Ralf Dahrendorf on Freedom[1]

Freedom

By freedom or liberty we mean the absence of coercion. Human beings are free to the extent to which they are able to take their own decisions. A state of freedom, or liberty, provides the conditions which minimise coercion. Liberalism aims to bring about a maximum of freedom under given constraints.

The modern concept of freedom has two distinctive characteristics: it applies to individuals and aims to be universal. Only individuals can be free. It is metaphorical language to speak of a 'free people' or a 'free country' unless one refers explicitly to the 'constitution of liberty'. All individuals are entitled to be free. Although Aristotle was one of the first thinkers to advocate freedom as the purpose of politics, his distinction between the 'naturally free' and those who are 'by nature slaves' shows a pre-modern mode of thought. All humans are beings with a life of their own to live. `This is liberty as it has been conceived by liberals in the modern world from the days of Erasmus to our own.' (Isaiah Berlin)

Freedom as the absence of coercion is the core of the concept, but it is only the starting point of the (political) theory of freedom. Even apart from constraints on human behaviour that are not social but natural, coercion by others is a fact of life, and thus a necessary element of the social contract. Much of the debate on freedom notably in the last two centuries is therefore concerned not with the idea of freedom but with its uses in the application to the real world. This is where ambiguities and hence disputes about freedom have their origin. Five subjects of such disputes deserve special attention.

The constitution of liberty

The first issue is that of unavoidable limitations of freedom in human society. At what point does the freedom of one person conflict with the freedom of others? What restrictions on unlimited freedom will therefore have to be accepted and how can they be made acceptable to those who value freedom above all? Questions of this kind underlie the old debate about the 'social contract'. Authors since the seventeenth century have, for purposes of this debate, assumed very different 'states o nature', from Thomas Hobbes's 'war of all against all' which needs to be curbed, to Jean Jacques Rousseau's arcadian condition which needs to be re-established by dismantling the impediments of civilisation ('Men are born free, but everywhere they lie in chains').

Whatever one's preference – and of course all 'states of nature' are fictions for purposes of analysis – it is clear that freedom has to be bounded in a *Constitution of Liberty.* This is the title of Friedrich von Hayek's major treatise on the subject. For him, the constitution of

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liberty is that basic agreement in human societies which defines the boundaries of freedom. It may be a written or an unwritten constitution, but in terms of freedom it must make sure that coercion is kept at an acceptable minimum.

The constitution of liberty has two main elements. One is the law, and more precisely the rule of law. All laws introduce elements of coercion. All laws are therefore restrictions on freedom. The test of their acceptability is whether such restrictions are kept to demonstrably necessary elements or extended beyond these. The notion of the rule of law adds to such substantial requirements the formal, yet crucial insistence on the supreme legitimacy of the law. Nobody is above the law; the law 'belongs' to all free citizens.

However, where there is law there is power. Laws have to be promulgated and enforced. They do not emerge or exist in a power vacuum. The second main element of the constitution of liberty is therefore the way in which power is organised and, importantly, reined in. This is the link between freedom and democracy.

Democracy defines legitimacy by popular assent – or at least absence of majority dissent – guaranteed by such institutions as elections, parliaments, possibly referendums. It makes change possible without violence. It is therefore a useful instrument for constraining the power needed to uphold the rule of law.

Absolute freedom is anarchy. An anarchic streak is present in all notions of freedom. But for freedom to be effective and real it needs to be constituted. Government – 'civil government', to use John Locke's phrase – is necessary. There is no real freedom without the state. The question then is: how much state, and how is it to be organised? This is the institutional side of the other question: how much coercion can he justified? This takes one back to concepts of freedom.

Two concepts of liberty

Isaiah Berlin's essay entitled *Two Concepts of Liberty* (to which he added important embellishments and caveats in the book Four *Essays on Liberty)* has influenced debate not just in the Anglo-Saxon world. The section on what he calls 'negative liberty' is an excellent, and to some extent original, summary of the idea of freedom in the tradition of John Locke and John Stuart Mill, Benjamin Constant and Alexis de Tocqueville. Absence of coercion means that there is a strictly 'private' sphere 'which must on no account be violated'. It is in principle outside the sphere of public authority. Beyond that, individual liberty is defined by Berlin in ways similar to those proposed here.

Berlin adds one point which cannot he pursued here, but is of significance. He argues that 'negative liberty' has not often 'formed a rallying cry for the great masses of mankind. The desire not to be impinged upon, to be left to oneself, has been a mark of high civilisation both on the part of individuals and communities.' Perhaps, Berlin should have added: in normal times. When totalitarian states began to crumble (as in 1989) elementary freedom certainly was a

rallying cry for many.

