

Chapter 5

Conclusion



Talking about liberalism makes one quite a killjoy these days. Not only liberal politics is met with increasing skepticism, doubts abound also about the philosophy of freedom itself. The political and the philosophical problems are connected. The incapacity of political liberalism to clearly take a position on urgent social and political challenges also has something to do with the confusion about the actual content of the idea of freedom. Since the traditional concepts (especially those of *negative* versus *positive* freedom) do not get us any further (see Sect. 1.2), I suggested a new terminology. In my opinion, the distinction between *quantitative* and *qualitative* freedom that was developed and tested in the previous chapters provides more conceptual clarity than all previously employed terminologies.

While quantitatively conceived freedom amounts to a “the more, the better” in the choice of options, qualitatively orientated freedom emphasizes, “the better, the more.” Quantitative freedom describes a fundamental concern with maximizing, towards the highest possible *number* or the greatest possible *expansion* of individual options. The idea of qualitative freedom wishes to sensitize us to the necessary *assessment, creation, and alteration* of those possibilities: We should especially promote some more than others. While *quantitative* freedom reflects upon *how much* freedom to grant the individual, *qualitative* freedom attends to *which* freedoms we grant to one another and *whose* freedom we enable. Metaphorically speaking, quantitative theories of freedom consider freedom to be like a sheet of paper that becomes smaller the more it is shared out to other persons. It seems therefore in individuals’ interests to exclude other people from this scarce good in order to increase their own share of it. Qualitative freedom, in contrast, tends to see freedom as a light, the luminosity of which becomes all the more intense, the more persons that it shines upon.

Yet, we are not simply concerned here with conceptualizations, we are also concerned with a new architectonic of liberal thinking that can integrate philosophical liberalism’s variant conceptions of freedom. This is achieved by distinguishing divergent *concepts* of freedom (*what* a community values and defends as freedoms) from the *idea* of qualitative freedom (*that* this concretization is instantiated). Since

the *idea of qualitative freedom* can combine structural equality with substantive diversity in the concepts of freedom, the liberalism underpinned by it is able to maintain the *unity of its principle* alongside *plurality in the manifestations*.

Both can be safeguarded when in our reflection upon freedom we sharply differentiate between a contribution from *philosophers* to the *idea* of freedom and what emerges from the discourse of *citizens* as to the *concepts* – conceptions and programs – of freedom. This differentiation should especially be observed in questions concerning the practical consequences of liberal theory. It makes an important difference whether authors (at the level of the *polity*) employ philosophical reflections when addressing constitutional or procedural questions, or whether, against the background of such considerations, they express themselves as citizens in questions of political programs (*policy*) and processes (*politics*). The former allows more certainty and precision; the latter rather demands concreteness and realism. I maintain that a decisive advantage of my theory over and above earlier schemes is that it enables and defends this differentiation. It can thus prevent political differences leading to philosophical oppositions and *vice versa*.

The house of freedom has many rooms; the liberal idea can offer a home to various liberalisms. Consequently, divergent kinds of liberal thinking that have arisen at different points in history or in different cultures should not be pitted against one another but should rather be reconciled by means of their shared fundamental concern. I wish accordingly to expressly draw attention here to the different voices I use in the following. While, next, in the *review* of the previously reconstructed theories (Sect. 5.1) I systematize the *scholarly* results of this investigation, afterwards I will speak less as an *academic philosopher* and more as a *citizen* and *global citizen*. By *inspecting* the current problems in economics and politics (Sect. 5.2) as well as also in giving a *prospectus* of future discussions of a cosmopolitan nature (Sect. 5.3), I express my own liberal convictions.

This change from the earlier monochrome prose of philosophy towards the vernacular of multicolored life occurs in order to emphasize the practical relevance of the previous studies and to encourage interest in the previously studied mental models. To facilitate the coloration of the academically grey constructions of the philosophy of freedom, I will insert my own economic, ethical, and political views into the theoretical frameworks prepared here; not to impose them or to trigger political reflexes, but rather in order to stimulate philosophical reflections about political and economic affairs.

5.1 Review

In order to account for the idea of freedom's universal nature, one must demonstrate its cosmopolitan suitability – not only in the production of those social, economic, as well as ecological and cultural conditions needed to make its global actualization durable, but also in respect of its proceduralization. The globality of freedom demands that all human beings – persons living near and far, present and future

generations – directly or through representation – participate in the concretization of the idea of freedom: Without participation there is no codetermination, without procedural distinction there is no substantive differentiation of freedom!

For this very reason, discourse about freedom must be open to the values individuals seek in and from freedom. Freedom is an end in itself, but not the only aim of human life. Therefore, in the chapters of this book, we constantly dwelt upon the following questions: How can freedom gain in quality through autonomous commitments and self-imposed boundaries? How can we thus leave behind the schema of a *quantitative maximization* versus *minimization* of options to enable a construction of the *qualitative optimization* of freedom? And how can the thinking of freedom consequently extricate itself from that scale upon which earlier theories constantly moved back and forth between the poles of *autonomy and heteronomy*, without nevertheless ever reaching a generally satisfying unity of *self-determination and codetermination*?

For this purpose, Kant's philosophy developed a theory of a self-determining publicity. In a political imperative, which calls for the public self-critique and transformation of political freedom, Kant presents an early defense of reflexive democracy and procedural politics. Kant questions what empowers individuals to participate actively in the public development of societal freedom and to advance a politics of freedom. Thus he bequeathed his successors the challenging task of clarifying the indispensable cultural, pedagogical, and economic conditions citizens require in order to participate in this project of liberal politics.

Kant stresses that freedom entitles and empowers us to be diverse and to manifest the unifying liberal principle differently. The fundamental idea of autonomy encourages the most divergent ways of living. That is, Kant aims for a synthesis of unity and difference: *Unity* in respect of the structure of freedom; *difference* in respect of the substantive lifestyles, not predefined by, but certainly able to be evaluated by, the principle of freedom. Our separation between the *idea* of freedom and its procedural restructuring in diverging *concepts* is inspired by this distinction. Kant thereby provides a notion of extreme relevance for *intercultural* questions. His theory can explain and justify human beings obtaining varying understandings of freedom according to context and realizing freedom divergently. For the objectives of his theory to be accomplished, Kant must therefore not depend on turning everyone into a disciple of his very own vision of what makes liberal sociality thrive. That sets him pleasantly apart from many of his intellectual successors.

Fichte wished to improve upon Kant's philosophy of freedom. Philosophy is called upon to deduce also the specific prerequisites needed for a life in freedom, and to dictate to the state how, in the name of true freedom, to realize these – if necessary against citizens' own conceptions of freedom. Fichte's fundamental thought is that freedom requires preconditions. Whoever wants the former must create the latter. For him it is above all a question of rescuing freedom from its devaluation through need and dependency. Fichte recognizes that severely asymmetrical economic conditions can make a mockery of political and cultural freedom, and that liberalism must guard against, not just governmental abuses, but also economic power. Even those who disagree with the concrete conclusions Fichte draws should

familiarize themselves with this perspective of a socially engaged liberalism. For it is hard to keep the center of the political spectrum in focus when one's left eye is blinded.

At the same time, it is striking that, by campaigning under the banner of freedom, Fichte ends up with an oppressive model of state and politics. Where, therefore, lies the misstep leading from the coherent insight that all freedom has preconditions onto the precipitous path of leftist paternalism? When Fichte deduced, in the most minute details, the tasks and procedures of a model state of freedom, he meant – but did not achieve – merely to draw the socio-philosophical conclusions which Kant's approach overlooked. In the interests of a monolithic metaphysics of freedom, Fichte departed from Kant's distinction between *idea* and *concept* of freedom and thus squandered the opportunity of accommodating both unity and difference within liberalism. Whereas metaphysics was the *foundation* (*Grund*) of freedom in Kant, for Fichte it is its *abyss* (*Abgrund*). In failing to see that one can both defend the structural universality of the idea of freedom and entrust its concrete everyday implementation to the citizens' will, Fichte believes that one must choose between the rational freedom and democratic self-determination – and ultimately sacrifices civil liberties.

In this regard he was followed by Karl Marx (1818–1883) and Friedrich Engels (1820–1895), with political consequences that often let us forget that they themselves also saw their theories as philosophies of *freedom*. After they – with good reason – rejected every theory only advocating “negative” freedom, they ended up – without good reason – on the side of a communist version of “positive” freedom. Even though anyone who today reflects upon the regimes invoking Marx and Engels as their intellectual forefathers hardly ever translates the socialism legitimated by the – rarely authentic – reference to their works into the grammar of liberalism, the philosophical roots of their socialist systems nevertheless lay within the struggle for the freedom of all citizens. As long as we do not understand this and fail to grasp what went wrong here conceptually, we are ill-equipped to resist a repetition of this historical mistake.

These mistakes ultimately result from an insufficiently sophisticated theory of freedom which does not clearly enough distinguish between the principle of freedom and the forms in which it is cashed out. For, ultimately, it is irrelevant whether one thinks of freedom from the left or from the right and loads it with communist or communitarian meaning. What is important is that the step beyond conceptions of “negative” freedom does not come down to simply writing up philosophical wishlists. It is no accident that in most cases conceptions of “positive” freedom fully accord with the societal aims of their respective authors, which are then immunized against all critique and solemnly promulgated as the constitutional objectives of the state. Only when we grasp that this problem is systemic and not merely due to specific authors – namely, a structural deficit in the terminology of “negative” versus “positive” freedom (see Sect. 1.2) – can we systematically obviate it.

The theory of Karl Christian Friedrich Krause (1781–1832), which poses the question about which procedure best does justice politically to the distinction between idea and concept, helps us with precisely this differentiation. Thus Krause also can

steer clear from Fichte's socialism: Freedom's ends and means must harmonize. Whoever wants freedom should employ coercion only under clearly defined (qualitative) conditions and even then (quantitatively) only as little as possible. Freedom's preconditions are to be established through, not against, the freedom of citizens. Philosophy should not simply force-feed people templates of liberal lives. Freedom must be the method of philosophy. Citizens are consequently raised from *passive objects* of theory to *active participants* in the program of a progressively self-determining reflexive freedom. Krause thus completes Kant's fundamental thought that freedom is its own project, and convincingly explains why freedom is *directed* towards societal aims without itself being completely *dissolved* within them.

According to Krause, freedom should be *both* an end in itself *and* the means to this end. Its superordinate intrinsic value does not exclude, but rather includes, its subordinate instrumental significance; an idea which has returned today, especially in *capability*-theories (see Sect. 4.2): Capabilities should enable – but not compel – functionings. The former find an aim in the latter, but not their *raison d'être*, which is and remains the freedom of citizens. People should not be coerced into liberal conditions, but rather should bring them about. The innumerable fascinating innovations of Krause's liberalism (like, for example, demands for intergenerational justice, ethics of sustainability, etc.) grow out of this understanding of freedom. As much as is possible, Krause bets on *participation* and involves citizens *directly* in the decision-making process concerning them. Wherever this is (still) impossible, for instance in global contexts, he places emphasis upon their *indirect* participation by means of *representation*. Active world citizenship is the focal point from which Krause reorients politics, and so he strictly revokes Fichte's nationalism while directing his philosophical liberalism in a decidedly cosmopolitan manner.

