

A Voluntaryist Approach to Abortion



I wrote this as a response in a Facebook discussion. I thought I'd share it here.

There're two ways to approach libertarianism:

- 1) legal philosophy, and
- 2) political philosophy.

- 1) is **what** laws should be made, and
- 2) is **how** those laws should be made.

Liberty, hence libertarians, hence the non-aggression and self-ownership principles, demand that 2) be a decentralized, tort-based, common law type of environment. So long as we have a libertarian 2), then the best laws approved of by the most people will be discovered and gain acceptance. Private judges that rule with wisdom will gain customers. Mormon judges will rule based on the Mormon conception of just law, Jewish judges will rule based on Mosaic law, Muslims on Sharia law, etc.. Only when there's a dispute across jurisdictions will a 3rd, impartial, possibly secular-based judge be called upon. One whose own reputation boasts fairness and justice.

You can prefer Mosaic law or whatever and still want 2) to be decentralized and tort-based. In other words, only real crimes, those with victims, would even be heard by a judge. If a couple gets pregnant, and they're the only ones who know about it, and gets an abortion, then I don't see how or why it would be anybody else's business, besides theirs and their god's. Who would bring that dispute to court? Who would claim they were wronged and demand compensation or restitution? Their families? And if they support it? I don't see the prohibition of abortion being enforced in a libertarian 2).

A non-libertarian 2) is horrible for liberty, as we've seen. Central planning doesn't work, *and it's unethical*. Let's get to a libertarian 2), and then we can fill in the gaps with education and persuasion. If kids weren't controlled their whole lives in a horrible public education system, far less of them would be rebelling and acting stupid and having early pregnancies requiring abortion. I see this is a near-non issue in a truly free society. Like

everything else, government has made the problem worse and isn't interested in actually fixing it. It prefers to keep the masses distracted with these secondary questions. If we didn't have 1) to argue about, we'd be arguing over 2), and the state can't have that. It wouldn't exist under a libertarian 2). 2) is more important than 1). Let's fix 2), and 1) will fix itself.