

A New Name for an Old Whig

Samuel Gregg



Hayek once described himself as an 'unrepentant Old Whig—with the stress on the "old"'. What can we learn from this self-definition?

When Friedrich Hayek was a young man, he was uncertain whether to become an economist or a psychologist.¹ Having chosen to be an economist, Hayek—eventually—received due recognition of his eminence in the field. Yet Hayek could have become a distinguished psychologist, as evidenced by works such as *The Sensory Order*. Equally remarkable is that for much of his life, Hayek did not write primarily in either of these fields. Instead, he devoted his attention to political philosophy. In many respects, *The Constitution of Liberty* was the most significant fruit of this labour.

While there are many insights in this text that may have eluded a philosopher not trained in economics, Hayek is increasingly recognised as a distinguished political theorist in his own right. Moreover, his writings evince a deep knowledge of the history of ideas and, as befits one profoundly influenced by evolutionary insights, a sense for how particular traditions have developed over time. Hayek's description of himself as an 'Old Whig' is therefore important as it indicates that he had very clear ideas about where his political philosophy is appropriately situated.

The phrase Old Whig can, however, be momentarily confusing. During a 1986 interview, for example, Hayek commented, 'I'm becoming a Burkean Whig'. Apparently surprised, the interviewer replied, 'That's quite a combination'. Hayek's response is revealing. 'I think', he said, '[that] Burke was fundamentally a Whig, and I think that Adam Smith was'.²

For good reasons, Edmund Burke is widely regarded as one of modern conservatism's philosophical fathers.³

Yet the Whig Party to which he belonged is viewed as one of the primary precipitators of liberal thought.⁴ This suggests that in denoting himself as an Old Whig, Hayek may have been indicating that the essences of his political philosophy are hidden behind the often-contradictory meanings attached to classifications such as conservative or liberal in late 20th-century political discourse.

Close attention to the Whig tradition brings to light an array of beliefs which Hayek believed had withstood the test of time and met the demands of reason. They may be summarised as *liberty under law* and *government limited by law*. A continuing challenge for students of Hayek, however, is to articulate Old Whig principles in ways that increase their accessibility to audiences outside the Academy. Those who consider Hayek to have important messages to impart to the future therefore have a responsibility to discover appropriate terminology.

Discovering a tradition

Hayek was always aware of the significance of history. On several occasions, he stressed that much of our understanding of the present is shaped by those whose interpretation of the past holds sway.⁵ At the same time, Hayek was aware that consciousness of the history of

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ideas alerts us to particular phrases that point to the origins of different philosophical traditions as well as the significant events and figures that shaped them. This is evident in the case of Hayek's attention to the term Old Whig.

The designation Old Whig was first coined by Edmund Burke in his *An Appeal from the New to the Old Whigs*. The canon to which Burke ascribed—the doctrine of the ‘ancient Whigs’⁶—was partly a product of the 17th century political conflict between Crown and Commons that culminated in England's Glorious Revolution of 1688. United by a horror of arbitrary power, the Whigs, according to John Locke, fought for freedom of men under government . . . to have a standing rule to live by, common to every one of that society . . . and not to be subject to the inconstant, uncertain, arbitrary will of another man [as well as the principle that] whoever has the legislative or supreme power of any commonwealth is bound to govern by established laws promulgated and made known to the people and not by extemporary decrees.⁷

But in describing himself as an Old Whig, Hayek was not simply announcing his adherence to ideas honed during these particular political debates. Both Burke and Hayek derived much of their thinking from Scottish Enlightenment philosophers. As Hayek commented, when ‘I . . . discovered the Scots . . . [I] found that the real root of my ideas lay with Ferguson and these people’.⁸

One of the principal members of this group, David Hume, produced a systematic exposition of the Whig doctrine of government limited by general rules of law. His *History of England* also underscored a theme particularly important to Hayek, that being the significance of England's transformation from a government of men to a government of law. Likewise, Smith's *Wealth of Nations* profoundly influenced Hayek's economic views as well as those of Whigs such as Burke.⁹ In *Thoughts and Details on Scarcity*, for example, Burke faithfully echoes Smith's arguments concerning the futility of government manipulation of the market process. Not only, in Burke's view, did such interference violate the ‘laws of commerce’, that is, ‘the rules and principles of contending interests and compromised advantages’¹⁰ (a point cited verbatim by Hayek in *The Constitution of Liberty*);¹¹ he also believed that such actions endangered freedom and infringed justice.¹²

