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FREEDOM, REASON, AND TRADITION*

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I

THOUGH freedom is not a state of nature but an artifact of civilization, it did not arise as a result of design. The institutions of freedom, like all that freedom has created, were not established because people foresaw the benefits they would bring. But once its advantages were recognized, efforts commenced to perfect and extend the reign of freedom and, for that purpose, to learn how a free society worked. This development of a theory of liberty took place mainly in the eighteenth century and began in two countries—of which one knew liberty and the other did not—England and France.

As a result, we have to the present day two different traditions in the theory of liberty:¹ one empirical and unsystematic, the other speculative and rationalist—the first based on an interpretation of traditions and institutions which had spontaneously grown up and were but imperfectly understood, the second aiming at the construction of a utopia which has often been tried but never worked. Nevertheless, it has been the rationalist, plausible, and apparently logical argument of the French tradition,

with its flattering assumptions about the unlimited powers of human reason, which has progressively gained influence; while the less articulate and less explicit tradition on which English freedom was based has been on the decline. As a result, the political conceptions of the French Age of Reason are today erroneously regarded as representative of the eighteenth century in general.

This distinction is obscured by the facts that what we have called the French tradition of liberty arose largely in an attempt to interpret British institutions, and that the conceptions which other countries formed of British institutions were based mainly on their description by French authors. The two traditions became finally confused when they merged in the liberal movement of the nineteenth century and even leading British liberals drew as much on the French as on the British tradition.² It was, in the end, the victory of the Benthamite Philosophical Radicals over the Whigs in England that concealed a fundamental difference which in more recent years has reappeared as the conflict between “liberal” democracy and “social” or totalitarian democracy.³

This difference was better understood a hundred years ago than it is today. In the year of the European revolutions

* This article is substantially the same as a chapter in the author's book, *The Constitution of Liberty*, now in preparation.

in which the two traditions merged, the contrast between "Anglican" and "Gallican" liberty was still clearly described by a distinguished German-American writer. "Gallican Liberty," wrote Francis Lieber in 1848,

is thought in the *government*, and according to an Anglican point of view, it is looked for in the wrong place, where it cannot be found. Necessary consequences of the Gallican view are that the French look for the highest degree of political civilization in *organisation*, that is in the highest degree of interference of the public power. The question whether this interference be despotism or liberty is decided solely by the fact *who* interferes, and for the interest of which class the interference takes place, while according to the Anglican view this interference would always be absolutism or aristocracy, and the present dictatorship of the *ouvriers* would appear to us an uncompromising aristocracy of the *ouvriers*.

He adds:

The fact that Gallican liberty expects everything from organisation while Anglican liberty inclines to development, explains why we see in France so little improvement and expansion of institutions: but when improvement is attempted, a total abolition of the preceding state of things, a beginning *ab ovo*—a rediscussion of the first elementary principles.⁴

Since this was written, the French tradition has everywhere progressively displaced the English. To disentangle the two traditions it is necessary to look at the relatively pure forms in which they appeared in the eighteenth century. What we have called the British tradition was made explicit mainly by a group of Scottish moral philosophers led by David Hume, Adam Smith, and Adam Ferguson,⁵ seconded by their English contemporaries Josiah Tucker, Edmund Burke, and William Paley, and drawing largely on a tradition rooted in the jurisprudence of the common law.⁶ Opposed to them was the tradition of the French Enlightenment, deeply imbued with Cartesian rationalism: the

Encyclopedists and Rousseau, the Physiocrats and Condorcet are their best known representatives. Of course, the division does not fully coincide with national boundaries. Frenchmen like Montesquieu, Turgot (in his youth), and, later, Benjamin Constant, and above all Alexis de Tocqueville, are probably nearer to what we have called the "British" than to the French tradition. And, in Thomas Hobbes, Britain has provided at least one of the founders of the rationalist tradition, not to speak of the whole generation of enthusiasts for the French Revolution, like Godwin, Priestley, Price, and Paine (or Jefferson after his stay in France), who entirely belong to it.⁷

II

Though these two groups are now commonly lumped together as the ancestors of modern liberalism, there is hardly a greater contrast imaginable than that between their respective conceptions of the evolution and functioning of a social order and the role played in it by liberty. The difference is directly traceable to the predominance of an essentially empiricist view of the world, in England, and a rationalist approach, in France—whether we take these terms in their popular or in their more precise philosophical meanings. The main contrast in the practical conclusions to which these approaches lead has recently been well put, as follows: "one finds the essence of freedom in spontaneity and the absence of coercion, the other believes it to be realized only in the pursuit and attainment of an absolute collective purpose,"⁸ and "one stands for organic, slow, half-conscious growth, the other for doctrinaire deliberateness; one for trial and error procedure, the other for an enforced solely

valid pattern."⁹ It is the second which, as J. S. Talmon has shown in an important book from which this description is taken, has become "the origin of totalitarian democracy."

The sweeping success of the political doctrines which stem from the French tradition is probably due to their great appeal to human pride and ambition. But we must not forget that the political conclusions of the two schools derive from different conceptions of how society works; and in this respect the British philosophers had laid the foundations of a profound and essentially valid theory, while the rationalist school was simply and completely wrong. Their rather silly rationalist conception of the nature of a free society has discredited liberalism with sensible people and has rapidly led those who accepted it to the opposite of a free society; the British have given us an interpretation of the growth of civilization which is still the indispensable foundation of the argument for liberty.

