What kind of freedom does a republic promise?

# American liberty has been corrupted, and it’s up to us to restore it.

by Philip Gorski in the March 1, 2017 issue


A display at a Wal-Mart. Some rights reserved by Derek Bridges.

“Let America be America again,” wrote Langston Hughes. “Let it be the dream it used to be . . . / O, let America be America again— / The land that never has been yet— / And yet must be . . . /  America never was America to me, / And yet I swear this oath— / America will be! . . .”

For America to be America again, Hughes believed, Americans must do four things. They must remember the dream that used to be—and remember it rightly. They must understand that the dream has never been fully realized—and never can be. They must acknowledge that many have been excluded from that dream—and still are. And they must try to redeem the dream for themselves and their posterity—knowing full well that they are ultimately destined to fail. About all this, Hughes was right.

The dream of the righteous republic is the dream of a free people governing themselves for the common good. The Puritans imagined it as a city upon a hill knit together by Christian charity. The founders envisioned it as a Christian republic modeled on its Hebrew and Roman predecessors. Abraham Lincoln spoke of a government of the people, by the people, and for the people. Jane Addams dreamed that democracy would pervade the American way of life. Martin Luther King Jr.’s preferred metaphor was the beloved community. The notion of the righteous republic is an attempt to translate these dreams into the present era.

A righteous republic is based on a certain vision of the common good—and not just any vision, but a vision that draws deeply on prophetic religion. That is what makes it “righteous” rather than just “moral.” What is the difference? The prophetic ethic of righteousness is a social as well as an individual ethic. It demands that the political community protect the weak and downtrodden from the high and mighty. The prophetic ethic is also an egalitarian ethic. It insists that there are no gods among us, nothing human or material that deserves our worship; all are equal before God and one another. At the core of prophetic religion, then, is an ethic of social justice and human equality that requires that we be willing to abridge ourselves for the sake of others.

A righteous republic is also based on a certain vision of the political community—and again, not just any vision, but one rooted in the republican—small *r*—tradition, rather than its liberal rival. What is the difference between the two? The republican tradition is both more realistic and more idealistic: more realistic because it regards

liberal institutions (e.g., rights, elections, and checks and balances) as necessary but insufficient safeguards of the common good, and more idealistic insofar as it regards civic virtue as a necessary condition for the continued survival of popular government. Within this tradition, self-interest alone is never enough.

Many Americans misunderstand the values of the republic. Indeed, many reduce those values to just one—freedom—and then misunderstand that as well. The Declaration of Independence and the Constitution both speak of other values besides freedom. Equality is especially prominent in the nation's values because of its place in the preamble and in the nation's history. Also important are national solidarity ("We, the People, in order to form a more perfect union"), the common good (or "general welfare"), and active citizenship ("the pursuit of happiness" in the sense of "public happiness"). Civic inclusion and recognition should perhaps be added to our national creed as well.

Many Americans misunderstand the kind of freedom that a republic promises—and demands. They conceive of it too narrowly as mere *absence of restraint* or, more narrowly still, as the absence of *governmental* restraint. This is a liberal or libertarian vision of freedom, not a republican one. As such, it is a very grave misunderstanding not only of America's founding traditions but also of the very nature of human freedom.

Republican freedom is more complex than liberal freedom. It means being subject to the rule of general laws rather than the arbitrary will of other persons. For the republican, the relationship of law and freedom is not zero sum, as it is for the liberal.

Republican freedom also means being the master of one's passions. People who cannot order and govern their own desires are not in control of themselves. They are dominated—tyrannized—by their own passions. Republican freedom also involves active participation in collective self-government. Participation in national politics is not the only possible venue; people may also be virtuous members of their communities or churches or schools.

The republican understanding of freedom is also more realistic than the liberal one. For the liberal, deliberation and choice are everything. But being free to swim involves more than being allowed to jump in the water. To equate the two is to confuse swimming with drowning. Swimming requires lessons and practice. The

same logic applies to the core freedoms of the liberal tradition. How much freedom of expression do I really have if I am illiterate, or if I have no access to books or the Internet? Freedom requires skill, not just will. A free society is one that affords its citizens opportunities and resources to discover and develop their talents.