Beyond economics, attention to the Whig tradition underscores the debt that Hayek's theories about the

nature of society owe to Adam Ferguson and Hume. They maintained that society and its complex network of institutions—by which they meant manners, morals and laws—were the outcome of what Hayek called a centuries-old ‘process of cumulative growth’.¹³ Burke agrees insofar as he held that ‘the circumstances and habits of every country, which it is always perilous and productive of the greatest calamities to force, are to decide upon its form of government’.¹⁴

Here one may posit that Burke and the Scottish Enlightenment thinkers largely prefigured Hayek's theory of spontaneous order, aptly summarised in Ferguson's expression that ‘nations stumble upon establishments which are indeed the result of human action but not the execution of human design’.¹⁵ As one of their intellectual heirs, Francis Jeffrey, stated: their achievement was to resolve almost all that had [formerly] been ascribed to positive institution into the spontaneous and irresistible development of certain obvious principles—and to show with how little contrivance or political wisdom the most complicated and apparently artificial schemes of policy might have been erected.¹⁶

One can safely presume that Lord Acton had something similar in mind when he wrote that ‘Whigs did not invent Whiggism. They discovered it’.¹⁷

This is not to suggest, of course, that certain differences in emphasis do not exist between Hayek's thinking about this matter and that of some Whigs.¹⁸ But Hayek himself does not dwell upon these distinctions. He is more concerned with demonstrating that Old Whig antecedents precede not only Scottish Enlightenment thinkers, but also the tumult of English politics. Far from being simply a product of modernity, Hayek insisted that Old Whig beliefs stand on intellectual foundations that are at once ancient and continually evolving:

The basic principles from which the Old Whigs fashioned their evolutionary liberalism have a long pre-history. The eighteenth-century thinkers who formulated them were . . . greatly assisted by ideas drawn from classical antiquity and by certain medieval traditions which in England had not been extinguished by absolutism.¹⁹

Disputing ‘[t]he denial by some nineteenth-century writers that the ancients knew individual liberty in the modern sense’, Hayek contends that the ancient Greeks were the first to formulate the ideal of individual liberty in the sense of ‘freedom under the law’.²⁰ In due course,

this led to the Stoics' development of a philosophical outlook that conceived of 'a law of nature which limited the powers of all government, and of the equality of all men before that law'.²¹ Similar ideas, Hayek suggests, found expression in the writings of Roman scholars such as Titus, not to mention Roman law's individualist conception of private property.²²

Beyond the world of Antiquity, Hayek also traces Whiggism to that 'tradition of liberty under the law' which was preserved and developed during the Middle Ages.²³ It was not for trivial reasons that Acton described St Thomas Aquinas as the first Whig,²⁴ a judgement since affirmed by contemporary Thomist scholars. To cite John Finnis:

the first Whig was Thomas Aquinas because he. . . insisted that the proper function of the state's laws . . . do not include making people morally all-round good . . . The role of state government and law, according to Aquinas, is to uphold peace and justice: the requirements imposed, supervised, and enforced by state government and law concern only those sorts of choice and action which are external and affect other people.²⁵

The phrase Old Whig does more, however, than underline the civilisational roots of Hayek's political philosophy. It also highlights the intellectual origins of those movements diametrically opposed to Hayek's worldview. At the very moment when many Whigs were maintaining that the American Revolutionaries were defending one of the key protections secured by the Glorious Revolution against arbitrary power,²⁶ many of the ideas that would systematically challenge fundamental Whig beliefs were acquiring potent political force.

Here Hayek's stress upon the *old* in Old Whig assumes particular significance. It indicates that there are substantive differences between the position of Smith, Hume and Ferguson, and that of 'New Whigs' such as Charles Fox whom Burke considered naïvely enamoured of the ideas of the *philosophes*. Besides regarding their thinking as a grave threat to 'English constitutional rights and privileges',²⁷ Burke believed that it reflected an erroneous understanding of the nature of reason and civilisational development. Burke's boast that 'we are not the disciples of Rousseau'²⁸ testifies to his consciousness of the intellectual pedigree of what

Hayek called 'constructivist rationalism'. In this sense, the phrase Old Whig allows us to distinguish those who remained faithful to true Whiggism after 1789, from those pursuing a quite different agenda.

