FEATURES

FREE Thinking

John Hewson’s neoconservative push is big on individual freedom. Labor and the Left have had little to say about freedom in response. Mitchell Dean argues freedom is too important to ignore, but that some fresh thinking on what it is is long overdue.

Freedom. There can be little doubt that this difficult term is firmly at the top of many of today’s political agendas. Most dramatically, the collapse of communism in Eastern Europe appears as a striking example of what we might call a ‘will to freedom’—a popular desire that takes an anti-statist and anti-authoritarian form, even if it confuses political freedom with free markets, and democracy with capitalism. In our own region, the economic advance of our neighbours has not been paralleled by a political one. However, the suppression of democratic and national movements by bloody means does not conceal the reality of this will to freedom. It was no accident that the Chinese democratic movement chose as its symbol the Statue of Liberty.

In advanced liberal societies there has been a now long-term push against forms of hierarchical and bureaucratic control, most often against the state. Sometimes this has taken a Leftish form: the movement of deinstitutionalisation of the 60s and 70s, for example, or the more recent critique of bureaucracy by feminists. Most often, however, it has crystallised around the neo-liberal dismantling of the welfare state and the privatisation of publicly-owned corporations and utilities. While Australia has been so far spared some of the agony of other English-speaking democracies in this regard, it is still possible that we are on the verge of the belated appearance of a particularly nasty antipodean version of scorched earth ‘economic rationalism’, much in the manner of New Zealand.

In this international and local context it might be time to give some thought to the notion of freedom, particularly in regard to the related themes of citizenship and democracy. One of the reasons why the Left’s response to the issues raised by neo-liberalism has often been so paltry has been its rather unencouraging record with regard to the idea of freedom. From early socialist claims that the notion of the citizen as free individual merely legitimised capitalist economic exploitation to contemporary welfarist defences of the state in terms of ideals of social justice, the Left has tended to regard ‘freedom’ as highly tainted with...
bourgeois ideology or subsidiary to considerations of equality. For this reason, it has found itself without the conceptual tools to debate conceptions of freedom with neo-liberalism, or even to understand the popular appeal of a certain notion of freedom in a home-owning liberal democracy such as Australia.

Here I want to argue for two propositions, the first of which is largely consonant with the direction of much of socialist political thought, and the second contrary to it. First, the major conceptions of freedom found within the liberal tradition are fundamentally flawed and need to be shown as such. Secondly, however, it is not good enough to offer yet another ‘critique’ of conceptions of freedom; it is necessary to develop and offer an alternative conception. The reason for this is that the concept of freedom must be regarded as a central concept in any evaluation of the contemporary potential of forms of citizenship.

What then are the problems with liberal conceptions of freedom? The first thing to notice about them is that such notions are rooted in the notion of democratic rule as the rule of a self-governing community of citizens. One would immediately note that the idea of such self-governing community in a world of complex international economic, environmental, and political interdependencies is itself highly problematic. But there is a more basic problem which goes to the heart of the definition of who constitutes such a community. Here, notions of democratic freedom are caught between the claims of the universality of citizen (ultimately human) rights and the accidental and restricted group of individuals who count as citizens. Individuals have been, and continue to be, excluded from citizenship rights on a variety of grounds such as place of birth, age, religion, colour, economic class and, indeed, sex.

To understand why these various categories are excluded we must shift our focus to the further presumption that a self-governing community consists of self-governing individuals. Freedom is held to be exercised by self-governing individuals within self-governing communities. But this postulate itself creates more problems. For a start, political theory has to explain how a community of self-governing individuals is compatible with a sovereign body which governs them, i.e. the state. This problem is at the base of all theories of democracy and notions of consent and obligation. These theories are all attempts to show how civil freedom can be transformed into political subordination.

Moreover, certain categories of person are excluded from citizenship on the grounds that they are deemed to lack the attributes of self-governing individuals i.e. the requisite level of reason, autonomy, independence, and so on. This is clear in the case of ‘minors’ and those who are legally defined as insane. But, as Carole Pateman has shown (ALR 137), women have often been deemed not to possess the necessary attributes of such self-governing individuals. In matters of marriage, rape and domestic violence, certain legal jurisdictions have continued to uphold such a supposition. So, too, at various times and places groups have been deemed not to possess the attributes of self-governing individuals on the basis of economic and legal status, e.g. lack of property ownership, pauperism and welfare dependency, and criminality. It might be argued that the problem is more with the survival of old-fashioned values than with the notion of freedom as self-government. I would argue, to the contrary, that the liberal notion of self-government is deeply flawed for a simple reason. Its notion of a self-governing individual itself presupposes the idea that individuals relate to their physical, emotional and psychological attributes as property owners. It was John Locke who put forward the notion of ‘property in the person’ and Adam Smith who founded a political economy on the idea that the labourer was an owner of a certain type of property: labour. The secret of the ‘hidden hand’ of the market lay in the idea that the labourers, like the owners of capital and land, sought their own interests through the exchange of their property.

The advantage of this last notion of freedom is that it extends the boundaries of economic citizenship to include wage workers as a group who own neither land nor other productive means. There is, then, a profoundly democratic motive at the origin of this economic liberalism. Indeed, it is this which still lies at the heart of the appeals of neoliberalism today. It says: “You all wish to better your own standard of living through the exchange of that which you own, your skills and capacities. Act in accordance with your own interests, exercise your economic freedom, and general prosperity and political citizenship will be yours.”