Traditions can be corrupted in various ways, and the corruption of the American understanding of freedom has taken several forms. In the first, private interests are dressed up as the public good. Most often, the interests of private property are made to masquerade as the public interest. Politically, this theater has been the work of a small number of wealthy individuals and large business interests and the myriad lobbyists and politicians who are their paid stagehands and public faces. Their latest money lines include “Taxation is theft!” and “Regulation kills jobs!” Their script doctors are neoclassical economists and their libertarian understudies. The moral of their story is unchanging: taxation and regulation are inherently “inefficient.”

The second and more subtle form of corruption of the American understanding of freedom—first identified by John Courtney Murray—occurs when a historical particular is mistaken for a political universal. In the United States, republican freedom is often confused with antistatism. The roots of this confusion are deep, likely going back to the revolution. The American republic began as a local rebellion against the arbitrary power of the British Crown. Some people mixed up the two; they understood the revolution as a rebellion against state power per se, rather than against *arbitrary* power more generally.

“American greatness” is not measured only in property and prosperity.

In an agrarian society of small property holders, such as New England or the western frontier, to be sure, there was not much daylight between these two views. Strong property rights did provide sufficient security against arbitrary power under these circumstances. But with the onset of large-scale industrialization, this confusion began to have corrupting consequences. As more wealth was concentrated in fewer hands, and as the majority of Americans began working for wages, private property was just as often a source of arbitrary power as a bulwark against it, and the state constituted one potential means of counterbalancing the power of the few, as John Dewey realized. It was not the only one, of course: churches, unions, and other forms of civic association provided other potential sources of balancing. Still, in this context, antistatist and laissez faire conceptions of freedom were used to

delegitimize the efforts of the many to rein in the arbitrary power of the few. What looked like a defense of freedom was actually an attack on freedom. The freedom of the many was being sacrificed for the freedom of the few.

The republican tradition has also fallen prey to another corrupting influence: viciousness. By viciousness I mean the opposite of virtuousness, especially the civic kind. There is no way around it: civic virtue is morally demanding. It involves self-discipline and self-sacrifice. The American founders rightly worried that the republican vision might be too demanding for the citizens of the young nation. “What sort of government shall we have?” Benjamin Franklin was reportedly asked at the Constitutional Convention. “A republic—if you can keep it!” he warned.

One of the great attractions of libertarian liberty is that it is morally undemanding. It requires little more than belligerence and bluster: “Mind your own business!” “Get off my lawn!” “It’s a free country!” “I know my rights.” Libertarian liberty is a lazy person’s freedom. But, then again, many people are lazy.

So why bother? Because libertarian liberty is self-undermining. Popular government must be defended—and not just from “the terrorists” or by force of arms. Often enough, its real enemies are draped in the flag and carry a briefcase. Without a certain measure of civic virtue, even the Bill of Rights is ultimately nothing but a scrap of parchment.

The fourth and final form of corruption is forgetfulness. Like a piece of fruit, civic virtue tends to wither and shrivel, or so the classical republicans believed. Renaissance republicans like Machiavelli believed that civic decay could be halted if the spirit of the citizenry was periodically nourished with the waters of memory. The founts of memory were to be refilled through civic education and civic ritual.

In the United States, these founts have run dry—or, rather, they have been plugged up with detritus from the culture wars. The secular left champions a version of American history that is true but uninspiring, a tale of victims without any heroes, while the religious right prefers one that is inspiring but untrue, a tale of heroes that leaves out the victims. Obviously, what is needed is a version that is true and inspiring, one that includes the victims as well as the heroes and is critical but hopeful.

Meanwhile, America’s civic holidays, like so much of its public life, have been gradually colonized by consumer capitalism. Nowadays, Memorial Day,

Independence Day, and Thanksgiving are mostly occasions for binging on food, drink, television, and other commodities with family or friends. There is little space for public reflection or civic celebration amid all these distractions.

Seen through a republican lens, the source of our ills is easily diagnosed: American democracy is suffering from a severe case of oligarchy, the principal symptom of which is corruption. More and more, the many are being dominated by the arbitrary power of the few, who rail against the state while quietly using it to protect their own interests.

