

LIBERTY AND FREEDOM
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As is often the case in the English language, the two words, liberty and freedom, seem to have the same meaning. And indeed in both the distant past and in the present, the two words are often used interchangeably.ⁱ In all such cases, however, each term has its own history and accumulated connotations. Isaiah Berlin has a famous and influential essay entitled “Two Concepts of Liberty.” Concerning “liberty” and “freedom,” Berlin says: “I shall use both words to mean the same.”ⁱⁱ Instead of working with two concepts of liberty, Berlin might have a clearer essay if he had used a distinction between liberty and freedom.

The subtle differences between words that seem to have the same meaning can show up in the actual use of the terms. Sometimes when English has two terms for the same thing, there is a bias according to class. The educated class prefer words derived from Latin, French and Greek. For example, the medical profession hides its working language from the laity’s understanding by using words derived from Greek. When lawyers use two words meaning the same thing (law and order, cease and desist), one word was originally for the upper class who spoke Latin, the other word for the lower class. Almost all bodily functions have two words. Why is “urine” better than “piss” or “feces” better than “shit”? An educated person chooses Latin propriety over Anglo-Saxon vulgarity.

That simple class bias does not apply to freedom and liberty. Their difference is a complicated one of political histories. The Germanic *Freiheit* which gave us “freedom” has connotations that differ from the Latin *libertas* from which “liberty” is derived. In the Germanic languages “freedom” has a philosophical meaning related to the nature of human beings. Freedom is a birthright of free people. A free people, equal before the law, can rule themselves.

The Latin language’s “liberty” was derived from the Greek and Roman experience of a republic in which a superior class possessed liberty and provided it in varying degrees to other classes. Thus, in a republic liberty and slavery were not incompatible. After the Norman conquest of England in 1066, these meanings of freedom and liberty became mixed together. The freedom of the Anglo-Saxon was in tension with liberties sought from the monarchy. The British came to speak of the liberties of their common law as the rights of every Englishman.ⁱⁱⁱ

In 1989 the French threw a big party in Paris to commemorate the two hundredth anniversary of the *Declaration of the Rights of Man and of the Citizen*. During the festivities, Margaret Thatcher struck a discordant note by saying that the British did not owe anything about rights and liberty to the French Revolution.^{iv} Thatcher had considerable historical backing for her assertion about the origin of English rights and their relation to liberty. The English claim to liberties goes back as far as the twelfth century and found expression in a thirteenth-century document known as the Magna Carta. Its full Latin title is *Magna Carta Libertatum*, the Great Charter of Liberty. The English translations refer in the text to “liberties.”

When the colonists emigrated to America they were promised “to have and enjoy all liberties and immunities of free and natural subjects.” However, a continuing difference between freedom and liberty was reflected in the difference between the Virginia and the Massachusetts settlements. New England’s freedom meant a place of self-governing towns based on the equality of all citizens. Virginia’s liberty implied hierarchy; the assertion of political liberties was compatible with indenture and slavery for some of the population. Out of that Virginia setting came many of the individuals (Washington, Jefferson, Madison) who gave an emphasis to liberty in the founding documents of the United States.

The meaning of liberty in the United States was derived from the *libertas* of classic republicanism but filtered through the protections of English common law and the Glorious Revolution of 1688. Liberty meant freedom from intrusion by the government into particular areas of personal life. The French Revolution gave a more radical twist to *liberté* which has affected the United States’ meaning of liberty. A word whose essential meaning is negative, that is, liberty as a *freedom from* oppression, became used as equivalent to freedom. But freedom is not restricted to the political realm; it can be a psychological, social or religious description of personal life. In the past, “free man” was often used in contrast to a slave. That could be called a political distinction but it is one that assumed a more basic difference in the human constitution.

