FREEDOM — A SUGGESTED ANALYSIS[b]

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I

DURING recent decades the concept of freedom has been undergoing a progressive deterioration and dissipation of meaning. This decline of a once precious symbol we cannot blame on the unpleasant developments that have taken place in Russia, Italy, and Germany. Though words like "democracy" have been degraded and contaminated by totalitarian misuse, so far "freedom" has largely escaped this fate. If this word, which once seemed to serve as a sure compass and guide, has begun to point in too many directions at once, we have ourselves chiefly to blame.

THE MEANING OF "FREEDOM FROM"

The deterioration of the meaning of freedom has been caused in part by a shift of interest away from the notion of "freedom to" in favor of "freedom from." Let us for a moment indulge in a somewhat abstract analysis of the meaning of the phrase "is free from." *X*, we say, is free from *Y*. What is asserted? We are saying that a something, *X*, is not subject to the influence of, or does not contain within itself, something called *Y*. We are verbally setting *Y* off from *X*, asserting that *Y* does not touch upon or enter into *X*.

Do we assert or imply anything else? Yes, in ordinary usage we also clearly imply that it is a good thing that *X* should be free from *Y* and that in some undefined way this state of affairs suits |[1306] some human preference. Thus it is in accord with the ordinary expectations of language when we are assured that a cigarette is free from harsh irritants, but a note of irony must enter when the equally true statement is made that the same cigarette is free from flavor. "Free from" carries, then, the general implication of an approved condition.

On the other hand, the statement, "*X* is free from *Y*," does not imply anything about the nature of either *X* or *Y* except that it is good for *X* to be free from *Y*. In particular, the frame of thought contained in this sentence does not require that *X* be a living being. We feel no sense of metaphor when we say, "This beverage is free from calories," any more than when we say, "This man is free from fear."

Finally, we should note that, since "freedom from" is essentially a negation, we can, by substituting different nouns for the Y of our formula, make "freedom from" assume contradictory or mutually exclusive meanings. The objectives of the welfare state and of Buddhism can with equal facility be stated in terms of "freedom from," the one promising freedom from poverty, the other freedom from the desire for worldly goods. We can praise knowledge as giving us freedom from the handicaps of ignorance and extol ignorance

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as conferring freedom from the discomforts and responsibilities of knowledge. If one writer recently set up "freedom from the forces of nature" as an objective of governmental policy, others of a different bent have been trying for ages to free us from the artificial restraints of society. Finally, there is, of course — in a perfectly meaningful sense — freedom from freedom.

Thus the concept of "freedom from" represents a turn of thought ready to fit almost any context and capable of conveying almost any meaning. It is no accident that such awkward totalitarian advances as have been made in the direction of the word "freedom" have been in terms of "freedom from," as where it is asserted that the masses must be "freed from capitalist exploitation" or "from colonialism." So far as I am aware, there is little inclination by the enemies of freedom to embrace, or to tamper with, the notion of "freedom to."

THE MEANING OF "FREEDOM TO"

"Freedom to" has implications very different from those attaching to "freedom from." When we say that "*X* is free to do |[1307] *Y*," then — unless we are indulging in obvious metaphor — it is clearly implied that *X* is a living creature capable of purposive action. No such implication is contained in the assertion that "*X* is free from *Y*."

Second, the statement that "*X* is free to do *Y*" clearly implies an alternative or a range of alternatives. If *X must* do *Y*, we do not say that he is free to do *Y*. Saying that he is free to do *Y* implies, then, that he is also free to do *Z*, or at least to remain inactive, or perhaps to follow some other course or courses of action. No such implication is contained in the statement, "*X* is free from *Y*." A man can be constitutionally incapable of feeling fear, yet we can still say that he is "free from fear," just as we can say that aluminum is free from magnetic effects without implying that the aluminum has any choice in the matter.

"FREEDOM FROM," SCIENCE, AND PURPOSE

These essential differences give the clue, I think, to the decline of "freedom to" and the rise of "freedom from." The religion of modern man is science, and he prefers whenever possible to couch his thoughts in the language of piety, that is, in words that sound scientific. I should like to take a moment to trace the connection that seems to me to exist between the increasing popularity of the notion of "freedom from" and the modern preoccupation with keeping our thoughts and our language within the limits of what is conceived to be scientific method.

The model of true science is taken to be the science of inanimate matter, and in that science it is a cardinal principle that no observed event shall be interpreted as though it were the expression of a purpose. Indeed, modern physics and astronomy can be said to have taken their origin when this principle first became clearly articulate.[1]

From the beginning, of course, man had interpreted the actions of his fellows in terms of purpose. By this interpretation he was often able to discern the thread of connection that ran through apparently unrelated actions and to predict what his friends or enemies would do next. It was natural that he should attempt to apply the same interpretation to the events of nature generally. Through the centuries, however, gradually, and with accelerating insight, it became apparent that this interpretation did not work |[1308] when applied to planets and stones and — what was much more important — that there was an alternative interpretation that *would* work, namely, one in terms of mathematical and mechanical relations. This interpretation, it was found, would yield the results man had been seeking vainly to obtain through an interpretation in terms of purpose, that is, it would bring into a coherent structure events that taken in isolation seemed to reveal no lawfulness or order.