Initially convinced of the futility of planning by Ludwig von Mises's *Socialism*,²⁹ Hayek later traced rationalism's contempt for the values and habits that have grown out of the cultural deposit of the past to Descartes as well Bacon and Hobbes.³⁰ Though acknowledging that the geometric reason emphasised by Descartes was useful in spheres such as mathematics, Hayek considered it dangerous to employ this form of reason elsewhere.³¹ But Hayek also understood that at the heart of the determination of Continental Enlightenment figures such as the Abbé Sieyès to apply constructivist reason to every dimension of human existence was an ongoing human problem: *hubris*—the belief that people can be 'like God' and create a paradise on earth through the relentless application of abstract reason.

With the spread of this craving to make a *tabula rasa* of most existing institutions and habits and somehow construct new ones, those classifying themselves as lovers of liberty would thereafter be grouped into one of two camps. The first were those loyal to Old Whiggism; the second, the free-thinking rationalists who, in Hayek's view, bore only 'superficial similarity' to the likes of Smith and Burke.³²

While this distinction parallels important intellectual differences between the Anglo-Saxon and Continental European worlds, its significance should not be exaggerated. Englishmen such as Gladstone and Acton (the latter partly educated in Germany) certainly belonged to the Burkean Whig tradition. The utilitarian school of Jeremy Bentham, however, was profoundly influenced by Continental rationalism, as evidenced by their tendency to regard all inherited traditions as the epitome of ignorance. Likewise, although most French liberals were essentially constructivist rationalists, there were exceptions. Benjamin Constant and Alexis de Tocqueville were not only concerned at the spread of arbitrary state power, but understood how certain inherited morals and organisations helped to preserve liberty. One may speculate that Hayek sought to emphasise that Old Whiggism had taken root in both the Anglo-Saxon and Continental European worlds by

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proposing the name ‘Acton-Tocqueville Society’³³ for what would become the Mont Pèlerin Society, an international network of liberal intelligentsia founded in 1947.

Reason versus rationalism

In his opening address to the first Mont Pèlerin Society conference, Hayek insisted that the revival of the ideals upheld by the participants would involve ‘rediscovering . . . the basic principles of liberalism’ and ‘purging traditional liberal theory of certain accidental accretions’.³⁴ In identifying himself as an Old Whig, Hayek provides us with guidance concerning how we distinguish the values held by those who truly believe in freedom, from those that are incompatible with true Whiggism. Most significance should perhaps be attached to one value that some might think odd to associate with an individual whose reflections on many subjects proved to be prophetic—the quality of *humility*.

One cornerstone of Hayek’s theoretical edifice is his recognition of the limits to any one individual’s knowledge. This may be contrasted with what Smith called ‘the man of system’:³⁵ those who believe that reason enables us to organise people and institutions as if they were material objects, and with the same efficacy that one builds a house. Attention to everyday life, Hayek commented, suggests:

We make constant use of formulas, symbols and rules whose meaning we do not understand and through the use of which we avail ourselves of the assistance of knowledge which individually we do not possess. We have developed these practices by building upon habits and institutions which have proved successful in their own sphere and which have in turn become the foundation of the civilization we have built up.³⁶

There is, then, much intelligence incorporated in the complex networks of inherited and evolved customs and organisations that surround us. Yet, to paraphrase Hume, while these institutions are invariably ‘advantageous to the public’, they are ‘not intended for that purpose by the inventors’.³⁷ Even our capacity to understand how this order maintains itself is limited. As Burke explained:

Rational and experienced men tolerably well know . . . how to distinguish between true and false liberty . . . But none . . . can comprehend the elaborate contrivance of a fabric fitted to unite private and public liberty with public force, with order, with peace, with justice, and, above all,

with the institutions formed for bestowing permanence and stability, through ages, upon this invaluable whole.³⁸

Humility is central to avoiding the error of thinking that one can completely understand this order. Perhaps no other thought is as uncongenial to the rationalist temperament (‘scientism’³⁹) as the notion that civilisational growth depends upon humanity’s willingness to be governed by inherited rules whose origin and function we may not fully understand. From Rousseau to Rawls, the construction of new laws and moralities has preoccupied those determined to remodel society. Such individuals are victims of *pride*—what Hayek called the ‘fatal conceit’⁴⁰ or, more specifically:

false rationalism . . . [which] is an expression of an intellectual hubris which is the opposite of that intellectual humility which is the essence of the true liberalism that regards with reverence those spontaneous social forces through which the individual creates things greater than he knows.⁴¹

The same hubristic pride feeds the *utopianism* of which Old Whigs are especially wary. One of Burke’s most telling criticisms of Fox’s praise of the French Constitution as ‘the most . . . glorious edifice of liberty . . . erected on the foundation of human integrity in any time or country’, was that ‘the English admirers of the forty-eight thousand republics which form the French federation praise them not for what they are, but for what they are to become’. As Burke remarked, ‘it will be thought a little singular to praise any work, not for its own merits, but for the merits of something else which may succeed to it’.⁴²

What then does this suggest about that primary Whig value, liberty under law? On one level, Hayek’s strictures concerning hubris remind us that some of the most significant threats to freedom have emerged as a consequence of rationalist attempts to engineer heaven-on-earth.