The potential of this self-reflexive philosophy of freedom for transforming the lifeworld becomes especially clear when focusing on the development of the concept of property in Kant, Fichte, and Krause. It is no accident that the question concerning the legitimation and limitation of private property provides a decisive key for understanding what type of liberal thinking one is dealing with. Whereas economic liberals enjoy emphasizing how private property enables the freedom of the one, social liberals stress how it often hinders the freedom of the other. Whoever restricts something to themselves typically excludes others from it. It thus makes little sense to declare private property *per se* as favorable or unfavorable to freedom. One ought to make it neither the embodiment of freedom in a libertarian fashion nor freedom's antipode in a communist fashion. The interesting question rather concerns how one reconciles the competing demands which people make on the assets of this world.

In response to this question, Kant sought to derive the right to property from the right to freedom. Only the human right to freedom is inborn, permanent, and unconditional. Property, on the other hand, is merely one of its many forms and presuppositions. Since freedom is therefore always positioned higher than property it follows that all human beings have an *absolute* claim to share the world and manifest themselves within it in a protected manner – to *some kind* of property therefore. However, in all cases human beings only have *relative* rights to the free use of *cer-*

tain properties; rights, that is, which must be placed in relation to the higher-ranking human right of all other global citizens to participate in the world. A world in which the few possess practically everything and the many possess almost nothing would be difficult to justify upon this foundation. In Kant, however, it remains uncertain to what extent, with which means, and by which rules, the political communities may correct the existing property-distribution.

On this issue, Fichte believed that only the state could lawfully establish and legitimate the universal institution of private property as well as particular private possessions. Private property thereby becomes entirely subject to political action. But since, for Fichte, the state does not look at the concrete individuals, but rather respects them as subjects of rights only in their abstract capacity as persons, he allows little room for distinctions within property rights. If only abstract persons, and not this or that concrete human being are considered, then all individuals are equal. If anyone's right to property rests on one and same foundation, then the distribution of property must also be more or less the same, according to Fichte. While the individualist liberalism of the nineteenth century always let the freedom of the poor come to an end at the railings of the rich, Fichte does the precise opposite: for him the poor's right to freedom prevents private riches. Therefore, while Manchester Liberalism sees private property as the bulwark of freedom, for Fichte it is communal property. While the former accepts the social at best as a substitute and safety-net of the private, Fichte defines the private as a derivation and subset of the universal.

Krause seeks a moderate mean between these extremes. The central concern for him is not the quantitative maximization of either individual or collective options but instead the qualitative optimizing of concrete opportunities – for each and everyone. Following Kant, Krause wishes to grant everyone access to freedom through property and usage rights. Yet it is also clear to him that human beings and their lifeworlds are different: The disabled, for example, depend upon assistance in order to live a life of dignified freedom. One may not paint, therefore, all global citizens with a single quantitative brush, but ought to respect the qualitative difference of their respective circumstances. Moreover, the procedural freedom of all, and not a single philosophical doctrine, should define the prerequisites of what makes for a free society. Therefore, political procedures are to be devised and justified which, through legal norms and solidary action, help everyone attain a materially mediated freedom. – Truly *everyone*? Yes, as the right to property follows from the right to freedom of all persons, its regulation falls, strictly speaking, into the remit of humanity as a whole. Even the most far-reaching political order can, within the reach of its sanctioning powers, introduce only temporary redistributive measures. The ultimate say, though, remains the preserve of a future lawful global community acting with a view to the rights of coming generations. With this argument Krause achieves two things: In local, national, and regional communities one may already reform yesterday's legal conditions in the name of the freedom of all participants, without thereby standing in the way of a future transformation in the name of all affected.

The philosophies of freedom of Kant, Fichte, and Krause thus examine the opportunities and threats of *metaphysical* liberalisms encompassing a sphere of questions and concerns bearing upon absolutely all persons. In the face of our largely globalized world, it becomes increasingly clear that this globality of metaphysical constructs signifies a welcome opportunity for contemporary philosophizing. Metaphysical thinking encourages us to transcend narrow spatio-temporal horizons and can open up an intellectual eye for perceiving aspects which often remain hidden to the naked eye. Not nationalism, but cosmopolitanism, is the “default option” of the metaphysics of freedom.

At the same time, metaphysics harbors risks. Fichte’s claim to sole representation for the practical realization of freedom highlights how quickly the *inclusivity* of a metaphysical idea sometimes turns into the *exclusivity* of a certain style of life and politics. Metaphysics – in the supposed possession of ultimate speculative truths – can be misused to devalue alternative perspectives and ward off experimental thinking. And since thinkers like Fichte and Hegel became influential especially through this doctrinaire strand in their thinking, many subsequent philosophers – once the historical and sociological limitations of these doctrines showed – wanted to have nothing more to do with metaphysics.

Yet even *open* metaphysical projects, like Krause’s, unjustifiably fell victim to that critique, which, from 1870 onwards, became increasingly intense. One thus overlooked how metaphysical thinking, in forever transcending the *status quo*, can make a genuinely liberal contribution. For Krause already illustrated what many later thinkers like Popper and Dewey would stress once again: Metaphysical ideas and falsificationism, philosophical speculation and pragmatic action, can go hand in hand – and thus serve the freedom of all. Instead of establishing our conceptions with *recourse* to certain speculative presuppositions, metaphysics may also keep these conceptions open to change – in *anticipation* of as yet uncertain developments. Instead of prohibiting conceptual and practical experiments in the name of a higher reality, metaphysics ought to demand these in the interest of a reality always capable of improvement.

What prevailed in that era, especially in German universities, were however not *open, dynamic* constellations but *closed, static* systems of thought. In reaction to them, since the end of the nineteenth century, philosophers tried out mainly three alternatives. *First*, a pronounced metaphysical – albeit no longer system-bound – philosophy (as, for instance, in Nietzsche and Kierkegaard). *Second*, a radical – yet just as metaphysical – materialism (from, for instance, Feuerbach, Marx, and Lenin). And *third*, analytical, logical, and empirical approaches. The latter especially have increasingly set the agenda since the beginning of the twentieth century – with patent consequences for the theory of freedom. In the course of this historical development, the obviously social and cultural idea of freedom became increasingly maltreated as though it were but a numerically measurable and algorithmically maximizable entity. The spiritual essence of freedom thus shrank into the contours of physical freedom of movement. Humanistic reflections about the ideality of freedom were replaced with the mechanistic models of materialism. To better understand this new paradigm in the theory of freedom and to analyze the

immanent problems of its quantitative methodology we have focused upon two thinkers for whom precisely the choice of this methodological guidepost proved to be a programmatic pitfall.

Friedrich August von Hayek (1889–1992) personifies a central concern of the quantitative philosophy of freedom: The state should establish a maximum of individual freedom though a minimum of statehood. Since no one can guess the vocation of the other, teleological master plans must be renounced. Hayek thus demands something akin to a life-long learning program for politics, backed by social evolutionism, decentralized flows of information, subsidiary decision-making procedures, federal structures, and the promotion of responsible liberty through the widest possible range of private autonomy: Institutions may not be absolutized, but rather must continually remain transformable and capable of improvement. One should not delude oneself into thinking that people's behavior is ever capable of being predicted once and for all. The same holds for the economy. Hayek demands a modest economic theory and moderate economic policy. The former should not deceive itself into thinking that free economic activity can be captured by mathematical or scientific formulas; the latter ought to dispel the illusion that economic freedom can be mapped out by perfect plans.

Hayek maintains that it is an expression of our ethical vocation, as well as being in our own well-understood self-interest, to politically establish and legally protect an order of free economic competition and of liberal communality. People should only be coerced in predictable ways; if they willfully or recklessly violate the rules coordinating communality laid down by the constitutional state, but not in order to extort a certain good conduct from them. Still, for Hayek, freedom is also always a principle directed to its ethical use. In contrast to the opinions of many libertarians, Hayek calls for the defense of freedom not only against theories which start out with much solidarity pathos and end up suffocating individual spontaneity and self-reliance. It must also, he holds, be defended against approaches which, in the interest of serving egotistically-material concerns, misunderstand the value of freedom as being purely instrumental.

Hayek, therefore, sees himself as more than simply the advocate of the freedom of the rich. In Hayek's philosophy of law, a concept of freedom manifests itself which focuses upon the capacity of all persons to make use of the law and to participate in politics. This is also reflected in Hayek's economic philosophy, which argues that it is incumbent on the state to create the *social preconditions for the independent economic activity* of all citizens. Both demands nevertheless transcend the ideological content of negative freedom and a purely quantitative theoretical utility calculus. Wherever it appears necessary or desirable to him, Hayek thus reduces the freedom of some in order to optimize the freedom of others. Yet, that contradicts the minimalism of his basic assumptions. That is, in Hayek, qualitative leitmotifs (especially those of Immanuel Kant's philosophy) are directing the show behind the scenes, even though, upon the stage, there is a superficial pretense of the mere quantitative maximization of freedom. In contrast to the still prevailing neoliberal interpretation of Hayek's theory – against which it is not entirely, but in large parts, to be defended – the latter provides in the final analysis, not so much a particularly

conclusive *construction* of a quantitative concept of freedom, as, rather (see Sect. 3.1.2), an agreeable, if somewhat unintentional, contribution to its *deconstruction*.

John Rawls (1921–2002) also has an ambiguous relationship with Immanuel Kant. He wanted to inherit some of the contents, but not the methodology, of Kant's doctrine of freedom. In order to avoid metaphysical arguments, he attempted to legitimate his qualitatively pursued boundaries of private freedom with quantitatively directed utility-calculi. Nevertheless, Rawls' critics soon informed him that his *Theory of Justice* still made extensive use of a series of unacknowledged metaphysical assumptions. In his later works, he thus aimed at presenting a justification for the liberal social order entirely free of metaphysics. That required renouncing any and all substantial directives concerning the nature and vocation of man. Yet, at the same time, Rawls did not wish to end up jeopardizing the tolerant, open society he envisaged. He therefore employed certain procedural rules in an attempt to condition the choices made by the persons deliberating on the social contract. He curbed the citizens' rational exchange logic in such a manner that eventually, from their negotiations about the political framework, only ethically acceptable results could turn out to be formally admissible.

This trick of smuggling in content-related qualifications through procedural framework-directives is of course already questionable in and of itself. Furthermore, it only works for as long as the contractual parties stand together in constant reciprocal relationships. Prudent utility-maximizers engage in fair negotiating conditions only if they themselves also occasionally require such conditions. Everything therefore depends upon an approximate symmetry of the cost-benefit potentials between those involved in the exchange. Severely asymmetrically situated subjects – for instance future generations or severely disable people – are, despite Rawls' countervailing attempts, not convincingly given a chance within such agreements; their interests can therefore be neglected with impunity. Yet that runs counter to the gist of Rawls' universally-liberal concerns.