A cry for liberty or liberation usually means resistance to an oppressor. Freedom comes later when the oppression ceases. When Sarah Grimké in the nineteenth century said “all that I ask of our brethren is that they will take their feet from off our necks,” she was not describing the freedom of women but rather an indispensable step before women could explore their own freedom.^v When Abraham Lincoln proclaimed an emancipation from slavery, he provided liberty from the condition that the slaves had experienced. Unfortunately, neither the

North nor the South was prepared for guaranteeing that freedom would actually be experienced as a result of liberation, a freedom that would include food, shelter, health care and employment. Liberty was instantaneous; freedom was a long road.^{vi}

What was remarkable about the British American colonies was the close link they established between asserting liberty from oppression and the constituting of an instrument for working toward freedom. That is, the colonies in 1776 declared their independence because their liberties had been violated. After a decade of experience with the liberty of independence, they decided to follow their declaration of liberty with a constitution of their freedom. John Adams said that “neither morals, nor riches, nor discipline of armies, nor all these together will do without a constitution.”^{vii}

The authors of the U.S. Constitution sought to balance liberty from government with a freedom that requires governmental authority. In recent decades there has been a debate over whether the Constitution, far from being a democratic document, was anti-democratic, a pulling back from the grand pronouncements of the Declaration and the democratic drive of much of the population.

There is a big difference between the usual pious picture of the nation’s founders and what many historians find regarding class, race, and economic biases in those founders. The debate would be helped if one recognizes that the Declaration and the Constitution are about different topics. A tension between liberty and freedom is a more helpful discussion than democratic versus anti-democratic. .

The British American and French Revolutions began the attempt to universalize rights. The meaning of liberty was altered by being made part of the declarations of rights inherent to “man.” The first article of the *Declaration of the Rights of Man and of the Citizen* declares that humans are *born free*. David Hume, the eighteenth-century British philosopher seems to be more accurate in saying that every human being is born in a state of total dependence. But perhaps the freedom of the child and its dependence on others are compatible. A person might be said to be free and still need *liberating* from his or her present condition. Article four says that “liberty consists in the freedom to do everything which injures no one else.” So defined, liberty may be seen as a desirable ideal for every human being but the place of government in relation to freedom is left unclear.

If one could count the uses of “freedom” and “liberty” in the history of the United States, liberty would be the sure winner. Certainly, the idea of liberty as a freedom from restriction was enthusiastically embraced by the United States. The revolution was fought in the name of the “sacred cause of liberty.” The Bill of Rights to the United States Constitution includes a series of rights as liberties. For most U.S. citizens the right to be left alone ranks near the top of the rights that they cherish. The United States, however, cannot continue to exist on a diet of liberty. It needs a political union that the Declaration of Independence clearly does not offer. The U.S. Constitution, despite its terrible failure to address slavery, was a good start at establishing “a more perfect union.” But now there is desperate need of reform, not of one or another provision of the Constitution, but of how to think about the Constitution in relation to the political tradition. For example, debates over what the authors of the Second Amendment really meant seem to most of the rest of the world as somewhere between silly and absurd. The freedom of U. S. people depends upon rethinking how “liberties” of the past need the context of present realities.

ⁱ George W. Bush, in his Second Inaugural Address of thirty minutes, used “freedom” twenty-eight times and “liberty” fifteen times. No discernible pattern of distinguishing the two words was evident.

ⁱⁱ Isaiah Berlin, “Two Concepts of Liberty,” in *Four Essays on Liberty* (New York: Oxford University Press, 1968), 121.

ⁱⁱⁱ Colin Woodard, *American Nations: A History of the Eleven Regional Cultures of North America* (New York: Viking Books, 2011), 54-55.

^{iv} Ian Buruma, *Taming the Gods: Religion and Democracy on Three Continents* (Princeton: Princeton University Press, 2010), 31; Conor Cruise O’Brien, “The Decline and Fall of the French Revolution,” *New York Review of Books*, Feb. 15, 1990.

^v Sarah Grimké, *Letters on the Equality of the Sexes* (New Haven: Yale University Press, 1988).

^{vi} For the devastating condition of the “freedmen” during and after the war, see Jim Downs, *Sick from Freedom* (New York: Oxford University Press, 2012).

^{vii} Hannah Arendt, *On Revolution* (New York: Viking Press, 1963), 140.