However, Berlin's main point is the distinction between 'negative' and 'positive freedom'. Advocates of positive freedom have, for Berlin, a different conception of human beings. For them, people are not masters of themselves, constrained only by natural limits (like the inability to jump ten feet high), but part of a larger whole, a tribe, a nation, or bound by the course of history, by the 'world spirit'. Their freedom consists in acceptance of the demands of these 'higher' forces, thus in the insight into necessity. Berlin rejects this notion, as does Karl Popper in his devastating critique of Plato, Hegel and Marx *(The Open Society and Its Enemies).* Such tribalism, or historicism, in fact served to justify the abolition of democracy and the rule of law, the destruction of what Popper calls the 'open society' of freedom.

On social freedom

One may regret that Berlin called his preferred concept of freedom 'negative' liberty. It suggests something undesirable when in fact it is the positive idea advanced by all in the tradition of enlightened thinking in seventeenth-century England, eighteenth-century Scotland, France and America, and the great theorists of liberty in the nineteenth and twentieth centuries. The latter in particular had to struggle with another notion of 'positive freedom' (which is often confused with Berlin's), arising from the conviction that freedom from coercion is somehow not enough. More is needed to be free. The extreme version of this view was President Roosevelt's inclusion (in the Atlantic Charter, issued jointly with Winston Churchill in August 1941) of 'freedom from fear' and 'freedom from want' in the list of objectives for the post-war world. Here, insecurity and poverty are regarded as violations of freedom.

The debate on this issue has continued to the present day, and is very much a matter for dispute. What are often called social rights are by many regarded as demands of freedom. In fact, such notions divide 'liberals' (nowadays often called 'neo-liberals') from 'social liberals' and 'social democrats'. In international affairs, the link of social rights with freedom is used to defend authoritarian regimes which argue that they may restrict freedom of speech, but at least nobody is poor. Even democratic politicians have described 'freedom from fear of terrorism' as the first and most important freedom.

This is a very unhelpful debate to which one might well reply with Isaiah Berlin that 'nothing is gained by a confusion of terms'. Everything is what it is: liberty is liberty, not equality or fairness or justice or culture, or human happiness or a quiet conscience.' Two kinds of confusion must be avoided. One arises from the fact that freedom is not the only value. Indeed, it is possible to regard it as a rather limited value, and there are certainly those who prefer welfare, prosperity, even happiness to freedom. The other confusion is due to failure to distinguish between freedom and the conditions under which freedom flourishes. It may well be that extreme poverty makes freedom illusory (though India at the time of forced sterilisation provides a counter-example in that the Congress Party under Indira Gandhi and

her son Sanjay was not re-elected despite its economic and social record). Freedom in the elementary, strict sense remains a value even at times of fear and in circumstances of want.

Liberties

For real people in the real world (rather than political philosophers) freedom becomes relevant through particular freedoms or liberties. Three sets of these have been particularly important in the last two hundred years.

The first is the elementary freedom of 'free men' or citizens. Even for Adam Smith the end of villainy and slavery defines Freedom with a capital F. The end of slavery certainly marked important progress in the history of freedom. Other forms of dependence followed; some persist to the present day in many parts of the world. Moreover, it would be wrong to assume that the abolition of physical dependence is ever achieved once and for all. Mass migration has brought to light new kinds of unfreedom, notably in the form of forced labour, including the semi-enslavement of women. Such forms of coercion deny individuals the status of persons able to take their own decisions and thus their freedom.

A second set of freedoms concerned, and continues to concern, economic activity. Historically it involved the abrogation of rules inimical to setting up and conducting businesses, the ability to own property, and then increasingly the creation of conditions for ‘free trade'. Such freedoms were fought for, gained, then abused by some, restricted by political measures, and fought for in a new form. The mantra and the reality of free trade tell the story. At the end of the twentieth century, globalisation has led to the rewriting of the rule book of economic freedoms, or at any rate to the scrapping of much of the old rule book. The attempt to extend the range of permissible decisions for individual economic actors by reducing the rules to which they are subject is part of the 'neo-liberal' creed. It is much criticised, but also widely accepted that the market economy with its large liberties is the most effective framework for advancing prosperity.

Since the dark totalitarian days of the twentieth century, a third set of liberties has gained increasing dominance. It dates back to John Stuart Mill and beyond and can be described by the general notion of freedom of expression. This includes freedom of speech, of opinion, of religion and creed, of publication and other means of disseminating views, of the arts, of scientific research, and also freedom of association. Many authors have shown that these liberties are by no means luxuries for a small intellectual elite. They are at the basis of the political constitution of liberty. (It was no accident that President Gorbachev began his programme of liberalisation in the Soviet Union with *glasnost,* that is freedom of expression.) They inform, as the social liberals following John Stuart Mill have shown, well-functioning (social) market economies. They even have direct social effects, if we follow the argument of Amartya Sen in his *Poverty and Famines,* which suggests that where there is freedom of expression, famines are less likely and

poverty is more effectively fought. Freedom of expression is of course the lifeblood of civil society. For such reasons, it is rightly regarded as the core of the practical pursuit of liberty.