Rawls undermines the binding force of his own *Political Liberalism* with the attempt to rid himself of all substantial foundations – even those from the philosophy of freedom. Within already liberally constituted societies, Rawls wishes to deny fundamentalist voices the political ear; conversely, when confronted by fundamentalist regimes, he advocates a policy of nonintervention. That produces, as a consequence, an explosive mixture of ethical relativism (in international policy) and dogmatic liberalism (in domestic policy). Which shows: Quantitatively and rational freedom finds its necessary measure in Rawls not in and out of itself, but rather in all cases through implicit qualitative directives which on its own principle it can neither make explicit nor affirm.

In regard to the critique of liberalism, the theories of Rawls and Hayek thus oscillate back and forth between acceptance and denial; and in that they reflect a characteristic of quantitatively orientated liberalism as a whole. The quantitative approach – left to its own devices – does not work and is continually driven beyond itself towards qualitative conceptions. The latter are introduced into theories of quantitative freedom mostly either as (procedural) side-restrictions (as in Rawls) or as (material) exceptions (as in Hayek). This shows that with the means of quantitative

analysis – on the scale of everything, something, or nothing – alone, an answer to the challenges of the critique cannot be found. A liberalism, however, that recognizes no critique is dogmatic; one which accepts them all relativizes itself; and a liberalism which meanders between these poles at the discretion of its respective author remains theoretically unclear and practically ineffective.

On the basis of these observations, we conclude that the theory of quantitative freedom is not self-sufficient; it requires qualitative completion and foundation. What in any given case promotes or hinders freedom cannot be solely derived from the vectors of an imaginary world reduced to physically-quantitative aspects. That rather needs to be negotiated time and time again against the backdrop of our respective worldviews. Hermeneutics and heuristics go hand in hand. Depending on how we interpret our lifeworld, we either spot or overlook certain opportunities, and we understand certain commitments either as liberalizing ligatures¹ or as freedom's fetters. This very interpretation of life will of course be different for different persons in different places and at different times; and that gives metaphysics its appropriate role in liberalism.

False fears of metaphysics and its methods (of introspection and intuition for instance) have gradually reduced philosophical liberalism into a positivistic physicalism, in whose wastelands only the thorny branches of prickly choice can thrive. Yet instead of banishing the substantial-normative side of freedom into the filthy swamp of supposed "metaphysical pseudo-questions," this aspect must be spruced up, so that liberalism can shine once again.² Rather than (with Fichte) answering once and for all the question how to shape our lifeworld with but one single "big metaphysics," we should sooner, with more modesty and more humanity, engage with the many "small" metaphysics emanating from the most varied systems of ultimate justification spanning the entire range from folk knowledge to spiritual and secular traditions of practical wisdom. If citizens, from their ideas about the good life formulate, certain *implorations* (*Anmutungen*) to employ freedom on behalf of social and environmental responsibility, then, from a qualitative (as opposed to quantitative) perspective, these will thus not be understood to be illiberal *impositions* (*Zumutungen*), but rather as *suggestions* to develop and ready liberal thinking for the tasks that lie ahead.

That is corroborated by the last part of our investigation, which underscores that freedom cannot simply be identified with the sheer number of possible choices. In the same way that every individual always prefers a small number of attractive options to a large quantity of unwelcome choices, the political community must evaluate the content of freedom's options. This is especially evident when they conflict, like, for instance, the freedom of smokers and non-smokers in enclosed spaces. We require legitimate evaluation-criteria which by reflecting on the quality of freedom determine their quantitative radius. Thus, correctly understood, the idea of quantitative freedom results from the idea of qualitative freedom; the former is to be

¹ See Ralf Dahrendorf, *The Modern Social Conflict: The Politics of Liberty* (New Brunswick, NJ, 2008).

² Charles Taylor, *What's Wrong with Negative Liberty?*, 218.

dialectically classified and subordinated to the latter as a moment of its fully developed notion. *Quantitative freedom finds its foundation in qualitative freedom; qualitative freedom reveals its measure in quantitative freedom.*

Section 4.1 reconstructed the theory of freedom of John Kenneth Galbraith (1908–2006), as an exemplar of economic and political thinking in the light of qualitative freedom. He sought to connect his economics to the social sciences and to a practical philosophy focusing on freedom and justice. By pointing to the societal malleability of the economy in view of its historical changes, Galbraith wishes to provide a public interested in the liberal reform of its lifeworld with conceptual tools: Citizens should learn to identify economic power in order to be able to modify it. Based upon a critique of neoclassical axioms (*homo oeconomicus*, perfect competition, etc.) and the neoliberal theories of politics and economics (equilibrium-postulate, market efficiency, *laissez faire*, etc.) Galbraith campaigns for a democratization of the economy by means of a reflexively self-critical economics. Galbraith strips economics of the vestiges of value-free (natural-)science, which conceal its implicit normativity. By contrast he champions disclosing the values guiding both the economy and economics. Only thus can we all freely codetermine the economic parameters and institutions that shape our lives.

Whoever, with an eye to the relations between individual and state, insists that the law secure personal freedom, should also consider the potential of businesses, banks, and stock-exchanges to increase or decrease the freedom of global citizens. Galbraith shows the powerful role played by economic entrepreneurs in the formation of opinions, powers, and markets. So that our freedom is not reduced to its commercial aspects, Galbraith initiates a debate about the qualitative dimensions of freedom (quality of life, etc.) and demands a democratization of economic policy. Galbraith thus wishes to balance out with countervailing societal powers the economic tendencies one-sidedly directed towards maximizing material goods. The latter should serve everyone's freedom by enabling a life beyond economic cost-benefit analyses and strengthening the presence of public goods.

Amartya Sen (1933-) approaches the self-same question about the quality of freedom in another way: by reflecting upon individuals' capabilities. Since Sen is less concerned about abstract options, and more concerned with concrete chances, i.e. those *comprehensive outcomes* that result from given economic and political institutions for the life of citizens, he declares himself in favor of a concept of *substantive freedom*. This aims to gather the intellectual light of other theories of freedom in a lens focused upon individual opportunities. Sen's conception of political autonomy is directed towards harmonizing the choice of economic aims and criteria of success with formally-procedural demands of liberty. Formal and material dimensions of freedom should not be played off against one another, but rather balanced out. For, according to Sen, no society is excluded from the liberal debate about the preferred qualities of freedoms to be politically promoted. A genuine liberalization of our lifeworld presupposes a procedural emancipation of the economy and of the aims materially guiding economic policy. After all, only what is qualitatively defined can quantitatively be maximized. Yet that definition should take place *democratically according to qualitative criteria, not technocratically according to quantitative scales.*

Galbraith and Sen's theories of qualitative freedom thus confirm an insight already familiar from our studies of the metaphysics of freedom (Chap. 2). *Freedom, while pursued for its own sake, is not self-sufficient; it must be free in order to be able to commit itself, and it must be committed in order to remain genuinely free.*³ That is not as paradoxical as it may sound. The tension between the two pronouncements resolves itself, as we have shown, in the distinction between the *idea* and *concept* of qualitative freedom. What the idea of qualitative freedom *protects* (*schützt*) as an end in itself one *prizes* (*schätzt*) in the light of concrete concepts of freedom for the sake of the aims which one (only) achieves in freedom. Whoever has succeeded for instance – to quote Schiller – “to be the friend of a friend”⁴ will pursue in that friendship, not so much the abstract manifestation of his freedom as the concrete well-being of this friend and this friendship. Wherever friendship takes roots it also individually strengthens the friends by granting them new, deeper, and stronger relations: It reinforces individuals' autonomy in relation to themselves, to one another, and to the world. Successful friendship can nevertheless not be coerced, it is only thinkable in terms of a voluntary commitment. What freedom and friendship can do for us we only get to experience when we learn to appreciate them in themselves. The instrumental value of freedom cannot be severed from its intrinsic dignity.

The fact *that* freedom as such (i.e. the universal *idea* of qualitative freedom) must have its content determined, still does not decide *what* (i.e. the particular *concept* of freedom) should be demanded and promoted in the name of this idea. Since the theory of qualitative freedom differentiates between its unified *vision* and the manifold *manifestations*, it can integrate the most varied concepts of freedom (negative, positive, substantial, emancipative, republican, procedural, etc.). The idea of qualitative freedom consequently does not have in mind a “one size fits all” model of substantially liberal conditions. In comparison: While quantitative approaches prompt everyone to maximize options, the idea of qualitative freedom recommends openness and diversity. It allows, for instance, preference to be granted to a smaller but variegated set of options than an only numerically impressive but less differentiated quantity of options. Qualitative considerations must therefore precede the quantitative measuring of individual and social spheres of freedom and instruct the latter. Thus does qualitative freedom implement and adjust quantitative concerns.

A qualitative liberalism strives for a variety of opportunities. And because *variety* – as opposed to *plurality* – already is a qualitative concept the question, “Which freedom?”, cannot be avoided. Even libertarians pose this question, albeit confident that only their answer is blessed. Such dogmatism constitutes a central problem of today's liberalism. Intellectuals argue *against one another about* freedom, and not *alongside one another for* freedom; with the result that various groups, while each

³This is an idea often found in Catholic social theology since the time of Thomas Aquinas. The selecting freedom of choice is dependent upon – and derived from – the ethical freedom of the will, i.e. the “freedom of indifference” is dependent upon – and derived from – the “freedom for excellence”; for more details about this see Leo XIII, *Human Liberty, Encyclical Letter* (New York, 1941) and Servais Pinckaers, *The Sources of Christian Ethics* (Washington D.C., 1995).

⁴Schiller, *Werke* I, 133 (Ode an die Freude).

and all celebrating themselves as *friends of freedom*, condemn one another as *enemies of freedom*. By avoiding uniformity and encouraging us to try our differing conceptions according to the situation and context, the idea of qualitative freedom provides a remedy here. For the general postulate of the idea of freedom *that* the quality of freedom must be debated permits various *pleas* for *which* freedoms are to be striven for within given religious, cultural, and geographical contexts.

Qualitatively conceived, the idea of freedom can relate to its environments as critically as it can constructively. The idea of qualitative freedom is relationally conceived. For a qualitatively orientated liberalism, therefore, the contextualization of freedoms is not an exception to the rule, but rather an expression of its principle. For example, to take up an example from Martha Nussbaum, in Germany the constitutional right to freedom of expression does not extend to “holocaust denial.” But, conversely, in the face of the persecution of the so-called “degenerate art” in the 1930s and 1940s, the constitutional right to artistic expression is protected without restriction. Against the background of Germany’s experiences with the Third Reich both are understandable; and in just the same way it is also understandable that other liberal communities have different priorities.⁵

Consequently, the *political* dispute about both the meaning of freedom and about concrete freedoms is to be welcomed, not bemoaned. It mediates and ameliorates the normative claims of all societal forces. Through its procedural implementation, political freedom thus constitutes and construes itself. Instead of being racked by the dispute about the best conception of freedom and its appropriate aims, the political community is time and again communicatively regenerated by it.⁶ Liberal thinking thus stands to benefit a lot from the dispute over different versions of freedom. Far from continually sensing an attack upon liberal positions, the theory of qualitative freedom encourages the interpretation, where possible, of even conservative, ecological, or social demands as efforts on behalf of the sustainability conditions of liberal societies. Thus, when politics moves to the ‘middle of the road,’ this may often be the most direct route to a freedom conscious of its own natural and societal presuppositions, rather than an illiberal detour.

