

Without equality the struggle for freedom is reverted into oppression

Prof. Dr. Andreas Herberg-Rothe *

*Faculty of Social and Cultural Studies University of Applied
Sciences, Fulda, Germany.*

Abstract

The problem is how ideas and ideologies intended to liberate the peoples from misery and oppression were reversed into oppression just in the name of freedom. The reason is the reduction of equality to a numerical concept, which was a milestone in world history but finally ended up in obscene inequalities to such an extent, that the social fabric of the Western societies is dissolving, far-right and populist movements are gaining momentum and the corruption of our values can no longer be ignored. The crisis of the (neo)-liberal world order is returning from the margins to the center. For too long we thought that modern absolute or numerical equality would supersede the former aristocratic concept of proportional equality. But in the end this understanding of equality created a kind of blind spot in our perception – a prominent example is Thomas Jefferson who included the dignity of all people into the American declaration of independence and was virtually blind to realizing that this value contradicted his own practice of possessing slaves. Therefore we re-invent proportional equality in the footsteps of Aristotle, but transgress his aristocratic concept by balancing it with reversed-proportionality – we propose therefore to understand justice as a pair of scales between freedom and equality.

Keywords: : numerical equality, reversal of freedom in oppression in the name of freedom, scales of justice, balance as a theoretical concept, blind spots in the Western discourse.

* Prof. Dr. Andreas Herberg-Rothe is an international recognized Clausewitz-scholar, working as a senior lecturer at the faculty of social and cultural studies at the University of Applied Sciences, Fulda. andreas.herberg-rothe@sk.hs-fulda.de

**Without equality the struggle for freedom is reverting
into oppression – just in the name of freedom**

Andreas Herberg-Rothe *

The Birth of Freedom and Problems of Modernity

According to Arnold Toynbee, many higher religions, such as the Jewish religion, Confucianism, Buddhism, and Hinduism, were established in and around the sixth century BC, when their followers managed to differentiate between immanence and transcendence, the natural and the supernatural, religious and secular, or sacred and profane.¹ Toynbee said this process led to the birth of freedom: whereas the former life was monolithic, this separation between ordinary life and transcendence enabled people to distance themselves from the society they were born in and opened the door for direct communion with absolute spiritual reality.

* Prof. Dr. Andreas Herberg-Rothe is an international recognized Clausewitz-scholar, working as a senior lecturer at the faculty of social and cultural studies at the University of Applied Sciences, Fulda. andreas.herberg-rothe@sk.hs-fulda.de

1. Arnold Toynbee, "Die Bedeutung der Weltreligionen," in *Menschheit – woher und wohin?*, ed., Arnold Toynbee (Stuttgart: Kohlhammer, 1969), 15; Arnold Toynbee, *A Study of History*, Vol. 10 (London: Oxford University Press, 1934-1954). We view the difference between immanence and transcendence as a basic one, but reject any kind of complete separation between the two spheres.

Things may be slightly different in Buddhism and Confucianism, but the Abrahamic religions all value the supernatural and transcendence more than immanence and “simple” nature. So, Toynbee has the position that the invention of transcendence set the stage for the introduction of freedom and equality in human societies. For instance, Judaism goes like this: before God, all are equal.¹ Confucianism has not fully developed the ideals of freedom and equality, but still advances, for instance, the equality of opportunity for education, given that every person has the potential to become a moral being and deserves a certain level of respect.² Even though every person has the potential to be a moral being, Confucians are not naïve enough to argue that every person is equally moral. Being a Confucian, Xunzi (313-238 BC) goes as far as arguing that “inequality,” as an organizational ingredient in society, is “a mechanism to funnel human desires effectively in a productive way” to create a functional society.³ Confucians generally accept social stratification for the establishment of a harmonious and orderly society.⁴ This idea is crystalized in the *Book of Rites*, one of the Confucian classics, as follows:

When the Great Way was practised, All-under-Heaven was public-spirited. They chose men of worth and ability [for public office]. They practiced good faith and cultivated good will. Therefore, people did not single out only their parents to love, nor did they single out only their children for care. They saw to it that the aged were provided for until the end, that the able-bodied had employment, and that the young were brought up well. Compassion was shown to widows, orphans, the childless and those disabled by disease, so that all had sufficient support.⁵

