modern

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method employed by Polish scholars. Worth mentioning are also more and more common forays into economic analysis of the libertarian legal order as well as arguments striving for reflective equilibrium or even stronger intuitive adjustments of the Rothbardian doctrine. An interesting and original twist in the Polish research on Rothbardianism is also afforded by implementing some methodological nuggets of the continental philosophy, such as historical and hermeneutical inquiries, into the roots of more specific libertarian theories and movements.

Fourth, the publication culture. Polish libertarian scholars cooperate very closely with one another, work in more and less formal research teams, and often focus on the very same narrow problems, which results in a dominance of a rather particular – as for the philosophical scholarship, especially in the continental tradition where a book written by a single author clearly rules the day – form of communication, namely a co-authored problem-solving research paper. Although this form of knowledge dissemination might not be the most effective within the philosophical circles (the more we are happy to present you this book), it allows for pooling intellectual resources and thus generating synergistic effects normally difficult to obtain within the more traditional publication culture. Being the fruit of a real, flesh-and-blood discussion amongst scholars – and the fruit that ripens frequently, as co-authored chapters are quicker to publish than books – this form of communication is also a fecund source of spin-off rejoinders and polemics, fostering an amazingly vibrant intellectual environment.

This volume proceeds as follows. We kick off with the article contributed by Łukasz Dominiak. His piece scrutinises the notion of voluntariness, with comprehensive ramifications arising. Thus far, the Polish libertarian scholarship has mainly reduced to criticising the moralised notion of voluntariness, as employed by libertarians. For example, Wysocki (2021, 2023) illuminated how this normatively charged concept gave rise to circularity and begged the question of free-market efficiency. On the other hand, Dominiak's fine-grained analysis of voluntariness sheds new light on such phenomena as, for instance, fraud, blackmail, or unjust enrichment. The libertarian connoisseurs are in for a treat, as Dominiak does not shy away from original and surprising conclusions stemming from his theory.

Igor Wysocki produces a maverick piece on economic analysis of the libertarian legal system. He argues for the employment of Marshall efficiency as an allegedly neutral way of assessing the efficiency of the institutions favoured by libertarians, quite a shift from a more usual Paretian analysis practised by numerous Austro-libertarians. Since the Marshallian tool leaves the question of the free-market efficiency an open question, this allows Wysocki to draw some non-obvious conclusions.

Dawid Megger, in turn, probes the relation between Thomism and libertarianism. In his most erudite chapter, the author considers the social ontologies implied by these two doctrines, respectively. He takes pains to explain why libertarianism might be viewed as atomistic. Moreover, he elucidates how the said doctrines would fare economically. In conclusion, he disinterestedly notes the economic shortcomings of both libertarianism and Thomism, an impartial attitude worthy of a great scholar. As such, Megger's chapter opens up new avenues for economic analysis of law (and of the libertarian legal order, in particular), a rather burgeoning field.

In his chapter, Stanisław Wójtowicz compellingly argues that libertarian rights are best construed as only weakly rather than strongly absolute. In other words, some libertarian rights might well be overtopped either due to the calling of external morality or because some other and usually more numerous libertarian rights are at stake. Next, the author argues for so-called minimising infringements, whereby the rights of all individuals subject to such infringements are violated to a lesser extent than they would be in the absence of such infringements. The author then claims that libertarians should accept the existence of a minimal state if it turns out that the stateless order advocated by libertarians (anarcho-capitalism) would be unstable (externally or internally), leading to a dramatic increase in violations of individual rights. As far as Polish libertarian scholarship goes, the chapter contributed by Wójtowicz brings the debate between anarchists and minarchists (see Dominiak & Wysocki, 2022) to a higher level by making subtle use of the idea of weakly absolute rights.

Paweł Nowakowski argues that the category of human dignity might well be squared with libertarianism. Even more, Nowakowski attempts to render dignity a central libertarian tenet, nothing short of a cutting-edge proposal. Nowakowski's chapter stands out as a worthy attempt of bringing libertarianism closer to the independent requirements of external morality. After all, libertarianism is notorious for its strongly deductive leanings. That is, it willingly draws logical consequences from its fundamental principles (such as, say, self-ownership or voluntary transfer) and is thus often forced to bite the bullet when the consequences turn out to be independently unwelcome. To Nowakowski's merit, his chapter is also an exercise in a gentle reversal of this trend.