For this very reason, the theory of freedom should not only look towards the state and the parties, when aiming at the concretization of freedom. Without civil-society being an incubator of new developments – be it in the cooperative agency of the citizenry, through competitive innovation in business, or in the quest for scientific truth – politics would lack the experiences and insights requisite for prudently pursuing its goals. What society does not get, politics cannot grasp.

Of course, not every concept of freedom can legitimately concretize the idea of qualitative freedom. Every liberalism must defend itself against totalitarian definitions. But how? With which procedures should the step from the idea to the concepts of qualitative freedom be taken? Clearly the proceduralization, too, must take

⁵See Claus Dierksmeier, “Die Würde der Kunst – Überlegungen zu Schutzbereich und Schranken eines schrankenlosen Grundrechts,” *Juristenzeitung* 18:55 (2000), 883–889.

⁶See Volker Gerhardt, ed., *Der Begriff der Politik: Bedingungen und Gründe politischen Handelns* (Stuttgart, 1990).

place in the light of the idea of qualitative freedom; philosophers tend to speak in this regard about the iteration of the idea in its application: The idea of freedom demands liberal procedures for its self-concretization. Only procedures open to the participation of all whose freedom is in question satisfy this requirement. While the fact *that* freedom is being qualitatively conceived does not establish *what* is to be regarded as qualitative freedom, it does clarify *how* a society should (not) determine this. Inadmissible under the terms of the idea of qualitative freedom are decision-making procedures which discriminate against individuals or groups and prevent that the minorities of today can peaceably become the majorities of tomorrow.

The idea of qualitative freedom has to remain structurally identifiable in all of its concretizations. To test for that, as we learned from our review of the political version of Kant's categorical imperative (see Sect. 2.1.4) as well as from Krause's outline for participatory liberalism (see Sect. 2.3.4), an intellectual "role reversal" may be an appropriate procedure: Those who wish, for instance, to exercise their physical freedom through the suppression of the physical freedom of others, undermine the freedom they employ. Those who realize their freedom in such a way that, if the roles were reversed, would lose their freedom, contradict themselves and thus undermine the legitimacy of their own claim on freedom. Only such a concept of freedom, which withstands its critical universalization and self-application,⁷ can be accepted as a translation of the idea of qualitative freedom. Human self-determination, ground and goal of the idea of qualitative freedom, is also the measure of all concrete concepts of qualitative freedom.

Freedom therefore always also means the freedom of those who live differently. A use of freedom that creates hardly reversible path-dependencies requires far more justification than one whose effects are easily alterable. Economists have long since recognized that whoever uses a temporary monopoly to permanently prevent others from market access inadmissibly uses their freedom to the detriment of the freedom of others. Does this also hold ecologically? Whoever, for the sake of economic ends, ruins the Wadden Sea, for instance, thereby eliminates the countless freedoms to other uses of these tidelands, now and in the future. Should such acts be equated with actions which encourage or empower the freedoms of others? Surely not.

Since, in its commitment to the right to self-determination of all persons, a clear parameter is available for the concretization of qualitative freedom, one need not fear that it facilitates a contextual watering down of fundamental liberal concerns. In line with this parameter, qualitative freedom can selectively differentiate between meaningful criticisms of today's liberalism and the uncritical adaption of fundamental liberal values to changing fashions and tastes. Qualitative freedom therefore provides precisely that liberal protection of fundamental rights which many pursue with conceptions of quantitative freedom; yet without the burdens hidden within the theoretical thickets of quantitative thinking.

⁷For the genealogy of this idea from the spirit of the "golden rule" and in respect to a global ethic connecting the people of all regions see Martin Bauschke, *Die Goldene Regel: Staunen – Verstehen – Handeln* (Berlin, 2010).

Of course, there is no cure against some parading around illiberal plans in the name of the idea of qualitative freedom. Nevertheless, the attempt to prevent that by hiding behind a minimalistic quantitative concept of freedom is pointless. Whoever believes they best protect their friends from attacks by burying them alive make just as fatal an error as those on the side of negative and quantitative conceptions of freedom who religiously shun all discussion. Freedom needs air to breathe. Whoever cuts off this air through all too narrowly negatively-libertarian or quantitatively-liberal constrictions, does not strengthen but weakens the power of freedom. Whoever from the outset resists a debate about the qualitative aims and preconditions of freedom suffocates the liberal spirit and denies that it proves itself within the forum of public discussion. The opposite path promises more success: the opening up of the idea of freedom to people's concrete aims and needs. Freedoms do not only want to be defended, they need to be conquered too. Options for an autonomous life must not only be protected, they must also, in many cases, be created for the first time and continually acquired again. Quite like deeds, omissions can reduce our opportunities. People require the political community not only for the reduction of threats, but just as much to pave new avenues for a life in liberty. We should, that is to say, not think of liberalism as Atlas, miserably bearing the ever-same burden for all eternity, but rather as a happy Sisyphus, for whom the continually new ascent towards freedom appears as the best of all goals, as the most beautiful of all paths.

The eventual question, though, concerning which particular political procedures are most suitable for which societal and political tasks, should not be answered by metaphysicians from a lectern. The directive goal of a politics campaigning in the name of freedom shall be to become popular but not populist, striving for as much civil-participation as possible and accepting as much statehood as necessary. To get this project off the ground is a *political* – not a philosophical – task, for whose accomplishment numerous means may be considered: legal proceedings, civil-society deliberation, direct democracy, public dialogue, think tanks, focus groups, surveys, procedures of mediation, etc.⁸ In fact, precisely with a view to the appropriate means, there currently still exists a great need for improvement and a gaping lacuna in research – namely regarding the most apt forms of codetermination in regard to the increasing globalization and virtualization of our lifeworld and problems. For the forms of political freedom must advance with the times. Technical and civilizational innovations obviously alter the experience of freedom and therefore also change the demands placed upon its political use.⁹ If one understands democracy as “humanity's self-determination”¹⁰ it follows that: Where societal concerns overtax the competencies of national rights, one has to look for answers beyond the

⁸ See Raban D. Fuhrmann, *Der Bürger der Bürgergesellschaft: »Bürgergutachten« aufgrund von fünf »Bürgergutachtenzellen« nach dem Verfahren »Planungszelle«* (Berlin, 1999).

⁹ See Jürgen Howaldt & Michael Schwartz, *»Soziale Innovation« im Fokus: Skizze eines gesellschaftstheoretisch inspirierten Forschungskonzepts* (Bielefeld, 2010).

¹⁰ “Democracy works towards mankind's self-determination, and only when the latter actually exists is the former true. Political participation will then be identical with self-determination” (Jürgen Habermas, *Über den Begriff der politischen Beteiligung* [Neuwied am Rhein, 1961], 15).

conceptual framework of the state. As a result of the increasing fluidity of conventional patterns of responsibility, policy today can no longer solely depend upon the state, within firmly determined geographical boundaries, to be the solution to any and all problems.¹¹

A line of thought running from Kant (publicity) via Krause (participation) to Sen (procedurality) clearly emphasizes that for a timely realization of the idea of freedom we require a *democratic policy* which supplies participative and/or representative procedures wherever life demands communal decisions and actions; increasingly far from parliamentary spheres dominated by party politics; above and below, as well as alongside, the decision-making bodies of nation states and – ever more often – also within the digital lifeworld.¹²

The idea of qualitative freedom does not resist every codetermination and external determination. Yet wherever the defensive function of qualitative freedom is employed, it appears with full force. The correct and important concern of negative theories of freedom with providing individuals with a certain refuge for experiencing and developing their own autonomy finds unassailable protection in the framework of the philosophy of qualitative freedom. But qualitatively orientated freedom philosophy also extends – and this is an important advantage – to asymmetrical relations.¹³ As we have learned, above all from Karl Christian Friedrich Krause (Sect. 2.3) and Amartya Sen (Sect. 4.2), it is not contractually conditioned reciprocity that is crucial, but rather morally unconditional universality. We owe protection and security also to the rights of people from whom we (could) receive nothing in return. Qualitative freedom thus obligates us to a temporal (intergenerational) and spatial (global) extension of freedom's commitments to responsibility as well as to their internal differentiation: Demands for morally, socially, and ecologically sustainable economic activity are, from the perspective of qualitative freedom, readily respected: as theory-conforming engagements in favor of the chances of present as well as future generations for a life in freedom.

But do we not confuse or overburden the idea of freedom with this extension of its responsibility dimension? From the quantitative perspective, i.e. according to the directive of reaching for a maximum of private options, that may appear to be the case. Yet, the theory of qualitative freedom does not at all flirt with the fiction of unlimited leeway. It continually scrutinizes the individual range of options in order to harmonize it with everyone's freedom.¹⁴ Burdens and boundaries that serve this end are thus not looked upon (as in the quantitative logic) as unpopular if indispensable limitations of freedom. They should (upon qualitative evaluation) rather be

¹¹ See Xavier de Sousa Briggs, *Democracy as Problem Solving: Civic Capacity in Communities across the Globe* (Cambridge, MA, 2008), 13.

¹² See Hildegard Hamm-Brücher, *Und dennoch...: Nachdenken über Zeitgeschichte, Erinnern für die Zukunft* (München, 2011), 106f.

¹³ In this it is in my opinion sufficient to follow Brian Barry (*Theories of Justice: A Treatise on Social Justice* [Berkeley, 1989], 163): Justice must be successful under precisely asymmetrical conditions; purely symmetrical justice is not justice.

¹⁴ See Glenn E. Tinder, *Liberty: Rethinking an Imperiled Ideal* (Grand Rapids, MI, 2007).

affirmed as forms for enabling universal freedom: as acts through which freedom commits and restricts itself. Qualitative liberalism does not conceive of demands for responsibility *per se* as *negative limitations*, but rather considers whether these could rather be *positive determinations* of freedom. Often, after all, the options we are called to renounce are – sometimes quantitatively, but in all cases qualitatively – compensated by opportunities only thus attained. A case in point is the sustainability of the presently much imperiled environmental conditions for a life in freedom.

