



# RAWLS'S POLITICAL LIBERALISM FROM AN EMERGENTIST PERSPECTIVE<sup>1</sup>

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## ABSTRACT

*John Rawls's political liberalism is supported and better understood via Michael Polanyi's tacit and emergent structures. Rawls claims the political is "freestanding" and "neutral" relative to comprehensive moral doctrines and metaphysical assumptions. Polanyian critics of Rawls emphasize the personal nature of our political commitments and Polanyi's metaphysical realism. They also claim tacit knowing makes Rawls's "veil of ignorance" impossible. However, as an emergent social order, political liberalism is a joint comprehension of a plurality of competing traditions that operates as an upper-level control in a dual control system; it supports yet constrains individuals in traditions so they may mutually flourish under its umbrella. Emergent levels have their own rules of organization and hence possess a rationality that can function independently and neutrally relative to its subsidiaries and so is freestanding, as Rawls claims. Still, since this level is constituted by overlapping consensus and is not a *modus vivendi*, there is indeed personal commitment to political values, as Polanyi affirms. This continuity makes it difficult to disambiguate one's comprehensive ethical understanding from one's political understanding. But, as with counterfactual hypotheses in science, Polanyi could endorse the artifice of the veil. By occluding politically irrelevant facts we better access this shared level, and tacit convictions about political justice become explicit.*



Michael Polanyi applied his conceptions of tacit knowing and emergence not only to the study of nature but also to the development of social, economic, and political systems. Although at first glance their views can seem incompatible, John Rawls's political liberalism is consistent with, and better understood via, Polanyi's tacit and emergent structures.

Rawls talks about the *political domain* as "freestanding" and "neutral" (Rawls 1993, 10 and 191; hereafter *PL*) relative to moral doctrines and metaphysical beliefs. This seems to violate Polanyi's emphasis on the inescapability of the tacit and the personal in favor of some disengaged and "objective" point of view.

Gábor Bíró goes to the root of this concern when he argues that Polanyi’s conception of tacit knowledge is “antithetical” to Rawls’s approach because it makes it impossible for us to draw down the “veil of ignorance” and come to the “original position” from which Rawls formulates his principles of justice (Bíró 2023). Also, as Eric Howard notes, Polanyi’s political values are deeply embedded in moral traditions and metaphysical beliefs, while Rawls claims that the rationality and values that should support our public life are distinctly *political* and do not rely on appeals to our “comprehensive moral doctrines” (*PL*, 13) and their metaphysics (Howard 2022).

When we look at Polanyi’s and Rawls’s views flatly, they can certainly seem incommensurable, but when we look closer, we start to see the similarities. In Polanyi’s philosophy, we find the evolution of interdependent levels, e.g., from individual freedom to social freedom to public liberty, and we also find a structure in which diverse traditions, or dynamic orders, and the individuals that comprise them collect and thrive under the umbrella of an emergent overarching political tradition. Looking closer at Polanyi, we thus see prospects for how a higher-level, relatively “freestanding,” political rationality—above private freedom and its reasoning but below public liberty and its responsibility—can successfully advance freedom and mutual cooperation.

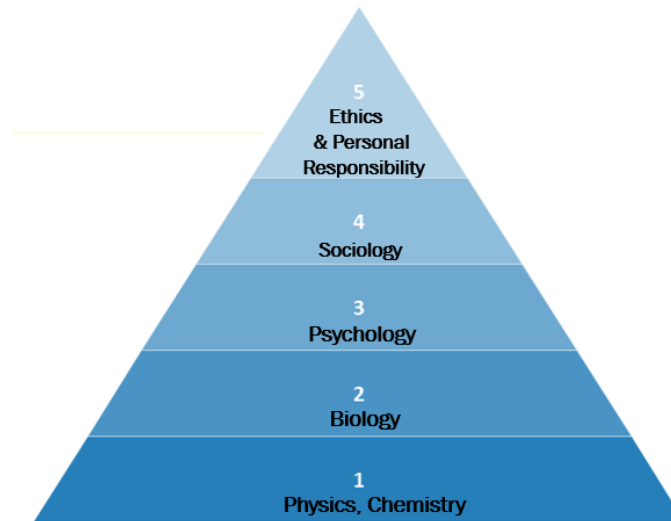
Looking closer at Rawls, we also see that the domain of the political is formed by an emergent “overlapping consensus” that is not strictly “neutral” but relies on the commitments and values of individuals within their traditions, i.e., their consensus cannot be a mere *modus vivendi* (*PL*, 147). We thus see a personal commitment to an overarching liberal political structure that can promote social cohesion. Bíró and Howard are right, however, in that it is difficult for an individual to disambiguate personal and metaphysical commitments from this level of political commitments. By looking at how Polanyi allows for counterfactual considerations in science, e.g., when considering alternative hypotheses, we see how the artifice of a veil of ignorance helps us *think from* this higher level of understanding and value and thereby helps bring into explicit focus tacit intuitions that we do hold about *political* freedom, equality, and justice.