Halina Šimo makes an important contribution in that she challenges the strict liability standard, the view on legal liability adhered to by Rothbard himself. In her chapter, Šimo first and foremost notes that the standard in question, as it stands, is morally untenable. On a positive note, she develops a more nuanced version of it while drawing on Matthew Kramer's remedy principle. We cannot fail to notice that strict liability is incessantly discussed within libertarianism. The dissenting view on this standard was eloquently aired by Hoppe (2004). Strict liability also critically figures in Block's (2014) case for evictionism (also see its recent criticism by Dominiak and Wysocki (2023)).

Patryk Trzcionka makes a novel argument against the institution of voluntary slavery, the institution a couple of prominent libertarians hold dearly to, by evoking external moral considerations. These in turn prompt the understanding of at least some libertarian rights as inalienable. Trzcionka's analytic apparatus coupled with a controversial topic will definitely make for an interesting read. As a corollary, this chapter also contributes a couple of nuances to an already vast literature on voluntariness, as it is understood by libertarians.

Norbert Slenzok produces an excellent chapter on argumentation ethics. Granted, the author draws on seminal works on the topic (see Hoppe, 1989, 2006). Yet, he takes argumentation ethics well beyond the Hoppean paradigm. As a corollary, Slenzok convincingly shows how libertarians can overcome the circularity between freedom and property rights, the circularity haunting libertarian theory.

Bartłomiej Chomański kicks off by painstakingly noting the ambivalence of attitudes among libertarians to Big Tech. However, Chomański's main point is

argumentative. Having identified the ethical issues stemming from Big Tech regardless of whether they are recognised or not, this author suggests some ways to meet Big-Tech-generated challenges on libertarian, non-interventionist grounds. Chomański's arguments are illuminating because he arrives at the same radical pro-free-speech conclusions as libertarians but does so by appealing to empirical evidence and commonsense moral principles rather than to libertarian axioms.

The focal point of Łukasz Świąćicki's chapter is Hans-Hermann Hoppe's (2001) view on monarchy. Świąćicki notes that the majority of research scrutinising this issue takes the Hoppean take on monarchy to be a function of his repudiation of democracy. Instead, rather interestingly, Świąćicki argues for a positive stance towards monarchy. That is to say, he considers monarchy from the point of view of its political applicability. And then again, this takes the Hoppean research on monarchy further, as Świąćicki seriously considers the ways monarchy might be implemented in practice rather than merely arguing, as Hoppe does, for its being allegedly economically superior to democracy.

Miłosz Ślepowroński probes libertarianism vis-à-vis game theory. This author suggests that libertarianism might benefit from employing the models characteristic of evolutionary game theory in particular. Given the scarcity of work investigating the libertarian theory of justice from such a trendy vantage point, Ślepowroński's chapter clearly paves the way for future research. Moreover, game theory seems to hold a special promise for libertarians, who, after all, would like to demonstrate that the free market, which they advocate on primarily moral grounds, also happens to be the most efficient economic system out there.

Jakub Juszczak, on the other hand, writes an exquisite chapter trying to imagine how stateless societies could operate while being bound up by some form of emergent international law. The chapter stands out in that it envisages how libertarianism on a large scale might play out in practice.

The present volume is concluded by a co-authored chapter. Stanisław Wójtowicz and Kamil Rozynek consider what contour healthcare services would assume in a free society. The authors compare different insurance models and discuss their relative merits. They show how a system of medical licenses would emerge from the ground up. They also show how medical care could be provided to people who might not be able to afford it. Crucially, these authors submit that private health care would provide people with a strong incentive to take good care of their health. And it is raising the problem of incentives which a libertarian order engenders that renders the present chapter such a formidable contribution. For, as mentioned above, libertarians would be happy to discover that a libertarian legal order does indeed encourage a socially desirable behaviour.

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