The qualitative viewpoint allows the intellectual and institutional break with stereotypes. For far too long the schemata of quantitative thinking have dried up the liberal imagination and insisted upon dichotomies far removed from real life (freedom *versus* coercion, individual *versus* state, private *versus* public, etc.). Their theoretical paucity and practical insufficiency are obvious. For day-to-day politics these antipodes are of little help. Politics rather refrains, for instance, from pursuing its goals by way of physical coercion, even if only so as not to lose support in the short term and its mandate in the long term. Instead, politics plays ever so subtly on a finely-tuned keyboard of varied forms of recognition and encouragement so that citizens eventually do on their own accord what is in the general interest. Successful societal cooperation within political projects results hardly ever from coercive pressure. It rather arises as a result of the appealing and motivational power of attractive concepts and symbols. Accordingly, political liberalism should participate in the quest for forms of codetermination and societal coordination with strong appeal. Herein lies, in my opinion, a major task for a liberal philosophy of the cosmopolitan society of the future.¹⁵

The means of liberal politics should – as we saw above all in Krause and Sen – correspond to their goals, so that freedom is, wherever possible, attained by freedom itself. Substantive and procedural freedom therefore firmly belong together. Every society must not only decide for itself about what legal protection, which opportunities, and what kind of support it wishes to grant its citizens. It must also autonomously establish the *procedures* for such decision-making. The theory of qualitative freedom does not, therefore, like many strands of earlier economic and political theory, ask technocratically: “Who is right?”, but rather democratically asks “Who has the right to decide?” and thus of course also “Who has the right to err?”

The mission of the idea of qualitative freedom, the concern with reconciling individual and societal liberties in such a way that everyone can live in freedom, thus leads to the concept of democracy – and qualifies it at the same time. Kant already summoned democracy from the throne of an *end-in-itself* and assigned a functional place to it as a *means* to the end of the autonomous life of all world citizens. That is, democracy attains its sovereignty from its tasks. It should provide procedures enabling those affected by political decision-making to participate within it. It must accomplish no less, but also no more, than the communal tackling of shared problems upon the foundation of a deliberative participation and political representation of the freedom of all. The idea of qualitative freedom does not there-

¹⁵ See Christopher Gohl, “Beyond Strategy: Prozedurale Politik,” *Zeitschrift für Politikberatung* 1:2 (2008), 191–212.

fore obligate us outright to push through the parliamentary system everywhere else. It does, however, argumentatively insist upon a fair representation (including the protection of minorities) of all global citizens; not least in their respective national communities.

Parliamentary systems are obviously particularly fitted for that purpose. Yet this is a procedural concern on the *conceptual level*, not a substantial directive upon the *level of principles*. Many communities that differ from the Anglo-American model of politics and society in no way compete *against* the idea of freedom, but rather stand up *for* freedom, if nonetheless in alternate forms. One should not – in overzealous liberal imperialism and from supposedly privileged insight into the true essence of freedom – brew a ‘liberalization cocktail’ that everyone merely needs to down. True liberals must not turn into paternalistically-liberal nannies. Against the schematic liberalism of a quantitative type, from the perspective of qualitative freedom, we are to recognize that *divergence in practice* does not have to mean *difference in principle*. The procedural model of qualitative liberalism rather has the respective civil-societies themselves define in what form they wish to practice their political freedom.

With qualitative freedom, therefore, the official pronouncements of philosophy end where we transition from *idea* to *concept*. When confronted by freedom’s concrete concepts, *philosophers* speak only as *citizens*, who lack definite certainties and are often out-voted in elections. Political debates are not to be replaced by philosophical formulas. We must all engage in interpreting the idea of qualitative freedom – time and again. In this process, academic philosophy cannot claim privileged knowledge; it may insist, however, upon participating in the societal dialogue.¹⁶ For wherever within the mass of all politically legitimate options we are to select some as preferable to others, concrete judgment, and not knowledge of abstract principles, is what tips the balance. Politics must – as Gerald Dworkin put it colorfully – employ arguments understandable not only by academics, but also by farmers who, if without theoretical education, are certainly not lacking in practical experience.¹⁷

In political dialogue about the appropriate contours of the freedom within society, it is not only liberals and libertarians who speak to one another; rather the appropriate arguments are examined from every conceivable political and ideological camp. Liberal concerns therefore require an additional justification; one that transcends their own argumentative canon. That is a blessing in disguise. After all, upon the political stage we rarely find authority-free discourses about lofty principles, but rather people with ‘skin in the game’ disputing about mundane practices.¹⁸ Freedom’s friends must therefore make their projects appealing to the proponents of other ideals and ideologies. And this will only be successful if they can clarify the contribution of liberal ways of life to *other* (conservative, social-democratic, ecological, etc.) conceptions of value. (An instructive example of this is the discussion about the reciprocal relation between freedom and social justice promoted by

¹⁶ See Gerhardt, *Partizipation*. See also Pettit, *Republicanism*, 57, 59.

¹⁷ See Dworkin, *The Theory and Practice of Autonomy*, 17.

¹⁸ See Michael Walzer, *Thinking Politically: Essays in Political Theory* (New Haven, 2007).

Amartya Sen, see Sect. 4.2). Precisely for this reason, political liberalism cannot avoid the question about more or less meaningful freedom, superior or inferior, and more or less beneficial freedoms. Liberals should accordingly not, in the name of quantitative freedom, avoid such conversations, but are well-advised rather themselves to lead such discussions under the banner of qualitative freedom.

As upon the psychological-pedagogical level, in politics too freedom ripens and flourishes by assuming responsibility and being held accountable. Activity and liability belong together – for liberal reasons. If society complains, for instance, that on the part of the finance industry *profits are privatized and losses socialized*, then liberals must therein recognize their own concern: that single individuals and institutions do not internalize the opportunities of their actions while externalizing their risks. Personal as well as organizational freedom finds the criterion of its evaluation – and limitation – within the quality of its contribution to universal freedom.

The idea of qualitative freedom thus openly aims at particularly valuable and sustainable options. Yet it would be completely wrong to believe that individual and collective choice were to be restricted to such options only. Qualitative liberalism rejects, on the one hand, the view of the quantitative dogma that to the philosophy of freedom *all* options must appear *equivalent*. But, on the other hand, qualitative freedom also discards the belief cherished by some religious and metaphysical systems that freedom *only* manifests itself in certain – say, especially ethical – practices. Qualitative freedom wishes to *encourage* and *empower* persons as well as communities to take care of the common good in responsible freedom, without wishing to *enforce* this. Even though freedom is directed towards qualitatively valuable goods and activities, the value of freedom nevertheless transcends (as Kant, Krause, and Sen teach us especially) the sum total of the projects it realizes.

Qualitative liberalism therefore views freedom neither as a *finished being* (as does the theory of quantitative freedom) nor as a *fixed ought* (as do some metaphysical doctrines and religious dogmas). In the perspective of qualitative freedom, freedom is and forever remains a *fluid becoming*. Freedom must experiment, fail, and begin afresh. Just like its *being*, its *ought*, too, always requires active design and ongoing development. Freedom thrives and survives only when enacted. Freedom grasps its mission only by reflecting upon itself: What freedom essentially is and ought to be, can only be identified in and through freedom itself. The dispute about freedom and its true understanding must therefore be conducted in the midst of society: via the dialogue of everyone with everyone else.

On the basis of the previously presented approaches, the conclusion can be drawn that quantitative and qualitative freedom do not present equivalent, but instead hierarchically-dialectical concepts. Although in most cases theories of quantitative freedom explicitly reject qualitative considerations, they cannot function without making use of them implicitly. Their reconstruction thus amounts to their deconstruction – i.e. their dialectical transference into the category of quality. Conversely, the idea of qualitative freedom is from the outset directed at the integration of quantities. Qualitative values wish appropriately and proportionately to employ quantitative measures, not replace them. Qualitative freedom does not eliminate quantitative freedom, just its absoluteness. While quantitative thinking negates and externalizes

all qualitative demands, the quantitative dimension is affirmed and integrated by the qualitative approach. The idea of qualitative freedom thus proves itself to be more capable of integration and therefore deserves categorical priority.

5.2 Insights

In the last decades, the criticism of liberalism has considerably deepened and widened. As a result, there is a serious *menace* to the liberality practiced in open societies. This menace, as well as the continuing and – in the age of globality – still increasing *meaning* of the ideal of freedom, prompted me to write this study. Of course, I could not respond to all the branches of said critique, such as those arising from epistemological sources (John Henry Newman, George Santayana), as well as those arising from theological (Karl Barth, Carl Schmitt), communitarian (Charles Taylor, Martin Walzer, Michael Sandel), ecological (Hans Jonas, Franz Josef Radermacher), cultural (Herbert Marcuse, Slavoy Žižek, Roger Scruton), postmodern (Jean Baudrillard, George Bataille) and feminist (Nancy Fraser, Susan Moller Otkin) directions.¹⁹

In the face of the breadth and depth of this critique, two things, though, are to be emphasized. *First*, that this critique is often only applicable to *quantitatively* orientated theories of freedom. For, it is true that a liberalism without qualitative musicality is deaf to life's subtler melodies and stomps along to a monotonous rhythm – to the detriment, not least, of freedom itself and its differentiated inner harmonies. *Second*, it is also the case that this critique largely misses a *qualitatively* orientated liberalism. For the latter attends to the concerns of such critique, not just for tactical and pragmatic considerations, but rather for strategical and principled reasons. With a view to the current recommendations of liberal thinkers for economics and politics, either claim shall now be discussed and illustrated with reference to the different anthropological models the respective theories of freedom employ. In the case of quantitative thinking, the *homo oeconomicus* model predominant in economic, political, and social theory will be drawn on, and, conversely, I will tap into conceptions of human dignity and the *conditio humana* for qualitatively orientated liberalism. Unsurprisingly, both approaches lead to fundamentally different treatments of economic and political institutions.

Already in Sect. 4.2. on Amartya Sen, we dealt in detail with the basic assumption underlying the *homo oeconomicus* model of a utility-maximizer forever rationally striving to increase options for the fulfilment of individual preferences. Branches of academic economics still continue to defend the *homo oeconomicus* theorem; with the argument, for instance, that it should not serve to describe realities but to build models, and not bring about certain applications but merely to prepare them. In the end, science must always generalize, abstract, and simplify. So, if

¹⁹For more details see Ronald Beiner, *What's the Matter with Liberalism?* (Berkeley, CA & London, 1992).

this theorem still serves as a helpful tool for exact science and the generation of accurate predictions, what's the problem?

Increasingly, though, social psychology, *behavioral economics* and neuro-economics are raising doubts as to whether the model provides useful predictions at all.²⁰ Behavioral observations, decision-making tests, as well as numerous anthropological, psychological, evolutionary-economic, and neuro-economic studies conclusively show that real people rarely act in accordance with the model.²¹ They conduct their business according to alternate criteria, they expect as well as honor behavior contrary to the model, and make investments in pursuit of different objectives. Actual economic behavior rather has the characteristics of “bounded rationality,”²² “bounded will power,”²³ and “bounded self-interest.”²⁴ Social researchers today describe people not as pure utility-calculators, but instead as persons concerned about their community, environment, and posterity, who have an intense interest in moral behavior and – as fMRI-Scans of the reward-centers in the brain colorfully illustrate – even gladly (!) make sacrifices in its pursuit.²⁵

The *homo oeconomicus* model reduces human behavior so much that it fails, more often than not, to make sound prognoses. Nevertheless, it still is a hallmark of economic pedagogy. According to its proponents, moral behavior and social emotions are not valid objections against it: They view them as *exceptions to the rule* of self-interested rationality and then add them as modifiable *variables* to the enduring *constant* of rational self-interest. The data nevertheless suggest the exact opposite: *Fundamentally*, human behavior seems socially embedded and morally grounded; *exceptionally* it takes on atomistic and egoistic traits. (By the way, this is exactly the way pre-modern philosophy of economics, up to and including Adam Smith, had always seen it.²⁶)

No matter, some apologists say that neither description nor prediction are important! Even if the model neither explains what happened yesterday nor foresees what will happen tomorrow, it could nevertheless suggest what is to be done today. The logic of self-interest allows us to find loopholes in our legal and social institutions handing out rewards and sanctions. Because of the pressure of competition, these loopholes will be exploited at first by some – but soon increasingly more – persons, until eventually the last remaining honest person will be the hindmost taken by the

²⁰ See Jennifer Arlen & Eric L. Talley, *Experimental Law Economics* (Cheltenham, UK & Northampton, MA, 2008).