What they have given us in an account of the origin of institutions, not by contrivance and design, but by the survival of the successful. Their account of social evolution runs in terms of how "nations stumble upon establishments which are indeed the result of human action but not the execution of human design"¹⁰ or the "stumbling forward in our empirical fashion, blundering into wisdom," of which F. W. Maitland somewhere speaks. It stresses that what we call political order is much less the effect of human contrivance than is commonly imagined. As their immediate successors saw it, what Adam Smith and his contemporaries had done was

to resolve almost all that has been ascribed to positive institution into the spontaneous and irresistible development of certain obvious prin-

ciples—and to show with how little contrivance or political wisdom the most complicated and apparently artificial schemes of policy might be erected.¹¹

This "anti-rationalistic insight into historical happening that Smith shares with Hume, Adam Ferguson, and others"¹² enabled them for the first time clearly to see how institutions and morals, language and laws, have evolved by a process of cumulative growth, and that it is with and within this framework that human reason has grown and alone can successfully operate. Their argument is directed throughout against the Cartesian conception of an independently and antecedently existing human wisdom that has invented these institutions, and the conception that civil society has been formed by some wise original legislator or an original "social contract." The latter idea of intelligent men's coming together for deliberation about how to make the world anew is perhaps the most characteristic outcome of those design theories. It found its perfect expression when the leading theorist of the French Revolution, Abbé Sieyès, exhorted the revolutionary assembly "to act like men just emerging from the state of nature and coming together for the purpose of signing a social contract."¹³

The ancients understood the conditions of liberty better than that. Cicero quotes Cato as saying that the Roman Constitution was superior to that of other states because it

was based upon the genius not of one man, but of many: it was founded, not in one generation, but in a long period of several centuries and many ages of men. For, said he, there never has lived a man possessed of so great a genius that nothing could escape him, nor could the combined powers of all the men living at one time possibly make all necessary provisions for the future without the aid of actual experience and the test of time.¹⁴

Neither republican Rome nor Athens, the two free nations of the ancient world, could thus serve as an example for the rationalists. To Descartes, the fountain-head of the rationalist tradition, it was indeed Sparta whose greatness "was due not to the pre-eminence of each of its laws in particular . . . but to the circumstance that, originated by a single individual, they all tended to a single end."¹⁵ And it was Sparta which, as Talmon has pointed out, became the ideal of liberty for Robespierre and Saint-Just—and, we may add, most of the later advocates of "social" or totalitarian democracy.¹⁶

Like the ancient, the modern British conceptions of liberty grew against a background of a comprehension of how institutions had developed that the lawyers had been the first to gain. "There are many things specially in laws and government," wrote Chief Justice Hale in the seventeenth century in a critique of Hobbes,

that mediately, remotely, and consequentially are reasonable to be approved, though the reason of the party does not presently or immediately and distinctly see its reasonableness. . . . Long experience makes more discoveries touching conveniences or inconveniences of laws than is possible for the wisest council of men at first to foresee. And that those amendments and supplements that through the various experiences of wise and knowing men have been applied to any law must needs be better suited to the convenience of laws, than the best invention of the most pregnant wits not aided by such a series and tract of experience. . . . This adds to the difficulty of a present fathoming of the reason of laws, because they are the production of long and iterated experience which, though it be commonly called the mistress of fools, yet certainly it is the wisest expedient among mankind, and discovers those defects and supplies which no wit of man could either at once foresee or aptly remedy. . . . It is not necessary that the reasons of the institution should be evident unto us. It is sufficient that they are instituted laws that give a certainty

to us, and it is reasonable to observe them though the particular reason of the institution appear not.¹⁷

III

From these and other conceptions gradually grew a body of social theory which successfully showed how—in the fields of law and language, of morals and the whole institutional framework of culture—complex and orderly and, in a very definite sense, purposive structures might grow up which owed little or nothing to design, which were not invented by a contriving mind but arose from the separate actions of many men who did not know what they were doing. This demonstration that something greater than man's individual mind may grow from men's fumbling efforts represented in some ways an even greater challenge to all design theories than even the later theory of biological evolution: For the first time it was shown that an evident order which was not the product of a designing human intelligence need therefore not be ascribed to the design of a higher, supernatural intelligence, **but that there was a third possibility—the emergence of order as the result of adaptive evolution.**

Since the emphasis we shall have to place on the role which selection plays in this process of social evolution today is likely to create the impression that we are borrowing the idea from biology, it is worth stressing that it was in fact the other way round; there can be little doubt that it was from the theories of social evolution that Darwin and his contemporaries derived the suggestion for their theories.¹⁸ Indeed, one of those Scottish philosophers who first developed these ideas anticipated Darwin even in the biological field;¹⁹ and the later application of these conceptions by the various "historical schools" in law

and language had made the idea that similarity of structure might be accounted for by a common origin²⁰ a commonplace in the study of social phenomena long before it was applied to biology. It has been unfortunate that at a later date the social sciences, instead of building on these beginnings in their own field, re-imported some of those ideas from biology and with them brought in such conceptions as “natural selection,” “struggle for existence,” and “survival of the fittest,” which are not really appropriate in their field; because in social evolution the decisive factor is not the selection of the physical and inheritable properties of the individuals but the selection by imitation of successful institutions and habits. Though this operates also through the success of individuals and groups, what emerges is not an inheritable attribute of individuals, but ways of doing things, ideas, and skills—in short, the whole cultural inheritance which is passed on by learning and imitation. The whole episode of “social Darwinism” has, in this field, merely tended to discredit an indispensable intellectual tool which had been first developed here.²¹

IV

A detailed comparison of the two traditions would require a book; here we can merely single out a few of the crucial points on which they differ.

While the rationalist tradition assumes that man was originally endowed with both the intellectual and moral attributes which enabled him deliberately to fashion civilization, the evolutionists made it clear that civilization was the accumulated result of a hard school of trial and error: the sum of experience, in part handed from generation to generation as explicit knowledge,

but to a larger extent embodied in tools and institutions which had proved themselves superior—institutions whose significance we might discover by analysis but which will also work without men’s understanding them. The Scottish theorists were very much aware how delicate this artificial structure of civilization was which rested on man’s more primitive and ferocious instincts being tamed and checked by institutions which he neither had designed nor could control. They were as far as possible from such naïve assumptions, later unjustly laid at the door of their liberalism, as the “natural goodness of man,” the existence of a “natural harmony of interests,” or the beneficent effects of “natural liberty” (even though they did sometimes use the last phrase). They knew that it required the artifices of institutions and traditions to reconcile the conflicts of interest. Their problem was how

that universal mover in human nature, self love, may receive such direction in this case (as in all others) as to promote the public interest by those efforts it shall make towards pursuing its own.²²

It was not “natural liberty” in any literal sense, but the *institutions* evolved to secure “life, liberty, and property,” which made those individual efforts beneficial.²³ Neither Locke, nor Hume, nor Smith, nor Burke, could ever have argued, as Bentham did, that “every law is an evil for every law is an infraction of liberty.”²⁴ Their argument was never a complete *laissez-faire* argument, which, as the very words show, is also part of the French rationalist tradition and in its literal sense was never defended by any of the English classical economists.²⁵ They knew better than most of their later critics that it was not some kind of magic, but the evolution of “well-constructed institutions” where the

“rules and principles of contending interests and compromised advantages”²⁶ would be reconciled, which had successfully channeled individual efforts to socially beneficial aims. In fact, their argument was never anti-state as such, or anarchistic, which is the logical outcome of the rationalistic laissez-faire doctrine; it was an argument that accounted both for the proper functions of the state and for the limits of state action.

