

Opening speech: RECON Midterm Conference

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Ladies and Gentlemen, Distinguished Guests,

Thank you for the invitation. I accepted it with pleasure for a number of reasons; most importantly, because I find the topic of your conference particularly inspiring, of the upmost importance, and very well timed. The 20th anniversary of the year 1989, which was in every way ground breaking, offers us an important incentive to contemplate where are we coming from and where are we going to.

Freedom of all citizens versus the abuse of power by the powerful

In the Czech milieu, years after the Velvet Revolution, the misconception of freedom as 'deregulation' prevails. According to this logic, the freest are those who do not answer to any rules, like the citizens of failed states like Somalia.

In reality, the example of failed states shows how meaningless this conception is: in failed states, only the strongest are free – free to deliberately use violence against the weak, to appropriate their property, to take their life without fear of punishment. Yes, the strongest ones, the chief bandits, are really 'more free' than members of societies bound by the rules, where no such things are possible without punishment.

The necessary condition for such 'über-freedom' is that others (the majority) do not have any secure freedom, no protection of their property, dignity and life. This phenomena appears to a lesser degree in countries where the state formally functions, but the rule of law cannot be upheld because the rule of law is undermined by powerful political and economic oligarchies, for example in some of the former USSR countries.

If freedom is meant to be a characteristic of society as a whole, however, then the presence of relatively firm and clear rules (in the form of constitutional order and laws) is not in conflict with freedom, but is a prerequisite.

Freedom and the market

Freedom is certainly not derived solely from the market, but the free market, understood as competition is part of freedom. Similarly, the market can be free only if competition is based on rules, based on law – as formulated already in the 18th century by the patron saint of the free market, Adam Smith. It is almost grotesque that many of those who otherwise strongly support Adam Smith, simultaneously distance themselves from the rule of law, which provides the basis for the Anglo-Saxon understanding of the market economy. The free market cannot function without the rule of law.

If the opposite is the case (as, for example, when free competition is misinterpreted by cartels and monopolies or corruption and favoritism by political actors), the competition is not freer, but on the contrary less free.

The neo-liberal axiom is that the level of freedom is directly proportional to the level of justice. On the contrary, competition misinterpreted by monopolies or corruption is less free and less just. Contemporary economic liberals and neo-liberals (not only in the Czech milieu) are not real liberals, but social Darwinists! As the Germans say: 'Die Neoliberalen sind gar keine Liberale.' The neo-liberals are not liberals.

The classic example of such 'neoliberal' misconception is the statement that the extent of freedom is directly proportional to the extent of the taxation. Again, according to this claim, the freest countries are those like Somalia and the least free are countries such as Denmark or Finland – even when the opposite is clearly the case. Nonetheless, the Czech media continue to present the so-called day of tax freedom (the date in the year until which we all worked 'for the state') as reality and not as misleading right-wing propaganda.

Freedom and political (representative) democracy

Freedom cannot be reduced to political democracy. There are countries which are formally democratic (particularly in Asia and Africa), in which elections take place at regular intervals, but these countries can still not seen as democratic in the full meaning of the word because the ruling party or parties employ this or that form of political monopoly – such as control over the media, the use of the state's finances for its own propaganda and proliferation of the leader's personality cult. These 'democracies' limit people's access – especially those with disparate opinions – into the decision-making positions, hinder and threaten them in the everyday life.

Similarly, in the case of economic monopolies, electoral competition is less free and less just. It leads to inequality and unfairness and, more importantly, to the confirmation and further strengthening of the seemingly democratic power of those who hold the power. The American political scientist of Indian origin Fareed Zakaria calls these states illiberal democracies.

The proponents of these regimes often point to their high levels of electoral support for their leaders. This is clearly a self-fulfilling prophecy, since support for authoritarian rules is achieved thru manipulation. They attack their critics by saying that 'they did not get the votes', and 'have no mandate' to take part in the political discussion. Similar argumentative strategies can be found among populist politicians in countries where the political arena is clearly monopolized – for example, in the Czech Republic. Many of those who succeeded in elections base their right to govern in an unwarranted manner and their right not to be controlled by those who in their eyes failed and have no mandate. In the most drastic case, they openly or covertly usurp the right to treat the state like a bounty, which belongs to them in its entirety and be little attempts to be stopped by those 'elected by none'.

The consistent liberal view based on the rule of law is the exact opposite of this scenario. Those who gain the power in democratic societies do not gain the right to act in an unwarranted manner; on the contrary, with their increasing power, their freedom is increasingly limited by growing responsibility.

The old Greeks would probably have loftily (but fittingly) summarized this with an axiom that society needs DEMOS, but DEMOS is not a sufficient condition for its functioning. The society has to also adopt ETHOS.

Translated into the Czech reality, this means that Citizen Novak has the right to express his opinion concerning the fact that the icebergs are not melting and that global warming is a myth, or that the 9/11 was performed by Americans. But official members of the president's cabinet have no such right.

Karl Popper, the author of the theory of open society (which does not claim to be perfect, but attempts to improve itself continuously), stated more than half a century ago that the biggest advantage of liberal democracy is not greater legitimacy among its elected representatives. Unelected politicians who are meritocratically nominated can be equally legitimate; and as Zakkaria states, these often enjoy greater support and trust from society than the elected officials (based on surveys). Monarchy can also enjoy legitimacy, be it constitutional monarchy such as the Dutch one, Swedish one or the British one, or the absolute monarchy of Saudi Arabia. The real advantage of representative democracy is not the freedom to elect the 'chosen ones' or the higher blessing of these, but only the possibility to replace these elected representatives; ipso facto, the right of the electorate to continuously improve the present imperfections.

Freedom from, freedom against, and freedom to something

Misconceptions of freedom typically see freedom as liberation from something: from laws, from taxes or from ethical rules to follows: 'we have the mandate, you be quiet' can be also interpreted as the pretense to liberate elected/chosen ones from ethical or legal rules valid for mere mortals. Of course, freedom can be liberation from something, for example, from the totalitarian dictates, and the call for freedom can be directed against something or someone - against tyranny. Those who truly cherish freedom do not tend to reduce it to freedom from something or the struggle against something or someone: they tend to understand it (such as the Charter 77) as freedom to something - not freedom to pursue pre-defined surrogate ideology with the opposite sign as compared to the preceding one, but as the freedom to cultivate intellectual and political pluralism.

African American thinker Orlando Patterson points out that freedom understood as delineation against someone 'we the free' against 'those not free' has a long and tragic history in the Western thought. National socialist German in January 1933, after Hitler seized the power, felt without doubt 'more free', when they were free to burn the books of unfit authors, break the shop windows of the sub-humans, etc. It

was freedom from something (from the binding rules of liberal democracy. But it was freedom to something, to something destructive against the others.

Freedom to something offers an interesting comparison to the post-communist Central Europe and to post-Franco Spain and Portugal. In this comparison, the Iberian countries win: they clearly defined their freedom after the dictatorship as freedom to something, freedom to include those who were pushed to the edge of the society (such as Spanish Roma but also migrants), freedom to include the others.

On the contrary, in the Central Europe, including the Czech Republic, the conception of freedom to exclude (most typically in relationship to minorities, most often to the Roma) dominates (probably as a reaction to unconvincing egalitarianism of the communist regimes).

The difference between an inclusive and exclusive understanding of representative democracy is crucial and the time is right to start a discussion about it. Therefore, I am honored to have the opportunity to open your conference. Please, let me wish you all a successful and inspiring meeting filled with discussion.

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