### An Emergentist Approach to Nature, Society, and Morality

Polanyi develops a conception of emergence in which there is a “dual control” shared by a base level and an emergent level (*KB*, 154–155). Lower-level constituents have their own rules of operation and causal powers, but when they are part of a higher-order comprehensive system, this system, at its own level of interaction, exercises its own controls that can in turn influence or organize the actions of the lower-level parts. Levels can build on levels. We see dual control operative in the way a body (here, a higher level) organizes physical and chemical processes (lower level) to self-sustain and to do work in its environment; and in how the mind, as a further emergent structure, relies on the body yet can also constrain the body to act for the benefit of both the body (finding food) and the mind (seeking its own satisfactions) in its environment. The responsible person (seeking to do good) is a further higher-order entity that depends on but can constrain and guide both the body and mind. We see a hierarchy of emergent levels: from simple material processes to an organism, to organisms with minds, and so on up to persons with moral responsibilities.

Polanyi also saw that different sciences examine different emergent levels in nature and can discover rules of how they each behave. While physical and chemical laws govern the lowest level, each higher level has its own set of laws that can’t be fully comprehended from the perspective of the lower level, e.g., in the way the operating principles of a machine are meaningless from the perspective of physics and its laws (*KB*, 153, 154). The higher-level organization does not violate the lower-level laws, but it constrains and shapes

the activity of constituents by acting on boundary conditions left open at the lower level. For instance, biology and its laws rely on but are irreducible to physical processes; mind and its laws rely on but are irreducible to biological processes. The laws, or *rationality*, of each emergent level are different because the systems being described have emergent and novel features. Though dependent on the lower level, the higher can act and interact in ways unimaginable from the lower-level perspective.



Although emergent relations are complex and interconnections abound, in studying emergence it is helpful to organize phenomena into levels that can be studied on their own, as well as understood in terms of how they each both depend on and shape the level below and are both constitutive of and constrained by the level above. Polanyi identified levels generally in terms of fields of investigation, from physics and chemistry at the bottom, rising up to biology, then psychology, then sociology, and then to morality, with responsible personhood at the top.<sup>2</sup>

In Polanyi's view, we thus see an emergence from the physical and biological and their investigations to the social and the moral and their investigations. What is real, according to Polanyi, is not merely what is earliest and smallest, nor is it always physically tangible (*TD*, 33). Mind is real, and moral principles can be just as real as scientific laws. Polanyi's view of reality can thus lead to an emergentist account of ethics that can sustain the reality of values (Lowney 2010).

We observe and study emergent systems in nature, but we are ourselves emergent beings in emergent traditions in an emergent society, and we understand in terms of the language and culture that these higher levels provide. According to Polanyi, emergent levels with dual control exist not only in physical systems but also in conceptual structures, like those that govern language production (*KB*, 154). Emergent structure, in which subordinate parts (lower-level)—which are not all merely material—integrate into a comprehensive entity (emergent level), is mirrored in tacit knowing structures in which subsidiary clues integrate into a focal joint comprehension of meaning (*TD*, 35, 36). In both, a new logical level emerges because the rules of operation and new properties cannot be reduced to the lower-level meanings. The ontic and epistemic come together in the emergence of real systems that form novel relations and meanings that have real effects in human experience. While some features of emergent systems might shift as we move from physical relations to behaviors and social relations (e.g., their stability, duration, likelihood to manifest under various

conditions, degree to which bottom-up causes are limited by top-down constraints, etc.), dual control is common to both. Hence, even though there are many important differences between physical systems in nature and human social and moral systems, they can both be analyzed in terms of emergent layers with the structure and function of dual control, i.e., lower-order parts in a higher-order system with levels of dependency and constraint, and as such systems within systems.<sup>3</sup>

Just as discoveries are made in science through experience and inquiry, better ways of being and better ways of being together can manifest and be discovered in response to existential problems. A solution to an enduring human problem can be a new moral principle or a new form of organization that guides actions. In science or morality, such solutions can be a logical leap because they reorganize our prior understanding of the facts of nature, or values, in a new “interpretive framework” (*PK*, 93, 138). Emergence and discovery, in nature and society, can thus effect a jump to a different logical level with a different rationality and a new conception of what is morally, or politically, right.

### Political Liberalism as an Emergent Higher-Order Level in a Dual Control System

In an emergentist scheme, a political liberalism can be seen as a form of government that emerged to allow for a variety of cultural and religious traditions to thrive peacefully within it. First, we have the rule of law, in and from practices surrounding Common Law, and then the emergence of a constitutional democracy, in and from the institutions that support it.<sup>4</sup> We can see that liberal political orders function as a joint comprehension and supersession of the diverse and competing individual traditions in Western society. We can call them “traditions” or “dynamic orders” as Polanyi does, or call them “comprehensive moral doctrines” as Rawls does, since different practices give them at least slightly different conceptions of what it means to live the good life.