But when Hayek speaks of liberty under law, as an Old Whig he has something quite distinct in mind. Freedom, from the Whig standpoint, is essentially freedom from arbitrary coercion, whether emanating from government, legislature or the people. On the Whig view, such freedom is gained by strict adherence to the *rule of law*. This limits, as Hayek states, ‘the freedom of each so as to secure the same freedom of all’. The Whig vision of freedom is not therefore that of the anarchist: ‘it recognises that if all are to be as free as possible, coercion cannot be entirely limited’.⁴³ But nor is

Whiggism's conception of liberty linked to *reactionary politics, statism* or *collectivism*, as it strives to allow individuals as much scope as possible to act freely.

It is, however, apparent that what constitutes law from an Old Whig perspective differs from that of legal positivism.⁴⁴ Neither Hume nor Burke, for example, believed that law, properly understood, was the product of arbitrary legislative or judicial will. Nothing, Burke held, is

more truly subversive of all the order . . . and happiness, of human society, than the position that any body of men have a right to make what laws they please—or that laws can derive any authority from their institution merely, and independent of the quality of the subject-matter.⁴⁵

The Whig understanding of law is thus quite specific. Hume⁴⁶ believed that law had an evolutionary character and embodied the wisdom of experience. 'The rule concerning stability of possession', Hume wrote, 'arises gradually, and acquires force by slow progression, and our repeated experience of the inconvenience of transgressing it'.⁴⁷ Hence, he concludes, such rules are 'antecedent to government'.⁴⁸ They are not deliberate inventions, but rather grown 'formations'.⁴⁹ Taking a similar view, Burke insisted that any proposed statute must be 'reconciled to all established, recognised morals, and to the general, ancient, known policy of the laws of England'.⁵⁰ Here, one may suggest, are some of the roots of Hayek's distinction between law and legislation. The evolved rules that constitute law, Hayek argued, necessarily possess certain attributes which legislation will possess only if modelled on these rules.⁵¹

It is therefore hardly surprising to discover that Whiggism regards not just individuals as capable of violating law, but governments as well. Burke, for example, 'always maintained that [the American Revolutionaries] were purely on the defensive in that rebellion . . . they had taken up arms from one motive only: that is, our attempting to tax them without their consent'.⁵² Burke was thus quite correct to describe the colonists as 'not only devoted to English liberty, but to liberty according to . . . English principles'.⁵³ Once this particular rule was violated, Burke recognised that all other such rules were in danger, as 'under the system

of policy . . . then pursued, the Americans could have no sort of security for their laws or liberties'.⁵⁴ From Burke's position, it is no exaggeration to state, as Acton did, that 'By [Whig] principles America made itself free'.⁵⁵

Rebellion against the state should, as Aquinas reminds us,⁵⁶ be a last resort to protect liberty from tyranny. Many other Old Whig values are subsequently concerned with limiting state power so that such an option need never be contemplated. One is what might be called *constitutionalism*. Agreeing with the quintessential American Whig, James Madison, that 'all power in human hands is likely to be abused',⁵⁷ Hayek insists upon 'limitation of the powers even of the representatives of the majority by requiring a commitment to principles either explicitly laid down in a constitution or accepted by general opinion as to effectively confine legislation'.⁵⁸

To this extent, Hayek opposes those who give priority to what Burke called 'French liberty',⁵⁹ that is, political freedom in the sense of enhancing participation in the determination of policy.⁶⁰ Though Hayek was not adverse to democracy, he saw it primarily as a type of 'procedural device' for determining certain matters of common concern rather than an objective in itself. 'I have made it clear', Hayek stated, 'that I do not regard majority rule as an end but merely as a means, or perhaps as the least evil of those forms of government from which

we have to choose'.⁶¹ Consistent with his opposition to any type of unlimited government, Hayek (like Tocqueville) condemned *totalitarian* or *doctrinaire democracy*:⁶² the view that whatever the majority wants—even if it is inconsistent with constitutional or common law guarantees of liberty—should receive legislative fiat. Once again, Burke provides Hayek with Old Whig precedents for this anti-majoritarianism. One of Burke's criticisms of the New Whigs was their belief that

sovereignty . . . did not only originate *from* the people . . . [but] that the people are essentially their own rule, and their will the measure of their conduct . . . These doctrines concerning the people . . . tend . . . to the utter subversion, not only of all government, in all modes, and to the stable securities to rational freedom, but to all the rules and principles of morality itself.⁶³

