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Poland's Century of Rebirths: The Appeals of Positive and Negative Freedoms

Out of the crooked timber of humanity, nothing straight was ever made.

Immanuel Kant

Introduction

In 2018, Poland commemorated its rebirth of independence and sovereignty, while the world recognized the end of a great war and embraced the norm of national self-determination. There are two versions of contemporary Poland: the Poland that led the way to healing the Cold War division of Europe in 1989, and the Poland arising from the elections of 2015, vowing to restore Poland's genuine sovereignty. In seeking full sovereignty, post-2015 Poland heralds a return to the traditional realist international order of the interwar period in Europe. As the restored independence of 1918 is commemorated, the end of the Second Republic cannot be far from the minds of those searching for patterns in Poland's tragic history [Tusk].

Both contemporary versions of Poland lay claim in different ways to the legacy of 1918. The Polish Revolution of 1989 saw 1918-1939 as both triumph and tragedy, as it pointed to the vulnerability of democratic republics to polarization verging on civil conflict and the dangers of intense competition between the great powers. For the leaders of post-2015 Poland, 1918 is the most historically proximate antecedent, a traditional state insisting on full sovereignty among ambitious neighbors.

The emergence of a populist-nationalist challenge to liberal orthodoxy awaited the 2008 financial

crisis, the Eurozone crisis, and the migrant crisis of 2015 to gain momentum, first on the periphery of Europe and then at its core. The near-revolutionary agenda of 2015 aims to change how Poles define their nation, involves a radical reinterpretation of its past, and implies a reorientation of Poland's foreign relations.

This article is an attempt to analyze Poland's 1918, 1989, and post-2015 state building projects as representing accommodations between the aims of ensuring sovereignty while guaranteeing individual freedoms. This accommodation is related in the Polish case to national traditions of pragmatism/positivism as opposed to romanticism/messianism. An analogy to this organizing tension in the Polish case can be discerned in the competing American traditions of the republic as experiment or as the preordained unfolding of divine providence.

I propose to use Isaiah Berlin's well-known concepts of negative and positive freedom to understand the path of Poland's state building projects of 1918, 1989 and 2015, arguing that all of them grappled with the same question of relative significance, or even logical coherence, of the claims of both 'freedoms.'

The history of the United States has crucially intersected that of Poland, beginning in the formative late 18th century. The United States was intimately involved in the inception of Poland's state building

projects of 1918 and 1989. With the 2016 arrival in power in the US of a leadership itself deeply suspicious of the liberal foundations of US domestic and foreign policy since 1945, Poland and the United States are once again intersecting in their re-thinking of once 'hegemonic' accommodations of negative and positive freedom.

Conceptual framework

Historians of the United States have discerned a dynamic tension between periods of exuberance and of retrenchment, periods when the 'we' of 'we the people' has been expanded or delimited [Schlesinger 23-42]. In an analogous way, Poland's national awareness has shown a persistent tension between messianism and pragmatism. Both of these conceptions can be captured in the two ideas of freedom laid out by Berlin, who conceives of the path taken by states and societies as an open-ended process of balancing and re-balancing the 'absolute' claims of the two freedoms.

Negative freedom answers the question, "What is the area within which the subject – a person or group of persons – is or should be left to do or be what he is able to do or be, without interference from other persons?" [Berlin 15] Classical liberal thought accepts that the sphere of personal freedom will be limited by law, but insists that a minimum area of personal freedom "must on no account be violated." [17] Negative freedom is intrinsically universal rather than parochial. As Berlin observes, the foundations of liberal morality involve the equality of liberty and the ethical requirement "not to treat others as I would not wish them to treat me." [18]

The positive conception of freedom involves people's ability to participate in governing themselves. Berlin observes that, although not intrinsically incompatible, the "positive and negative notions of freedom developed in divergent directions until, in the end, they came into direct conflict with each other." [23] Expansive ideas of positive freedom may posit a higher, or 'real' self, seen often as "belonging to a 'social 'whole' of which the individual is an element or aspect; a tribe, a race, a church, a state, the great society of the living and the dead and the yet unborn." [24]