While the evolution and history are much more complex, generally, the competing free interests of people in various social and political contingents produced a democratic form of government by which these various ways of life with their various interests and moral goals could coexist peacefully and prosper individually in a system of fair cooperation. Together these traditions brought about and supported higher-level political values that we share, such as political freedom, equality, and justice, which constrain people within their parochial traditions but also issue in social goals that can freely elicit personal commitments, providing more opportunities for the exercise of public liberty.

Polanyi’s free society can be seen as a form of political liberalism that acts as an emergent structure. The free society, like a higher-order entity, can be said to have an emergent general will (Lowney 2022, 148–152). Rousseau says the primary common interest of the individuals in a society best constitutes the general will (Rousseau 1987, 158).<sup>5</sup> As the primary common interest, a peaceful coexistence and mutual cooperation of individuals in diverse traditions, which also protects and advances their common values, appears to be the essence of general will in a free society. This notion of fair cooperation is also central to Rawls’s understanding of constitutional democracies (*PL*, 15–22).

Polanyi models a free or liberal society on the social organization of science, which he sometimes calls the “republic of science,” and its cooperative organization and mutual authority (Polanyi 2000; henceforth *RS*). Here we see dual control at work. Such a society is oppressive if it is governed by a “corporate” or controlling authority that imposes its values and projects too rigidly from the top-down, and it is not only free but more effective when governed by a “supervisory” authority that allows scientists, and different scientific traditions, to use their own internal standards and judgment in a bottom-up control (see Jacobs 2023).

This self-governing, free association of scientists exercising mutual control remains both free and effective as long as the members in their plural traditions share some transcending values, which are also constitutive of a general will and which also manifest in some common constitution (*LL*, 26), e.g., in a commitment to discovery of truth that follows recognized procedures in science or the commitment to justice via due process in the courts in a free society.

### **Political Liberalism as “Neutral” toward Traditions, with a “Freestanding” Rationality**

Conceived as an emergent overarching structure, political liberalism’s conception of political justice acts like an upper-level constraint in a dual control system, and part of its job is to allow for the peaceful cooperation and mutual flourishing of people in a variety of different traditions that support it but that are now also constrained and guided by common higher-level political values. This allows traditions their independence but also provides social cohesion, as it protects pluralism by preventing one tradition from competing for dominance in a way that destroys or exogenously appropriates the others.

Rawls’s political liberalism posits a political rationality that operates independently from the particular traditions and so is independent from the various comprehensive moral doctrines of the people that comprise that liberal society. As such, the political is “neutral” relative to the plural traditions, and its rationality is described as “freestanding.” We can now see truth to this from a Polanyian perspective. As an *emergent* joint comprehension and discovery, political liberalism has features that are not simply reducible to the various traditions with diverse comprehensive moral doctrines that support it. Just as a “higher” level in scientific study (e.g., in biology) has its own laws that are not reducible to the laws of subsidiary levels (e.g., physics), the political domain would have a different sort of rationality than its subsidiaries, and different rules of justice would be operative at this “higher level” of organization.

Polanyi, of course, would recognize that no political beliefs were truly neutral, just as no scientific facts could truly be impersonally objective. All beliefs are personal commitments. But in analogy with the republic of science and, more generally, the independence of dynamic orders in society, we can see that the particular beliefs we espouse that constitute the liberal political society are “neutral” with respect to the plurality of particular traditions that can safely fit beneath its umbrella. This neutrality allows traditions to freely operate according to their own standards, as long as they meet the supervisory constraints of the overarching system that allow them to mutually thrive.

We can thus also agree with Rawls that reasons provided in support of particular policies in the public forum should aim to be “freestanding” in a way that does not rely solely on dwelling in the practices and values of any one particular tradition, since at the level of political governance we must appeal to other citizens in various traditions via the shared emergent values that we hold together. This appeal, in Polanyi’s analogy, is similar to the way scientists from different fields appeal to the overarching rationality of their common heritage in advancing reasons for accepting or rejecting new proposals for research and in validating or dismissing purported discoveries (*LL*, 26, 27). In this way, scientists and citizens also appeal to a common constitution, and its evolving interpretation, as something that manifests our general will.

### **“Overlapping Consensus” Constitutes the Higher-Order Political Rationality**

Like Polanyi, Rawls recognizes that this liberal domain of the political and its rationality is not quite truly neutral because it relies on the “overlapping consensus” of its constituents (*PL*, 14, 15). An overlapping

consensus of people with a variety of different comprehensive doctrines supports a free society, i.e., a constitutional democracy. This overlap constitutes the personally endorsed beliefs specific to the overarching political structure and its values. It is in their “overlap” that they form the higher-level *political* joint comprehension of meaning that has its own rules and rationality. These are partially independent (as emergent) from the subsidiary traditions (hence freestanding), but the rules are also fully expressive of an individual’s beliefs and so come to be part of the individual’s particular comprehensive moral doctrine as it envisions a reasonable political order.