The problem with such an idea is not simply that there is no necessary relation between economic and political citizenship. It is that this ‘property in the person’ differs fundamentally from other types of property. It is inalienable. The sale of labour power by a wage worker, like the sale of sexual service by a person who works as a prostitute, implies an exchange in which the seller is subject to relations of command and subordination. Exchange of this ‘property in the person’ thus implies obedience to another’s commands and forfeit of one’s bodily integrity. As such, this type of property, far from automatically securing political citizenship, throws into disarray the very notion of the self-governing individual on which it is based. The idea of the free citizen as a self-governing individual and the idea of a ‘property in the person’ which can be bought and sold are mutually exclusive.

There is a second and related point which can be made about notions of freedom, particularly in the Anglo-Saxon liberal tradition. Here, the freedom of the self-governing individual is simply a freedom from external constraint, what has often been called a negative conception of freedom. In other words, the primary sense of freedom follows from the view that freedom resides in the natural constitution of the individual. As self-governance is opposed to tyranny, so freedom is opposed to regulation, control, and supra-individual modes of governance. The problem here is that such notions give privilege to ‘freedom from’ over ‘freedom to’.

A positive conception of freedom would depend on the existence of definite socially and ethically formed capacities which enable an individual to act in certain ways. A simple example would be literacy. A whole host of
freedoms would be unthinkable without this socially transmitted capacity, from the freedom to explore one's own or others' cultural heritage to that of the exercise of full political participation. What is necessary, then, is to attempt to think about freedom less as inherent in self-governing individuals and more as a feature of our social and political practices and organisation.

This is not to say that the notions of self-government should be completely abandoned but, rather, that they should be understood in quite a different and, in a sense, more practical way. Rather than understanding self-government as a necessary feature of individuals that is liberated with the removal of obstacles to its operation, it may be understood as a capacity, or set of capacities, that are promoted differentially across a range of educational, ethical, political and legal discourses and practices characteristic of our types of society.

In this regard the final years of the work of the French thinker Michel Foucault are highly instructive. It is well-known in certain circles that Foucault sought to replace a negative conception of power (as repression) with a positive and productive one. In trying to understand what he called 'governmentality', Foucault attempted to enunciate a conception of power that avoided making power and freedom into opposites in the way which is implied by a negative concept of freedom. He argued that power, or at least that form of it which is most characteristic of our societies, does not operate directly upon the individual and her or his capacities in the form of repression, control, deduction, and coercion. Rather, this form of power seeks to direct the conduct of individuals and groups. Foucault indeed defined government not in terms of the state, but rather by those myriad practices that, it might be said, seek 'the conduct of conduct'. This form of power is exercised in myriad locations: schools, families, workplaces, clinics, bureaucracies and so on. It assumes not an absolute self-government on the part of its targets, but rather varying degrees and types of self-responsibility, self-motivation, and autonomy with regard to individual conduct. In other words, these relations of power, however unequal and hierarchical, assume the possibility of a degree of freedom on both sides of the relation. This, at least, is what Foucault found intriguing in modern practices of power.

Why I find this interesting is that it implies that we do not have to make a choice between acceding to liberal conceptions of freedom as a given attribute of naturally self-governing individuals, and the rejection of freedom as a mystification of relations of domination.

Parallel to this positive conception of power we might try to imagine a positive conception of freedom. Here again, Foucault is suggestive. Toward the end of his life he began to discuss freedom in terms of what he called 'practices of freedom' rather than the supposed attributes of the human individual. These 'practices of freedom', are ones that allow, multiply, and expand the possibilities of self-definition and self-creation, and prevent the exercise of power from being transformed into a mode of domination or coercion. I would like to advance the idea that it is here that we might start to assemble a 'postliberal' conception of freedom.

Now, when Foucault raised this notion, he was discussing practices that might be called ethical practices, in which the individual applies historically developed techniques to herself or himself. Practices of freedom are here an action on oneself. But I think this might be construing the issue a little too narrowly—and we can use the problem of neoliberalism outlined above to illustrate this. We might say that the political problem is not neoliberalism's belief in the necessity for a certain form of ('negative') freedom. Rather, the problem lies in the privilege it grants to negative freedom and the way it hence casts regulatory practices as antithetical to such a form of freedom. In doing this, it remains blind to the necessity for what might be called 'regulatory practices of freedom' that maintain and extend possibilities of self-government and self-responsibility.

The problem of neoliberalism, then, is that a notion of negative freedom is not adequate to prevent the operation of economic power from sliding towards forms of naked domination. This may take the form of the domination of the iron cage of the market over the lives of all but a few. It may take the form of the domination of the boss, of the terror of losing one's job, of silence over sexual harassment or unhealthy workplaces, or fear of the consequences of belonging to a union. It may take the form of reducing certain groups to the domination of a struggle for subsistence, or that form of domination by economic and even biological necessity that is called poverty. In all such cases the appeal to a negative economic freedom paradoxically institutes relations of domination that deprive individuals and groups of autonomous spaces of conduct.

Social practices of social security, education, health care, community services, occupational and workplace regulation, are in this sense, at least potentially, 'practices of freedom'. They operate, or can operate, to provide individuals with the capacities and resources to act in such a way as to prevent the exercise of forms of power from becoming coercion, domination, and submission. In other words, they open spaces where the individual's life is at least partially a function of her or his conduct and not a reflex to forms of political and economic domination. In short, they open spaces of resistance.

This discussion may not seem to have taken us very far. (It has not succeeded in outlining a programmatic blueprint for positive freedom, for instance.) But I hope I have indicated why freedom is an important concept for those of us who, in times of a certain adversity, would still like to be positioned on the Left. If one could borrow a term, perhaps we could talk today of a 'free Left' rather than a 'new Left'. By the former I mean those who accept a certain responsibility in the face of the new economic and political times. For if today it is increasingly difficult to imagine a world in which the economic power that operates through markets is surpassed, this indicates an increased, not diminished, responsibility to argue for and construct what I have called practices of freedom.

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