Republican theory predicts that a sociopolitical imbalance of this sort will lead to all manner of moral corruption, and that self-dealing, nepotism, and rent-seeking on a grand scale by "the few" will lead to similar behaviors on a smaller scale by the many. Does anyone doubt that this has happened—that corruption has penetrated deep into our body politic?

The political corruption that has infected the United States is more than a few bad apples that can be pruned from the tree; it is a sign that the tree itself is badly diseased. Remedying these ills will require more than a little trimming; it will require replenishing the republic's taproots. Here are a few possible antidotes to contemporary corruption.

*1. Banish big money from the political process.* The "marketplace of ideas" cannot work properly if some people are allowed to buy giant bullhorns that enable them to shout down everyone else or rent private suites where they can cut secret deals with the people's representatives. The cynics are right that money is like water: it will always seep through cracks in the law. But this is hardly an argument for opening the floodgates, as the Supreme Court so foolishly did in *Citizens v. United*.

The republican idea of freedom is morally demanding.

The absurd reasoning behind that decision—that money is speech and corporations are people, so corporate donations are a form of free speech—provides a textbook illustration of the self-undermining character of the liberal conception of freedom: free speech absolutism and knee-jerk antistatism have provided the intellectual rationale for undermining the people's control over their government. No one who understands what a republic is would ever be hoodwinked by such a specious argument. That five of the most learned people in the United States could not see through this veil of distortions—and that they hoisted that veil so high—is a pitiful

testimony to the intellectual bankruptcy of our political culture.

*2. Make civic holidays into holidays again.* Within living memory, stores, restaurants, and bars were closed on civic holidays. No one was forced to remember the fallen, celebrate the Declaration, or give thanks for their blessings, of course. But neither were they distracted from doing so by holiday sales, happy hours, or sporting events. Over time, this space for civic reflection and celebration has been gradually and systematically eroded for the sake of commerce.

These “antibusiness,” “un-American,” and “unconstitutional” restrictions were removed in the name of freedom itself, misunderstood as the freedom to buy, binge, and cheer. Once again, the freedom of the market was allowed to trump the freedoms of the republic. In truth, little harm would be done to American commerce if holiday closings were reinstated, and much good might be done for its civic spirit.

*3. Make character education a part of civic education.* Like the United States, the United Kingdom has a serious problem with public unruliness and incivility, and perhaps for similar reasons—the dominance of a libertarian and libertine misunderstanding of freedom. Unlike the United States, however, the United Kingdom has decided to address this problem by introducing a program of character education in public schools. This program, based on research done by the Jubilee Center at the University of Birmingham, aims to instill basic civic virtues such as honesty, courage, and generosity in British schoolchildren. The program is not compulsory. Parents who view it as a waste of their children’s time or a violation of their individual rights are free to enroll their children in private schools. There is no reason why local school districts in the United States could not experiment with programs of this sort.

*4. Establish a universal system of national service.* Many countries require their citizens to perform national service of some kind. In the past, American men were subject to military conscription, but this requirement was effectively eliminated following the Vietnam War. Perhaps it is time to institute a new system, one that includes both men and women, and military as well as civil service. Such a policy could have several salutary effects.

First, if a wider swath of American families had children in the military, it would put a political brake on imperial adventurism; at present, American soldiers are disproportionately drawn from certain segments of the population. Second, such a

system would counteract the increasing segregation of the nation's citizens into homogeneous enclaves sorted by class, race, religion, and politics, giving young Americans some firsthand experience with the nation's diversity. Finally, it would instill an ethic of service in the young.

How would we even know if these remedies worked? What would a republican recovery really mean? What it assuredly would not mean, at least not in the first instance, is a recovery of the American economy, as measured in GDP, average income, or some other indicator. While a certain measure of material security surely is a basic social precondition of stable republican government, a high level of material affluence can actually pose a threat to civic virtue, because it attracts too much popular energy into the making of money and the pursuit of luxury. The best foundation for republican government has always been a large and frugal middle class. And one of the surest ways to undermine such a government is to sow greed and envy among the citizens, which is how many Americans now make their living.