While this emergent political solution to how we should live together arose in the West and out of the conflicts between its various competing comprehensive doctrines, the umbrella of political liberalism contains political values that can come to be genuinely supported by people with a wider variety of doctrines. This emergent rationality with its political values can therefore be “multiply realized,” as an emergentist would say, and the class of comprehensive doctrines that can support political liberalism is what Rawls calls “reasonable” (*PL*, 59). Just as many different evolutionary strategies might allow for the same higher-order capability (e.g., dragonflies, bees, and birds evolved the ability to *fly*), many different moral comprehensive doctrines might come to support an emergent political liberalism and genuinely value its political conceptions of freedom, equality, and justice—for them its rationality is *reasonable*. As Rawls says, the reasonable overlap “leads to a form of tolerance and supports the idea of public reason” (*PL*, 59).

Rawls acknowledges that not all comprehensive moral doctrines are reasonable in the sense described, and so not all can participate in the overlapping consensus and be swayed by public reason. Liberal political values are thus not themselves neutral: the beliefs in liberty, equality, and justice that we endorse are not endorsed as political truths in very different sociopolitical cultures. Similarly, Polanyi recognizes that “‘freedom’ and ‘servitude’ can carry their true connotations only when uttered in a free country” (1955, 203). Our higher-level political rationality is thus constituted by an overlapping consensus within the broader society, amongst individuals with their commitments to particular traditions intact. For Rawls, like Polanyi, “All those who affirm the political conception start from within their own comprehensive view and draw on the religious, philosophical and moral grounds it provides” (*PL*, 147).

Just as there is an overlapping consensus of reasonable traditions for Rawls, there is an overlapping of all the fields of science that help it constitute an overarching coherent tradition for Polanyi; the fields form “*chains of overlapping neighborhoods* extending over the entire range of science” (*TD*, 72). Rawls warns that there must be enough overlapping consensus in comprehensive doctrines to provide the acceptance and legitimation of the political system. Similarly, Polanyi also warns that liberalism requires having a strong common tradition, and there is a real danger in becoming too divided (*LL*, 42).

Rawls is clear in *Political Liberalism* that “an overlapping consensus is not a mere *modus vivendi*” (*PL*, 147); “reasonable pluralism” for Rawls is not just a *de facto* pluralism (*PL*, 24 n. 27). It is not an agreement we enter into that is counter to our own pursuit of the good; it is not a contract that merely balances ours with another’s pursuit of the good.<sup>6</sup> Rawls’s overlapping consensus works and provides social cohesion because the plural traditions under its umbrella (or enough politically active citizens within them) actually do share a similar overarching conception of justice that would still be upheld even if one party gained advantage over the other (*PL*, 148).

So Rawls’s political liberalism does not pretend to be neutral in itself but has its own personally affirmed commitments. Diverse “reasonable” contingents have come to share our overarching political culture and

its rationality, though they may justify it in different ways from within their own comprehensive moral doctrine or tradition.

### Setting a Comprehensive Metaphysics Aside

Rawls shies away from metaphysical claims and sees the commitment to this shared political culture as the source of cohesion. Polanyi sees a metaphysics at work in the “overlap,” or “joint comprehension” into a political order. Free societies are endorsed by universal transcendent ideals that we not only hold but we are naturally drawn toward. They are thus all “rooted in the same transcendent ground” (*LL*, 46).

Polanyi sees a wider realist metaphysics in the evolution of liberalism that he believes to be consistent with his conception of emergence. In nature, there are “ordering principles” that chart tendencies, or gradients of potentiality. These, like dynamic attractors, help to form and sustain emergent systems. As with multiply realizable systems, these formal organizations can have different constituent components, as constituents are drawn into the emergent shape charted by the organizing principle. There is thus an evolution of sorts, and reality can call us forward in a process of “anthropogenesis” to richer ways of being (*PK*, 386).

Polanyi, like Rawls, recognizes that people from many different sociopolitical traditions might come to support the same higher-order political values, but for Polanyi this comes from accessing more universal human truths and transcendent values. Here, on this issue of metaphysical commitment, is where Howard sees a sharp difference between Polanyi and Rawls. Rawls will not allow the justice of a political liberalism to be determined by comprehensive doctrines and their moral and metaphysical conceptions. Howard quotes Rawls: “The essential point is this: as a practical matter no general moral conception can provide a publicly recognized basis for a conception of justice in a modern democratic state.’ Any ‘workable conception of political justice,’ according to Rawls, ‘must allow for a diversity of doctrines and the plurality of conflicting, and indeed incommensurable, conceptions of the good’” (Rawls 1985, 225; Howard 2022, 111).