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[1] J. W. N. Sullivan, *The Limitations Of Science*, Introduction (1933).

In the social sciences no such transition from one principle of interpretation to another has been effected. Except on trivial levels, we have not discovered in human behavior mechanical or mathematical relationships that will enable us to predict invariant happenings. In so far as we are able to make sense out of human behavior in its larger aspects, it is still in terms of purpose; that is, we assume that men are acting clearly or vaguely in an effort to achieve something, even if it is only the preservation of accustomed ways.

Social theory of the self-consciously "scientific" variety has, however, extracted from the physical sciences a lesson that is not there, namely, the notion that, even though no workable alternative to purpose has been developed as a means of making sense of human behavior, still something is gained by reducing and obscuring the role of purpose. We must talk as much as possible as though purpose were not there, for nothing makes a man sound more unscientific than to imply that human affairs are directed by some kind of striving toward a goal. Trends, stages of history, constellations of power, dynamic tendencies, value-oriented behavior, functions — perhaps even conative processes — these may be talked about, but not purposes.[2]

|[1309] If this is a correct description of the current state of intellectual fashion, then it is easy to see why "freedom to" should have become so unpopular — it savors too plainly of purpose. On the other hand, "freedom from" fits unobtrusively into the language of science. Although its essential meaning could easily be rendered by the phrase "absence of," the use of the word "freedom" gives the comforting illusion of remaining in contact with a liberal tradition that is still found congenial while its philosophic presuppositions are being abandoned.

THE FRAME OF REFERENCE WITHIN WHICH "FREEDOM TO" IS MEANINGFUL

Let us, then, for the time being leave "freedom from" and resume our attempt to clarify the objective set by the concept of "freedom to." We have not sufficiently defined that objective, I think, when we say that "freedom," in the sense of "freedom to," means the opportunity to choose between alternatives or among a range of alternatives. For, consistently with this definition, a man might be said to be unfree because he does not have the alternative of living forever or being two places at once.

When we discuss freedom as a problem of law, or politics, or economics, or ethics, we are really addressing ourselves to the question: How can the freedom of human beings be affected or advanced by social arrangements, that is, by laws, customs, institutions, or other forms of social order that can be changed or preserved by purposive human actions? (You will note that purpose is twice implicated — first in the man whose freedom is in question and second in those who act to establish, change, or preserve the forms of social order that affect his freedom.)

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[2] An insufficiently examined problem of scientific method is that of determining when the attempt to exclude purpose has in fact been successful. For example, B.F. Skinner in his *Science And Human Behavior* (1953) criticizes most of those who purport to apply a "scientific" approach to social problems for stopping halfway and for refusing to admit that this approach requires the abandonment of concepts imbedded in the Western tradition, such as freedom, responsibility, and purpose. His own consistently scientific method is not, Skinner asserts, afraid to make these rejections explicit. The obvious rejoinder is, of course, to say that Skinner pursues the purpose of converting others to his view that purpose is nonexistent. But a more important point is that in his own behavioristic analysis Skinner recognizes that "the process of conditioning" can "miarry" (p. 86) and that an "established sequence of responses" may be "frustrated" (p. 165). Now it is obvious that a comet cannot "miscarry" or be "frustrated." Does not any notion that implies a missing of the mark, or an interference, contain within itself the notion of an end or purpose? Yet such conceptions are used constantly, not only in behavioristic psychology, but in biological studies that explicitly reject any interpretation in terms of purpose.

A failure to keep this frame of reference clearly in mind leads to much fruitless argument about the meaning of freedom. For example, Oliver Goodbent observes some defect in man's condition which he assumes could easily be remedied by a wave of the legislative wand accompanied by a slight appropriation from the treasury. The failure to take the step that seems so obvious to him will appear to Goodbent as the deliberate imposition of a restraint and therefore as a denial of freedom. On the other hand, |[1310] Samuel Standpat, viewing the same situation, is of firm belief that correcting the condition in question presents an unmanageable social task and that there is no possible reordering of social arrangements that could accomplish what Goodbent wants, any more than a reordering of society could enable a man to live forever or to be two places at once.

Clearly, if Goodbent and Standpat are to conduct a profitable discussion of their differences, each must expose to the other the assumptions he is making about the manageability of the task set by the proposed reform. Unfortunately, the more common course is for each to accuse the other of misusing and perverting the concept of freedom. If we are to avoid this unprofitable detour, we must keep clear in our minds the frame of reference within which we are working, and we must realize that this frame of reference includes our assumptions about what can and cannot be done by changing particular forms of social order.