The difference is particularly conspicuous in the respective assumptions the two schools make concerning individual human nature. The rationalistic design theories necessarily based their views on the assumption of rational action, natural intelligence, and the natural goodness of individual man. The evolutionary theory, on the contrary, showed how certain institutional arrangements would induce man to use his intelligence to the best effect, and how institutions could be framed so that bad people could do least harm.²⁷ The anti-rationalist tradition is here closer to the Christian tradition of the fallibility and sinfulness of man, while the perfectionism of the rationalist is in irreconcilable conflict with it. Even such celebrated figments as the “economic man” were not an original part of the British evolutionary tradition. It would be only a slight exaggeration to say that, in the view of those British philosophers, man was by nature lazy and indolent, improvident and wasteful, and that it was only by the force of circumstances that he could be made to behave economically or would learn carefully to adjust his means to his ends. The *homo œconomicus* was explicitly introduced, with much else that belongs to the rationalist rather than to the evolutionary tradition, only by the younger Mill.²⁸

V

The greatest difference between the two views exists, however, in their respective ideas about the role of traditions and the value of all the other products of an unconscious growth proceeding through the ages.²⁹ It would hardly be an exaggeration to say that the rationalistic approach is here opposed to almost all that is the distinct product of liberty and that gives liberty its value. Those who believe that all useful institutions are deliberate contrivances, and who cannot conceive of anything serving a human purpose that has not been consciously designed are almost of necessity enemies of freedom—which to them means chaos. We have here an instance of how different interpretations of facts may produce differences in values: because of an intellectual error a particular manner of ordering human affairs has come to be regarded as possessing superior value and to be more in accord with the dignity of human reason. If everything that is worthwhile is the product of deliberate human will, what matters is solely the formation of that will and, so far as action of society as a whole is concerned, of the collective will of society. Freedom thus comes to mean participation in the formation of the collective will.

To the empiricist, evolutionary tradition, on the other hand, the value of freedom consists mainly in the opportunity it provides for the growth of the undesigned, and the beneficial functioning of a free society rests largely on the existence of such freely grown institutions. There probably never has existed a genuine belief in freedom, and there has certainly been no successful attempt to operate a free society, without a genuine reverence for grown institutions, for customs and habits and “all those

securities of liberty which arise from regulation of long prescription and ancient ways."³⁰ Paradoxical as it may appear, it is probably true that a successful free society will always in a large measure be a tradition-bound society.³¹

This estimation of tradition and custom, of grown institutions, and of rules whose origins and rationale we do not know, does not, of course, mean—as Thomas Jefferson believed with a characteristic rationalist misconception—that we “ascribe to men of the preceding age a wisdom more than human, and . . . suppose what they did beyond amendment.”³² Far from assuming that those who created the institutions were wiser than we are, the evolutionary view is based on the insight that the result of the experimentation of many generations may embody more experience than any one man possesses. The rationalistic view, on the other hand, is blind to the significance of those creations of human activity which lie between the deliberate creation of individual intelligence, on the one hand, and the products of conscious, organized effort, on the other. It is in this range, however, that lies all that deserves to be called social in the proper meaning of the term, because it is the product of society as such and not of particular individual minds.

VI

I have elsewhere discussed the various institutions and habits, tools and methods of doing things, which have emerged from this process and constitute our inherited civilization. But we have yet to look more carefully at those rules of conduct which have grown as part of it, which are both a product and a condition of freedom. Of these conventions and customs of human intercourse, the moral rules are the most important, but

by no means the only significant, ones. We understand each other and get along with each other, are able to act successfully on our plans, because the members of our civilization most of the time conform to unconscious patterns of conduct, show a regularity in their actions which is, not the result of commands or coercion, often not even of any conscious adherence to known rules, but of firmly established habits and traditions. The general observance of these conventions is a necessary condition of the orderliness of the world in which we live, of our being able to find our way in it, though we do not know their significance and may not even be consciously aware of their existence. In some instances it would be necessary, for the smooth running of society, to secure a similar uniformity by coercion, if such conventions or rules were not observed in most instances. Coercion may thus sometimes be avoidable only because a high degree of voluntary conformity exists which thus may be a condition of freedom. It is indeed a truth, which all the great apostles of freedom outside the rationalistic school have never tired of emphasizing, that freedom has never worked without deeply ingrained moral beliefs, and that coercion can be reduced to a minimum only where the individuals can be expected as a rule to conform voluntarily to certain principles.³³

A familiar instance of how a firmly established tradition assists frictionless human intercourse is the manner in which in the Anglo-Saxon countries a general familiarity with the rules of parliamentary procedure facilitates all proceedings of groups of men. To one who comes from another milieu it is a source of constant wonder how, as a result of this, a committee of schoolboys in England or the United States is generally

more effective than many a group of grave and learned scholars in Germanic or Latin countries. Many similar examples could be given of how the general adherence to rules, which often may be far from rational and whose reasons those who submit to them are far from understanding, assists the effective collaboration of men. The often ridiculed propensity of Englishmen to form a queue at any bus station, which is of course merely the result of the unquestioned acceptance of the rule "first come, first served," is a humbler instance of the same trait. Much of the difference between Anglo-Saxon manners and the more formal, courtly etiquette of the Continent is probably due to the fact that the former have spontaneously developed to smooth intercourse in ordinary life rather than from the organized ceremonial of a hierarchic society.

There is an advantage in obedience to such rules not being enforced by coercion—not only because coercion as such is bad, but because it is in fact often desirable that rules should be observed only in most instances, and that the individual should be able to transgress them when it seems to him worthwhile to incur the odium which this will cause. It is also important that the strength of the social pressure and of the force of habit which insure their observance is variable. It is this flexibility of voluntary rules which makes gradual evolution and spontaneous growth possible, which brings it about that further experience leads to modifications and improvements. Such an evolution is possible only with rules which are neither coercive nor deliberately imposed—which, though observing them is regarded as merit and though they will be observed by the majority, can be broken by individuals who feel that

they have strong enough reasons to brave the censure of their fellows. Unlike any deliberately imposed coercive rules, which can be changed only discontinuously and for all at the same time, growth of this kind makes gradual and experimental change possible. The simultaneous existence of individuals and groups observing partially different rules provides the opportunity for the selection of the more effective ones.