There is a range of metaphysical beliefs that may be incommensurable with each other (e.g., whether materialist or spiritualist), but they connect and intersect in the domain of political belief, and they are reasonable enough to share in the political rationality that can support pluralism. Just as the emergent political rationality can be considered freestanding and neutral towards the goods of various moral comprehensive doctrines that reasonably support it, political liberalism can be considered independently from various metaphysical conceptions that may support it as well. Rawls says, “a political conception need not be comprehensive” (*PL*, 154); it requires no richer metaphysics. Though Polanyi brings his wider “comprehensive doctrine” to bear, he could also acknowledge that, as emergent, the political and its rationality can be approached as its own level. Also as emergent, it can be considered independently of how it is justified by any one metaphysical system held by a particular tradition—including his own—that might endogenously explain what gave rise to it or why its values hold. As Rawls says, if we start from our “general moral conceptions” and advance reasons specific to them, as a “practical matter,” we will have a difficult time coming to agreement. If we put metaphysics aside and approach formulating reasons from a political rationality that we share, e.g., by arguing for our right to pursue a particular goal within the limits of the public good, we have a better chance of convincing others and reaching agreement.

Polanyi’s post-critical philosophy aims us towards a more robust notion of truth and reality than Rawls is willing to discuss. In a pluralist society, we see how the shared political culture is a source of social cohesion, while an appeal to a particular metaphysical conception might risk further division. But, since we are

seamlessly committed to our moral comprehensive doctrines as well as our political values, a problem arises. We don't always clearly distinguish the levels that we jump between. It becomes difficult to disambiguate the values that are particular to us as individuals in our parochial traditions from these common political values. Here is where Rawls's thought experiment is helpful.

### Tacit Knowledge of Political Justice Is Unveiled

As ways of being and behavior go together with systems of thought, we can *think from* the moral values and preferred goals of our particular moral beliefs and conceptions, but we can also *think from* the level of our emergent political beliefs and conceptions. We can think from our position as an individual exercising freedom (e.g., we should be free to drive as fast as we think safe), or we can think from the level of society and its freedom (we should obey the speed limits so everyone can be free to get to their destinations safely) (Lowney 2022, 136). This is where Rawls thought experiment comes in, and he sees it as an improvement on the thought experiments of John Locke and others who also use a consensus or social contract approach to understand political conceptions of justice and rights. The purpose of drawing down the “veil of ignorance” and entering the “original position” is not to abstract us away from all the tacit commitments we hold; it is an effort to provide access to the tacit conception of justice that we share as reasonable members of this emergent liberal political culture.

Social contract theories approach justice by imagining what kind of society we would establish from the—necessarily counterfactual—position of being an individual outside of society and outside of any political arrangements. Before Rawls, as B  r   notes, e.g., with Adam Smith, we were asked to imagine ourselves as an “average person” (B  r   2023, 35). This, at least, retains an embeddedness that B  r   feels to be more consistent with Polanyi's conception of tacit knowledge. But if we approach justice with our individuality and personal interests intact, according to Rawls, we can obscure the higher-order understandings of justice that we share as a society. Even as average, if we imagine ourselves at the level of a particular individual, an approach like Locke's or Smith's “fails to recognize the social nature of human beings” (PL, 286). Rawls says, “Locke's doctrine improperly subjects the social relationships of moral persons to historical contingencies that are external to, and eventually undermine, their freedom and equality. The constraints that Locke imposes on the as-if historical process are not strong enough to characterize a conception of background justice acceptable to free and equal moral persons” (PL, 287). In contrast, Rawls's veil is designed to bring out the conception of justice that should be operative as the “just background conditions against which the actions of individuals and associations take place” (PL, 266).

From Polanyi's perspective, Rawls may be right. On a day-to-day basis, we are habituated to commonly *think from* the position we have as individuals with our own particular moral conceptions and goals. It is difficult to rise up to think at the level of our community and still more difficult to think from the level of political society. Thinking as an average person can emphasize individual freedom in a way that tears at the social cohesion provided by our higher-level political values; it can make consensus seem a mere *modus vivendi*. The veil of ignorance is designed to get us to *think from* values that we *do* genuinely hold, but they are manifest at levels of relation that we are typically inexperienced at thinking from. The notion of a veil and an anonymous representative in the original position is thus an artifice to highlight a background conception of justice that we share.



## An Acceptable Artifice?

Bíró objects to Rawls's artifice because tacit knowing does not allow us to think as disembodied agents, abstracted from our lives. Indeed, if we actually were so abstracted, we would not be able to think at all about moral or political issues. But in drawing down the veil of ignorance, we merely occlude some facts to draw attention to others. We can see drawing down the veil *negatively* as being asked to think of ourselves as disembodied rational agents, but we can also see it *positively* as being asked to imaginatively identify with the array of people in our society. To say that from behind the veil you will *not know* your skin color, your sex, your gender, what goals you have in life, whether you will be blessed with wealth, fortune, and ability or will be poor, unlucky, and fraught with disability is also to imagine what would be fair from the perspective of *any one* of the people you might become. It asks us to imagine their lives as ours and their possible conceptions of the good as our own, and that helps us isolate the tacit background we are trying to *think from* when we consider what rules of fair cooperation we should set up for our pluralistic political society.