II

So much by way of definition and attempted clarification. Our basic concern is not with the word "freedom" as a counter in a game of logic but with the ideal it expresses. We want to know what that ideal demands of us when we are called upon to act formatively toward society, when we have the responsibility for establishing, changing, or taking steps to preserve particular forms of social order, meaning, by that phrase, laws, agreements, institutions, and every kind of social arrangement that may shape men's relations with one another.

THE "ESSAY ON LIBERTY"

If in search of an answer to this question we turn to the most obvious place, that is, to the *Essay on Liberty*, we are bound, I think, to be disappointed. What Mill offers us is not so much a prescription for the realization of freedom as a perceptive analysis of its values when achieved. Furthermore, there seems to run through the *Essay* a tacit assumption that what we have called "the forms of social order" are inherently inimical to freedom. Mill seems to assume that the ideal condition would be one in which, unhampered by social arrangements of any kind, the individual would, in effect, choose everything for himself — his satisfactions, his mode of life, his relations with others. Only the unfortunate |[1311] circumstance that his actions may impinge harmfully on others makes it necessary to qualify this ideal.

IS UNLIMITED CHOICE THE IDEAL CONDITION?

This analysis seems to me fundamentally defective. In the first place, its conception of the ideal condition is false — false not merely because it is out of keeping with reality but false even as a utopia. If the individual had in fact to choose everything for himself, the burden of choice would become so overwhelming that choice itself would lose its meaning.

Some idea of what it would be like to have to choose everything can be conveyed through the example of language. When we are intent on free self-expression, language often seems a kind of prison. It bends our thoughts in unwanted directions; it erects blank walls before things we want desperately to put in words. Yet our frustration is as nothing compared to that we would feel if by some miracle the whole of language were to vanish and we were set free to create a new language for ourselves, to construct our own grammar, to draw up our own vocabulary.

The complex network of institutional ways by which the bulk of our energies is directed and channeled is not an unfortunate limitation on freedom. It is essential to freedom itself. It preserves us from the

suffocating vacuum of free choice into which we would be precipitated if we had to choose everything for ourselves.

This is not to say that the existing allocation of choice cannot be improved or that, if it were wholly satisfactory, it would automatically preserve itself without effort on our part. But it does mean that we do not necessarily increase the effective choice of the individual by increasing the range of choice open to him. Mill opposed as an infringement of liberty the requirement of a governmental license for the practice of any profession. Yet I suspect that most of those needing medical care would regard the fact that physicians must be licensed, not as an impairment of the patient's choice of a physician, but as the welcome facilitation of a choice that still remains difficult even though the range of choice is narrowed and the patient is not compelled to make his selection from among all those who are willing to offer themselves as healers. On the other hand, I am sure that most people would not see a similar facilitation of choice in the fact that photographers and hairdressers |[1312] are in some states required to pass an examination before they can practice their callings.

THE NECESSITY FOR FORMS OF SOCIAL ORDER TO MAKE INDIVIDUAL CHOICE EFFECTIVE

The second great defect in Mill's essay (closely related to the one I have just been discussing) lies in his assumption that all formal social arrangements — whether legal, customary, institutional, or contractual — are limitations on freedom, that is, restrictions on choice. Mill seemed strangely blind to the fact that in all significant areas of human action formal arrangements are required to make choice effective. The choices a man can make without requiring collaborative social effort for their realization are trivial. Our more important choices are meaningless if there is no way of carrying them over into the larger social order on which we are dependent for almost all our satisfactions. But, to give social effect to individual choice, some formal arrangement, some form of social order, is necessary.[3]

The most obvious example is that of an election. If men are to be given some share in choosing their lawmakers, a machinery of election is required. This machinery will in turn carry with it its own compulsions, for instance, against voting twice. Not only that, but the forms through which choice is channeled by an election law will of necessity exclude other forms of choice. Thus, if the election is to be by the system known as proportional representation (PR), the electorate must necessarily forego the form of choice involved in election by a simple majority.

At the other extreme from the necessarily elaborate apparatus |[1313] of an election stands the most elementary form of social order by which individual choice can receive social effect — the simple agreement of two parties. This form of order also carries both a facilitation and a restriction of choice with it. Through an agreement the individual makes his own choice effective, but he does it at the cost of binding himself to the other party. Here, reduced to its simplest terms, is a characteristic of all the forms of order by which individual choice is given social effect.

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[3] In a little-known essay, *On Social Freedom*, first published thirty-four years after his death, Mill revisited the problems of freedom and modified substantially the views expressed in the *Essay on Liberty*. (The Columbia University Press reprinted this essay in 1941, with an introduction by Dorothy Fosdick.) In one turn of phrase Mill suggests the thought of the paragraph to which this note is appended. This is where he speaks (p. 63) of making "arrangements for the freedom" of the individual. But, though he rejects what he calls "the individualist theory of freedom," he generally retains from the first essay the notion that the forms of social order are a kind of unfortunate necessity and that freedom consists in their absence. This appears in his subtitle, which speaks of "the Necessary Limits of Individual Freedom Arising Out of the Conditions of Our Social Life." The same view is revealed in his introductory remarks, where he says (p. 35) that his object is to discern accurately "those limits beyond which we cannot hope to extend our freedom without doing away with those conditions which render life valuable to us."

