REBUILDING RESPONSIBLE FREEDOM

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> "Defendant's Mask Mandate not only deprives over a million Palm Beach County residents of the right to breathe, it also jeopardizes the spirit of the sturdy and self-reliant philosophy of individualism which underlies and supports our entire system of government through arbitrary and autocratic power to invade vital rights of personal liberty."
>
> —Josie Machovec et al. v. Palm Beach County, June 30, 2020

> "Christians who had been paying attention had seen a trend where legal activists at all levels of government had been aggressively expanding their regulatory and ideological attacks on religious liberty."
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> —David French, "Yes, American Religious Liberty Is in Peril," *Wall Street Journal*, July 26, 2019

Claims of absolute freedom and absolute individual rights have featured prominently in the public square over the past few years. This entitled but embattled construal of individual liberty and Christian religious freedom, exempt from legitimate constraint, figures in what many have lately called a crisis for democracy—and it paradoxically also explains why the enemies of democracy really believe, however erroneously, that they are democracy's rightful heirs and defenders.

Such claims to unconditional freedom are generally wrapped in references to the U.S. Constitution and are properly met by informed analyses of what the Constitution actually says and how its provisions have been interpreted by the courts. However, our new and sudden sense of the fragility of democracy does not rest solely on the realization that millions of Americans lack a sophisticated understanding of legal issues, nor does a reduction of the problem to legal education convincingly resolve the paradox of insurrection that passionately believes itself to be restoration.

From Michael Polanyi's point of view, this destabilizing of liberal democracy is the predictable result of the loss of the essential distinction between public liberty and private liberty. Far from being simply evidence of a gap in citizens' understanding of the nation's founding documents, the growing infatuation with absolute self-determination represents one of the most important ways in which liberal societies evolve, as it were, against themselves, putting at risk liberal democracy itself. The distinction between private liberty and public liberty, which Polanyi developed in his early social and economic theory, makes the paradox less puzzling because his differentiation of the two freedoms is simultaneously an analysis of authority. He holds, of course, that the morally and socially worst authority is that of the totalitarian state: a crushing central authority amasses to itself the use of (often lethal) force, dictates what people must do, sets rigid limits on what they may do, and goes to great lengths to control what they may say and to define what they are able to think. When tyrannical power is brought down by revolt, leaving authority dispersed among myriad individuals, the situation is, to Polanyi's mind, equally bad in a different way. While Polanyi has no doubts that tyrannies must be resisted, this potentially anarchic liberation from all actual forms of authority too often

resolves into what Polanyi calls private freedom—the simple absence of constraints, but also of responsibility and shared purpose. The vacuum left by toppled authority is typically populated by private desire and pursuit of self-referencing, immediate goals.

Public freedom (which Polanyi binds tightly to tradition) is the alternative to *both*. The term is, therefore, perhaps misleading, and around the time he wrote *Personal Knowledge*, he allowed the private liberty/public liberty terminology to lapse, though he did not abandon what he had used it to name. By the time he composed *Meaning*, he had shifted entirely to the signifier "mutual authority," and if we work back from that, we can see more clearly what the original distinction was meant to flag.

Tyranny (central authority)	**Public Freedom** (mutual authority)	**Private Freedom** (individual authority, which is, in effect, the absence of authority)
The absence of freedom; oppression and servitude; but also the absence of self-organizing social systems	The distinguishing mark of a free society; the hallmark of self-organizing social systems	"Negative" freedom; individualistic, self-centered, centrifugal—and therefore destructive of a free society
One central authority with absolute power	Authority resides in an established and organic social system that makes voluntary social cooperation possible; a self-constituted community is the authority	All individuals are their own arbitrary authorities; "absolute self-determination"
All social coordination from the central authority	Organically developed systems are self-coordinating and self-governing (or self-maintaining)	The absence of social cooperation; conflict; anarchy
Consolidated arbitrary power backed by physical force	The power of expertise wielded in the name of commonly shared goals and commitments.	Dispersed arbitrary power; social Darwinism
Social responsibility perverted by moral inversion and the fantasy of central control.	Responsible and disciplined freedom	Irresponsible, undisciplined, and at its extreme, nihilist illusions of freedom
Driven by moral aspirations, subverted by perfectionism, and corrupted by absolute power	Morally rooted in the self-set standards of the tradition, guild, community	Cut off from communal moral roots; cut off, that is, from the very moral ideals and value commitments that set limits to our private freedom.

"Public liberty," inseparable from Polanyi's notion of self-organizing systems, is the great achievement of liberal democratic governments, but it is also the institutional foundation on which a democratic

government can be maintained. "Public liberty" is thus the form of liberty that is "socially significant." It has at least two manifestations. (1) In contrast to the centrally planned state, public liberty is instantiated where a state allows the emergence and constant evolution of self-organizing social systems ("free associations of persons") at multiple levels. (2) Whatever shape those systems take at any given time, individuals should be maximally at liberty to figure out their own way of adjusting their lives to these social realities, responsibilities, and expectations (here public and private liberty to some extent intersect, but with public liberty setting limits to private freedom). "Private liberty," according to Polanyi, is not tied to any particular form of government. Although benign forms of private liberty ordinarily flourishes most easily on a democratic platform of public liberty, there can be a considerable degree of private liberty (at least for some) even in the worst of tyrannies because tyrants do not actually care what people are doing privately so long as they otherwise conform to the requirements of the government.

It seems almost fanciful to suggest that a populist public who so completely misinterpret their legal constitutional rights could be brought to appreciate Polanyi's social theory or would be tolerant of his celebration of tradition and elite expertise. Yet perhaps we should not cynically dismiss Polanyi's confidence in the ability of persons, when approached with respect, to absorb and assess complex accounts of their own experience. Toward the end of "The Republic of Science," in *Knowing and Being*, he responds directly to those who deny that the electorate can grasp the nuanced and complex understanding of science that he advances:

> Those who think that the public is interested in science only as a source of wealth and power are gravely misjudging the situation….Universities should have the courage to appeal to the electorate, and to the public in general, on their own genuine grounds" (64).

It may be that Polanyi's firmest contribution to rehabilitating our "great experiment" in democracy and in a pluralist free society is his call to commit ourselves courageously to it, fragmentary and elusive and fragile as it no doubt is.

Moreover, (some) people are tired now of clearly dangerous extreme forms of polarization, but find it difficult to articulate an alternative. Polanyi meant public freedom to be a third way between the arbitrary power of a collective's total control and the arbitrary power of individualist irresponsibility, as well as between the hammerlock of dead forms of inflexible practices and an idol smashing (individual or group) self-will. In that same essay, he notes that what makes a free society free is not "the right of men to do as they please," but rather their "right to speak truth as they know it" (70). And he offers his account of mutual authority in dynamic social systems as social analysis that "transcends the conflict between Edmund Burke and Tom Paine. It rejects Paine's demand for the absolute self-determination of each generation, but does so for the sake of its own ideal of unlimited human and social improvement. It accepts Burke's thesis that freedom must be rooted in tradition, but transposes it into a system cultivating radical progress" (71).

REFERENCES

Polanyi, Michael. 1969. *Knowing and Being: Essays by Michael Polanyi*. Marjorie Grene, editor. Chicago: University of Chicago Press.

_____ and Harry Prosch. 1975. *Meaning*. Chicago: University of Chicago Press.