Rawls does not ask us to be entirely ignorant of all our tacit social and political background conceptions. He *relies on* our tacit background conceptions. Indeed, just as some comprehensive doctrines are not reasonable in the political sense, people who do not have the emergent political values that we tacitly share in our overlapping consensus will not have the same intuitions from behind the veil. For them, this imaginative exercise will elicit a different background conception that we would not recognize as just.

The veil is not a cloak; it is porous. Moreover, this seems a thought experiment that Polanyi could easily endorse. As a scientist, Polanyi recognized that we can think about different possible theories by imaginatively shifting into a different interpretive framework. We gather facts in science under a conception or theory, then, by ignoring or emphasizing different factors, we can consider a new theory that organizes the facts differently. A new theory with promise comes to manifest as scientists match their explicit foreground and tacit background knowledge to the hypothesis put forward. Having relevant background conceptions and tacit appreciation of the facts gives the scientist's hunches more credence than those of people who have only the explicit facts to work with. By engaging in hypothetical thought experiments, a scientist finds a theory that better resonates with her tacit understanding of the facts and will better see the relevant scientific principles. And this is what Rawls asks us to do.

Rawls asks us to remove some of the clues that are morally irrelevant to our shared conception of justice so we can formulate a theory of justice that resonates with our background conceptions. Using Rawls's artifice, we discover and see the intuitive appeal of his two main principles for guiding political organization: the equality principle and the difference principle (*PL*, 281, 282). We can add clues to our conception or take them away when we engage in this imaginative exercise. Rawls's veil is thick relative to Smith's but becomes even thicker when Rawls discusses possible obligations to future generations. Here we (negatively) imagine ourselves ignorant of which generation we would be born into and what resources we might have available (*PL*, 273), which is (positively) equivalent to asking us to imagine being born into a variety of possible future generations.

There is indeed a danger in thought experiments. When we imagine or idealize, we often ignore information that is essential for the operation of a system and neglect pragmatic constraints that are not readily or explicitly apparent. That sort of "ignorance" can distort the experiment and foil our expectations. Enlightenment thinkers, for example, imagined that a democratic government in Ancient Regime France or Imperial Russia would work like those in America or Britain, but they ignored the fact that these countries

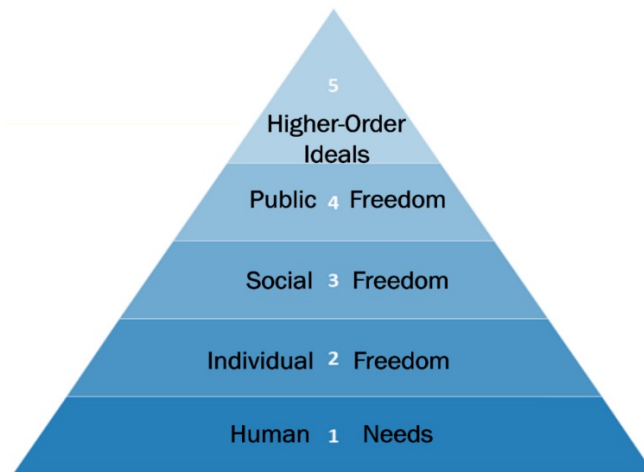
lacked the institutions that could support that form of government. They were then surprised by reigns of terror and the rise of Napoleon or Stalin. We can have similar worries: Are we ignoring important facts about property and its transfer when we think from the level of political justice? Quite possibly. But Rawls is pragmatic enough to recognize that lower-order systems that are efficient and support our higher-order values and goals cannot be ignored, just as we must satisfy our physiological needs (a lower value) in order to engage in relationships (a higher value).<sup>7</sup> So Rawls can, e.g., acknowledge the need for property and economic inequalities to produce wealth for all but chafe at gross inequalities that do not also benefit the least well off.

Polanyi does not deny our ability to make this sort of imaginative leap, nor should he by the light of tacit knowing. We engage in counterfactual thinking when we consider thought experiments in science and explore new theories. We also use imagination and tacit knowing in a similar way when we attempt to understand the mind of another by dwelling in the clues of his or her behavior (*KB*, 215). We can screen which clues are relevant to understanding who this person is and which clues are peripheral or irrelevant. So Bíró is raising a substantial question: When we lower the veil and enter the “original position,” does the fact that we cannot control how much we unintentionally bring in, or how much we accidentally leave out, negate our ability to use the artifice to access a better conception of political justice?

“Polanyi’s razor” might show the veil is trimmed in places we don’t notice, but it does not eliminate its value. Bíró reminds us that we still carry in, unawares, a lot that we are supposed to leave behind—there is implicit bias that we cannot elude—and I think Rawls would accept that, but by suppressing our individual interests and parochial moral values and goals, the artifice can still help us better access the background conception of justice endorsed by the overlapping consensus of reasonable comprehensive doctrines. It is not perfect, but it assists us in thinking from the higher-order emergent political values that we do hold as our own; it helps us to use our political rationality to assess what we *should* think is politically fair.