Nor would a republican recovery mean a recovery of "American greatness," as measured in military budgets or "power projection." While republican theorists have long extolled the civic virtues of the citizen soldier, they have always been suspicious of standing armies. Similarly, while most republican theorists have also been geopolitical realists, they have typically seen imperialism as a mortal threat to republicanism. Economic prosperity and military strength have not usually been seen as the key indicators of civic health. Rather, republican theorists have emphasized public spiritedness and political participation.

Of course, in a large polity such as the United States, terms like *public spiritedness* and *political participation* mustn't be defined too narrowly, in terms of government service or electoral institutions. Properly understood, they would also include many organizations and activities that take place within civil society, the whole range of "voluntary associations" and "intermediate institutions" emphasized by Tocqueville and his modern-day followers. In some cases, their reach might extend into the economy itself, or at least those segments of it that have collegial governance structures that foster collective deliberation (e.g., tech startups, college faculties, cooperative retailers, etc.).

Another measure of civic health might be the density and accessibility of public spaces, modern-day forums where citizens can meet and deliberate. Once again, it is important that "public" not be defined too narrowly *qua* public buildings or public

facilities. As scholars of political life have long known, public deliberation often occurs in private spaces, such as coffeehouses, bars, and, nowadays, even fast-food restaurants. Likewise, the advent of social media means that public spaces need not be physical places in the traditional sense. At the same time, the commercialization and securitization of physical and virtual spaces must be regarded as a serious threat to civic health, as when shopping malls replace town squares, gated communities replace traditional townships, or media companies attack net neutrality in an effort to monetize the Web.

For many today, the American dream is nothing more than property and prosperity. A renewal of the republic would put freedom and equality back into that dream.

Some will refuse on principle. Religious and secular nationalists will be more interested in another imperial adventure and will denounce the dream of the righteous republic as a craven betrayal of “American greatness.” Religious fundamentalists will be far too certain of their own convictions and much too fretful about their own moral purity to reach their hands across the religious-secular divide. Radical secularists will be too jealous of their individual autonomy to commit to anything and will caricature the righteous republic as a form of theocratic oppression. Enlightenment fundamentalists will insist that science has all the answers and will not deign to enter into dialogue with the great unwashed. Nothing much can be expected of these groups.

Others will refuse out of self-interest. There are many who profit from our polarization. The richest rewards accrue to the political performance artists who populate cable news and AM radio and those who hire them. These individuals use broadcast media to turn anger and invective into paychecks and ad buys. The smaller profits accrue to the partisan trolls who inhabit the nether reaches of the blogosphere. They use social media to turn their personal frustration into fleeting feelings of self-righteousness and moral superiority. And, of course, there are profits, too, for the partisan demagogues who ride this tidal wave of mutual recrimination into elected office or, failing that, into speaking tours, book contracts, and television shows. Nothing can be expected from any of them either.

That leaves the rest of us: those of us who don’t confuse democracy with empire, who don’t think we have a monopoly on truth or morality, who don’t believe that religion is always a source of oppression, and who don’t think that science has all of the answers. Or, in positive terms, those of us who are committed enough to the

dream of the righteous republic to talk and maybe even walk across the deep trenches that were dug during the culture wars.

Rebuilding the vital center will not be easy. But it is imperative. Our constitutional system cannot function without a vital center. It is not a winner-take-all system, such as Great Britain has. It protects the rights of the minority. It allows for divided government. It establishes a system of judicial review. In a word, it requires compromise.

The vital center must be rebuilt from within civil society. Our party system is a hostile environment for the vital center. Its first-past-the-post rules, in which there is no second prize, encourages candidates to pull out all the stops—rhetorical, ideological, financial, and even legal—in a no-holds-barred effort to win. There is a deep tension between our constitutional and electoral systems. This is why we cannot rely on professional politicians to do the job. We must do it ourselves.

*A version of this article appears in the March 1 print edition under the title "Becoming America." It was adapted from Philip Gorski's forthcoming book* American Covenant: A History of Civil Religion from the Puritans to the Present *(Princeton University Press). Used with permission from the publisher.*