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Faced with majoritarian claims that any proposal was justifiable if it reflected the majority's will, Burke's response was that 'Neither the few nor the many have a right to act merely by their will, in any matter connected with duty, trust, engagement, or obligation'.⁶⁴ Hence, when addressing his Bristol constituents, Burke insisted that his role as their MP was *not* to represent their views 'blindly'. To do so, he maintained, would be against 'the whole order and tenor of our Constitution'.⁶⁵

This principle of *self-restraint* on the part of both people and government also features in Hayek's thought. Living in a free society, he notes, sometimes means that people often have to tolerate (as opposed to endorse) certain acts that they regard with repulsion.⁶⁶ The same principle, however, was applicable to government. It must, Hayek believed, be constitutionally restrained from enacting legislation inconsistent with general rules. His reasoning resembles that of Burke. 'The vice of the ancient democracies', Burke claimed, 'was that they ruled . . . by occasional decrees . . . This practice . . . broke in upon the tenor and consistency of the laws; it abated the respect of the people towards them, and totally destroyed them in the end'.⁶⁷

Herein lies the key to understanding Whiggism's conceptions of justice and equality. Its location of justice and the *rule of law* in the application of *general and inflexible rules* to everyone reflects Hume's awareness of humanity's tendency to prefer immediate gain to long term advantage. On this basis, Hume contended that government must '[admit] of a partition of power among several members whose united authority is no less . . . than that of a monarch, but who, in the usual course of administration, must act by general and equal laws, that are previously known to all members and to all their subjects'.⁶⁸ While acknowledging that 'all general laws are attended with inconveniences, when applied to particular cases', Hume maintained 'these inconveniences are fewer than what results from full discretionary powers in every magistrate'.⁶⁹

In other words, once those charged with administering law concern themselves primarily with what Hume called 'the characters, situations, and connections of the persons concerned, or any particular consequences which may result from the determination of these laws',⁷⁰ the ill-effects are likely to be greater than the difficulties ensuing from applying general rules to hard cases. This Whig emphasis upon *procedural justice* contrasts with those who regard law primarily as a means for equalising social conditions or redistributing wealth. Again, the primary Whig concern is that such actions

increase the state's arbitrary power. Burke may have been referring to this when voicing his 'opposition to the spirit of levelling . . . [because it is] adverse to the true principles of freedom'.⁷¹

Moreover, statist attempts to equalise social and economic life, Hayek insisted, can lead to particular groups (such as industries seeking protection from market disciplines) being granted *legislated exemptions* from general rules. Apart from compromising the rule of law, such interference seriously distorts the process of spontaneous change that drives civilisational progress. One example of this highlighted by Hayek were the wage rigidities maintained, in part, by trade unions' privileged legal position.⁷² By undermining industry's capacity to respond to changes in demand, such privileges facilitated a cycle of misleading economic signals, and consequently economic stagnation and, in some instances, regression.

Renewing the tradition

The irony is that these examples of state intervention are usually described as liberal initiatives. New expressions must therefore be found to communicate Old Whig ideas to wider contemporary audiences. For while Hayek thought that '[Whiggism] has been the name for the only set of ideals that has consistently opposed all arbitrary power', he did 'not know whether to revive that old name is practical politics'.⁷³

The difficulties involved in identifying an alternative definition are manifold. To a large extent, the word 'liberalism' has been appropriated by constructivist rationalists. As Hayek noted, in many countries 'it has become almost impossible to use "liberal" in the sense in which I have used it' without engaging in 'long explanations [that cause] too much confusion'.⁷⁴ Then there is the problem of finding a form of words that encapsulate—under one rubric—humility, belief in liberty under law, government limited by law, limited reason, procedural justice, constitutionalism, spontaneous development, and respect for grown institutions, not to mention opposition to hubris, constructivist rationalism, anarchism, collectivism, statism, and doctrinaire democracy.