Freedom and...

Freedom (as we argued, following Isaiah Berlin) is not the only value. It is part of the human predicament that we have to live with a plurality of often conflicting values. It is not helpful to try and cover this fact by extending the concept of freedom or seeking harmony of incompatibles. We have to accept that there are more values than just one, and that they can be in conflict. Two examples are particularly relevant for the discourse on freedom.

One is the relation between freedom and equality. The two appear – along with the third, fraternity – in the famous programme of the French Revolution. They are often said to be complementary if not identical. While it is true that the universal nature of freedom implies equal rights for all citizens, it is still clear that such equal citizenship involves a sacrifice of freedom for some (if not all). More generally, freedom and equality lead to different approaches to politics. Inequality of status, insofar as it is not entrenched in privilege, is arguably compatible with freedom. It may indeed be an expression of freedom. Equality as a dominant value always involves a sacrifice of freedom. There may be times when the freedom party and the equality party form coalitions, but when they merge, a hybrid is created which promises above all confusion. This may be bearable in the real world of politics, but must be exposed as such in the world of ideas.

Another complex relationship is that between freedom and responsibility. Freedom is not just a condition, a state of affairs, but requires a certain kind of behaviour. Men and women have to act in a certain way to keep freedom alive; in that sense at least they have to act responsibly. Freedom survives only if it is active freedom. This is a relatively new discovery. Most theorists of freedom have assumed that humans will naturally strive for freedom. They have discounted human apathy. Yet as normal times extend to long periods, socio-political (as well as economic) conditions tend to become rigid, and participation by citizens declines. Mancur Olson has foreseen this condition in his *Rise and Decline of Nations.*

Olson has also advocated rather drastic remedies, like war and revolution. A responsible approach to freedom can help avoid such extreme events. This will have to be based on the insight that freedom is a civilised rather than a natural state of affairs. It has to be created and kept alive by the activity of enlightened human beings. When freedom ceases to be an active endeavour, it is at risk.

Contemporary threats to freedom

The battle for freedom has accompanied modern history since the days of Erasmus, if not earlier. When it seemed to be winning in the early

twentieth century, however, new threats to freedom emerged. The greatest of these was totalitarianism, which appeared in two guises, communism and fascism. The former took its extreme form as Stalinism, that is when Stalin ruled the Soviet Union and its empire, the latter as National Socialism under Hitler's rule over Germany and large parts of Europe. Leadership, ideology and mobilisation are the hallmarks of totalitarianism, and all three are in extreme conflict with freedom. The resulting regimes were murderous; they may be said to have needed war; they were also catastrophic so that they could not last; initially small groups of defenders of freedom, helped by outside forces committed to this value, eventually prevailed. *1945* and 1989 are dates which mark milestones on the road to freedom.

It is an open question whether totalitarianism can happen again. There have certainly been, and there still are, vicious dictatorships in many parts of the world. Some intellectuals argue that a new, 'third' totalitarianism threatens from militant Islamism; though one may wonder whether this is not a defensive posture of the losers of modernity, which has great nuisance value but no future.

Arguably the more serious threat to freedom in the twenty-first century is that of authoritarianism. This is the combination of rule by a small group — a *nomenklatura,* a bureaucracy — with public apathy by the many. Such authoritarianism may well be coupled with economic prosperity, as in parts of south-east Asia. It may also develop in small, almost unnoticed steps ('creeping authoritarianism'). The fight against terrorism has favoured such tendencies even in the old democracies. Rising executive power is coupled here with reduced civil rights and declining political participation. Freedom becomes a minority concern, and defenders of freedom find themselves under attack.

Perhaps such trends should not be over-rated. They are, however, a reminder of the fact that freedom is neither given by human nature nor there for good once it has been won. Fighting for the life chances of individuals against coercion by others is a battle that never ends.

Further reading

- Isaiah Berlin, *Liberty* (incorporating *Four Essays on Liberty),* ed. Henry Hardy (Oxford University Press, 1969)
- F. A. Hayek, *The Constitution of Liberty* (University of Chicago Press, 196o)
- John Stuart Mill, *On Liberty* (Longman, Green and Company, 1865)
- Karl R. Popper, *The Open Society and Its Enemies* (Routledge, 1*945)*
- Amartya Sen, *Rationality and Freedom* (Harvard University Press, *2002)*