

Freedom and Ground Rules

Liberal societies must once again become clearly aware of the prerequisites for – but also the threats to – their free and liberal existence.

Some societies are virtually in free fall. Religious fundamentalism is on the rise worldwide; in many places the patterns of tribe and religion hinder an orientation towards the future. Whole states are run as family businesses, so to speak, and fail to develop any truly independent institutions. Some conflicts have roots reaching deep into the past. In some places very old maps are coming back into use. Historical rubble has not been tidily cleared away everywhere.

Dictatorships still rule large numbers of peoples throughout the world. At the start of a new millennium universal proscription of the death penalty still has not been achieved, not even in all democracies. There is still racism as well as press censorship and suppression of free speech. In extensive parts of the world poverty and hopelessness still prevent many people from enjoying freedom and opportunities. Political repression and torture are the order of the day in many areas. In certain cultures women are oppressed; children are all too often not sent to school – if there is even a school at all.

Crises also do not follow each other in neat and orderly succession. International conflicts over the distribution of energy and water, flows of refugees, environmental degradation and the destruction of whole societies by diseases can and have already reached epic proportions. Many ingredients can combine to yield a highly hazardous brew.

Globalization makes the problems of others our problems as well. It affords opportunities but also harbours risks. It forces societies to open up, and it necessitates responsible political participation. How a country approaches international relations also says something about the character of its society

and its political leadership. Responsible political leadership is not to be found everywhere.

Mature, enlightened societies have not yet developed everywhere. Enlightenment and human rights do not prevail on their own. Respect for the principles of good governance must still be instilled in many places.

Countries that rise to meet the challenges of globalization can better utilize their resources and develop skills in coping with change. Those that close themselves off achieve less social equitability, become less competitive and generally become politically and socially unstable. Among the closed economies, by the way, are also the greatest violators of human rights. It is not the global spread of the market economy but instead precisely the lack of a market-economy orientation which is the cause of many countries' problems.

It is also not a matter of a clash of civilizations. It is not always others who are to blame for one's own shortcomings. It is a matter of societies' own ability to modernize externally and internally. The underlying causes of crises are not to be found in globalization but instead above all in the uncertainty of regional, political, cultural and social conditions for dealing with it. Globalization is no fate. It is an opportunity. It is created in people, and people can shape it in such a way as to ensure active participation.

The Friedrich Naumann Foundation is actively engaged in this work worldwide with the resources at its disposal. It operates in 61 countries; it pursues a wide variety of projects and initiatives to build civil societies and democratic structures; it works to promote human rights. It seeks to open up more and more opportunities for liberal-minded individuals and foster the emergence of political environments which enable active participation and in which Liberals can develop liberal policies. Successfully coping with the ever-faster pace of our time, cultivating and imparting universal values and contributing worldwide to stable societies:

These are the primary aims of the international engagement of the Friedrich Naumann Foundation.

International policy needs an orientation towards basic values as well as courage and a sense of responsibility. It is always a matter of ethics and power, of helping or looking the other way, of legitimacy and injustice, of human beings. It is ultimately a matter of helping human beings, especially if their own country is unwilling to help them or even victimizes them. The people and states that are free have a special responsibility to help others become free. Only in this way can they themselves also remain free and secure.

The free development of human potential needs a state that guarantees peace and security. We need ground rules if freedom is to endure. The security of the citizens and their subjective sense of security are the indispensable foundation of a stable democracy. In a liberal legal and constitutional order, security and freedom are not in competition with one another. Security is no foe of freedom; security is the prerequisite for sharing in freedom.

But: It is not the state which deigns to grant citizens freedom but rather the citizens who grant the state limitations on their freedom to safeguard the rights of all.

Part and parcel of a legal order recognized by the citizens as right and just is its enforcement and hence protection against criminal offences and crime. The state must therefore have suitable means at its disposal in order to resolutely enforce its monopoly on the use of force. The authorities must be equipped with the financial and personnel resources to resolutely enforce the existing laws. Internal security and the fight against crime at both national and international level are indispensable prerequisites for the preservation of freedom and social peace.

