New Liberty vs. Old Liberty?

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For close to 200 years, a certain stereotype has lingered in Polish publicist commentary and frequently also in historiography - one contrasting the anarchical liberty of the Polish nobility to the modern, not to say „progressive," liberty of the enlightened. Yet the problem is not that simple

The title of this article ends in a question mark on purpose. Since the 18th century, the anarchical liberty of the Polish nobility has been contrasted in Polish publicist commentary against the modern liberty of enlightened thinkers. This dubious interpretation has had an excessive impact upon how we evaluate Polish theoretical conceptualizations of the state and of liberty. And so, perhaps it is worth taking a closer look at the latter notion.

The republican notion of freedom

We should begin by noting that noble liberty was not, as is sometimes thought, merely a set of upper-class privileges, but also a certain wider vision of freedom that was professed by the nobility starting as early as in the 16th century. By no means some sort of Polish peculiarity, this vision was a very old concept that had roots stretching back to the Greek and Roman thought that was reintroduced to Europe by Renaissance thinkers, and it remained popular all the way until the 18th century. This was the republican concept, which viewed the freedom of citizens as something that hinged upon their involvement in governance, upon their ability to make decisions for themselves. Polish works penned by such authors as Stanisław Orzechowski, Sebastian Petrycy and Andrzej Wolan reflected this tradition of thinking about freedom as early as in the 16th century. Importantly, this concept not only endured all the way

The National Museum in Warsaw

„A Gathering in a park" (1791) by Kazimierz Wojniakowski shows the Polish nobility under a statue of liberty

until the demise of the Polish-Lihuanian Commonwealth, it proved to be flexible enough for the class-based interpretation of this notion to be overcome in the 18th century, and for it to be adapted to accommodate the new Enlightenment-age concepts of freedom, state, and nation.

Most concisely, we can say that beginning as early as in the 16th century, for Poles the notion of freedom meant that citizens were dependent upon their very own will, rather than upon the will of a ruler. Only people who determined their own fate could be certain of their own personal liberties. There was the widespread conviction that a person was only fully free when living in a free republic. It is worth stressing how greatly the nobility identified themselves with their state, believing that every citizen represented a constitutive part of their Commonwealth, and as such should be concerned solely for the common good. Although such concern became an empty platitude in Polish commentaries at the turn of the 17th and 18th centuries, this does not change the fact that it was at the same time one of the foundations of the Polish and republican vision of liberty - foundations that would be later drawn upon in the 18th century by such writers as Stanisław Konarski (in the 1760s) and Stanisław Staszic (towards the end of the century).

Critics of the old noble liberty

In the times they were writing, however, serious changes had already taken place in how Polish political thought was interpreting the concept of liberty. After a kind of impoverishment and stagnation at the turn of the 17th and 18th centuries, state-related affairs became a subject of increasingly more penetrating analysis beginning in the mid-18th century, including the problem of liberty, one of key significance to Poles. Although for most authors this continued to mean freedom within a free state, new elements drawn from western theories began to be incorporated.

The republican line of thought, after all, entailed a certain danger. The absence of a clear-cut distinction between an individual's freedom and his right to participate in political life could, and indeed did, lead to a blurring of the difference between the freedom of the individual and the freedom of the community. Freedom perceived as involvement in public life was no longer interpreted as signifying that one determined one's own fate and protected one's own state, but rather, it exclusively entailed the defense of individual citizens' liberties. Under such circumstances, lawmaking bodies were ascribed a role that was more passive than active - their purpose was to safeguard the old rights, not to generate new ones.

In the latter half of the 18th century, such authors as Józef Wybicki, Antoni Popławski, and later Hugo Kołłątaj began to argue with this interpretation of liberty. Drawing upon western concepts, they began to discriminate between two levels of freedom: political freedom, signifying an involvement in governance, and civil freedom, permitting a person to enjoy his property and to do whatever is not forbidden by law. In defining the latter notion, civil freedom, they highlighted the importance of safeguarding such freedom from attacks not just by the ruling authorities, but also by fellow citizens - a move that relieved them from an obsessive fear of despotism and paved the way for bolder proposals to reform the political regime. Once the two types of freedom were clearly defined, it was then possible to clarify that quite an array of the nobility's rights and privileges in fact had nothing in common with freedom, and so their obstinate defense of them did not by any means constitute a defense of freedom. Finally, and perhaps most importantly, the separation of civil freedom from political freedom made it possible to clearly distinguish between an individual's personal liberties as a human being, and his political rights and freedoms as a citizen.

Freedom for all

And so, for the first time since the 16th century, Polish political deliberation came to include the issues of freedoms for other social classes as well. Also of great significance here was the theory of liberty as a kind of natural law. This theory, which had been known in earlier centuries, was nevertheless propounded by Polish writers only in the latter half of the 18th century, by such authors as Wybicki, Popławski, and Hieronim Stroynowski. Here, liberty figured not just as a privilege of the noble-born citizen, but as a natural right of every human being, and thus of peasant subjects as well. The opportunities that stemmed from the reception of new theories were best harnessed in the 1790s by Kołłątaj, who incorporated them into an already modern vision of a free Commonwealth, in which political rights were to be enjoyed only by landowners, although the entire nation would enjoy freedom.

Yet on the other hand, this concept did not replace the former vision of republican liberty, but was rather incorporated into it. Because while the Polish political thought of the late 18th century saw a change in the understanding of the notions "nation" and "citizen," the conviction that one is only free if one has "no other lord above himself, but for the law" (and this meaning the law as instituted by oneself) did not change. Although Polish writers absorbed the modern division into civil and political freedoms they nevertheless continued to devise their visions of freedom within the framework that was set forth by the image of a free state, and they frequently appealed to republican ideals, both in terms of the scope of freedom, and in terms of the obligations it imposed upon those who enjoyed it. ■

Further reading

Grześkowiak-Krwawicz A., Zatorska I. (Eds.). (2003). Liberté: Héritage de Passé ou Idée des Lumierès? Freedom: Heritage of Past or an Idea of the Enlightment? Kraków - Warszawa: Collegium Columbinum.

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