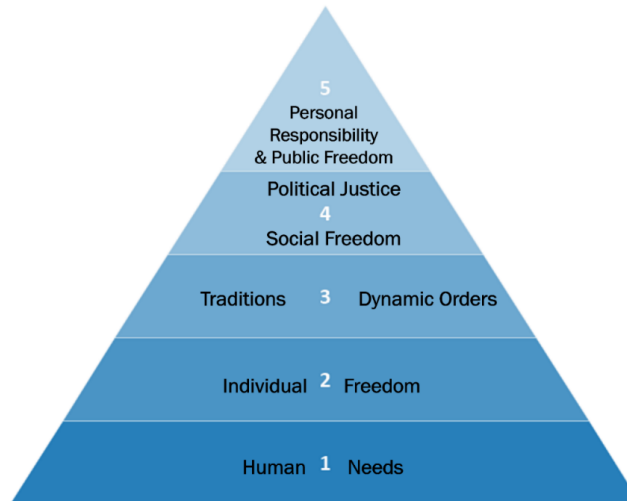
### The Political: Above the Social, Below the Personal and Public Liberty

In “Three Freedoms and an Emergentist’s Hope for Social Progress,” I showed a (general) hierarchy in which lower-level *individual freedom* gives way to *social freedom*, which both supports and constrains individual freedom and its needs and values. The resolution of a tension between individual versus social levels of value comes, for Polanyi, with the emergence of *public freedom*. In this higher-order freedom the free



individual again takes the lead. The responsible person is called by conscience to serve a goal that advances society at large but in a way consistent with both that person's tradition/dynamic order and with their highest values.

Human physiological needs set conditions on which higher-order constraints operate. One must be alive, and satisfy physiological needs, in order to be capable of acting freely according to one's moral principles. And one's higher-level values and principles will in turn constrain how one goes about satisfying one's lower-order needs or interests (e.g., one may not freely steal or kill for food). A system in which one's physical needs set the primary values—and its (perhaps Hobbesian) notion of justice and freedom—gives way to a system in which other relations, e.g., friendship and community, become primary values (where liberty is not license). Our higher principles—justice, equality, freedom—are abstract and their meaning shifts at different levels of engagement and understanding. The significance of a lower-order freedom will thus shift as we become aware of and attempt to live out of higher-order relations and their values. A three-tiered hierarchy of freedoms—individual, social, and public—stretched between human needs and our highest ideals simplifies much. It illuminates important dependencies and constraints, but it can also obscure complex interrelations. While it is difficult to order Rawls's notion of the political in terms of this analysis, the following loose schema might be useful:



To the extent common social values can be said to constitute political rationality, we can see Rawls's justice and political autonomy as an order of *social freedom* and responsibility. This social freedom supports and yet constrains or channels *individual freedom* and the moral autonomy to act and aim via the values engendered by traditions. *Public freedom* is a yet higher level that enhances yet constrains or channels social and political freedom via an individual's personal commitments and values.

Whereas individualism and diverse traditions can tear against social cohesion, Rawls and Polanyi look for an overlap of values that are at a higher level (the political) than the various particular comprehensive doctrines (the moral) that we find within a pluralistic society. Political rationality reflects this higher-order organization in a layered dual control system, but the values of the "lower" order of subsidiary traditions are not thereby less important. Indeed, the higher-order system evolved so that these "lower" orders and their valuable goals can mutually flourish in a reasonable pluralism, and Rawls holds that—even while it constrains them to fair cooperation—the political should be "non-skeptical" towards the ethical values of traditions (*PL*, 172) so as not to undermine them but to allow for their mutual flourishing. The ethical

values and goals of a comprehensive doctrine can be higher and more rigorous than political values. Polanyi's notion of public liberty and the reemergence of personal values at the highest level bear this out. Public liberty can represent a more concrete expression of our political autonomy as we honor and advance our personal values in public life.

### Conclusion: Can We Agree to Disagree and Still Politically Cohere?

Rawls's conception of a freestanding political rationality can be seen as an emergent feature of a political society that acts as an umbrella over a variety of different social, cultural, and institutional traditions. It holds them together in a mutually beneficial political structure that manifests compatible political values. This higher-order level of meaning is "freestanding" relative to the traditions and particular moral conceptions that gave rise to it, but is also something that we can *think from* to devise reasons that support political action.

Rawls's political liberalism fits well with Polanyi's notion of dual control and the emergence of levels in nature and in human society, in which higher-order rules of rationality are different than those of a lower order. While Polanyi recognizes a deeper metaphysics and development at work, and is committed to a wider, more valuable comprehensive doctrine, he, like Rawls, affirms a political structure—a free society—that allows for the existence of alternative doctrines and dissent, i.e., his "comprehensive doctrine" is reasonable and allows the political to be "neutral" with respect to dynamic orders and traditions and to exercise a supervisory authority (i.e., constraint). Polanyi's structure of tacit knowing also allows for thought experiments such as Rawls's veil of ignorance, which help us identify higher-order tacit commitments and develop new theories. Rawls's theory of justice is just such an analysis at the political level.