III

Within the framework of the analysis just presented I should like now to make a series of general observations about the problem of giving effective social expression to freedom. These observations will in part supplement, and in part qualify, what has gone before.

"FREEDOM FROM" MAY BE NECESSARY TO MAKE "FREEDOM TO" MEANINGFUL

In the first part of this essay a sharp distinction was taken between "freedom from" and "freedom to." What was said in that connection was not intended to deny the obvious truth that freedom to choose may become meaningless if there is not also freedom from compulsions that would nullify choice. Freedom to cast one's ballot loses its point where the voter is not also free from restraints that prevent him from voting as he decides he should. The ridiculous "elections" held under the Nazi regime are an extreme case in point.

A "freedom from" certain kinds of interference must, then, be presupposed in every "freedom to." This does not mean, however, that these freedoms are two sides of the same coin or that "freedom from" ranks as a social objective with "freedom to." Indeed, taken in the abstract, "freedom from" cannot be talked about meaningfully as an object of social policy. It is so loose a frame of thought that almost any conceivable social objective can be brought within it, including, under the name of "freedom from freedom," a denial to human beings of any choice in the management of their lives.

It may be objected that "freedom to," taken in the abstract, is equally devoid of any direction-giving quality. It must be conceded that the interaction and competition of social goals is such |[1314] that discussions of "freedom to" are most profitable when conducted in concrete terms and with reference to specific freedoms. Yet, even taken abstractly, "freedom to" does point to one general social objective without which all others lose their meaning, that is, the objective of keeping alive the creative, choosing, and purposive side of man's nature. It is possible to argue about the areas in which the human function of forming purposes and deciding upon courses of action is best exercised. But, unless we are bent on collective suicide, it seems clear that it must be kept alive somewhere.

THE FRAMEWORK OF RULES AND DECISIONS WITHIN WHICH FREEDOM IS REALIZED

I have asserted that freedom in significant contexts requires for its realization (1) the absence of nullifying restraints and (2) the presence of some appropriate form of order that will carry the effects of the individual decision over into the processes of society. There is a third requisite for freedom that is both more difficult to state and more difficult to realize. It may be suggested by saying that, to become effective, freedom requires a congenial environment of rules and decisions.

A distinction — too rough for most purposes but useful in this context — may be taken between the decisions a man makes for himself and those made by others for him. Now it is apparent that these two sets of decisions will seldom stand toward each other in isolation. Normally they will interact. If individual freedom is to be meaningful, the decisions that are made for the individual must be congruent with, and form a suitable framework for, his own decisions.

A factory foreman may be given a wide discretion in handling discipline and promoting morale within his department. His superiors may interfere with that discretion infrequently and may be motivated by a genuine desire to leave his general freedom of action unimpaired. Yet his effective freedom may be destroyed in one stroke by a single inept order from the head office, projecting itself incongruously into a situation not understood by those who issued it. What may be called broadly "absentee" or uninformed direction from above can be just as great a destroyer of effective freedom as the imposition of explicit restraints.

Liberty of contract may serve as another example. Effective freedom in contracting is not guaranteed simply because the state |[1315] enforces contracts and leaves the parties generally free to enter any agreement

they choose. These conditions may exist, and yet effective freedom of contract may be frustrated by clumsy rules of law, derived by abstract deduction and in isolation from commercial life. The rules that may affect liberty of contract are not simply those of contract law itself but those of property, tort, and procedure and generally all the legal restraints that furnish the context within which contract functions as an instrument of social order and of individual freedom.

How can we insure that freedom will be provided with a congenial and fostering framework of rules and decisions? It is apparent, first, that this framework must be designed in the light of a full and sympathetic understanding of the situation to which it is to be applied. It is apparent also that, if we want a sure warranty that this condition will obtain, we must draw the man whose freedom is in question into consultation; we must afford him some participation in the decisions that affect the practical significance of his freedom.

If we were to take the distinction suggested above between the decisions a man makes for himself and those made by others for him, we would probably be inclined to assign the decisions of a court definitely to the latter class. Yet there is a sense in which the litigant — usually through his attorney, of course — participates in a judicial decision, and the nature of that participation is very important for freedom. If the litigant's participation is so restricted that the deciding tribunal does not obtain a clear and full understanding of his situation, then we may expect decisions that unwittingly obstruct the realization of freedoms formally recognized and ostensibly protected by the tribunal itself. Unfortunately, it is much more common than is generally realized that juries, judges, arbitrators, and administrative tribunals reach decisions without really understanding what they are deciding. The fault lies partly in inevitable human failings but also often in the principles by which adjudication is organized and through which the litigant's participation is defined and restricted.