It is this submission to undesigned rules and conventions whose significance and importance we largely do not understand, this reverence for the traditional, that, though it is indispensable for the working of a free society, the rationalistic type of mind finds so uncongenial. It has its foundation in the insight which David Hume stressed and which is of decisive importance for the anti-rationalist, evolutionary tradition—that "the rules of morality are not the conclusions of our reason."³⁴ Like all other values, our morals are not a product but a presupposition of reason, the ends which the instrument of our intellect has been developed to serve. At any one stage of our evolution, the system of values into which we are born supplies the ends which our reason must serve. This givenness of the value framework implies that, although we must always strive to improve our institutions, we can never aim to remake them as a whole, and that in our efforts to improve them we must take for granted much that we do not understand: We must always work inside a framework of both values and institutions which is not of our own making. It means in particular that we can never synthetically construct a new body of moral rules, or make our obedience of the known rules dependent on our comprehension of what depends on this obedience in the particular instance.

VII

The rationalist attitude to these problems is best seen in its views on what it calls superstition.³⁵ I do not wish to underestimate the merit of the persistent and relentless fight of the eighteenth and nineteenth centuries against superstition in the sense of beliefs which are demonstrably false.³⁶ But we must remember that the extension of the concept of superstition to all beliefs which are not demonstrably true lacks the same justification and may often be harmful. That we ought not to believe anything which has been shown to be false does not mean that we ought to believe only what has been demonstrated to be true or at least useful. There are strong grounds why any person who wants to live and act successfully in society must accept many common beliefs, though these reasons may have little to do with their demonstrable truth.³⁷ Such beliefs will also be based on some past experience, but not on experience for which anyone can produce the evidence. The scientist is, of course, within his rights when he demands, if asked to accept a generalization in his field, to be shown the evidence on which it is based. Many of the beliefs which in the past expressed the accumulated experience of the race have been disproved in this manner. This does not mean, however, that we have reached a stage when we can dispense with all beliefs for which such scientific evidence is lacking. Experience comes to man in many more forms than those of which the professional experimenter or the seeker after explicit knowledge is commonly aware. We would destroy the foundations of much successful action if we disdained to rely on ways of doing things evolved by the process of trial and error where only the

superior manner, but not the reason for adopting it, has been handed down to us. The appropriateness of our conduct is not necessarily dependent on our knowing why it is so. Such understanding is one way of making our conduct appropriate, but not the only one. A sterilized world of beliefs, purged of all elements whose value could not be positively demonstrated, would probably be no less lethal than would its equivalent in the biological sphere.

While this applies to all our values, it is most important in connection with the moral rules of conduct. These are, perhaps, next to language, the most important instance of an undesigned growth, of a set of rules which govern our lives but of which we can say neither why they are what they are nor what they do to us; we do not know what the consequences of observing them are for us as individuals and as a group. Yet it is against the demand for submission to such rules that the rationalist spirit is in constant revolt. It insists on applying to them Descartes' principle "to reject as absolutely false all opinions in regard to which I could suppose the least ground for doubt."³⁸ The desire of the rationalist is always for the deliberately constructed, synthetic system of morals, for a system in which, as Edmund Burke has described it, "the practice of moral duty and the foundations of society rested upon their reason made clear and demonstrative to every individual."³⁹ The rationalists of the eighteenth century, indeed, explicitly argued that, since they knew human nature, they "could easily find the morals which suited it."⁴⁰ They did not understand that what they called human nature was very largely those moral conceptions which every individual has learned with language and thinking.

VIII

An interesting symptom of the growing influence of this rationalist conception is the progressive substitution, in all languages known to me, of the word "social" for the word "moral" or simply "good." It is instructive briefly to consider the significance of this.⁴¹ What is meant when people speak of a "social conscience" as against merely "conscience" seems to be an awareness of the particular effects of our actions on other people, an endeavor to be guided in conduct not merely by traditional rules but by explicit consideration of the particular consequences of the action in question. It amounts to the demand that our action should be guided by a full understanding of the functioning of the social process, and that it should be our aim, in conscious assessment of the concrete facts of the situation, to produce a foreseeable result described as the "social good."

The curious point is that this appeal to the "social" really involves a demand that individual intelligence, rather than rules evolved by society, should guide individual action—that men should dispense with the use of what could truly be called social (in the sense of being a product of the impersonal process of society), and should rely on his individual judgment of the particular case. The preference for "social considerations" over the adherence to moral rules is thus in the last resort the result of a contempt for what really is a social phenomenon and of a belief in the superior powers of individual human reason.

The answer to these rationalistic demands is, of course, that they require knowledge which exceeds the capacity of the individual human mind, and that in the attempt to comply with them most men would become less useful members

of society than they are while they pursue their own aims within the limits set by the rules of law and morals. It is the old story of Adam Smith's observation that "by pursuing his own interest [man] frequently promotes that of society more effectually than when he really intends to promote it. I have never known much good to be done by those who affected to trade for the public good."⁴² What is frequently not understood but need not be stressed again is that to Smith and his contemporaries this result did not come from all individuals acting completely as they pleased but from each confining himself to the sphere to which the rules of law and morals confined him.

The rationalist argument here overlooks the point that, quite generally, the reliance on abstract rules is a device we have learned to use because our reason is insufficient to master (or take account of) the full detail of complex reality.⁴³ This is as true of the cases where we deliberately formulate an abstract rule for our individual guidance as where we submit to the common rules of action which have been evolved by a social process. It is just as impracticable in the second case that each individual should for himself discover all the appropriate rules as it would be for him to think out in each particular case all the implications of his decisions without relying on rules of thumb—even disregarding for the moment that the rules of human intercourse would not serve their purpose if they were not the same for all.