The state cannot be given a completely free hand, however. Transparent

customers, transparent patients, transparent taxpayers: That is not the liberal conception of the relationship between the state and its citizens. Internal security can only be safeguarded and defended by the rule of law. Only on the basis of rule-of-law principles, and not against them. The private life script, own four walls, travels, friendships and relationships, bank accounts and freely pursued economic activity of the citizens cannot be subjected to total state surveillance. Confidence in the rule of law is an important pillar of security, and not the imperial state incursions into the private sphere and freedom of the people.

We are what we do. And we are what we promise never to do. If we wish to remain a free and liberal state governed by the rule of law, then we dare not sacrifice the ethical superiority of the rule-of-law state. The West as a political programme must heed precisely this in its efforts to combat terrorism, for nothing has damaged the image of the USA more than Guantánamo and Abu Ghraib.

Ground rules are only one dimension of the precondition for free and liberal societies, however. As well-meant as everything may be, proportionality is still – and will remain – a principle governing state and ultimately also police action. Security encompasses social as well as physical security. It also encompasses the revamping of the social security systems, which are no longer viable and no longer intergenerationally just. It is also a matter of education and training and, in essence, of opportunities and prospects for a life led in human dignity and freedom. Especially in the shaping of opportunities. Security calls for proactive policies and a willingness to change instead of an aversion to risk.

The state must offer its citizens choices. It must organize systems competitively. It should not think it is smarter than the citizens themselves. If it tries, it will overextend itself and ultimately be condemned to incompetence. Nothing is more dangerous than a state suffering from

“overextendedness”. The state cannot do everything; it just acts as if it can.

State and private sphere, Bundestag and Bundesrat, parliaments and legislators: That’s not all there is to it. A written constitution alone is not enough; it is not self-implementing. The mental constitution of a society is crucial if freedom is to be enduring.

In 1776 Thomas Jefferson wrote in the Declaration of Independence “that all men are created equal”. A politically explosive phrase – then as well as now. This phrase does not, however, mean that all people are completely the same, irrespective of their genetic makeup and the talents and skills arising therefrom. As the Polish writer Stanislaw Lee put it, if all people were the same, one would basically be enough.

A look at Webster’s dictionary teaches us that the word “equal” means “like, as great as, or the same as another or others in [certain respects]”. We are not talking about the sameness of all people but rather about the “likeness in worth and status of all people”, above all before the law. This is what Jefferson meant by “equal”, a word that is so misunderstood by many people today. In Germany an equality ideal has been distilled from this which is defined as “social justice”. In other words, to exaggerate the point: We are only equal if everyone has the same things, and then we call this “socially just”. This misguided equality ideal – which in principle is instead a very short-winded prosperity ideal and is frequently encountered in Germany – is the hallmark of societies dedicated to the avoidance of envy. These are not, however, free societies. Quite the contrary: Such societies make themselves poorer, not richer, through their emphasis on sameness. They waste talent out of enviousness and resentment. Armed with the idea of sameness they crusade against the idea of freedom, the idea of competition, and the idea of opportunities and personal responsibility for what we do or don’t do.

In a free society people must also be able to take decisions freely and

develop freely according to their abilities. This also means that one person can be faster or better than another. In this free society, “just” consequently means that all people, because they are of equal value, should enjoy equal opportunities. The state affords its citizens opportunities but does not guarantee them success.

As Rainer Hank wrote, it was the German bourgeoisie itself that lived in constant fear of the abuse of freedom by its fellow citizens. Together with the Left, it always trusted the state more than the market. This is why, according to Hank, the major parties in Germany are not liberal parties. “Their grand coalition of thought lives in constant fear of market failure, whereas the danger of state failure is considered low.” In superficial criticism of neoliberalism they give moral cover to proponents of change, utterly devoid of any historical knowledge, purely playing on emotions. It was precisely the adherents of the Freiburg School who described competition in terms of proposals for a fair competitive order. Because they did not want the development of uncontrolled economic power, they limited the market power of individual entities through provision for surveillance by independent competition authorities. They laid down legal institutions such as freedom of contract and private property as the basis for responsibility and independence.