Both freedoms make absolute claims, and compromises must be struck between them [29]. The extent of negative freedom "must be weighed against the claims of many other values, of which equality, or justice, or happiness, or public order are the most obvious examples... [This] may madden those who seek for final solutions and all-embracing systems, guaranteed to be eternal." [32] Faith in a single criterion brings the "vivisection of actual human societies into some fixed pattern dictated by our fallible understanding of a largely imaginary past or a wholly imaginary future." [31]

The contrast between Berlin's two freedoms is the distinction between legally guaranteed individual liberty, on the one hand, and popular sovereignty for a group conceiving of itself as a nation, on the other. The year 1918 represents the achievement of both of these freedoms for Poles, but perhaps more obviously the latter. The exercise of negative freedom assumes the existence of a polity able to enact and enforce laws to protect individual rights. In this sense, positive freedom is a prior condition for negative freedom. The realization required throwing off alien and arbitrary rule. Once achieved, however, positive freedom is always accompanied by the uneasy awareness of the sovereignty of others.

The populist-nationalist turn in Poland since 2015 is an assertion of positive freedom. This version of positive freedom asserts the need to protect the community against external and domestic threats to its existence and thereby justifies circumscribing the realm of individual (negative) freedom. Post-2015 Poland has reasserted the primordial fear of loss of territory. This may be attributed in part to the actual or potential withdrawal of the US from its role of security guarantor in Europe, but is surely also a consequence of Russia's breach of post-Cold War security norms in Ukraine.

The post-1989 project by contrast was built on the foundation of unprecedented certainty around Poland's geographical extent (the post-1945 borders) and ethnic homogeneity of Poland's population. This spatial and demographic certainty corresponded with an ideational triumph of liberal democracy, drawing Central and Eastern Europe enthusiastically into its orbit.

The attack by interwar theorist Carl Schmitt on the liberal state was relevant to the failure of parliamentary democracies in that period, and is again relevant

today. Schmitt's is a strong assertion of the centrality of what Berlin later would call positive freedom. Schmitt asserts that freedom *only* means national self-determination and is realizable only by and within the state. Schmitt's idea of democracy rests on the claim that collective self-assertion *is* freedom.

Liberal democracy for Schmitt is self-contradictory, because liberalism destroys democracy and vice versa. The legal claim by minorities through independent institutions to constrain the exercise of state power only frustrates the popular will. Democracy, as defined by Schmitt, is the "identity of governors and the governed." He contends that "there has never been a democracy that has not known the concept of the alien and which realized the equality of all men." [*A Dangerous Mind* 27] Schmitt goes on to argue: "The specific distinction to which political motives can be reduced is that between friend and enemy." [26]

An enemy is indispensable but not necessarily morally evil. Rather, he is simply and always "the other, the stranger." [Schmitt 27] If necessary, he must be "repulsed and fought in order to preserve one's own form of existence." [27] Moreover, Schmitt asserts the necessity of eliminating domestic enemies. "If a part of the population declares that it no longer recognizes enemies, then, depending on the circumstance, it joins their side and aids them." [51] In this strong form enunciated by Schmitt, positive freedom not only erodes personal liberties, but makes national loyalty the supreme ethical value.

The consequences of this deification of the state and nation are vividly evoked in the anti-fascist Ventotene Manifesto of 1941. The authors lament that, "No longer is the 'nation' considered to be the historical product of the communities of man... It has, instead become a divine entity, an organism that has only to consider its own existence, its own development, without the least regard for the damage this might cause to others." [Spinelli and Rossi]

Intersection of Polish and American Experiences of Democratic State Building

Poland resembles the United States only inasmuch as both (indeed, all liberal democracies) are locked into what Jan-Werner Müller calls a permanent crisis

of representation, setting and resetting the boundary of the political community. For example, contemporary Poland's political community can be taken to encompass all EU citizens, or it can be radically truncated to consider pro-European Poles as foreigners. Analogously, the American political community was expanded eventually to include all adult citizens in all states.