We all know that in the pursuit of our individual aims we are not likely to be successful unless we lay down for ourselves some general rules to which we adhere without re-examining their justification in every particular instance. Whether it is the problem of how to

order our day, or of doing disagreeable but necessary tasks at once, or of refraining from certain stimulants, or of suppressing certain impulses, we frequently find it necessary to make such practices an unconscious habit because we know that without this the rational grounds which make such behavior desirable would not be sufficiently effective to balance temporary desires and to make us do what we should wish to do from a long-run point of view. Though it sounds paradoxical that in order to make us act rationally we should often find it necessary to be guided by habit rather than reflection—or, in other words, that to prevent ourselves from making the wrong decision we should deliberately reduce the range of choice before us—we all know that this is in practice necessary to make us effective in achieving our long-range aims.

The same considerations apply even more where the consequences of our conduct that we want to avoid are not direct effects on ourselves but effects on other people—these are not so immediately visible to us—and where the aim must be that we should adjust our actions to the actions and expectations of others so that we avoid doing them unnecessary harm. In this field it is not only unlikely that any individual should succeed in rationally constructing rules which would be more effective for their purpose than those which have been gradually evolved; even if he did they could not really serve their purpose unless they were observed by all. We have thus no choice but to submit to rules whose rationale we often do not understand, and to do so irrespective of whether we can see that anything important depends on their being observed in the particular instance. Though the rules of morals are instrumental in the

sense that they mostly assist in the achievement of other human values, since we only rarely can know what depends on their being followed in the particular instance, to observe them must be regarded as a value in itself, a sort of intermediate end which we must pursue without questioning its justification in the particular case.

IX

These considerations, of course, do not prove that all the sets of moral beliefs which have grown up in a society will be beneficial. Just as a group may owe its rise to the morals which its members obey, and as their values may in consequence ultimately be imitated by the whole nation which the successful group has come to dominate, a group or nation may also destroy itself by the moral beliefs to which it adheres. Only the long-run results can show whether the ideals which guide a group are beneficial or destructive. The fact that a society has come to regard the teaching of certain men as the embodiment of goodness is no proof that it might not be the society's undoing if their precepts are generally followed. It may well be that a nation may destroy itself by following the teaching of what it regards as its best men, sometimes almost saintly figures who are unquestionably guided by the most unselfish ideals. There would be little danger of this in a society whose members were still free to choose their way of practical life, because in such a society such tendencies would be self-corrective: only the group dominated by such "impractical" ideals would decline, and others, less moral by current standards, would take its place. But this will happen only in a free society in which such moral beliefs are not enforced on all. Where all are made to

serve the same ideals, and dissenters are given no opportunity to try a different way, the rules can prove themselves inexpedient only by the decline of the whole nation guided by them.

The question which is acutely raised by such an experiment is whether the fact that a majority of citizens are agreed on a moral goal is sufficient justification for the use of coercion, or whether it is not desirable that certain rules limit the power of the collective to change the law irrespective of the desirability of the particular purpose—just as the moral rules of individual conduct preclude certain kinds of action, however good the purpose. It seems to me impossible to doubt—though it is in fact rarely recognized and often even explicitly questioned—that, if the results of collective action are to be sensible, the particular decisions must as much be judged in the light of general rules, that there is, in short, as great a need of moral rules of political as of individual action, and that the aggregate outcome of our successive actions as a society is likely to be satisfactory only if the actions are held together by common principles.

There are obvious reasons why moral rules for collective actions are developed only with difficulty and very slowly. But this should make those we have achieved the more precious. There is probably none more important among the few such principles we have developed than that of individual freedom, and it is as such a moral principle of political action that it is most appropriately regarded. Like all moral principles, it will serve its purpose only if its observance is accepted as a value in itself, as a principle which must be respected without questioning in each instance

whether the consequences are beneficial. We shall, indeed, not achieve the results which we want if we do not accept that it is a prejudice or creed or presumption so strong that no considerations of expediency should be allowed to limit it.

The argument for liberty is, indeed, in the last resort an argument for principles and against expediency in collective action.⁴⁴ When one of the intellectual leaders of nineteenth-century Continental liberalism, Benjamin Constant, described liberalism simply as the *systeme de principes*,⁴⁵ he pointed to the very heart of the matter. Liberty not only is a system under which all government action is guided by principles, but it is also not likely to last if this ideal is not itself accepted as the most general principle to be observed in all the particular acts of legislation. Where no such fundamental rule is stubbornly upheld as an ultimate political ideal about which there must be no bartering for material advantages—as an ideal which, even though it may have to be temporarily infringed during a passing emergency, must form the basis of all permanent arrangements—freedom is almost certain to be destroyed by piecemeal encroachments. The reason for this is that in each particular instance it will be possible to promise concrete and tangible advantages as the result of a curtailment of freedom, while the benefits sacrificed will in their nature always be unknown and uncertain. If freedom were not treated as the supreme principle the fact that the promises which a free society has to offer can always be only chances and not certainties, only opportunities and not definite gifts to particular individuals, would inevitably prove a fatal weakness and lead to slow erosion.

X

By now, the reader will probably want to ask what role there remains for reason to play in the ordering of human affairs, if a policy of liberty demands so much refraining from deliberate control, so much acceptance of the spontaneously grown and undirected. The first answer is, of course, that, if it has become necessary to seek limits to the appropriate uses of reason in this field, to find them is itself one of the exercises of reason. But the fact that the stress here has necessarily been on those limits does not mean that reason has not also most important positive tasks. We are not questioning that reason is man's most precious possession. All our argument is intended to show is merely that it is not all-powerful and that the belief that it can become its own master and control its own development may yet destroy it. What we have attempted is a defense of reason against its abuse by those who do not understand the conditions of its effective functioning and continuous growth. It is an appeal that we should learn to use our reason intelligently, and that in order to do so we must preserve that indispensable matrix of the uncontrolled and non-rational which is the environment in which alone reason can grow and effectively operate.