When religious movements spread to other localities and continents, they clashed with one another, igniting religious order wars at the fringes of their empires. Even though the higher religions

1. Ibid.

2. Chenyang Li, “Equality and Inequality in Confucianism, Dao,” *A Journal of Comparative Philosophy* 11 (2012), 298.
no. 3 Ask Boyoun

3. Li, “Equality and Inequality,” 301.

4. John Knoblock, *Xunzi: A Translation and Study of the Complete Works*: Vol. I, Books 1-6 (Palo Alto, CA: Stanford University Press, 1988), 195.

5. Xinzhong Yao, ed., *Encyclopedia of Confucianism* (New York: Routledge, 2003), 369.

freed people from the social prison of the monolithic life of their ancestors, Toynbee argued that they built new social prisons and in the end were perverted into ideologies, leading to religious wars between Muslims and Christians, or between Muslims and Hindi. The problematic of this kind of freedom can be demonstrated by the following proposition: If you are equal and free by referring to a transcendental identity, this might even lead to a kind of martyrdom – but also to eliminate all those who does recognize this godlike identity.

Western modernity is, at its roots, the fight for equality and symmetrical recognition. In this respect, modernity puts its values in the efforts to fight hierarchies thwarting the development of human societies. But the problem with modernity is that the absolute ideal of symmetrical relations among all peoples could never be realized, because humans and human societies are inherently different. Therefore, the logical outcome has been the introduction of binary thinking between those to whom the concept of symmetrical relations applied and the exclusion of all those who would not fit into this symmetry. The consequence was that the rest was devalued, enslaved, and subjugated. Whereas hierarchically structured societies could include other people within their hierarchies at a low level, a symmetrically structured society could not include those who do not fit into the categories of equality based on Western rationality.

This already became obvious in the persecution of witches and magicians in Europe in the sixteenth and seventeenth centuries and reached the apex of infamy in the Holocaust.¹ If we assume that all relations should be symmetrical ones but discover that in reality not all could be included because they are different, then the solution in Western modernity was not to create new kinds of “organic” or holistic hierarchies but to exclude the non-included totally, which in the extreme end led to the extermination of the unfit in genocide. This would resemble Zygmunt Bauman’s position that the desire for order and symmetrical relations finally led to the Holocaust.² Bauman said, “The typically modern practice, the substance of modern politics, of modern intellect, of modern life, is the effort to exterminate ambivalence: an effort to define precisely—and to suppress or eliminate everything

1. Herberg-Rothe, *Der Krieg*.

2. Zygmunt Bauman, *Modernity and the Holocaust* (Cambridge: Polity Press, 2000).

that could not or would not be precisely defined...Intolerance is, therefore, the natural inclination of modern practice. Construction of order sets the limits to incorporation and admission. It calls for the denial of rights, and of the grounds, of everything that cannot be assimilated—for de-legitimation of the other.”¹

In a hierarchically structured system, you can incorporate the other, though in a minor role. This would apply to the relation of the Muslim Caliphate to Jews and Christians and the Ottoman Empire concerning its minorities. In a more symmetrically structured society, there is nearly no possibility of integrating “the otherness of the other” because there would remain no space for being different in a positive sense. So the problem emerged of marking an effective boundary between those who can be integrated in a symmetrical relation and those who must be excluded. The radical consequence of transforming all hierarchical societal relations into mere symmetrical ones is that on one side there is an enormous process of inclusion but on the other side a necessarily tendency of excluding different people totally. This would, in the extreme case, mean that the extermination of others who could not be integrated is an inherent possibility of a society that is only symmetrically structured. Therefore, Hannah Arendt said that the masses need the Führer. If the modern condition is related to the fight for the recognition of symmetry – and freedom and equality would only be the political form of these struggles – then it becomes clear why Western modernity is directly related to slavery, colonialism, Nazism, and Stalinism. After the victorious struggles against ancient regimes, which produced a kind of symmetry in the newly democratized countries, this kind of absolute symmetry within the community needed a new legitimation constructing an enemy that could not be integrated as legitimate members of a given society.

