

A Study of Hayek's Spontaneous Order: Based on *Law, Legislation and Liberty*

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Abstract

Friedrich von Hayek, winner of the Nobel Prize in Economics in 1974, is a typical representative figure of Western liberalism in this century, who vigorously defends individual freedom, advocates free competition and market order, and strongly opposes interference by state-planned directives. Spontaneous order is the core of his entire theoretical system, throughout his entire theoretical system. This paper is a detailed exposition and explanation of the concepts of order, spontaneous order, and its development as well as the relationship with the term organization. It tries to make a most detailed, real and original interpretation of the spontaneous order.

Key words: Order; Spontaneous Order; Organization

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INTRODUCTION

Friedrich von Hayek was a typical representative of Western Liberalism in this century. He strongly defended personal freedom, advocated free competition and market order, and strongly opposed the interference of national plans. He believes that justice is a rule and defending personal freedom, so that individuals are not controlled by the will of others and pursue personal freedom. He advocates spontaneous order and believes that only by following the spontaneous order will not destroy our

civilization. Spontaneous order occupies a pivotal position in its entire theoretical system. This concept is the core of supporting its entire social theory and the basis for its free theory. Hayek's interpretation of spontaneous order is quite exciting in the first volume of "*Law, Legislation and Liberty*", which clarifies the concept of spontaneous order, origin, and constitutes the context theory. This theory is the core of its liberal social theory. Only by having a detailed understanding of this theory can Hayek clearly understand the relationship between justice, freedom and order, and then truly understand its entire social theory.

1. THE CONCEPT OF SPONTANEOUS ORDER

For the proper functioning of a society, there is bound to be an order either explicitly or implicitly, either strongly or weakly influencing the whole society. In Hayek's view, the order is divided into two types, one is "the grown order" and the other is "the made order". The made order which we have already referred to as an exogenous order or an arrangement may again be described as a construction, an the made order." (Hayek, 1993, p.37) In the abstract it can be an order, and in practical terms it can be an organization. "The made order" is relatively simple, specific, and "the made order" to obey the intention and purpose of order creators. "The grown order" is the order of self-generating or endogenous order. It can also be described as a spontaneous order. "The grown order" is also the leading role of spontaneous order in the operation and development of a society. Hayek believes that the order in real life is the product of people produced by people, not the product of intentional designed. For example, in the development of language and morality, it has been recognized that they are the product of an

evolutionary process and not the deliberate creation of some wise man. Hayek emphasizes order: “By ‘order’ we shall throughout describe a state of affairs in which a multiplicity of elements of various kinds are so related to each other that we may learn from our acquaintance with some spatial or temporal part of the whole to form correct expectations concerning the rest, or at least expectations which have a good chance of proving correct.” (Hayek, 1993, p.36) Thus, Hayek’s recognition of the existence of social order and the fact that order is “the order of growth” is not a deliberate creation. Rather, it is a self-generated order, an endogenous order, that originates from within. In reality, because the order is explained as a deliberate arrangement made by someone, it is left out by liberal personnel and is sought after by authoritative. The authority of this authoritative concept of orderly order comes from such a concept -order which comes from external forces, and only the power of the system can create order. And this is completely different from “internal” and “from the inside”, and the spontaneous order established from the inside.

In nature, the performance of spontaneous order is the most obvious and clear. For example, we cannot create an organic compound in thin air, but we can follow the order of atomic operation and create conditions to guide them in accordance with their generation and operation. Hayek believes that in society, the elements that have spontaneous order in order to adapt to a certain scenario and environment in the order, and follow some rules in the scene and the environment in the adaptation process, and constantly adjust and adapt, but it should be noted that we are constantly following, adjusting, and adapting to the most direct correlation with us, and have the rules that directly affect us to follow, adjust and adapt. This means that our knowledge can only help us recognize the general characteristics of self -structure order, and the details are what we cannot predict. In other words, we can only affect its abstraction. Therefore, compared with our control over the control of the made order, the control of spontaneous order is much weaker. However, in Hayek’s view, only spontaneous order can realize justice, and at the same time denying the implementation of the concept of justice can better maintain the spontaneous order.

2. THE SOURCE OF SPONTANEOUS ORDER

Hayek repeatedly emphasized that spontaneous order arises from the adaptation of the elements within the order to a certain situation and environment, and the adherence to some rules within the situation and environment in the process of adaptation, and the formation of spontaneous order through continuous

adjustment and adaptation. That is to say, the spontaneous order arises from the observance of certain rules of behavior by the elements within the order. That is to say, the balancing of the elements against all the factors acting on them, the coordination of the actions of each element with each other. In order to understand this better, we need to clarify three more questions.

First of all, what are rules? According to Hayek, rules are the elements that govern people’s actions in an unknown state, which people consciously follow and function. It follows that rules are the previously mentioned rules of proper behavior. This means that people voluntarily accept and disseminate these rules in their daily lives, and that they can be corrected for violating the rules, and that they can be adjudicated for different opinions about appropriate behavior.