It is precisely where no market economy exists that uncontrollable economic and political power reigns. The camp, pseudo-intellectual rejection of the market is narrow-mindedness cloaked in highly condensed morality.

In the end, social justice will permanently materialize only through employment, and employment in turn through growth, and growth in turn through skills; it is less likely to result from a distribution-oriented welfare-state concept of the kind now also being built up to be the European identity. A grotesque in global competition. As if, so to speak, social security and jobs could exist without competition.

An overextension of freedom in the name of freedom is not liberal; it is destructive. A liberal order cannot function without a fixed line. It needs markers, which – as the English anthropologist Mary Douglas put it – create shady spots for the individual. One of the key questions confronting liberal societies is how many traditions they can afford to lose, how many commitments they can incur without harm, and how much awareness of the common good they must also preserve and instil. It depends on their sense of balance, on an ever new combination of openness and awareness of origin, of old and new. All this calls for the relinquishment, on principle, of the idea of a single truth. This calls for ground rules.

Liberal societies by their very nature need commitments and an awareness of common ground for both the harmonious coexistence of their citizens and their own security.

Notwithstanding all state measures to ensure the security of its citizens, our country remains dependent above all on a minimum of common ground between its citizens and on ties that regulate the exercise of freedom from within. Every free and liberal society hinges on a sense of balance.

One's own faith and own convictions, no matter how suffused with a deep-seated belief in their correctness, must observe principles that are enshrined in our constitution. The constitution is binding for all who wish to live in Germany, regardless of what identity they claim as their own and what life they lead. If we wish to protect it, there can be no tolerance of intolerance. The state itself must take steps to ensure a "balance of power" within itself, within the framework of institutions as well as the governmental level.

Free societies, as Joachim Fest put it, are founded not least on a number of prerequisites “which, strictly speaking, go against human nature”: self-imposed prohibitions, civilised rules, norms, toleration, even privileged treatment of minorities, a system of precautions. Only in this way can people live halfway bearably with other people. Herein lies the “peculiar pathos of the idea of a free order”.

Ground rules are the basis for culturally compatible interaction among people who learn them and in whom they must be instilled through good examples, through character and attitude.

Political stability and its cultural, economic and scientific achievements are not based on bureaucratic and centralist uniformity but instead on a tradition of governmental and cultural diversity. Cultural independence is a value in itself. Personal responsibility is a value in itself.

Personal responsibility produces achievements, initiates learning processes and creates ties for a functional polity. Effective federalism lives from competition, from the creation of distinct profiles, from the crystallization of one’s own identity and from the bringing out of one’s own strengths in competition with others. Uniformity of living conditions does not mean their standardization and levelling but rather their given local manifestation at a comparable level.

Problem-solving capability in an increasingly more complex state will hinge crucially on the functioning of the decentralized level of political decision-making and action. From municipal self-government to competitive federalism. Autonomy creates transparency, assigns clear responsibility. It rewards personal effort. It also presupposes a considerably stronger will to political leadership.

A written constitution alone is not enough, however; it is not self-implementing. A work ethic and a learning culture are the foundation of solidarity. A society of citizens – not clients of the state – is the prerequisite for the preservation of freedom. The responsible citizen – not the coddled subject – figures crucially here. A renaissance of responsibility in freedom is essential, for freedom dare not become a forgotten ideal.

The idea of freedom must once again be accorded greater priority everywhere. The Friedrich Naumann Foundation is working to help bring this about. Civic education therefore is and will remain the core of the Foundation's educational programme. The Friedrich Naumann Foundation stages nearly 1,000 events each year, whereby in the year 2005, for example, more than 34,000 participants availed themselves of the offerings of the Theodor Heuss Academy, the Regional Programme and the Virtual Academy alone. The Foundation's over 600 scholarship-holders are very lively examples of its promotion of talent and orientation towards the future. The goals it pursues are not only connected with knowledge but also with character and attitude. It is a matter of setting credible examples and raising the bar in terms of civilizational, economic, legal and social standards.

To paraphrase Karl Popper, we must lead the way into the unknown, unconscious and unseen, using the power of reason at our command to create both freedom and security.

People must be encouraged to take this step. This is the challenge we seek to meet.