²¹ See Daniel McFadden, “Free Markets and Fettered Consumers,” *The American Economic Review* 96:1 (2006).

²² See Herbert A. Simon, *Models of Thought* (New Haven, CT, 1979).

²³ See Richard H. Thaler, *Quasi Rational Economics* (New York, 1991) and Thomas C. Schelling, *Choice and Consequence* (Cambridge, MA, 1984).

²⁴ See Christine Jolls, Cass R. Sunstein & Richard Thaler, “A Behavioral Approach to Law and Economics,” *Stanford Law Review* 50:5 (1998).

²⁵ See Ernst Fehr & Antonio Rangel, “Neuroeconomic Foundations of Economic Choice – Recent Advances,” *The Journal of Economic Perspectives* 25:4 (2011).

²⁶ See Hühn & Dierksmeier, “Will the Real A. Smith Please Stand Up!”

devil. Ultimately, our societal institutions are destined to collapse as a result of progressive undermining. The *homo oeconomicus* model can thus function as a useful *sensor* for precisely such a fraying of the social fabric, alerting us to abuses of the system.²⁷

At times, that might work indeed. But beware: This mental model does not really behave passively like a merely observing *sensor*, but rather actively like an aggressive *acid*. In laboratory tests, acids reliably expose certain inorganic structures, but only by dissolving all other materials. Analogously, the *homo oeconomicus* model disintegrates all conceptions of the human being dissimilar to it, for example those characterized by ethical criteria and values. For a long time, there have been alarming reports that students of business and economics display less moral responsibility than their peers.²⁸ For one thing, they rate the chances of success for moral behavior as lower and tend stronger towards materialistic and hedonistic goals than those who are graduating in other disciplines. That also affects their behavior. For example, such students allow themselves more “free-riding,” are less ready to share, more likely to deceive others, and cheat more in exams. Also, later in their professional life, they more often display opportunistic – through to criminal – behavior. They circumvent, for instance, standards of health and safety more frequently, and accept bribes more often, etc. Conversely, they display less readiness to invest in public goods or to operate philanthropically.²⁹

Students of business and economics differ from students of other disciplines both *theoretically* in terms of their conception of the human being and *practically* in terms of their behavior. Are they less attached to morality first and then sign up for economics courses (self-selection effect) or is it the economic teachings which entice them away from morality (indoctrination effect)? The gathered empirical data evinces a small self-selection effect; to a far greater extent, however, these test results can be traced back to indoctrination through their studies.³⁰ What does that

²⁷ See Karl Blome-Drees Franz Homann, *Wirtschafts- und Unternehmensethik* (Göttingen, 1992).

²⁸ An excellent survey of these studies is provided in Juan Elegido, *Business Education and Erosion of Character* (2009)

²⁹ See Gerald Marwell & Ruth E. Ames, “Economists Free Ride, Does Anyone Else? Experiments on the Provision of Public Goods, IV,” *Journal of Public Economics* 15:3 (1981); John R. Carter & Michael D. Irons, “Are Economists Different, and If So, Why?,” *Journal of Economic Perspectives* 5:2 (1991); Robert H. Frank, Thomas Gilovich and Dennis T. Regan, “Does Studying Economics Inhibit Cooperation?,” *The Journal of Economic Perspectives* 7:2 (1993); Charles Bram Cadsby & Elizabeth Maynes, “Choosing between a Socially Efficient and Free-riding Equilibrium: Nurses Versus Economics and Business Students,” *Journal of Economic Behavior & Organization* 37:2 (1998); Bruno S. Frey & Stephan Meier, “Are Political Economists Selfish and Indoctrinated? Evidence from a Natural Experiment,” *Economic Inquiry* 41:3 (2003); Ariel Rubinstein, “A Sceptic’s Comments in the Study of Economics,” *The Economic Journal* 116:510 (2006); Donald L. McCabe, Kenneth D. Butterfield & Linda Klebe Treviño, “Academic Dishonesty in Graduate Business Programs: Prevalence, Causes, and Proposed Action,” *Academy of Management Learning & Education* 5:3 (2006).

³⁰ See Neil Gandal et al., “Personal Value Priorities of Economists,” *Human Relations* 58:10 (2005); Sumantra Ghosal, “Bad Management Theories Are Destroying Good Management Practices,” *Academy of Management Learning & Education* (4/2005).

tell us? For one thing that economics affects practice; for another thing that it does so in a hardly desirable manner – which is not even desired by the management and economics professors themselves³¹. The students of economic disciplines are more skeptical in their judgment and much more cynical in their behavior. That is to say, attitudes not conforming to the cold rationality of self-interest are weakened by the prevailing economic pedagogy. This impedes the assertion of a morally, socially, and ecologically responsible economic theory and a humane economic practice based upon it.³²

An important cause for that finding lies, in my opinion, in the quantitative manner of thinking of the *homo oeconomicus* anthropology. Why? Between moral philosophers and moral psychologists the consensus prevails that *self-images* influence *self-assertion*.³³ People who believe they are free and able to act morally sooner succeed than those doubting their creative possibilities.³⁴ When one models this freedom, however, in accordance with assumptions derived from the (highly unrealistic because extremely reductive and, yet, for that very reason, readily mathematizable) *homo oeconomicus* theory, things look quite different; like for instance in the *principal/agent-theory* still popular in management theory.³⁵ Students are then deceived into thinking that people also behave in accordance with the model (i.e. opportunistically) outside of those model worlds.³⁶ But what happens if one recognizes in the “agent” a thoroughly self-interested, only financially driven, but otherwise unwilling contractual partner of the “principal.” Do not the sanctions (within the corporation: complete surveillance, conditioning, incentivizing, etc., – and outside of it: strict disciplining through quarterly reports for the financial markets) demanded and pursued by such theory inexorably lead us into a downward spiral? Do they not consistently intensify and provoke the presupposed opportunistic behavior in practice?³⁷ Experience shows just that³⁸; which, incidentally, prompted

³¹ See Dirk C. Moosmayer, *Die Intention betriebswirtschaftlicher Hochschullehrer zur Beeinflussung von Werten: Konzeptionelle Entwicklung und globale empirische Überprüfung* (Frankfurt am Main, 2013).

³² See Henry Mintzberg, *Managers not MBAs: A Hard Look at the Soft Practice of Management Development* (San Francisco, 2004); Henry Mintzberg, Robert Simons & Kunal Basu, “Beyond Selfishness,” *MIT Sloan Management Review* 44:1 (2002); Ghoshal, *Bad Management Theories Are Destroying Good Management Practices*.

³³ See John Dewey, *Democracy and Education: Freedom and Culture* (Denver, 2009).

³⁴ See Dierksmeier, “The Freedom-Responsibility Nexus in Management Philosophy” and Michael von Grundherr, “Selbstwirksamkeitserwartung und die Rolle von Vorbildern in der Ordnungsethik,” *Zeitschrift für Wirtschafts- und Unternehmensethik* 15:3 (2014).

³⁵ See Michael C. Jensen & William H. Meckling, “Theory of the Firm: Managerial Behavior, Agency Costs and Ownership Structure,” *Journal of Financial Economics* 3:4 (1976).

³⁶ See Arne Manzeschke, Veronika Drews-Galle & Marburger Arbeitskreis Theologische Wirtschafts- und Technikethik, *Sei ökonomisch! Prägende Menschenbilder zwischen Modellbildung und Wirkmächtigkeit* (Berlin, 2010).

³⁷ See Chris Argyris, *Increasing Leadership Effectiveness* (Malabar, Fla, 1984).

³⁸ For the influence of the financial markets upon the decision-making processes in business see John R. Graham, Campbell R. Harvey & Shiva Rajgopal, “The Economic Implications of Corporate Financial Reporting,” *Journal of Accounting and Economics* 40:1–3 (2005).

the father of the *principal/agent-theory*, Michael Jensen, to depart from his own model – unlike, unfortunately, the majority of his guild – and to now, conversely, direct all his pedagogical energy towards theories of *integrity* and *authenticity*.³⁹

Also, society as a whole incurs collateral damage wherever the *homo oeconomicus* is viewed as an image of economic rationality and the spirit of the model is translated into a directive (or excuse) for selfish behavior.⁴⁰ If one replaces real people with the fictional *homo oeconomicus* and lets the latter romp around in imaginary perfect markets – i.e., *excluding* power-asymmetries, access-barriers, and path dependencies, but *including* information that is complete and free of charge – then the pursuit of maximum efficiency may suggest: Wherever everyone takes care of themselves, all are taken care of. On the chalkboards of economics that may be feasible; but in the real world this produces dissatisfied cynics *en masse*. Honest persons, for fear of being duped, then perpetuate what in game theory is called “preventative defection.”⁴¹ That is, they prefer to break with the precepts of decency themselves before others – eventually – can do the same. But they thus encourage others to follow and emulate them. The phantom created by a dubious theory thus turns into a phenomenon masquerading as the theory’s indubitable illustration – and announces that, in order to survive in this world, one must behave selfishly: *Quod erat demonstrandum?*

Yet experience follows observation, and the latter is – consciously or unconsciously, willingly or unwillingly – influenced by theoretical models. There is no practice without theory because actuality is never perceived independently of mental models. Whoever does not wish to be tormented by homespun fantasies must learn to grasp their own personal contribution to their own worldviews and the constructions guiding their lives. That is especially true in economics. The socioeconomic anthropology which up to now has been wholly focused on quantitative maximization sees its object – human commerce – through a grossly distorted lens constantly providing skewed pictures. Whoever does not take that into account, confuses the projections generated within their own hall of mirrors with the world. As long as people orient themselves according to distorted models, their models’ theoretical deficiencies will translate into real-life practical deficits.

A false theory taken to be true deceives us into systematically acting without reference to reality. Included therein is, for instance, the widespread and powerful belief that one must simply accept egoism as a fact about reality, whereas altruism is but an idealistic fiction. What an optical illusion! Egocentric as well as altrocentric interests are both values as well as facts, even if their normative evaluation and their empirical allocation differ. Yet their difference does not consist in the fact that self-

³⁹An especially striking text in this regard is Werner Erhard, Michael C. Jensen and Kari L. Granger’s working paper, “Creating Leaders: An Ontological Model” (2010): <http://hbswk.hbs.edu/item6570.html>

⁴⁰See Wolfgang Amann et al. (eds.), *Business Schools under Fire: Humanistic Management Education as the Way Forward* (Basingstoke, U.K., 2011).

