

FREEDOM AND EQUALITY: FREEDOM FROM DOMINATION PART 1

Introduction and Index

Elizabeth Anderson wrote a chapter for *The Oxford Handbook of Freedom and Equality*, titled simply Freedom and Equality. She begins by acknowledging that perfect material equality would require an authoritarian state, and no one seriously argues for that position. On the other hand, Friedrich Hayek argued in *The Road To Serfdom* that any form of socialism would lead down the slippery slope to totalitarianism, but he was wrong. There are realistic choices short of perfect material equality, such as the societies of Western Europe with their social democratic forms of government and economy.

Anderson writes:

To make progress on the question of normative trade-offs between freedom and equality within the range of options for political economy credibly on the table, we must clarify our concepts. There are at least three conceptions of freedom – negative, positive, and republican – and three conceptions of equality—of standing, esteem, and authority.

Republican freedom is an unfortunate term, given its association with a political party with a highly ... nuanced view of freedom. Philosophers use the term because it is associated with the Roman Republic of Cicero and Cato. And that is another unfortunate juxtaposition, because the leading libertarian think tank is the Cato Institute, which is heavily funded by the Charles Koch Foundation, another group not that interested in broad concepts of freedom. So I'm not going to use the term, and instead will

refer to it as freedom from domination, or non-domination.

In her book chapter, Anderson offers a brief description of the three forms of freedom: negative freedom as noninterference, positive freedom as opportunities, and non-domination.

Sarah has negative freedom if no one interferes with her actions. She has positive freedom if she has a rich set of opportunities effectively accessible to her. She has republican freedom if she is not dominated by another person – not subject to another's arbitrary and unaccountable will.

For the last few decades, talk about freedom has meant almost exclusively negative freedom, with occasional references to positive freedom. Anderson says there has been a recent revival of interest in freedom from domination, citing a book by Philip Pettit, a philosophy professor at Princeton, titled *Republicanism: A Theory of Freedom and Government*. Here's a paper written about the same time as the book, *Freedom With Honor: A Republican Ideal*. 64 Social Research, Vol.1, p. 52.

Pettit starts with the proposition that

The decent society, as Avishai Margalit ... defines it for us, is one in which the institutions do not humiliate people. They do not deprive a person of honor. ... They do not cast the person as less than fully adult or human.

He obviously isn't talking about the Republican party. Honor is a crucial issue for humans, both personally and as the ground for participation in society, and thus is a central element of a decent society. Pettit says that negative freedom, that is, freedom from interference, is the heart of liberalism, by which he means the philosophical perspective common in the 19th Centuries, not our 21st Century usage as a

political ideology. We would use the term neoliberal to refer to people who hold this political stance today.

... I think it is fair to say that almost all contemporary descendants of nineteenth-century liberalism agree on the equation of liberty with negative liberty. All agree that I am free "to the degree to which no human being interferes with my activity" [quoting Isaiah Berlin, Two Concepts of Liberty, 1957].

Negative freedom can exist in a society in which the institutions undermine and jeopardize the grounds of self-respect for some of its inhabitants. Institutionally people may be treated as a second-class citizen without interfering directly with their choices.

This seems intuitively obvious but Pettit only makes an argument; he doesn't offer examples. Here are three that seem right to me. First, consider the status of women in the 19th Century. They were treated as dependents economically, politically and socially. The attitudes of women towards themselves were largely created by institutions such as the family, the Church, and the education system. They were not free to form their own projects for themselves, to act fully as agents in their own lives, or to determine their own views of themselves free of these institutions. Of course these institutional constraints were reinforced by laws, but the laws had their origins in those institutions, and did not touch most of the effective limitations.

My second example is our education system. Every child is entitled to education, but the quality of that education is systematically worse for working class children and children of color. There is no interference with the liberty of every parent to send their child to the best school they can afford, and there is a public school for every child. But the schools for

upper class children generally are better than the schools for middle class children, and the schools for working class and poor children are worse. What's important is the ways they are worse. Generally they perpetuate the class status of their parents. And generally, they reinforce the existing schemes of social domination. We saw the importance of this in our discussion of Pierre Bourdieu's work; here's a sample.

My third example is the treatment of employees by employers. We all know that many employers systematically abuse their workers. There is some protection for certain kinds of abuse, such as abuse based on gender or race. But who stops the humiliating practice of driving employees to pee in bottles or wear diapers?

I offer these examples without citation, appealing perhaps to my own preconceptions, but I think they give a flavor to Pettit's bare argument.

Looking more closely at these examples, we can see that protecting the dignity of women, children, especially working class children and children of color, and workers, will require interference by the state. But husbands and fathers, school boards, and employers would argue that state interference restricts their freedom, their rights to noninterference. That illustrates the central point made by both Anderson and Pettit: noninterference with respect to one person is an interference with the choices of many others.

That explains the central justification for replacing the concept of negative liberty with freedom from domination. Admittedly, freedom from domination is a kind of negative liberty. But negative liberty is based on small group relationships (husband/wife, employer/employee, school/child) where one party has power over another, whether by tradition, money or by law. Freedom from domination is created by a democratic government established expressly for the purpose of constructing, maintaining, and

improving a decent society, in which every member's honor and self-respect is the central goal.