However, the modern order mentioned by Bauman has been eroded by the waves of post-modernity with which all agencies were up in the rise against the tyranny of modernity. Nevertheless, we have to recount that Nazism, Stalinism and Islamist radicalism were counter-movements to modernity and, at the same time, a product of modernity itself. So it is time to reconstruct a new order different from the classical Western order, fraught with imperialism, colonialism and

1. Zygmunt Bauman, *Liquid Modernity* (Cambridge: Polity Press, 1991), 7-8.

two world wars, but also different from these extreme counter-movements and their inhuman ideologies. That is why the order wars are underway in the contemporary world. Now, how can we control the unlimited freedom to suppress the unfit? In what way can we rebalance freedom with equality? If we only value symmetrical relations at the cost of asymmetrical variants, we may destroy other cultures and traditions embodying the ideas of hierarchy, but the other way round we would fall in the trap of cultural relativism.

Negative Freedom and Positive Freedom

The problem till today is how many ideas and ideologies which apparently intended to liberate the peoples from misery and oppression were reversed to become the discourses of suppressing freedom in the name of freedom. The point is that there are two different kinds of freedom in the history of ideas: negative freedom in the sense of being independent from any other's will or the necessities of a system and positive freedom in the sense of self-determination, self-development and self-transgression.¹ The West is obviously fixated on negative freedom but does not recognize that negative freedom is not sufficient to realize positive freedom, i.e. self-determination, self-transgression and empowerment.² In Marxism, it was argued that negative freedom aiming for independence from the will of others is worthless as long as there is no chance of realizing one's own capabilities or talents of self-determination. In the name of such self-determination in real socialism and communism, negative freedom was oppressed in the name of positive freedom. In the West, positive freedom was suppressed with negative freedom taking the lead, whereas in Marxism and some authoritarian developing states, positive freedom, in the sense of human developments, was held above negative freedom.³ In the history of mankind, there was always the problem of suppressing positive freedom (development,

1. Isaiah Berlin, *Liberty: Incorporating Four Essays on Liberty* (Oxford: Oxford University Press, . 1993 993, (1993)reas (2005)2014 p7-8

2. Amartya Sen, *The Idea of Justice* (London: Penguin, 2010).

3. Wolfgang Bartuschat, "Zur kantischen Begründung der Trias 'Freiheit, Gleichheit, Selbstständigkeit' innerhalb der Rechtslehre," in *Freiheit, Gleichheit, Selbstständigkeit. Zur Aktualität der Rechtsphilosophie Kants für die Gerechtigkeit in der modernen Gesellschaft*, ed. Götz Landwehr (Göttingen: Vandenhoeck & Ruprecht, 1999), 11-25, here 16.

empowerment, self-transgression) by reducing freedom to its negative meaning (independence) and vice versa.

Kant's solution of the problem of how to enable freedom and restrict simultaneously its negative outcome, as Thomas Hobbes highlighted the consequences of absolute freedom in his concept of "the war of all against all," is at first sight ingenious. If freedom is only restricted by freedom of the others, then there is no oppression at all. Nevertheless, Kant's proposition that my freedom finds its limits and boundaries in the freedom of others does not differentiate sufficiently between the two understandings of freedom. With such an assertion, all kinds of direct oppression and physical enslavement are impermissible and, at his times, this proposition was a great achievement in the history of ideas in relation to the aristocratic societies. ¹

Nevertheless, this struggle against aristocratic societies was also the main reason why the West concentrated on negative freedom of being independent of any other's arbitrary will, and why this concept could gain the lead above positive freedom as self-determination. If you are directly oppressed, the fight for freedom against this oppression is your immediate concern. But the simple question is what we should do after everyone would be freed. Thomas Hobbes noticed that absolute freedom is not leading to an increase of freedom, but to war of all against all. Absolute freedom does not only need some kind of meaningful constraints in self-restriction, a position Kant is advancing. However, we need to create norms enabling a living in society.