Tentative and failure-prone liberal democracy appears in historical time as the unfolding of an open-ended experiment. The American founders, according to historian Arthur Schlesinger, "embarked on a singular adventure – the adventure of a *republic*," guided always by the precedent of classical Rome. On this voyage, recognized as open ended and subject, as Rome was, to failure and decay, they nevertheless held Greece and Rome as the "noblest achievement of free men aspiring to govern themselves." [Schlesinger 5-7]

This historical vision negates any claim of American exceptionalism, since "all nations are immediate to history." Alexander Hamilton asked: "Is it not time to awake from the deceitful dream of a golden age, and to adopt as a practical maxim for the direction of our political conduct that we, as well as the other inhabitants of the globe, are yet remote from the happy empire of perfect wisdom and perfect virtue? ... The Founding Fathers saw the American republic not as a divine consecration but as a test against history of a hypothesis." [10] The American Constitution is intimately connected to the idea of 'experiment,' because it sets up rules of representation (rule making), separation of powers (assurance against arbitrary power) and does not foreordain success.

After the Republic withstood the trial of the Civil War, a counter-tradition arose, asserting that the country's historical path was the unfolding of divine providence. "The fact that God had withheld America so long – until the Reformation had purified the church, until the invention of printing had spread the Scripture among the people – meant that He had been saving the new land for some ultimate manifestation of His grace." [14]

According to Schlesinger, "all nations succumb to fantasies of innate superiority." When they act on these fantasies, "they tend to become international menaces." "The American hallucination took root during the long holiday from the world of reality...

When America re-entered that world, overwhelming power confirmed the hallucination.” [19]

This idea of America as the ‘elect’ or ‘redeemer’ nation is an expansive version of positive freedom, asserting radical innocence and moving the purposes of the polity and its identity outside of secular history. Schlesinger passionately rebukes these claims: “No people reared on Calvin and Tacitus could ever have been very innocent. No nation founded on invasion, conquest and slaughter was innocent.” The Constitution did not assume the innocence of man, “not even among those blessed enough to be Americans.” [10] He notes that the great American pragmatist William James abhorred the fatalisms implied “by the idol of a national destiny.” [14]

These two ways to understand American history are closely related to the interplay of negative and positive freedom. The adoption of the idea of destiny may sacrifice negative freedom on the altar of some supposed glorious endpoint beyond which there can be no change. A similar pattern of tension and accommodation between the demands of negative and positive freedom may illuminate Poland’s state building projects in 1918, 1989 and 2015.

Post-1918 state building

Throughout the 19th century, Polish nationalists asserted the indivisibility and universalism of positive freedom, in the sense that national independence was the aim of many European nations to independence from the reign of multi-ethnic empires. Polish patriots’ inspiring call was “For our freedom and yours.” Polish romantic nationalism can be understood as an early assertion of the value of national self-determination and the inviolability of sovereignty that would be recognized after WWI as a core principle of international law. Rather than being easily universalized, however, the realization of positive freedom is historically related to conflict: the throwing off of alien or arbitrary rule. The assertion of positive freedom – sovereignty – is always and everywhere challenged and potentially threatened by the uneasy awareness of the sovereignty of others.

Woodrow Wilson saw the rise of nations as the necessary condition for stable recognition of civic

freedoms as well as the possibility of international cooperation to ensure collective security [Mazower 48-54]. The consuming question for the re-establishment of an independent Poland – an explicit aim given in Wilson’s Fourteen Points – was setting its western and eastern boundaries and access to the Baltic. At the Versailles conference, Jozef Pilsudski was disposed not to press for territories in the west with a large share of German inhabitants, but had expansive ambitions in the east, where ethnic Poles lived among Ukrainians, Belarusians and Lithuanians. Pilsudski’s great rival, National Democrat leader Roman Dmowski, was more ambitious in the west and slightly less so in the east. Disagreements between interwar Poland’s two principal founders, and concerns about the status and rights of the Jewish minority, diminished the goodwill of the Western powers at Poland’s rebirth [McMillan 214-15]. Ultimately, the eastern boundary was also set by Poland’s success in the 1920-1921 war against Bolshevik Russia. Despite this military triumph, Pilsudski’s dictum, “Poland will be a great power or she will not exist” was to prove tragically prophetic in 1939 [Leslie et al. 133].