It is often thought that the increasing complexity of technology and of the forms of human organization requires a restriction on the scope of individual freedom and a reduction in the degree to which there can be democratic participation in decisions that set the direction of human effort. It seems to me that this is the exact opposite of the conclusion that ought to be drawn. The more |[1316] complex our society becomes, the more urgent is the need for a pooling of our intellectual resources.

For example, in military organization even the foot soldier is becoming more and more a specialist in a single, often complicated, weapon. This means that his officers cannot in the nature of things be sure that they understand his weapon as well as he does. In particular they are likely to lack a firsthand knowledge of its operation under specific conditions of combat, just as an engineer who designs a machine is less likely to understand its "kinks" in operation than the man who operates it daily. It is apparent that in such a situation there are grave risks in giving specific commands without advance consultation with the man who must execute them. In combat a soldier must be able to exercise initiative and make intelligent decisions without constant guidance. But if he receives from his commanding officer an order that presents an obvious "mismatch" with the situation toward which it is directed, his morale, his capacity for initiative, and his effective freedom of action are all destroyed at once.

If we define "absentee management" in a sense broad enough to include all the ills I have just been attempting to describe, then we may say of it that freedom has no more effective enemy.

THE DISTINCTION BETWEEN ORGANIZATION BY COMMON ENDS AND BY RECIPROCITY

Much discussion of freedom, particularly as it relates to the problem of majority rule, is obscured by a failure to keep in mind a distinction between two fundamental forms of social organization. These are organization by reciprocity and organization by common ends. Organization by reciprocity occurs in its simplest form when *A* and *B* come together in such a way that *A* gains from *B* something worth more to him than that which he gives to *B*, and *B* makes a similar reciprocal gain. In its crassest and most familiar form, organization by reciprocity is an exchange of economic goods. Organization by common ends occurs

in its simplest form when *A* and *B* mutually benefit by joining forces to accomplish some objective shared by both but which neither could achieve without the help of the other.

It will be noted that in both instances both *A* and *B* gain by their association. In the first case we may speak of the gains of reciprocity; in the second, of the gains resulting from a union for the achievement of common ends.

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FREEDOM AND ORGANIZATION BY RECIPROCITY

As I have indicated, I believe that the problem of freedom assumes very different aspects with respect to these two forms of organization. Let us take first the case of organization by reciprocity. Suppose that we have not just *A* and *B*, but a hundred persons, each with somewhat different wants and different capacities. Suppose, further, that our objective is to provide each of these persons with the widest possible range of choice — that is, freedom — with respect to the possible gains of reciprocity. It is apparent that this can be done only if we are able to bring each of the hundred into some direct or mediate contact with each of the others. This sounds impossible; but, with the aid of the twin devices of money and a free market, we can do something approaching this, not simply for a hundred persons, but for hundreds of thousands of persons and other producing and consuming units.

Arranging matters so that there will be a maximum opportunity to realize the gains of reciprocity presents, then, a special kind of problem. It is not a problem that can be solved by majority vote, nor can it be solved by any board or commission, however intelligent, informed, and benevolent it may be. In its essential aspects the problem of affording means for realizing the gains of reciprocity remains the same under any economic system,[4] whether it be called "capitalist," "socialist," or "communist."

There is, of course, room for argument as to how important it is to arrange matters so that human beings, and associations of human beings, shall be free to achieve the gains of reciprocity. There is also room for disagreement as to when the cost of achieving this freedom does not in particular cases outweigh its advantages. There are, furthermore, human relations — within the military, for instance — where the development of an organization by reciprocity must be actively combatted (*e.g.*, by the often awkward requirement of "communication through channels"). |[1318] Finally, there are human relations, like that between judge and litigant, where any hint of reciprocity is poisonous.

With all these qualifications, it must be kept clearly in mind that freedom to realize the gains of reciprocity is a freedom that requires a specific and usually complicated mechanism for its achievement and that that mechanism cannot be majority vote or a "planning" board with delegated authority.

FREEDOM AND ORGANIZATION BY COMMON ENDS

Where organization by common ends is involved, the problem of realizing and protecting freedom through the forms of social order is quite different. Where the association is informal and voluntary, as when neighbors join forces temporarily to put out a forest fire threatening their homes, there is scarcely any problem of freedom. But the organizations by common aims with which we are familiar — governments, corporations, labor unions, even social clubs — are not of this kind. They are relatively permanent, formal in structure, and seldom voluntary in the sense that withdrawal is possible without serious disruption. The

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[4] See Lange & Taylor, *On The Economic Theory Of Socialism* (1938). A curious anomaly should be noted in Lange's scheme for establishing the equivalent of a market mechanism under socialism. He calls the board he sets up to establish tentative fiat prices a "planning" board, though it is obvious that this board must be precluded from "planning" if it is to discharge the function assigned to it. Indeed, Lange even suggests that a supreme court might be set up to keep the board from planning, that is, to keep it from interfering with the allocation of productive resources made by the market. (p. 98, n.51)

aims of such organizations are not simple, like putting out a fire, but complex; and by necessity these aims tend to be defined by the views and practices of those who actually manage the organization.