It is by no means sufficient to restrict freedom by the freedom of others, as argued by Kant.¹ This restriction of the exercise of freedom by the freedom of the others forbids any kind of direct oppression, such as slavery and servitude. But how can we solve the problem if two sides are trying to gain the same advantage, or the same country and the same goods? With Kant's proposition, the freedom of both sides is restricted by the freedom of the other to get hold of the same things. This conflict already reveals the whole problem. If both were free to acquire the same goods, freedom is no solution in distributing one and the same goods to different people. To put it bluntly: Kant's concept of freedom is right in the fight against dictatorships,

1. Immanuel Kant, *Die Metaphysik der Sitten*, Erster Teil (Leipzig: Reclam, 1797), 32.

aristocratic rule, and slavery. But the problems in our world are not only caused by suppression, but also by the fact that most people do not have the same fair starting conditions to survive, to say nothing of living in dignity. A child born on a street of India or Congo is not forbidden to become a billionaire by law, but will find it hard to become a billionaire or live a life in dignity.

Negative freedom showed its strength in the fight against direct oppression, may it be in an aristocratic society, against dictatorships and “real socialism” of the USSR and its satellites. Due to the historical circumstances, it was not given sufficient credit in the Cold War in which the liberation from oppression was given priority. But already Isaiah Berlin himself envisioned the possibility of a conflict between the two forms of freedom. At the end of his life, Berlin made the following proposition: “My point is that some values clash: the ends pursued by human beings are all generated by our common nature, but their pursuit has to be to some degree controlled—liberty and the pursuit of happiness, I repeat, may not be fully compatible with each other, nor are liberty, equality, and fraternity.”¹ If they are to some degree incompatible to one another, we can think of promoting a floating balance and harmony instead of rigidifying the binary confrontations.

This conflict is most visible in our times, because we no longer live in ideal capitalism in which market economy and democracy merged during the Cold War. We live in “real capitalism” in which 62 billionaires possesses as much property as the combined total of 3.5 billion humans on the earth, or 1% of the world’s populace earns as much property as the 99% of the rest.

Harmony between Freedom and Equality

Western thoughts have been anthropocentric but discriminatory, while many non-Western thoughts have been inclusive and sometimes even nature-friendly but authoritarian. How could Western political thinking value the equality of all humans and at the same time is discriminatory? The Western discourses of equality champion numerical equality: in

1. Isaiah Berlin, “A Message to the 21st Century,” *The New York Review of Books*, October 23, 2014, accessed February 20, 2016, <http://www.nybooks.com/articles/2014/10/23/message-21st-century/>.

democracy, everybody has the same amount of votes or in jurisdiction, everybody has the same rights. The absoluteness of this kind of equality despite all differences between the individuals has been a meaningful achievement in history. The problem with this conceptualization is nevertheless exactly its absoluteness, simply because all kinds of differences are either viewed as negative inequalities and hierarchies which must be eliminated. Or we judge inequalities as only belonging to the realm of freedom. And in order not to restrict freedom, inequalities are viewed as the inevitable outcome of our freedom and therefore are unable to be dealt with. By reducing equality to a numerical one, all kinds of proportionality have been dismissed. And in the end, the primacy of numerical (Kant) above proportional (relational) equality (Aristotle) led to the primacy of freedom above equality¹.

The absoluteness of equality is leading to a development in which equality is only taken into account in the founding declarations, constitutions and various forms of contract theories. Even though John Rawls (1971) discussed the theory of justice to balance freedom and equality with his difference principle, he could not transcend the boundaries of generalizing the individual. In contrast to many approaches of Western political and philosophical thinking, we do not view equality and freedom as something which we all possess as numbers, but as a kind of values embodying relationality and proportionality. There is no absolute freedom, but only a kind of proportional freedom, as Hegel noted in his stages of freedom in world history². The same is true with equality: we are not totally equal as numbers and therefore each kind of equality is related to a different, lesser kind of equality. As already emphasized in our prologue, this proposition is in no ways a kind of relativism. We maintain that the approach of viewing equality and freedom as something absolute led to the primacy of freedom at the cost of equality. In other words, the current level of inequality is the result of the hidden primacy of freedom above equality.