After 1918, the Polish state recognized individual political rights and drew on Poles’ own long experience of representative institutions. A constitution modelled on the French Third Republic was adopted in 1921. However, the National Democrats’ program (laid out in influential books in the early 20th century by Dmowski and other party leaders) was an acute form of populist nationalism. As Leslie writes:

“It was they [Dmowski and National Democrats] who bequeathed to modern Polish nationalism the concept that the nation is the pinnacle of all morality. Any feelings of compassion toward other nations was correspondingly immoral...” [71]

The ideology of the National Democrats exemplifies Schmitt’s friend-enemy distinction, insofar as the ‘alien’ Jewish element in Polish society was seen as an insurmountable obstacle to national self-realization. The failure of parliamentary institutions to contain the conflict between the exclusive (ethno-nationalist) versus inclusive (civic) versions of membership in the polity reached its climax in the assassination of President Gabriel Narutowicz in 1922, on grounds that votes of members of ethnic minorities had been crucial to his election.

Adam Michnik sees the Narutowicz assassination as the single most determinative episode in the collapse of democracy in interwar Poland. “The murder of President Narutowicz was the Polish equivalent of the Dreyfus affair. What was at stake here, as in France at the turn of the century, was not only relations between the two nationalities but the shape of the state and the nation.” [NYRB]

***Post-1989 state building:
Poland’s “American” Revolution***

Poland’s renewed independence and embrace of democracy in 1989 was the triumph of liberalism over communism, which had claimed to be able to achieve a utopian positive freedom. The idea of European Poland belonging to the broader community of the West was the powerful unifying aim of post-Solidarity Polish political elites. Because foreign and security policy were conducted by ‘presidential’ ministries, the stance of President Lech Wałęsa and his successor Alexander Kwaśniewski steadied the course toward EU and NATO membership, and contained the influence of critics of integrationism.

The liberal post-Solidarity elite had embraced an aim of making Poland a “normal country.” “In 1989, Central and East Europeans were not dreaming of some perfect world that had never existed. They were longing for a ‘normal life’ in a ‘normal country.’” Adam Michnik said that Poland’s revolutionaries of the period sought “a revolution that [does] not resemble the French or the Russian, but rather the American, in the sense that it be for something, not against something. A revolution for a constitution, not a paradise. An anti-utopian revolution. Because utopias lead to the guillotine and the gulag.” [Krastev and Holmes 119]

Poland’s negotiated return to democratic rule through the Round Table discussions epitomized the positivist inheritance of its democratic opposition to communist rule.

During a 1979 visit to Poland, Jürgen Habermas recalled having “gained the impression that these Poles had produced a strongly positivist and secular intelligentsia, of the kind that can only exist in a Catholic country... I have learned that positivism is one of the

most stable elements of the Enlightenment tradition.” [Habermas]

Poland’s revolution of 1989 was analogous to the American revolution, because foreign rule was thrown off not as an end in itself but as a means to ensure individual freedoms. The cause of universal human rights (negative freedom) dominated the Western critique of communist regimes in the latter stages of Soviet hegemony and inspired the most effective domestic critique of communism in Poland and other countries in the Soviet dominated East. The West exerted a strong ‘civilizational’ pole of attraction throughout Central and Eastern Europe. The assertion of the West as a community of shared values in a sphere of permanent peace engendered a relaxation of political claims based on national identity.

The near-hegemony of liberal post-Solidarity elites in power after 1989 was not uncontested: the post-Solidarity Christian national right showed its potential first in the defeat of Mazowiecki by Wałęsa in the presidential election of 1990. Interludes of government by a nationalist conservative post-Solidarity counter-elite have included the Jan Olszewski government of 1992, the victory of Solidarity Electoral Action and premiership of Jerzy Buzek from 1997 to 2001, and the Jarosław Kaczyński cabinet of 2006-2007. Founded in 2001, Law and Justice (PiS) mounted a passionate challenge to ‘European’ Poland, and became the main opponent of the centrist camp of post-Solidarity political leadership. The victory of PiS in October 2015 stigmatized the ‘return to Europe’ as a humiliating imitation of traditions alien to genuine Poles.

Poland’s Post-2015 Populist ‘Revolution’

Jan-Werner Müller argues that two defining characteristics of populist politics are anti-pluralism and a rejection of the legitimacy of previous ruling elites. Once in power, populists reject institutions that would tend to inhibit the exercise of power and could permit their eventual loss of power.