⁴¹See K. Sridhar Moorthy, “Using Game Theory to Model Competition,” *Journal of Marketing Research* 22:3 (1985).

ishness dwells in the world of being, from which the love of one's neighbor would be *per definitionem* excluded. One is in no way more realistic the more selfishly one thinks and acts, one rather thus just drops one – contestable – value judgement!

The *homo oeconomicus* model thus resembles a badly done-up zipper. It suggests temporary closure but will split open under pressure from real conditions. Even though we do *not only* pursue private utility in forms of morally correct action, we often do; and sometimes we even do so to our own disadvantage.⁴² The good is in no way striven for simply because of its advantages *for us* – as the proponents of the *homo oeconomicus* model like to suggest⁴³ – it is rather sometimes also striven for *in itself*. That must not be overlooked by any anthropology to be operationalized economically or politically. Otherwise it is ideology and not science, spreading illusions rather than producing knowledge.

Conventional economics suggests, for instance, that one can count upon no interest in morality from one's fellows (customers, coworkers, stakeholders), where this is not to their immediate financial advantage. This theoretical approach conceals important opportunities for successful action beyond self-interested calculation. That is not just academically deplorable, it is also economically unprofitable. Unseen opportunities remain unexplored. A *business case* which is overlooked as a result of the *homo oeconomicus* model can have no positive impact.⁴⁴ We can see this clearly in regard to the presently perhaps most exciting proponents of innovative business: the *social entrepreneurs*, who strategically let themselves be guided by moral values,⁴⁵ and their twin brothers in conventional firms, the *social intrapreneurs*.⁴⁶ Both groups direct, not only certain areas of their business-policy, but their entire business model ecologically, socially, and/or morally – and *in so doing* earn *good* money in both senses of the word, and *as a result* obtain access to sustainability-orientated financial capital.⁴⁷ What works out for these innovators is, in principle, open to all. *Reality proves possibility*. That principles can lead to profits and that businesses catering to the natural and cultural environment can be thor-

⁴² See Zak, *Neuroeconomics*; as well as Killionback & Studer, *Spatial Ultimatum Games*.

⁴³ See Gary S. Becker, *Economic Theory* (New Brunswick, NJ, 2007); Gary S. Becker, *Accounting for Tastes*; as well as Gary S. Becker, *Human Capital: A Theoretical and Empirical Analysis, with Special Reference to Education* (Chicago, 1993).

⁴⁴ See Dierksmeier, "The Freedom-Responsibility Nexus in Management Philosophy."

⁴⁵ See André Habisch, "Gesellschaftliches Unternehmertum – Blinder Fleck wirtschafts- und sozialwissenschaftlicher Gemeinwohltheorien," in Helga Hackenberg & Stefan Empter (eds.), *Social Entrepreneurship – Social Business: Für die Gesellschaft unternehmen* (Wiesbaden, 2011); John Elkington & Pamela Hartigan, *The Power of Unreasonable People: How Social Entrepreneurs Create Markets that Change the World* (Boston, MA, 2008).

⁴⁶ See Ronald Venn & Nicola Berg, "Building Competitive Advantage through Social Intrapreneurship," *South Asian Journal of Global Business Research* 2:1 (2013); Walter Baets & Erna Baets-Oldenboom, *Rethinking Growth: Social Intrapreneurship for Sustainable Performance* (Basingstoke, 2009); David Grayson, Heiko Spitzeck et al., *Social Intrapreneurism and All That Jazz* (Sheffield, 2014).

⁴⁷ See Heiko Spitzeck, Michael Pirson & Claus Dierksmeier, *Banking with Integrity: The Winners of the Financial Crisis?* (Basingstoke & New York, 2011).

oughly profitable is shown by many “case studies,” even from conventional firms, within many industries and economic sectors from all over the world.⁴⁸

Precisely for this reason, moral theories should be accepted and not rejected by economic theory, and brought into the center of research as opposed to being pushed into the margins of curricula. Instead of continually bypassing reality with the *homo oeconomicus* model, a more appropriate alternative would be to analyze the actual *conditio humana oeconomica*. Realism creates relevance! We have to reconstruct the essence of the human being in terms of the symbolic systems that constitute its world: Religion, science, art, morality, etc.⁴⁹ What human beings are becomes visible in that which they create and achieve.⁵⁰ The moral ought has its being in our endeavors and is reflected in our ethics, religions, codes of conduct, customs, and conventions. An unabridged doctrine of humankind therefore also looks at these symbolic worlds. It understands that ideal, spiritual, and metaphysical architectures likewise belong to being human and to housing humanity. A successful long-term business strategy is consequently best built upon an anthropology informed by all – including ethical – human drives.

Economic value creation (*Wertschöpfung*) grows not least from human appreciation (*Wertschätzung*) and moral commitment (*Wertbindung*). While to many practitioners this might sound obvious, for economically informed, or rather deformed, academics it is still news. For up until a few years ago, the *haute couture* of economic ethics was designed for the narrow walkway of the *homo oeconomicus*. The results were those extremely narrow-cut corsets of *compliance management*, plus a *corporate social responsibility* doctrine painstakingly wedged between carrot and stick. Can one really blame the many entrepreneurs eager to rid themselves of these costumes restricting their every freedom of movement? Is it any wonder that these programs often failed to be successful?

Slowly but surely, however, the prevailing design is changing to allow firms more leeway for moral motion. The rigid stays of the quantitative corset eventually give way to rather loosely woven threads that allow the fabric to incorporate patterns qualitatively desired by customers. The recent fashion of business ethics at the moment introduces a procedural design which more closely corresponds with the contours of qualitative freedom.

Customers and the public increasingly expect from business a behavior that can lead to a *race to the top*⁵¹; especially when NGOs (*non-governmental organizations*) cooperate as competent intermediary trustees.⁵² In the last few years, much

⁴⁸ See Ernst von Kimakowitz et al. (ed.), *Humanistic Management in Practice* (New York, 2010).

⁴⁹ See Ernst Cassirer, *The Philosophy of Symbolic Forms* (New Haven, 1953); Donald Phillip Verene, *The Origins of the Philosophy of Symbolic Forms: Kant, Hegel, and Cassirer* (Evanston, 2011).

⁵⁰ See Helmuth Plessner, *Conditio humana* (Frankfurt am Main, 1983).

⁵¹ See Sebastiaan Princen, “Trading up in the Transatlantic Relationship,” *Journal of Public Policy* 24:1 (2004).

⁵² See Shaomin Li et al., “Corporate social responsibility in emerging markets,” *Management International Review* 50:5 (2010).

was achieved through sector-specific programs (like the *Kimberly Process* in the diamond industry or *EITI* in the extractive industries), through industry-spanning institutions (for example *Transparency International* and the *World Wildlife Fund*), as well as through institutions with a cosmopolitan mandate (*UN Global Compact*), by means of soft sanctions (organized publicity, reputational damages, rejection of cooperation) despite the lack of lawful sanctions on a global level.⁵³ Similar steering effects come from ethically directed cash injections on the part of private investors (from *Socially Responsible Investing* to *Impact Investing* and *Venture Philanthropy*) as well as national and international public institutions (like, for instance, the *Government Pension Fund of Norway* and the *World Bank*).

From numerous firms backing social, moral, and ecological sustainability, it can easily be seen that businesses increasingly work with differentiated criteria of success. Success is already ever more often defined via a *triple bottom line* directed towards the harmonization of social, ecological, and financial interests (*people, planet, profit*).⁵⁴ It also appears that in management circles concepts like “network governance” and “stakeholder management”⁵⁵ are finding more and more acceptance. All this is qualitative freedom in application: a firm will only allow itself to be co-governed by its network if it understands that as a gain rather than a loss in freedom. And *stakeholder-dialogues* can only be productively conducted if one does not believe one already knows all about the antagonists’ concerns. Unlike the fictional *homo oeconomicus* one’s fellow human beings are irreducible to algorithms. One must engage in an *open* dialogue with them and one’s stakeholders must wherever possible also *participate* in the strategic corporate responsibility – if they are not to mistake such parleys as mere PR stunts.⁵⁶

I abandon this fashion show of business ethics here: The business models of *Social Entrepreneurs* and *Social Intrapreneurs* in all cases clearly demonstrate that theories are in error, which – orientated by the premises of the *homo oeconomicus* model and quantitative freedom – conclude that ethical business is unprofitable. In practice, an entrepreneur must by no means choose between the Scylla of a relativist “anything goes” and the Charybdis of a negotiation logic based solely on selfish

⁵³ For example, in the last years, the effect of *Transparency International* has broken the international dominance of bribery as an acceptable means of initial business contact. On the basis of exemplary data research, *Transparency International* provided reliable information about the level of national corruption. This information was used by both public and private sponsors for investment-decisions and thus provides incentives for economic integrity. See Michel van Hulst (ed.), *Transparency International* (Leiden, 2009). For information about the global compact see Klaus M. Leisinger, Aron Cramer & Faris Natour, “Making Sense of the United Nations Global Compact Human Rights Principles,” in Andreas Rasche & Georg Kell (eds.), *The United Nations Global Compact: Achievements, Trends and Challenges* (Cambridge, New York, 2010).

⁵⁴ See Klaus M. Leisinger, “Capitalism with a Human Face,” *Journal of Corporate Citizenship* 28 (2007).

⁵⁵ See R. Edward Freeman, “The Stakeholder Approach Revisited,” *Zeitschrift für Wirtschafts- und Unternehmensethik* 5:3 (2004).

⁵⁶ See Jon Burchell & Joanne Cook, “Stakeholder Dialogue and Organizational Learning: Changing Relationships between Companies and NGOs,” *Business Ethics: A European Review* 17:1 (2008).

maximization. Both approaches allow, in the best case, sub-equilibria of cooperation, and lead, in the worst case, to the erosion of the social, cultural, and natural foundations of economic collaboration. That is why, for a long time already, the connection between ethics and success is the daily bread of many – especially medium-sized – firms and family-businesses, and by no means only a matter for the *Social Business* sector. In the real economy and in the financial economy there are plenty of business models reconciling principles with profit.⁵⁷ The goal of economic pedagogy should be to explain and demonstrate their success, which occasionally even exceeds that of conventional business models, so as to teach how and why “decent business”⁵⁸ works.