In such an organization the realization of freedom starts with the objective of assuring to its members the most meaningful possible participation in decisions affecting the aims of the organization and the methods to be used in realizing them. The election of representatives, legislative hearings, procedures of consultation, and the initiative and referendum are all in point here. Some of the measures taken under this heading are foolish and self-defeating. But, if we combine everything wise and effective that can be done in this direction, it is still insufficient.

To protect the member against the imposition upon him of aims he does not share, other measures are required. One is the statement in some founding document — a charter or constitution — of the proper aims of the organization and, perhaps, of the permissible means for attaining them. If such a statement is to be truly effective, provision should be made for an independent judiciary (either within or outside the organization) which will have power to determine whether the organization is staying within the framework of its stated purposes. Second, measures must be |[1319] taken to counteract the inevitable tendency of effective control over the organization and its members to drift into the hands of those who actually manage it. Here, again, the most effective countermeasure lies in something equivalent to an independent judiciary. It is interesting to note in this connection that one progressive labor union has arranged in effect its own independent judiciary by setting up a board of arbitrators to review cases of expulsion and discipline within the union itself, the membership of the board being drawn from outside the union and reviewing decisions reached within the union.[5]

Organization by common ends is truly effective — and, if I may be permitted the expression, most wholesome — where the aims of the association are actively shared, not by a bare majority, but by the great bulk of its membership, and where those aims are meaningful in the sense that they give a fairly clear direction as to the steps necessary for their realization. Hayek is certainly right in saying that the great advantage of the liberal state ("liberal" old style, of course) was that there was an almost universal sharing of its aims: common defense, prevention of fraud and violence, protection of property, enforcement of contracts.[6] Furthermore, these are aims that are readily understood and, when understood, define, in general outlines at least, what ought to be done to effectuate them. The citizen therefore does not need to study the code to learn that he is not supposed to vote twice, welsh on his agreements, or shoot his neighbor through the head.

Contrast with the prosaic aims of the liberal state a national plan for doubling the production of coal. As to such an aim the ordinary citizen cannot know what it implies for his personal interests, and, if he did, he might well be against it. Even if he were willing to accept this aim on faith as a proper governmental objective, it still does not tell him what he should do or refrain from doing to help achieve it; he might, for example, patriotically move from a job in a ball-bearing factory to a coal mine, only to learn later that the greatest block to increased coal production was a shortage of ball bearings for mining machinery. The long and short of it is that he will have to be told what to do, and he will |[1320] have to take his orders on faith. In such a process freedom, in the sense of a meaningful choice among alternatives, must suffer a serious decline.

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[5] This step was taken in 1953 by the Upholsterers' International Union of North America, AFL. In the January 1954 issue of the magazine *Social Order* there appears an interesting symposium on this innovation; the labor leaders who participated were doubtful of the necessity for such an appeal board.

[6] Hayek, *The Road To Serfdom* 69 (1944).

This is a very inadequate outline of the problem of freedom as it affects the two fundamental forms of organization.[7] The crucial — and I think neglected — question is: What areas of human activity should be fitted into the one form of organization and what into the other? The mistake of the uncritical "planner" who wants planning for its own sake is to assume that what has been achieved (inadequately, to be sure) through an organization in terms of reciprocity could be more effectively achieved through an organization by common ends. He does not seem to realize that this is like trying to set an intricate ballet to the music of a Sousa march.

On the other hand, there is no basis for assuming that the present manner of organizing human activities is the best. For example, |[1321] it is by no means clear that the problem of medical care would not be better solved through an organization based primarily on the principle of common ends than it is at present in this country, where it is thought of, and in part organized, after the market pattern.

THE INDIVIDUAL, THE GROUP, AND THE STATE

Discussions of freedom by professional philosophers often tend to assume that the whole question is exhausted in the issue of the individual versus the state. In fact, there are, of course, many mediating forms of association between the citizen and the state, and even the state itself is a complex of distinct agencies. In all the multiple relationships involved the problem of freedom recurs. Provision for the freedom of the member must be made within the association; provision for the freedom of the association must be made within the larger machinery of society as a whole.

There is no space here to discuss or even to list all the issues suggested: the relation of church and state, the public regulation of labor-union practices, the use of taxation as an instrument for controlling and directing corporate activities, and many others equally troublesome and complex.