Populism is, for Müller, the “permanent shadow of representative politics.” [Müller 101] Under populist representation, “the ‘substance’ or ‘spirit’ or, put more straightforwardly, the ‘true identity’ decides, and not the larger number.” [29] ‘Democracy’

becomes a metaphysical claim to representation as a matter of shared identity, an ability to discern and serve the 'real' national community.

Historian Piotr Osęka has argued that "PiS is first revolutionary party taking power in Poland since the PZPR [communists] in 1948. Their fundamental program from 2014 onward makes clear their purpose for seeking power is to negate the structural transformation of Poland after the fall of communism." The leadership of post-1989 Poland had, according to PiS, "failed to relate to the nation as an organized community and to its historical essence and moral values." [Osęka] Populist leaders' actions are based on the claim that there is a coherent and knowable "popular will" in no necessary correspondence to majority opinion. Senior conservative parliamentarian Kornel Morawiecki declared before the Sejm on 25 November 2015 that: "The good of the nation is above the law. If the law interferes with this good, then we must not consider it inviolable. Any law that does not serve the nation is lawlessness (*bezprawie*)." [Stasiński]

A reassertion of the blamelessness of interwar Poland is part of the conservative version of Poland's identity. Tony Judt has pointed to the distinctive status of historical politics in post-communist Eastern Europe:

"For Eastern Europeans the past is not just another country but a positive archipelago of vulnerable historical territories to be preserved from attacks and distortions perpetrated by the occupants of a neighboring island of memory, a dilemma made the more cruel because the enemy is almost always within..." [Judt 312]

A clear challenge to the populist identity narrative from a 'neighboring island of memory' is the following statement by Adam Michnik:

"I believe that the greatest misfortune for my country and my nation is the tendency to impose a single identity on the whole of Poland, first a communist identity, then an anti-communist one, now Catholic, now anti-Catholic. In reality there is a common Polish identity which is pluralistic and heterogeneous..." [Michnik with Habermas]

The PiS narrative insists that genuine democracy began in 2015 with the rout of a corrupt, cosmopolitan elite. In order to replace the former narrative of renewal and progress since 1989, the right-wing press and media must insist on the new reading of history and offer vigorous opposition to any reactions from

opponents. In December 2015, Kaczyński said: "In Poland there is a fatal tradition of national betrayal. This is in the genes of certain people, the worst sort of Poles. And this sort is extremely active, because they feel threatened. The war, communism and transformation promoted them, and now they fear that times are changing." [Osęka]

The revolutionary claim of PiS to govern draws on the despair and humiliation of the crash of the presidential aircraft in Smolensk in 2010, blamed on the alleged treachery of the government of then Prime Minister Donald Tusk. Today's Poland, despite the predominance of ethnic Poles, is, according to the new history, still inhabited by dangerous and treacherous 'others', including those who schemed with Russians to down the president's plane. Smolensk appears in retrospect as the defining call to arms of the anti-pluralist and anti-elite, xenophobic and Eurosceptic revolution underway in Poland. Müller claims that conspiracy theories are "not a curious addition to populist rhetoric; they are rooted in and emerge from the very logic of populism itself." [Müller 32]

The participation in power by conservative nationalist forces was, prior to 2015, contained within liberal institutions: constrained by parliamentary coalition partners, the separation of powers between president and prime minister, the Constitutional Tribunal, and the pluralism of independent media. Since 2015, PiS has striven to remove these impediments. As Müller observes, populists oppose "mechanisms of representation that fail to vindicate their claim to exclusive moral representation." [39]

The American 'Intersection'

The last year of Obama's presidency saw a cooling of relations between the US and Poland, because the United States endorsed the concerns of the European Union about the independence of the Constitutional Tribunal. These concerns were in keeping with the strong basis in shared liberal values that had underpinned American support for Poland's "American" revolution of 1989.

The speech by President Trump in Warsaw in July of 2017 is a reformulation of the fundamental affinity between the United States and Poland. The embrace

of sovereignty and independence by both countries in the face of threats replaces their shared commitment to individual rights and freedoms, or even to democracy.