From this emergentist perspective, however, we can again ask with Bíró if, when we inhabit the original position behind a veil of (selective) ignorance, we can successfully abstract from features of our own comprehensive doctrine and particular lived situation well enough to recognize what is fair from our higher-level, liberal, political, personal commitments. And we can ask again with Howard whether our metaphysical notions can be bracketed out well enough to consider the political independently from other moral and metaphysical beliefs. If the conceptions and values endemic to particular ways of life inevitably color our understanding, if particular moral conceptions of the good slip in unawares, can we still exercise our common overlapping political rationality effectively enough? Is it possible to find mutual agreement at the political level when we might not truly understand each other at the moral level? There are real dangers here. Political liberalism itself emerged from a liberal tradition, and—as a competing comprehensive doctrine rather than a neutral overarching political structure—it can tend to undermine or illegitimately appropriate other traditions.<sup>8</sup> So the line between *political liberalism* and a non-neutral, often skeptical *liberal tradition* must constantly be adjudicated. Let us hope that that our commitment to the shared values of political liberalism provides the stability we need to work out our differences peacefully within its framework, even when we agree to disagree.

## ENDNOTES

<sup>1</sup>This paper was motivated by a panel on Rawls and Polanyi's Political Philosophy held by the Polanyi Society in September of 2021. I thank Gábor Bíró, Eric Howard, and the virtual audience. Some content here is also developed from "Three Freedoms and an Emergentist's Hope for Social Progress" (Lowney 2022); see especially sections on prospects for and dangers of political liberalism (152–158).

<sup>2</sup>Although the sociological is harder to place, given its mutual interdependence with the psychological, passages in Polanyi's work that support the following schematization of an ontic/epistemic emergent hierarchy can be found in *KB*, 133–135, and also 155 and 220.

<sup>3</sup>Walter Gulick distinguishes between weak, strong, and moderate emergence in "Forms of Emergence" (2020). Strong emergence occurs in physical nature with the rise of life and autopoietic systems. In moderate emergence, according to Gulick, living beings impose a "purpose" on boundary conditions (57). Gulick places machines together, with social systems, in the "moderate" category and emphasizes the role of agency and invention here, rather than organic emergence and its subsequent discovery, which he links to "strong" emergence. An insistence on an agent's purpose, however, would make social and political emergent layers somewhat difficult to place. Emphasizing the inventions and decisions of agents can also obscure the emergent higher-order relations (like focusing on the trees can cause one to miss organizational features of the forest). Certainly, both invention and discovery are involved in the development of social and political systems. If we abstract from who or what is doing the inventing or controlling and focus on the structure and functional relations, we can see there is continuity between the bottom-up and top-down forms of control in natural systems, and lower-level and higher-level controls in artifactual machines, and in social and human systems. "Moderate emergence" could then cover dynamic systems more broadly and can include human agents, with their behaviors and decisions, among their parts. There are indeed differences, but as long as we recognize that a machine is a system, and there are natural and artifactual systems, we can focus on similarities. Gulick's schema can thus be helpful if not imposed too rigidly, and we can see the emergence of political liberalism as neither a case of weak nor strong emergence but of moderate emergence that is both a creation and discovery.

<sup>4</sup>Rawls, *PL*, 11, provides the definition of "constitutional democracy" at the heart of his political liberalism.

<sup>5</sup>Rousseau also had a conception of public liberty that bears resemblance to Polanyi's (Lowney 2022, 148, 149).

<sup>6</sup>Rawls uses the example of Protestants and Catholics in the sixteenth century (*PL*, 148). At that time, political peace would have been a mere *modus vivendi*. But currently, both Catholic and Protestant citizens in Western societies have developed a shared political consensus regarding tolerance for reasonable differences.

<sup>7</sup>See Lowney 2022, 143–145, where Abraham Maslow's "Hierarchy of Needs" is given as an example of ordering emergent values.

<sup>8</sup>Polanyi sees dangers when he recognizes that liberalism is itself an emergent tradition with values that are not quite neutral but have worked to undermine the authority of traditions, and Alasdair MacIntyre (e.g., in *Whose Justice? Which Rationality?*) also sees dangers when he recognizes how liberalism can commandeer and distort the values of particular traditions rather than simply secure them beneath its protective umbrella. Rawls would share Polanyi and MacIntyre's worries in that the political should be "non-skeptical" regarding the ethical values of traditions and thus should not undermine them (*PL*, 172). Political liberalism originally emerged from the liberal tradition itself and cannot always be cleanly divided from the notions of that comprehensive moral doctrine. For more, see Lowney 2022, 155–158, where I look at dangers in political liberalism.

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