The anti-rationalistic position here taken must not be confounded with any sort of irrationalism or any appeal to mysticism. It is, not an abdication of reason, but a rational examination of the field where reason is appropriately put in control, which is advocated here. Part of this argument is that such an intelligent use of reason does not mean the use of deliberate reason in the maxi-

imum possible number of occasions. As against the naïve rationalism which treats our present reason as an absolute, we must indeed continue the efforts which David Hume commenced when he "turned against the enlightenment its own weapons" and undertook "to whittle down the claims of reason by the use of rational analysis."⁴⁶

The first condition for such an intelligent use of reason in the ordering of human affairs is that we learn to understand what role it does in fact play and can play in the working of any society based on the co-operation of many separate minds. This means that before we can try to remold society intelligently we must understand its functioning and realize that, even where we believe that we understand it, we may be mistaken. What we must learn to understand is that human civilization has a life of its own, that all our efforts to improve things must operate within a working whole which we cannot control entirely, and with regard to which we can hope merely to facilitate and assist the operation of its forces so far as we understand them. Our attitude ought to be similar to that of the physician toward a living organism: like him we have to deal with a self-maintaining whole which is kept going by forces which we cannot replace and which we must therefore use in all we try to achieve. What can be done to improve it must be done by working with these forces rather than against them. All our endeavor at improvement must always work inside this given whole, aim at piecemeal rather than total construction,⁴⁷ and use at each stage the historical material at hand and improve details step by step rather than attempt to redesign the whole.

None of these conclusions are arguments against the use of reason but only arguments against such uses as require any exclusive and coercive powers of government; not arguments against experimentation as such, but arguments against all exclusive, monopolistic power to experiment in a particu-

lar field—power which brooks no alternative and is in its essence based on a claim to the possession of superior wisdom—and against the consequent right to preclude the emergence of better solutions than the ones to which those in power have committed themselves.

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NOTES

1. Tocqueville remarks somewhere: "Du dix-huitième siècle et de la révolution, étaient sortis deux fleuves: le premier conduisant les hommes aux institutions libres, tandis que le second les menant au pouvoir absolu"; cf. also the observation by Sir Thomas Erskine May (*Democracy in Europe* [London, 1877], II, 334): "The history of the one [France], in modern times, is the history of Democracy, not of liberty: the history of the other [England] is the history of liberty, not of Democracy." On the absence of a really liberal tradition in France, see E. Faguet, *Le Libéralisme* (Paris, 1902), especially p. 307.

2. See E. Halévy, *The Growth of Philosophical Radicalism* (London, 1928), pp. 17–18.

3. Cf. J. L. Talmon, *The Origins of Totalitarian Democracy* (London, 1952). Though Talmon does not identify "social" and "totalitarian" democracy, I cannot but agree with Professor H. Kelsen ("The Foundation of Democracy," *Ethics*, LXVI, No. 1, Pt. II [October, 1955], p. 95, note) that "the antagonism which Talmon describes as tension between liberal and totalitarian democracy is in truth the antagonism between liberalism and socialism and not between two types of democracy."

4. Francis Lieber, "Anglican and Gallican Liberty" (originally published in a South Carolina newspaper in 1848), reprinted in *Miscellaneous Writings* (Philadelphia, 1881), pp. 382, 385.

5. An adequate account of this philosophy of growth which provided the intellectual foundation for a policy of freedom has yet to be written and cannot be attempted here. For a fuller appreciation of this Scottish-English school and its differences from the French rationalist tradition, see mainly Duncan Forbes, "Scientific Whiggism: Adam Smith and John Millar" (the *Cambridge Journal*, VII [August, 1954]), and my own lecture, "Individualism, True and False" (Dublin, 1945), reprinted in *Individualism and Economic Order* (Chicago and London, 1948). Compare also Gladys Bryson, *Man and Society: The Scottish Inquiry of the Eighteenth Century* (Princeton, 1945); W. C. Lehmann, *Adam Ferguson and the Beginning of Modern Sociology* (Columbia University, 1930); H. Huth, *Soziale und individualistische Auffassung im 18. Jahrhundert, vornehmlich bei Adam Smith*

und Adam Ferguson (Leipzig, 1907); and T. E. Jessup, *A Bibliography of David Hume and Scottish Philosophy from Francis Hutcheson to Lord Balfour* (London, 1938).

6. See especially the work of Sir Mathew Hale referred to in n. 17 below.

7. On Jefferson's shift from the "British" to the "French" tradition as a result of his visit to France, see the important work by O. Vossler, *Die amerikanische Revolutionsidee untersucht in ihrem Verhältnis zur europäischen* (München, 1929).

8. Talmon, *op. cit.*, p. 2.

9. *Ibid.*, p. 71. Cf. also the contrast drawn between what the author calls "ideal liberalism" and "pragmatic liberalism" in L. Mumford, *Faith for Living* (New York, 1940), pp. 64–66.

10. Adam Ferguson, *An Essay on the History of Civil Society* (Edinburgh, 1767), p. 187.

11. Francis Jeffrey, "Craig's Life of Millar," *Edinburgh Review*, IX (1807), 84.

12. D. Forbes, *op. cit.*, p. 654.

13. Quoted by Talmon, *op. cit.*, p. 73.

14. M. Tullius Cicero *De re publica* II. I. 2. Cf. also II. XXI. 37.

15. René Descartes, *A Discourse on Method* (Everyman ed.), Pt. II, p. 11.

16. Cf. Talmon, *op. cit.*, p. 142.

17. "Sir Mathew Hale's Criticism on Hobbes's Dialogue of the Common Law," reprinted as appendix to W. S. Holdsworth, *A History of the English Law* (London, 1924), V, 504–505 (the spelling has been modernized). Holdsworth rightly points out the similarity of some of these arguments to those of E. Burke.

18. I am not referring here to Darwin's acknowledged indebtedness to the population theories of Malthus (and, through him, of Cantillon) but to the general atmosphere of an evolutionary philosophy which in the nineteenth century governed most thought on social matters. Though this influence has occasionally been recognized (see, e.g., H. F. Osborn, *From the Greeks to Darwin* [New York, 1894], p. 87), it has never been systematically studied. I believe such a study would show that most of the conceptual apparatus which Darwin employed lay readily fashioned at hand for him to use. Duncan Forbes has suggested to me that the

Scottish geologist James Hutton may be one of the chief channels through which the Scottish evolutionary philosophy reached Darwin.

19. See Arthur O. Lovejoy, "Monboddio and Rousseau" (1933), reprinted in *Essays in the History of Ideas* (Johns Hopkins, 1948).