-
1. We do not dismiss numerical equality as such, but only the reduction of equality to a numerical one. In fact, numerical equality is a kind of relationality and therefore proportionality, too.
 2. Georg W.F. Hegel, *Lectures on the Philosophy of World History* Cambridge Studies in the History and Theory of Politics. Translated by Hugh Barr Nisbet (Cambridge: Cambridge University Press, 1981).

In fact, the end of the Cold War marked not only the victory of the United States and the democratic West over the Soviet Union and the seemingly despotic East, but also the triumph of freedom above equality.¹ Inherent to real socialism was the glaring lack of freedom, the very reason for its collapse. Conversely, however, one could argue that inherent to real capitalism is a lack of equality or human rights to live a life in dignity. The liberal understanding sees individual liberties as the central precondition for the equality of the people. However, Rousseau already warned in his *Discours sur L'inégalité* that the unlimited development of individual liberty leads to intolerable inequality and the civilizational ideal of equal human rights might then become an abstract and ineffective norm². We can observe this tendency already in the struggles for liberation and democracy in the so-called Arab Spring, which had already degenerated into a cycle of failed states, civil wars, new dictatorships, contributed to the rise of extreme Salafism, and fostered the power struggle between Iran and Saudi Arabia in combination with the danger of new religious wars between Shiites and Sunnis.

To address the relation of freedom and equality, we need to ask first whether there is a fundamental contradiction between them. Contrary to Western political thinking, we believe that the pursuit of absolute freedom and equality leads either to the reversal of freedom in the name of freedom (financial capitalism, Western colonialism) or the reversal of equality exactly in the name of equality (real socialism until 1989). Therefore, we introduce relationality and proportionality concerning freedom and equality. Aristotle posited the solution by arguing that justice is embodied in the principle of treating “what is equal as equal and what is unequal as unequal.” The most influential modern accounts of justice emphasize individual rights protecting freedom or simple equality rather than proportional equality³. Based on this differentiation, we can distinguish many variations that are nonetheless all based on the following definitions. Justice is the floating balance or harmony between equality and freedom. We can identify Aristotle’s approach as a floating

-
1. Dan Diner, *Das Jahrhundert verstehen: Eine universalhistorische Deutung* (Munich: Pantheon, 2015).
 2. Jean Jacques Rousseau, *Discourse on the Origin of Inequality* (Dover: Thrift Editions, 2014).
 3. Dennis MacKerlie, “Aristotle’s Theory of Justice,” *The Southern Journal of Philosophy* 39 (2001), 119.

balance of both principles by taking into account relationality in various respects, for example concerning time and space. Following this proposition, it is possible to treat someone at the moment positively in an unequal manner in order to enable him a life in which he will be regarded as equal in the future. In this way, we could differentiate at least the following propositions:

1. Negative freedom: being free from the other's arbitrary will; being not a slave; being not oppressed and so forth (Kant)
2. Positive freedom: self-determination in the sense of being able to distinguish yourself from others as a way of the progressive development of the individual as well as mankind (Hegel, Isaiah Berlin and Hannah Arendt)
3. Negative (absolute) equality: being equal in a numeric kind; this proposition encompasses a kind of "state of ants" (North Korea), as well as having the same rights, votes, and so forth
4. Positive equality: being equally valued despite all differences (tolerance)

Based on the methodology developed in the chapter about the dialectics of defense and offense, we can also differentiate positive and negative inequality:

5. Negative inequality: oppression, slavery
6. Positive inequality: treating people unequally in order to enable them to pursue a life of dignity (disabled persons, children's rights, women's rights).

In all these cases, we have to take into account relationality and proportionality to avoid the trap that absolute numerical equality inherently leads to the exclusion and even destruction of all those who do not fit.