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[7] An adequate treatment of these two forms of order would recognize that in complex organizations they are generally intertwined and that they sometimes act to reinforce one another, while at other times they are at war. On the level of preliminary analysis, however, it is highly important, I think, to distinguish these two basic forms, and my principal excuse for dealing with them in this essay, even if inadequately, is that the distinction between them is so often forgotten. For example, the discussion of "the span of central direction" in Michael Polanyi's *Logic Of Liberty*, c. 8, pp. 111-37 (1951), seems to me to involve a confusion between organization by common aims and by reciprocity. His statement of the problem assumes an organization by common aims, yet his demonstration that "the span of central direction" is impossibly narrow rests on illustrations drawn from organization by reciprocity. This is apparent even from a glance at his diagrammatic presentations of the problem. Where there is organization by common ends, the amount of central direction that must be exercised may be greatly reduced by the fact that all concerned perceive and share certain purposes, so that each is able (with a minimum of direction) to determine what he should do to advance those purposes. In such a situation the detailed co-ordination presupposed in Polanyi's argument becomes unnecessary, and the complex interconnecting lines of his diagrams lose much of their point. One has only to think of a hundred men fighting a forest fire under one commander to see how fallacious Polanyi's demonstration is when applied to an organization actively directed toward shared ends.

All of Polanyi's illustrations and diagrams will be in point, however, if we use them, not to demonstrate abstractly the intrinsic limitations of any "span of central direction," but to show that the gains of reciprocity cannot be achieved by establishing some sort of chain of command, however elaborate.

This criticism of one chapter of Polanyi's book does not imply a criticism of the book as a whole. On the contrary, I consider it one of the greatest works I have encountered and certainly the most perceptive analysis of intellectual and economic liberty that I know of. Michael Polanyi's book, along with the writings of Frank H. Knight, have probably influenced the thought of this essay more than anything else I have read.

It may be useful, however, to return briefly to a contemporary development already mentioned, the institution of a kind of internal judiciary by the Upholsterers' Union. If we are concerned with the relation between the member and his union, this reform will appear as a restriction on the freedom of the union. But, if we consider the union's relation toward the state, the same reform will appear as a step toward greater autonomy for the union. To prevent injustice and oppression, the courts have of necessity undertaken to review expulsions from unions and in a good many cases have ordered the reinstatement of expelled members. Unfortunately, the modern judge cannot, like the Minos of mythology,[8] prepare for his office by first exposing himself to every possible experience of life. A sure grasp of what it is like to belong to a labor union is one of the least likely of judicial attributes. The result has been that, although some of the reinstatements ordered by courts have rectified serious injustice, others have violated the organizational morality essential for the successful conduct of union affairs. By arranging for an independent but knowledgeable |[1322] supreme court of its own, the Upholsterers' Union may succeed in fending off those unwitting encroachments on freedom I have previously described as a form of "absentee management."

HOW THE FORMS OF ORDER THROUGH WHICH FREEDOM IS REALIZED ORIGINATE

Throughout this essay I have argued that freedom and order are not antithetical and that individual freedom, in the sense of a choice among alternatives, can generally be assured only through forms of social order, such as that represented by an election machinery. It is easy to conclude from this that complex systems of order can arise only as the result of some single planful act, to borrow an expression from Frank Knight, just as a machinery for taking and counting votes can come into existence only by legislative enactment.

This conclusion would, however, be a dangerous mistake, for some of the most important and complex systems of order we know have come into existence, not by a single act of creation, but through the cumulative effect of countless purposive directions of human effort. Examples of such systems are language, economic markets, scientific theory, the common law, and, on a homelier plane, a footpath through a woodland. These are sometimes referred to as cases of "spontaneous order," but this expression is objectionable in implying that they have come into existence without purposive human effort. In fact, as I have noted, they are produced by the coming together of countless individual purposive acts.

All these systems may be viewed as systems of voting. In language, we vote for or against "contact" as a verb by the way we use the word when we write or speak; as the path is gradually traced out through the woodland, the heavily laden traveler votes to go around the hill rather than over it, registering his vote in the footprints he leaves behind.

The existence of such systems of order arising out of a multitude of individual decisions shows the fallacy of assuming that we face the alternative either of leaving things alone, and thus securing freedom at the cost of chaos, or of intervening drastically by some planful legislative act, and thus securing order at the cost of freedom. Legislative fiat is at least as capable of destroying order as it is of creating it.

The growth of order through many interrelated individual acts |[1323] is clearly illustrated in the development of science. It is a mistake to attempt to direct the search for scientific truth by some general blueprint, not because in this field chaos is preferable to order, but because the order that emerges from a free exchange of ideas is better than any that could be imposed in advance. Norbert Wiener has thus stated the case for "unplanned" science:

There is a great fertilizing and revivifying value in the contact of two scientists with one another; but this can only come when one or both of the human beings representing the science has penetrated far enough across the frontier to be able to absorb the ideas of his neighbor into an effective plan of thinking. The

[8] At least in the mythology of André Gide (see *Thésée* 46 (1946)).

natural vehicle for this type of organization is a plan in which the orbit of each scientist is assigned rather by the scope of his interests than as a predetermined beat.