20. It is perhaps significant that the first clearly to see this in the field of linguistics, Sir William Jones, was a lawyer by training and a prominent Whig by persuasion. The connection between these fields is best shown by one of the most complete, though somewhat late, statements of the basic elements of the Whig doctrine, in Dugald Stewart, *Lectures on Political Economy* (1809-10), printed in *Collected Works of Dugald Stewart* (Edinburgh, 1856), IX, 422-24. It deserves quotation at some length, not least in view of its great influence on the last group of Whigs, the *Edinburgh Review* circle: "The English Government (it is said) has been the gradual offspring of circumstances and events, and its different parts arose at different times;—some of them from acts of the legislature prompted by emergencies, and some of them from long established customs or usages, of which it is not always possible to trace the origin, so that no part of it is sanctioned by an authority paramount to that which gives force to every other law by which we are governed. It is pretended, therefore, that there are no fundamental or essential principles in our government, which fix a limit to the possibility of legislative encroachment, and to which an appeal could be made, if a particular law should appear to be hostile to the rights and liberties of the people. But surely the conclusion in this argument does not follow from the premises. For do we not every day speak of laws being *constitutional* or *unconstitutional*; and do not these words convey to men of plain understanding a very distinct and intelligible meaning, a meaning which no person can pretend to misapprehend, who is not disposed to cavil about expressions?"

"It appears to me, that what we call the *constitution* differs from our other laws, not in its *origin*, but in the *importance of the subject to which it refers, and in the systematical connexion of its different principles*. It may, I think, be defined to be that form of government, and that mode of administering it, which is agreeable to the *general spirit and tendency of our established laws and usages*.

"According to this view of the subject, I apprehend that the constitution, *taken as a whole*, ought to modify every new institution which is introduced, so that it may accord with its general *spirit*; although every part of this constitution taken *separately*, arose itself from no higher authority than the common acts of our present legislature.

"To illustrate this proposition it may be proper to remark, that although the Constitution was the gradual result of circumstances which may be regarded as accidental and irregular, yet that the very

mode of its formation necessarily produced a certain consistence and analogy in its different parts, so as to give to the whole a sort of systematic appearance. For unless every new institution which was successively introduced has possessed a certain reference or affinity to the laws and usages existing before, it could not possibly have been permanent in its operation. Wherever a Constitution has existed for ages, and men have enjoyed a tranquility under it, it is a proof that its great and fundamental principles are all animated by the same congenial spirit. In such a constitution, when any law contrary to the spirit of the rest is occasionally introduced, it soon falls into desuetude and oblivion; while those which accord in their general character and tendency, acquire additional stability from the influence of time, and from the mutual support which they lend to each other. Of such a law we may say with propriety that it is *unconstitutional*, not because we dispute the authority from which it proceeds, but because it is contrary to the spirit and analogy of the laws which we have been accustomed to obey.

"Something similar to this obtains with respect to languages. *These*, as well as governments, are the gradual result of time and experience, and not of philosophical speculation: yet every language, in process of time, acquires a great degree of systematical beauty. When a new word, or a new combination of words, is introduced, it takes its rise from the same origin with every other expression which the language contains;—the desire of an individual to communicate his own thoughts or feelings to others. But this consideration alone is not sufficient to justify the use of it. Before it is allowed by good writers or speakers to incorporate itself with those words which have the sanction of time in their favour, it must be shewn that it is not disagreeable to the general analogy of the language, otherwise it is soon laid aside as an innovation, revolting, anomalous, and *ungrammatical*. It is much in the same manner that we come to apply the epithet *unconstitutional* to a law.

"The zeal, therefore, which genuine patriots have always shewn for the maintenance of the Constitution, so far from being unreasonable, will be most strongly felt by the prudent and intelligent, because such men know that political wisdom is much more the result of experience than of speculation: and that when a Constitution has been matured by such slow steps as ours has been, on consequence of the struggle of able and enlightened individuals, jealous of their liberties, and anxious to preserve them, it may be considered as the result of the accumulated experience and wisdom of ages; possessing *on that very account* the strongest of all possible recommendations, an experimental proof of its excellence, of its fitness to perpetuate itself, and to promote the happiness of those who live under it."

21. I am thinking here primarily of Herbert Spencer, whose distinction seems to me mainly to

consist in having spoiled a good argument by the crude and insensitive way in which he applied it. But there is still something we can learn from some of his contemporaries, like Walter Bagehot.

22. Josiah Tucker, *The Elements of Commerce* (1755), in R. L. Schuyler (ed.), *Josiah Tucker: A Selection* (Columbia University, 1931), p. 92.

23. That for Adam Smith in particular it was certainly not "natural liberty" in any literal sense on which the beneficial working of the economic system rested, but liberty under the law, is clearly expressed in *The Wealth of Nations*, Book IV, chap. v (ed. Cannan, II, 42-43): "That security which the laws in Great Britain give to every man that he shall enjoy the fruits of his own labour, is alone sufficient to make any country flourish, notwithstanding these and twenty other absurd regulations of commerce: and this security was perfected by the revolution, much about the same time that the bounty was established. The natural effort of every individual to better his own condition, when suffered to exert itself with freedom and security, is so powerful a principle, that it is alone, and without any assistance, not only capable of carrying on the society to wealth and prosperity, but of surmounting a hundred impertinent obstructions with which the folly of human laws too often incumbers its operations." It is of some interest that Smith's general argument (*ibid.*, I, 421) about the "invisible hand" "which leads man to promote an end which was no part of his intention" occurs already in Montesquieu's *Spirit of the Laws* (Book III, chap. vii), in the statement that "thus each individual advances the public good, while he only thinks of promoting his own interest."

24. J. Bentham, *Theory of Legislation* (5th ed.; London, 1887), p. 48.

25. See H. D. MacGregor, *Economic Theory and Policy* (Oxford University, 1949), pp. 54-89; and L. C. Robbins, *The Theory of Economic Policy* (London, 1952), pp. 42-46.

26. E. Burke, *Thoughts and Details* (in *Works* [World Classics ed.], VI, 15).

27. Cf., e.g., the contrast between Hume: "Political writers have established it as a maxim that in contriving any system of government, and fixing the several checks and controls of the constitution, every man ought to be supposed a *knave*, and to have no other end in all his actions than his private interest" (*Essays*, I, vi. The reference is presumably to Machiavelli: "The Lawgiver must assume for his purposes that all men are bad" [*Discorsi*, I, 3].), and R. Price: "Every man's will, if perfectly free from restraint, would carry him inevitably to rectitude and virtue" (*Two Tracts on Civil Liberty* [London, 1778], p. 11).