Standing at the Warsaw Uprising monument, Trump declared, “Poland is safe, strong and free.” [Trump] The speech thereafter made only one fleeting reference to democracy and none to individual freedoms. The martial focus of the speech celebrated freedom *from* foreign domination, and facing down threats from ‘enemies of all civilization.’ Poland’s struggle against communist rule imposed from Moscow was summarized in the slogan ‘We want God.’ Trump saluted Poland as the ‘soul of Europe’ in ‘defense of our civilization,’ evoking the messianic trope of Poland as a shield against Eastern (‘Asiatic’) Christianity and Islam. These remarks supplanted the defense of universal individual liberties with the defense of the Christian (or Judeo-Christian) West against enemies. The freedom evoked in this speech is the freedom of ethnically and religiously homogeneous nations and not of persons [Trump].

The waning of the West’s appeal as a community of liberal values is manifest in growing receptiveness by Europeans to a traditionalist counter-narrative drawing inspiration from Russia, Turkey, and Hungary. This ‘other Europe’ eschews liberal homilies for the frank pursuit of national sovereignty based on a cohesive national community (bound together by religion, xenophobia, antifeminism, and homophobia). Populism seems to solve a problem liberal democracies cannot answer: Precisely what are the boundaries of the political community and what defines belonging to ‘the people’? [Müller 75].

Because liberal democracies are founded on the management of conflict among divergent interests in a climate of mutual respect and deliberation, such states may tend to project into the international environment the expectation that divergent interests can be harmonized. Populist nationalism places the realization of the nation’s freedom from foreign domination above the guarantee of individual freedoms and accepts no value pluralism. As such, it fundamentally rests upon the friend-enemy distinction. Moreover, as there is no ordering among enemies, strategic dilemmas such as the souring of Poland’s relations with Germany and Ukraine may arise. Similarly, the frictions introduced

by President Trump in relations with Germany, France and the European Union are inexplicable in terms of strategic logic. Clearly, the populists’ maximalist national self-assertion irresistibly enhances the potential for international conflict.

Conclusion

The tension between romanticism and positivism, between asserting the (imperilled) sovereignty of nations and protecting individual liberty, between ‘mission’ and ‘experiment’ is relevant to the history of Western civilization as a whole, and, as this essay has attempted to suggest, to the American as well as the Polish experience.

It is clear that populism can cross national boundaries. But mutual admiration among populists cannot produce durable peace, because populist rule rests on the perception of dangers to the nation from the ‘enemy’ both within and outside the polity. Love of the nation is the highest moral value, and therefore the nation must be fully innocent. As Reinhold Niebuhr remarked, “Nations, as well as individuals, who are completely innocent in their own esteem, are insufferable in their human contacts.” [Niebuhr 42]

Liberal democracies do not require the friend-enemy distinction as a condition of their existence. Saint John Paul II reconciled love of country with respect for individual dignity and freedom in this way: “The love of one’s country recognizes the right of all other peoples the same right as one’s own....Being Polish rests fundamentally on diversity and pluralism, and not on narrow-mindedness and insularity.” [Rotfeld 15]

The American founders realized that republics may degenerate into dictatorship, but trusted that history could be redemptive, that time could allow errors to be corrected and crises to be overcome. We cannot now be sure whether and when the populist wave now touching countries across the globe will ebb. But history allows us to hope a renewed liberal democracy will eventually produce a new accommodation between negative and positive freedom.

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ABSTRACT

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Poland's Century of Rebirths: The Appeals of Positive and Negative Freedoms

I propose to use Isaiah Berlin's well-known concepts of negative and positive freedom to understand the path of Poland's state building project since 1989. I argue that the choices made reflect the inherent tension between full realization of one or the other kind of freedom. (I. Berlin, *Two Concepts of Liberty*, 1969) In Benedict Anderson's terms, Poland's is a case of a state-seeking nation rather than the more frequently studied instance of self-conscious nation building spearheaded by multiethnic or multi-confessional states (for example the United States in its formative history). Although it is natural to draw lessons from Poland's interwar independence, the contemporary period of state building occurs in a radically different 'hegemonic' normative framework that that of 1918-1939; one where the concept of sovereignty (central to Berlin's 'positive freedom') is conditioned by transnational cooperative undertaking and the 'West' as a value-laden concept. The defining particularity of the Polish case has been the internationalisation of its contemporary state-building project. This puts the traditional understanding of sovereignty at variance with the claims of individual autonomy and value pluralism.

Keywords: Liberalism, Nationalism, Poland, United States, State-building