Secondly, what kind of rules can form a social order. Hayek believed that social order can only be formed when those rules are formed that make social life possible. This means that people tend to follow the order of behavior of the group as a whole. So, what properties must rules possess in order for individuals to act in a way that produces an overall order? First of all, the environmental atmosphere of their actions is the same; secondly, they have a common cultural tradition; again, they generally abide by a certain rule to help their actions succeed, which means that they are beneficial to them.

Finally, we need to note that even man-made orders are in a way spontaneous. This is because after the creation of an artificial order, people adapt to the rules as they follow them, improving and adjusting them where they don’t fit. That is to say, when people follow the rules, they also improve them. For the society we live in, the rules that people actually follow are spontaneous. Hayek argues that even man-made rules are characterized by self -generating. Because of the finiteness of reason, the rule-makers of the artificial order cannot set up all situations, they don’t know and can’t know all situations. Therefore, there are always unexpected situations that are not rationally possible, and this is the fertile ground for the emergence and development of the spontaneous order.

It can be seen that the spontaneous order is not the order that any wise man deliberately created. It is derived from the internal self -generating order. And spontaneous order cannot be perceived or recognized by people’s intuition. Therefore, spontaneous order has the characteristics of complexity and abstraction. It should be noted that because the spontaneous order is not created by the external power, spontaneous order does not have a purpose in itself. However, if the meaning of “purpose” is the meaning of function, the two have similarities.

3. THE COMPOSITION OF SPONTANEOUS ORDER

The part of spontaneous social order includes: individual and organization. Hayek saw organizations as effective ways and powerful means of making order more responsive to people's aspirations in a range of ways and helping us to work together. A fact can be found in our daily life: organizations and groups promoted by some spontaneous order. For example, families, factories, companies, community organizations, public sectors, etc., they are all organizations. But they are integrated into a broader spontaneous order. In this way, the term "society" can describe the spontaneous order. The difference between the self-generated and spontaneous order of such a society and an organization is that it does not need to have the same clear boundaries and borders as an organization. This is because such societies tend to have a core of several closely connected individuals. But in large societies there may be other special circumstances that bring the members closer together, either because of spatial proximity or because of some other special circumstance. As a result, there may be an overlap between the larger society and parts of it. That is to say that, according to the individuals in the society, each individual is a member of the larger society as well as a member of a multitude of other spontaneous orders, that is, partial societies.

Within the larger society, there is one organization that occupies a special place, namely, the Government. Government is an indispensable and important player in ensuring that the spontaneous order of society is followed by the people. The role of government in this respect is similar to that of the maintenance team in a factory. In addition to this, the government has other roles and services that are not adequately provided by the spontaneous order. For example, when the government imposes coercive measures and fulfills its coercive function, it is an essential condition for the maintenance of the overall order. This situation can be distinguished by the term's "society" and "government". It should be noted, however, that it is extremely misleading to use the terms "State" rather than "government" and "society" to denote the former as an organization and the latter as a spontaneous order. It is very misleading.

4. THE CONTRADICTION BETWEEN SPONTANEOUS ORDER AND ORGANIZATION

The contradiction between free society and organization is mainly manifested in two aspects: one is that individuals are controlled by the organization, which is prominently manifested in the aspect of Hayek's opposition to Rolls. The difference and contradiction, which is prominently

manifested in Hayek's opposition to constructors. One of the fatalities in these two aspects is that they violate the rules of legitimate behavior and conflict with the principle of justice.

In our society, spontaneous order and organizations often coexist around us. There are obvious differences between them. We need to clear the difference and we cannot confuse them in the way we want.

First of all, the rules of the organization are necessarily bound by the order and can only regulate what the order does not provide. For the members of the organization, the rules will vary according to their different roles, and the members will need to interpret the rules according to the specific purpose of the organization's orders. Self-generated orders, on the other hand, are internally generated and are not subject to the imposition or control of external rules. Moreover, the rules of spontaneous order are characterized by independence of purpose and equal application. This is the fundamental reason for the contradiction between the two.

Secondly, the complexity of modern society is far from what any organization can build. The reason for the high degree of complexity of modern society is that the structure of modern society does not depend on the development of organization, but as a self-evolving evolutionary evolution, which makes modern society have this complexity. And as the scope and complexity of the order maintained by rules grows, the more limited the scope and circumstances anticipated by the rule-makers become, and the more control depends on rules rather than specific commands. Therefore, it is inappropriate to advocate that we can plan the order of modern society. And this is the contradiction between spontaneous order and organization.