Such loose human organizations do exist even in the United States; but at present they represent the result of the efforts of a few disinterested men, and not the planned frame into which we are being forced by those who imagine they know what is good for us.[9]

(It is interesting to observe that Professor Wiener, a scientist, is for unplanned science but would like to see more coherence and orderly planning in the fields of economics and law. It is not unusual to let one's planning instincts go in the other fellow's field; perhaps I have illustrated this in my suggestion about the organization of medical care.)

THE VALUE OF CHOICE IN CONTEXT

My final observation is that, in arranging the forms of order through which individual choice is given social expression (or in taking steps to preserve the existing forms), we should bear in mind that choice is meaningless without understanding. A gambler at a roulette table has, in a sense, a wide range of choice, embracing, I am told, among other alternatives, thirty-seven different numbers. Yet no one, except a person simple-minded |[1324] enough to believe in "systems" for beating the banker, would regard this as a truly significant choice. Indeed, when the player puts his chips on "17," he does not have the sense of choosing; rather, he has the titillation of subjecting himself to the risk of loss or gain without the responsibility for choice. If he has a sense of freedom, it is properly described as freedom from freedom.

When we speak of increasing freedom by expanding the range of choice open to the individual, we do not have in mind the roulette-table kind of freedom. We must intend choice in situations where the citizen knows, or can know, at least approximately the consequences of what he is doing.

How to bring about the understanding essential for meaningful choice is too big a subject to be exhausted here, except that I should like to recall in passing that Jeremy Bentham had definite, if somewhat fantastic, plans for educating the public into the meaning of the different legal forms by which economic ends are attained.

The point I wish to make here is that choice is most likely to be informed and intelligent when it is made, as it were, in context — when it relates not to tomorrow's needs but to today's, when it compares not one hypothetical good with another but, let us say, two objects standing side by side on the same counter.

One great advantage of a well-functioning market is that it permits this kind of choice in context. One may contrast the choice a housewife now makes with her pocketbook in hand, and goods stretched out before her in the supermarket, with the choice imposed on the voter under Barbara Wootton's planned economy. Mrs. Wootton foresees a future in which political parties will campaign on essentially economic platforms. For example, she says, the Blue party may offer a 15 per cent increase in house-building, along with other economic benefits, while the Green party may concentrate on a 50 per cent speed-up in housing, postponing other economic benefits and tax reductions.[10] The voter would cast his ballot in accordance with

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[9] Wiener, *The Human Use Of Human Beings* 139-40 (1950). The scientific planning which Professor Wiener deplores is not only the "stick" variety (such as exists in Russia) but also the "carrot" variety so familiar in this country, where, to secure funds from the government or from foundations, the scientist must often work out a "project" that seems "worth while" to those who control the flow of money. An eloquent demonstration of the futility of planning the advance of scientific truth is found in a work already mentioned, Michael Polanyi's *Logic of Liberty*. See note 7 *supra*.

[10] Wootton, *Freedom Under Planning* 171 (1945).

his preference between these two programs. I do not think I need expatiate on the fictitious character of the choice thus afforded the citizen.

The great advantage of systems of social order that are built up by the fitting together of many individual decisions is that those decisions have been reached with reference to specific situations of fact. The words of a language, for example, have come into |[1325] existence because in some particular context people wanted to say something and needed a word to say it with. Words are not created by someone who thinks they might come in handy on some later occasion.

Even the unplanned path through the woodland may illustrate this point, though as one who suffers daily from the fact that our streets in Boston and Cambridge are laid out along ancient cow paths I should be the last to admit it. (It was not, of course, the fault of the cows. I am sure they made the right decisions for their purposes under the conditions then obtaining. The fault lies with those who took those bovine decisions out of context and applied them to purposes the cows did not have in mind.)

Imagine a newly settled rural community in which it is apparent that sooner or later a path will be worn through a particular woodland. Suppose the community decides to plan the path in advance. There would be definite advantages in this course. Experts could be brought in. A general view of the whole situation could be obtained that would not be available to any individual wayfarer. What would be lacking would be the contribution of countless small decisions by people actually using the path, the decision, for example, of those whose footprints pulled the path slightly to the east so that they might look at a field of daisies, or of those who detoured around a spot generally dry, but unaccountably wet in August.

I hope the figure of the path will not be taken with more seriousness than it is offered. Lest I be accused of romanticizing the problem, I should like to close by relating an actual incident that seems in point.

Through the foresight of the city fathers the Cambridge Common is provided with an elaborate network of paved sidewalks, carefully planned to serve the convenience of any person wishing to traverse the Common from any angle. It was found, however, that at certain points people perversely insisted on walking across the grass. The usual countermeasures were tried, but failed. Now the city is taking down its barriers and its "keep-off-the-grass" signs and is busily engaged in paving the paths cut by trespassing feet. Those who have had experience with the problem of designing forms for the life of the human animal will see here, I believe, a pattern of events that has repeated itself many, many times.