28. See J. S. Mill, *Essays on Some Unsettled Questions of Political Economy* (London, 1844), Essay V.

29. Ernest Renan, in an important essay on the principles and tendencies of the liberal school first

published in 1858 and included in his *Essais de Morale et de Critique (Oeuvres Complètes, ed. H. Psichari [Paris, 1948], II, 45 f.)* observes: "Le libéralisme, ayant la prétention de se fonder uniquement sur les principes de la raison, croit d'ordinaire n'avoir pas besoin de traditions. Là est son erreur. . . . L'erreur de l'école libérale est d'avoir trop cru qu'il est facile de créer la liberté par la réflexion, et de n'avoir pas vu qu'un établissement n'est solide que quand il a des racines historiques. . . . Elle ne vit pas que de tous ses efforts ne pouvait sortir qu'une bonne administration, mais jamais la liberté, puisque la liberté résulte d'une droit antérieur et supérieur à celui de l'État, et non d'une déclaration improvisée ou d'un raisonnement philosophique plus ou moins bien déduit."

30. Joseph Butler, *Works* (ed. E. Gladstone; Oxford, 1896), II, 329.

31. Even Professor H. Butterfield, who better than most people understands this, finds it "one of the paradoxes of history" that "the name of England has come so closely associated with liberty on the one and tradition on the other hand" (*Liberty in the Modern World* [Toronto, 1952], p. 21).

32. T. Jefferson, *Works* (Ford, ed.; New York, 1905), XII, 111.

33. See, e.g., Burke, "A Letter to a Member of the National Assembly" (*Works* [World's Classics ed.], IV, 319): "Men are qualified for civil liberty in exact proportion to their disposition to put moral chains upon their appetites, in proportion as their love of justice is above their rapacity and presumption; in proportion as they are more disposed to listen to the council of the wise and good, and in preference to the flattery of the knaves." Also James Madison, in the "Debates during Virginia Ratifying Convention, June 20, 1788" (in J. Elliot [ed.], *The Debates, Resolutions, and Other Proceedings, in Conventions, on the Adoption of the Federal Constitution, etc.* [Philadelphia, 1863 ed.], III, 536): "To suppose that any form of government will secure liberty and happiness without any virtue in the people is a chimerical idea." And A. de Tocqueville, *Democracy in America* (P. Bradley, ed.; New York, 1945): "Liberty cannot be established without morality, nor morality without faith" (I, 12); and "No free communities ever existed without morals" (II, 198).

34. Hume, *A Treatise of Human Nature* (Green and Grose, eds.; London, 1890), Book III, Pt. I, Sec. I ("Moral Distinctions Not Derived from Reason"): "The rules of morality, therefore, are not conclusions of our reason" (II, 235). The same idea is already implied in the scholastic maxim, "Ratio est instrumentum non est iudex."

35. Cf. H. B. Acton, "Prejudice," *Revue Internationale de Philosophie*, Vol. XXI (1952), with its interesting demonstration of the similarity of the views of Hume and Burke. Also the same author's address, "Tradition and Some Other Forms of Order," *Proceedings of the Aristotelian Society*

(1952-53), especially the remark at the beginning that "liberals and collectivists join together against tradition when there is some 'superstition' to be attacked." See also Lionel Robbins, *The Theory of Economic Policy* (London, 1952), p. 196 n.

36. Even this is, perhaps, putting it too strongly. A hypothesis may well be demonstrably wrong and still, if some new conclusions follow from it which prove to be true, be better than no hypothesis at all. Such tentative though partly erroneous answers to important questions may be of the greatest importance for practical purposes, though the scientist dislikes them because they are apt to impede progress. This fact is of wide application. Man may often be better adapted and more effective as a result of his "irrational" habits than of his rational thought, be better guided by beliefs which are false but which in his ordinary circumstances lead to the right action than he would be by attempting to be guided by intellectual understanding.

37. Cf. D. G. Mandelbaum (ed.), *Selected Writings of Edward Sapir in Language, Culture, and Personality* (University of California, 1949): "It is sometimes necessary to become conscious of the forms of social behavior in order to bring about a more serviceable adaptation to changed conditions, but I believe it can be laid down as a principle of far-reaching application that in the normal business of life it is useless and even mischievous for the individual to carry the conscious analysis of his cultural patterns around with him. That should be left to the student whose business it is to understand these patterns. A healthy unconsciousness of the forms of socialized behavior to which we are subject is as necessary to society as is the mind's ignorance, or better unawareness, of the working of the viscera to the health of the body. In great works of the imagination form is significant only in so far as we feel ourselves to be in its grip. It is unimpressive when divulged in the explicit terms of this or that complex arrangement of known elements. So, too, in social behavior, it is

not the overt forms that rise readily to the surface of attention that are most worth our while. We must learn to take joy in the larger freedom of loyalty to understand in explicit terms. Complete analysis and the conscious control that comes with complete analysis are at best but medicine of society, not its food" (p. 558). Cf. also p. 549.

38. Descartes, *op. cit.*, Part IV, p. 26.

39. Burke, Preface, *A Vindication of Natural Society*.

40. P. H. D. Baron d'Holbach, *Système Social* (London, 1773), I, 55. Quoted in Talmon, *op. cit.*, p. 273.

41. Cf. my article, "Was ist und was heisst 'sozial'?" in A. Hunold (ed.), *Masse und Demokratie* (Zürich, 1957).

42. Adam Smith, *op. cit.*, I, 421.

43. Cf. Tocqueville's emphasis on the fact that "general ideas are no proof of the strength, but rather of the insufficiency of the human intellect" (*op. cit.*, II, 13).

44. It is often questioned today whether in social action consistency is a virtue. The desire for consistency is even sometimes represented as a rationalistic prejudice, and the judging of each case on its individual merits regarded as the truly experimental or empiricist method. The truth is exactly the opposite. The desire for consistency springs from the recognition of the inadequacy of our reason explicitly to comprehend all the implications of the individual case, while the supposedly pragmatic procedure is based on the claim that we can properly evaluate all the implications without reliance on those principles which tell us which particular facts we ought to take into account.

45. B. Constant, "De l'Arbitraire," in C. Louandre (ed.), *Oeuvres Politiques de Benjamin Constant* (Paris, 1874), pp. 91, 92.

46. S. S. Wolin, "Hume and Conservatism," *American Political Science Review*, XLVIII (1954), 1001.

47. Cf. K. R. Popper, *The Open Society and Its Enemies* (London, 1945), *passim*.