Finally, according to Hayek's understanding, "organizational" is the made order or external order. It follows the general usage of sociology and the "organizational theory". From this, "The idea of organization in this sense is a natural consequence of the discovery of the powers of the human intellect" (Hayek, 1993, p.54) In other words, organizations seem to have become intellectual controllers that can be relied upon to achieve certain outcomes or goals for their stakeholders. And this is exactly what social justice advocates insist on and promote. The development of the organization can be said to be one of the great achievements of construction theory, but we should also see the limitations of the organization. Hayek believes that constructors have ignored two major issues: "What it overlooks is that the growth of that mind which can direct an organization, and of the more comprehensive order within which organizations function, rests on adaptations to the unforeseeable, and that the only possibility of transcending the capacity of

individual minds is to rely on those super-personal ‘self-organizing’ forces which create spontaneous orders.” (Hayek, 1993, p.54) This actually points to the fact that the essence of organizational development and growth lies in the adaptation and debugging of unforeseen circumstances, as well as the fact that there will be all kinds of unpredictable and unforeseen problems in the process of development. That is to say, the essence of organizational development is to rely on the development of spontaneous order. However, if this is ignored, the problems that exist in the process of organizational development and growth are the constant covering up of mistakes, the creation of authority, the creation of fixed vested interests, and the creation of hierarchical order.

5. SPONTANEOUS ORDER AND MARKET ECONOMY

Hayek believes that the market economy in real life is a typical representative and manifestation of spontaneous order. Market economy is actually an embodiment of Hayek’s concept of spontaneous order. The market economy, which is market-driven and not subject to the deliberate control and intervention of human will and organization, can be said to be the ideal model of Hayek’s concept of spontaneous order. Therefore, Hayek highly praises the market economy and believes that the market is universal. Everything in society should be determined by the market, including: social security, taxation, price, currency, housing, education and resources, etc. Only by leaving it all to the market can we guarantee the realization of spontaneous order, the realization of freedom, and the ultimate achievement of justice in a progressive manner. If there is man-made or organized intervention and control, then this is not only a violation of freedom and a breach of the self-generated and spontaneous order, but it may also lead to injustice to a greater and deeper extent. At the same time, freedom is an important feature of the market economy and the goal of the market economy. Only by implementing a market economy can we maintain personal freedom and make individuals from being controlled and influenced by the will of others. But this freedom is by no means freedom without restrictions. Freedom is that everyone is a free person who has the power to pursue their goals. In order to do this, you need to clearly specify personal rights and clearly stipulate that individuals are used to achieve personal goals. Because of the limited nature of human rationality, the market can be said to be the only way to realize justice and freedom. Because the market can provide sufficient information, so that individuals can weigh the information and use of the resources they want to know, and provide services and help for those who are far away and even unknown through this information. And it is difficult to do all of this alone.

6. DISTINGUISH BETWEEN JUSTICE AND FREE SOCIETY

As a freedom, Hayek believes that freedom is the ultimate value and highest pursuit of a society. Free society must allow individuals to enjoy full freedom and determine their own will without being controlled and slavered by the will of others. However, the principle of allocating justice is not only set up by some organizations and individuals, but also when the entire society follows this principle and organizes it, the goal of allocating justice can be achieved. This is contrary to Hayek’s principle of justice. It is also necessarily contrary to the principles of a free society. At the same time, this will be contrary to the spontaneous order. In this way, people need to obey the order of the organization, influence and control of the will of others, be involved in the minds of others, and even become centralized.

In addition, if the scope of distribution of justice is expanded to one country and international community, an exception problem will occur. This will not be conducive to the free development of the entire human society. A member of a specific society has the right to request a certain standard living standard. Usually, in a wealthy society, some welfare conditions are given to the poor to ensure their normal life. Specific guarantee measures depend on the general wealth of a society. The development of the modern international community is unbalanced and there are differences. If this scope of application expands, beyond this area, society, or country, that is, it is difficult to achieve those who do not belong to this society or country. Moreover, in order to protect the interests of one’s own country, collective property rights will be formed in order to exclude. This is one reason for the exclusionary nature of many regions now. As global resources become scarce and strained, it will gradually become a source of international conflict.

CONCLUSION

As a freedom supremacist, Hayek believed that freedom was the ultimate human value. Hayek’s entire social theory revolves around his idea of freedom, and the ultimate purpose of his discourse is to defend individual freedom. As an important part of his social theory, the theory of justice, the destination of justice is, of course, also the defense of the spontaneous order, which can be said to be the defense of justice of freedom. Of course, the freedom that Hayek seeks to defend has a specific connotation. In addition, Hayek’s theory of spontaneous order is the core of his entire social theory. Only by truly understanding the meaning and difference between “man-made order” and “growing order”, as well as the manifestation of spontaneous order in nature and society, can we better understand the relationship between rules,

freedom, justice and spontaneous order. So we can deeply understand Hayek's respect for freedom, spontaneity, and autopoiesis, as well as his high praise for the market economy. In other words, Hayek's justice in defense of freedom is both a defense of freedom and a defense of spontaneous order. It is more a search for an equilibrium

between justice, the market economy and individual freedom.

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