This is not to say that alternatives to 'Whig' or 'liberal' have not been tried. 'Libertarian' is commonly used, but Hayek himself believed that it 'carries too much the flavour of a manufactured term and of a substitute'.⁷⁵ 'Neo-liberal' and 'neo-conservative' have also entered political discourse. One wonders, however, whether either term escapes the confusion generated

by the different meanings often attached to liberal and conservative.

A case could be mounted for the phrase ‘Burkean conservative’. Unfortunately, it presumes some knowledge of the history of ideas that is hardly widespread among broader audiences. One need only recall Isaiah Berlin’s description of Burke as a ‘reactionary’⁷⁶ to realise how Burke’s opposition to the French Revolution leads many to forget that this was consistent with Whiggism.⁷⁷ In any event, Hayek was wary of the term conservative. He wanted people to recognise that ‘belief in integral freedom is based on an essentially forward-looking attitude and not on any nostalgic longing for the past’.⁷⁸ Any new definition of Whiggism must therefore express a sense of *dynamism*, not least because of its focus upon spontaneous creativity, not least within Whiggism itself.⁷⁹ ‘What I . . . want’, Hayek stated, ‘is a term which describes the party of life, the party that favours free growth and spontaneous evolution’.⁸⁰

It is perhaps improbable that a single phrase that captures all the ideals and transcends all the difficulties outlined above will ever be coined. After all, we are seeking an expression which, in Hayek’s words, ‘[pieces] together the broken fragments of a tradition’⁸¹ that encapsulates Burke’s political reflections, Smith’s economics, Tocqueville’s constitutionalism, Hume’s scepticism, Ferguson’s evolutionism, and Acton’s view of history.

Inevitably, a degree of simplification is necessary if this is to be communicated to broader audiences. A starting point may be a phrase rooted in true Whiggism. Given that the central Whig value is liberty under law, *ordered liberty* may be an alternative definition of Hayek’s political philosophy.

Significant objections are immediately obvious. Does ordered liberty, for example, imply telling people ‘what to do’ with their freedom? Ordered liberty is, however, surely a contemporary approximation of what Burke had in mind when he insisted:

The distinguishing part of our Constitution . . . is its liberty. To preserve that liberty inviolate is the *peculiar* duty . . . of a member of the . . . Commons. But the liberty, the *only* liberty, worth preserving is a liberty connected with order; and that not only exists with order and virtue, but cannot exist *without* them. It inheres in good and steady government, as in its *substance and vital principle*.⁸²

Order is understood here as an essential *safeguard* of liberty. It reflects Whiggism’s emphasis upon the need for general rules (‘good and *steady* government’) that allow the freedom of each so as to secure the freedom of all by limiting the state’s potential for arbitrary action.

Burke’s reference to virtue in this context is also significant. It expresses most Old Whigs’ recognition that liberty depends upon the cultivation of particular moral habits. As Tocqueville observes, free people require the *moeurs* suitable to free nations. In *Democracy in America*, Tocqueville noted how virtues such as prudence reduced the possibility of civil discord, the fear of which tempts many to desire order at any cost.⁸³ These habits, Tocqueville suggests, also facilitate the growth of the voluntary associations that reduce the possibility of democracy degenerating into majoritarianism.⁸⁴

Lastly, the phrase ‘ordered liberty’ is one that may assist contemporary Whigs in debating modern ‘disciples of the Parisian philosophy’.⁸⁵ While it communicates an appreciation of freedom’s reliance upon particular institutional and moral frameworks, ordered liberty also affirms that such ordering is directed to preserving liberty and has little in common with modern ‘liberal’ agendas of arranging matters in pursuit of ends often antithetical to freedom.

Ordered liberty, in this sense, does not rule out change. A political order which protects liberty is one that encourages risk, innovation, and subsequently evolution. Such arrangements are therefore both conservative and progressive in the best sense of each word. They are ‘conservative’ in their respect for the hidden wisdom contained in habits and institutions. Yet they are ‘progressive’ insofar as they facilitate inventiveness. Ordered liberty thus captures some of Whiggism’s most attractive qualities: optimism tempered by prudence; a faith in individuals grounded in a realistic appreciation of human nature; and a Tocquevillian consciousness of freedom’s grandeur and fragility. While this means that the civilisation towards which humanity is journeying will always be unknown, it suggests that we should be distracted by neither utopianism nor nostalgia.

In the end, of course, the viability of ‘ordered liberty’ as a modern definition and expression of Old Whiggism will be determined by the intellectual marketplace. But Hayek, one imagines, would not have it any other way.

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