A New Relationship between Freedom and Equality

The aforementioned differentiations require some more explanations to clarify their meaning, because they are fundamental for a new relationship between freedom and equality. Are people equal if they are free? The answers to this question depend on what is understood by "liberty," if liberty is not only "independence from another necessary arbitrariness."¹ This seemingly abstract problem gains political

1. Kant, quoted in Wolfgang Bartuschat, "Zur kantischen Begründung."

implications, if we look at the French Revolution, in which the struggle for freedom was perverted into a dictatorship in the name of freedom. But this reversal of freedom cannot be reduced solely to the Western experience. François Lyotard stated that the enthusiastic fight for liberty by the colonized peoples led to young, reactionary states.¹ In many cases, liberation from oppression led inevitably to another kind of dominance and even a new kind of oppression in the name of freedom. Is there a difference between liberation and real freedom?

Hannah Arendt put liberation from oppression on one side and the positive meaning of freedom on the other. She maintains that all revolutions of modern times involve both liberation and freedom, since liberation is a necessary precondition for liberty and freedom. In political philosophy, this differentiation is known as negative and positive freedom. Negative freedom is achieved if you are freed from the chains. But the question remains: what path of development should I choose when I am free? What if I became a slave to my own interests, desires, and egoistic tendencies? The difficulty in distinguishing between these two kinds of freedom does not, however, mean that the terms and concepts can be used interchangeably. Arendt made her distinction clear with Robespierre's despotism of liberty during the French Revolution which fundamentally reversed liberation to another form of despotism in the name of freedom. In the end, she emphasized that the transformation of liberty and human rights into the rights of the *sans-culottes* marked the turning point of the French Revolution and of all revolutions that followed till her own times.² Only the peaceful revolution in 1989 seems to be an exception, but it proves still correct in the Arab Spring. To put it to the core: in the same moment and respect when we are reducing the proposition of freedom and equality as solely our freedom and equality, we are creating just a new kind of oppression in the name of freedom and equality. If the real socialism in the Soviet Union and its satellite states passed into history because of the lack of liberty and an excessive emphasis on equality, it is not reasonable to deduce, from this experience, a primacy of liberty over equality in general. Such liberty which is not checked by the fundamental equality of all humans would be, in the long term, self-destructive and revert to oppression in the name of freedom and liberty.

1. Lyotard, *Widerstreit*, 218.

2. Hannah Arendt, *On Revolution* (London: Penguin, 2006).

Conclusion

When freedom and equality were emphasized in the Bill of Rights and the Declaration of Independence, racism and slavery did not just persist but were even legitimized. This is clear evidence to the imbalance between freedom and equality. The same is true with the inequalities of our times. In a sense, Western modernity resulted in the destruction of all kinds of hierarchy. In Western discourses, however, equality was always reduced to numerical equality in clear defiance of Aristotle's approach of balancing equality and inequality. This becomes particularly clear in Kant's categorical imperative in the form that actions of the individual can only qualify as moral if their maxims can become a general principle. From this basis, all women's rights, the rights of disabled persons, children's rights, etc. as positive inequality have to be regarded as morally wrong. Kant's categorical imperative essentially forbids activities that treat people unequally in a positive sense, i.e., to enable them to live a life of relational equality.

There is a primacy of freedom over equality in the political discourses of the West. Western discourses about freedom/liberation and equality represent an enormous progress in the history of mankind. The most serious problem with this, however, is the absolute approach toward freedom/liberation and equality, which leads to the relativization of both in practical discourse. The Western world has a history of racism, colonialism, the unleashing of two world wars including Auschwitz, Hiroshima, and Nagasaki, but did not recognize that these developments were not an accident, but the immanent consequence of the imbalance between freedom/liberation and equality. In such an absolute symmetrical approach, all kinds of hierarchies must be devalued, and all those that do not fit in this kind of rationality are viewed as being themselves responsible for their misery. One possibility to preserve the meaning of freedom/liberty and equality for all humankind and civilizations is to find a floating balance or harmony of both, not to prioritize one above the other. In the end, "modern west" with its emphasis on rational discourses and "old east" with its emphasis on harmony would have to save each other from their retrospective shortcomings in a globalized world by initiating a dialogue between the civilizations.¹

1. From a dialogue with Marzie Ghiasi.