The fulfilment of this directive, however, first requires a management-theory which places real people at the center of economic doctrine. Economics must eventually grant moral potentials the same status in theory that, because of their impact, they have in practice. Morality reduces the costs of conflicts and transactions, helps firms through the voluntary unremunerated support on the part of their stakeholders, and inspires entrepreneurs towards strategic innovation. Economic training must no longer obfuscate the actual opportunities which make possible a strategically directed *Corporate (Social) Responsibility*. One cannot shape, after all, what one cannot see. Only when the idea of freedom constitutes the foundation of economics will responsibility unmistakably appear to be the natural correlate of all economic activity instead of its burdensome “side constraint.”⁵⁹ We must no longer educate generations of economists who by permanently staring at theoretical fictions become blind to the practically necessary perception of the factuality of morally, socially, and sustainable economic activity.⁶⁰ In business curricula the modelling of dead, mechanical production factors must be replaced by the fundamental principle of all economic activity: vibrant and free human activity. Instead of mechanistic economics we need *humanistic management*.⁶¹

What holds for the microeconomic level, also applies to macroeconomic theory. Although, for a *homo oeconomicus*, the rational goal of economic policy may well be quantitative growth of the gross domestic product, for flesh-and-blood human beings that is not necessarily the case. They can and must qualitatively consider whether ever more production and consumption actually helps them attain a freer and more dignified life.⁶² It is thus to be welcomed that in macroeconomic debates people now begin to distance themselves from one-dimensional quantitative standards like GDP

⁵⁷ See Heiko Spitzeck, Michael Pirson & Claus Dierksmeier, *Banking with Integrity*.

⁵⁸ See Hans Küng, *Anständig wirtschaften: Warum Ökonomie Moral braucht* (München, 2010).

⁵⁹ See Dierksmeier & Pirson, “The Modern Corporation.”

⁶⁰ See Dierksmeier, “The Freedom-Responsibility Nexus in Management Philosophy.”

⁶¹ For the history and theory of “humanistic management” as well as the publications on this topic see: <http://humanisticmanagement.org/>.

⁶² See Domènec Melé & Claus Dierksmeier (eds.), *Human Development in Business: Values and Humanistic Management in the Encyclical in Veritate* (New York, 2012).

and draw on a range of alternative parameters for orientation.⁶³ The quantitative conception of economic freedom that has predominated up to now (namely that of the *Chicago School of Economics*) is gradually giving way to a conception of economic freedom qualitatively orientated by the social, moral, and ecological conditions of its own sustainability. To strengthen economic responsibility in practice requires this turn in theory; especially when trying to inspire successful collaboration within unfamiliar constellations across cultural boundaries.⁶⁴

The same is true of political theory. Here also, in the last decades, much havoc has been wrought by the decontextualized modelling of human behavior via the axiom of a rational maximization of self-interest; here, too, this lens's focus upon the isolated individual has provided a distorted picture of reality. Aspects which only appear from a perspective open to the natural environment and the social fellowship of human life, systematically ended up out of view. Thus, it is also in the interest of a more realistic and for that reason more relevant political theory to support another anthropology and to show that humans are beings essentially directed to alterity.⁶⁵ Being free presupposes being integrated. Freedom is not an isolated faculty. Fellowships, customs, conventions, lifestyles – they all support or constrain individuals' opportunities in life. Freedom not only thrives in exclusive privacy, but flourishes also and especially in the inclusivity of autonomous commitments and communities. Consequently, the social bond – the friend, the family, the association, the firm, the federation, etc. – does not artificially have to be bolted on to the individual's existence, it is rather always already a natural form of how human freedom manifests itself.⁶⁶

Unlike in contractualist theories, real life is not always strictly functional, but replete with spontaneous value creation and non-instrumental self-expression.

⁶³ Here is a small selection of such criteria (including, in brackets, the administering institutions): Human Development Index (The United Nations Development Program), The Global Gender Gap Report (The World Economic Forum), The Index of Social Health (Fordham University), American Human Development Report (The Social Science Research Council), The Calvert-Henderson Quality of Life Index; Child Development Index (Save the Children), The Child and Youth Wealth-Being Report (The Foundation for Child Development), State of the World Population Report (United Nations Population Fund) System of National Accounts (The United Nations), The Civic Health Index (The National Council on Citizenship), Commission on the Measurement of Economic Performance and Social Progress Counting on Care Work (University of Massachusetts), The Gender Equity and Quality of Life Report (The Center for Partnership Studies), Genuine Progress Indicator (Redefining Progress), Levy Institute Measure of Economic Well-Being (Bard College), Missing Dimensions of Poverty Data (Oxford Poverty and Human Development Initiative), National Accounts of Well-Being (The New Economics Foundation), Organization for Economic Co-operation and Development Index of Statistical Variables Real Wealth Indicators (The Center for Partnership Studies), The (Un)Happy Planet Index 2.0 (The New Economics Foundation).

⁶⁴ See Claus Dierksmeier & Anthony Celano, "Thomas Aquinas on Justice as a Global Virtue in Business," *Business Ethics Quarterly* 22:2 (2012).

⁶⁵ See José Ortega y Gasset & Helene Weyl, *Concord and Liberty* (New York, 1946).

⁶⁶ "What, indeed, could be less scientific than to construct the notion of man, in abstraction from society, and then to explain society in terms of his desires?" (John Petrov Plamenatz, *English Utilitarians* [Oxford, 1958], 152).

Human beings in no way only require and use one another in order to reciprocally remedy defects, they also unite together for more noble ends. Beyond compensating for deficiencies, individuals also aspire to perfect themselves and their environment. Sociability does not only arise as a result of the contingency of coexistence, but rather – as Krause in particular shows (Sect. 2.3.3) – also as a result of voluntarily chosen cooperation and collaboration in the free pursuit of aims that are considered to be of particular qualitative value. Such dimensions of sociability transcending any quantitative utility-calculus are particularly accentuated by the theory of qualitative freedom. Instead of – like contractualists and game-theorists – rationally reconstructing all personal commitments, qualitative liberalism focuses on the human desire for sociability in and for itself, i.e. upon the human propensity for cultural exchanges, symbolic communication, spiritual contemplation, and the freedom for ethical commitment.

Let us ascertain and retain the following: Individual freedom is in many cases complemented and completed by collective action. Although liberalism will never be collectivism, it need not end up in privatism and libertinism.⁶⁷ In contrast, since human beings are relational life forms and voluntarily integrate themselves within certain social associations, these and their norms possess a special status in philosophical liberalism: They explicitly give expression to the implicit sociality of freedom – as forms and functions of the manifestation of freedom.⁶⁸ For example, someone marooned upon an uninhabited planet, even if plentifully supplied with food and drink, will hardly experience themselves as being especially free, although they can pursue the fulfilment of their preferences physically unhindered as well as socially and morally unconstrained. The libertarian's dream of unhindered and quantitatively unlimited freedom proves to be, if radically fulfilled, nothing but a nightmare.

Integration is indispensable to the unfolding of personal freedom.⁶⁹ Society has forever privileged certain forms of freedom and for the most part subordinated the freedom for destruction to the freedom for creation or the freedom for protection. And for good reason: Without symbolic forms and their norms, human beings degenerate and their freedom decays. Yet, by taking responsibility for its contexts, freedom furthers and fulfils itself. Freedom only survives within cultures which affirm and support it and should therefore contribute to their flourishing.⁷⁰

In this sense, a qualitatively conceived liberalism respects and reinforces that everyone must be employed in ensuring that each and everyone can be free: whether in standing up for education and training, in defending private – yet socially-

⁶⁷ See Leonhard Trelawny Hobhouse, *Liberalism* (New York, 1911); Hobson, *The Crisis of Liberalism: New Issues of Democracy* (London, 1909).

⁶⁸ See Dahrendorf, *The Modern Social Conflict*; Avital Simhony & D. Weinstein, *The New Liberalism: Reconciling Liberty and Community* (Cambridge, 2001).

⁶⁹ See Benn, *A Theory of Freedom*, 181: "Someone who had escaped such a socialization process would not be free, unconstrained, able to make *anything* of himself that he chose; he would be able to make nothing of himself, being hardly a person at all."

⁷⁰ See Di Fabio, *Kultur*, 75.

obligated – property as the foundation for self-subsistent living, or in charitably caring for others; whether in engaging in the protecting of the natural resources enabling future generations to live freely, or in working in solidarity with the poor and socially-excluded of today. Just as our freedom is enabled by others, we are to enable the freedom of others.

Freedom has necessary preconditions. On that all of the thinkers analyzed in this study concur. On one hand, that means the removal of barriers. It lies within the idea of freedom to battle any discrimination which (based upon race, sex, class, religion, etc.) privileges the liberties of some above the freedom of others. Thus, from time immemorial, liberalism was a bastion of protective rights (*Abwehrrechte*). Nevertheless – as all the liberalisms treated here also agree – that is clearly not enough. On the other hand, the preconditions for personal autonomy must be actively promoted by the community since neither market nor nature ensure that everyone attains the economic or educational preconditions of autonomy. The *demand* of individual responsibility and the *promotion* of its prerequisites must accompany one another to ensure that people's destiny is not sealed merely by the location of their cradle.

The idea of qualitative freedom therefore imposes tasks on *both* the individual *and* the community: To free oneself from self-incurred dependency (*selbstverschuldete Unmündigkeit*) – as Kant showed paradigmatically – is something everyone owes to themselves. But – according to Fichte and Krause, and, later, Galbraith and Sen – the liberation from outwardly imposed dependency (*unverschuldete Unmündigkeit*) is something everyone owes to each other, both materially and ideally. It is cynical to demand respect for private property from the starving, and utopian to expect entrepreneurial prowess from the illiterate. Only those who grant everyone genuine opportunities are defending a fair freedom. Instead of viewing society as a contract for the reciprocal insurance of *having*, we should understand it as a covenant for the all-round enabling of *being*.

Freedom does not grow on trees, but flourishes in society. Without a social subtext, we may but theoretically refer back to a reservoir of metaphysical freedom, but without serious opportunities for its practical cultivation in life. Freedom therefore requires not only the *absence* of the violation of rights, but also the *presence* of certain conditions: For instance, freedom needs a socially active state empowering everyone's autonomy as well as effective environmental protection, an attentive civil-society, and a cultural community for the dissemination of values. For acts of freedom, the adage holds that what goes around comes around. How societies treat nature and culture, space and time, shapes customs: who or what merits attention; whether people are more or less willing to take on responsibilities; to what extent unwritten as well as legal rules are observed willingly or only in view of threatened sanctions.⁷¹ The practice of freedom rests upon preconditions that it can influence. Care for our social and natural surroundings is liberal, because freedom is relational.

⁷¹ See Robert Levine, *A Geography of Time – On Tempo, Culture and the Pace of Life: The Temporal Misadventures of a Social Psychologist, or: How Culture Keeps Time Just a Little Bit Differently?* (New York, 1997).

Qualitatively orientated freedom therefore proceeds economically and ecologically with caution. Precisely because liberal thinking imposes upon no-one the ultimate goals of their lives, it must – in the face of finite resources and the infinity of present and future human aims – advise us towards a precautionary use of our shared life-world and the *Global Commons*.

In my view, a liberalism appealing to the idea of qualitative freedom should also demand a humane provision of and universal access to public goods, like education, health, culture, and transport. Liberals should strive for a balanced allocation of assets – not directly and motivated from an interest in material equality, but rather indirectly and interested in an equitable access to the presuppositions and conditions of autonomy. Neither the secession of the rich nor the exclusion of the poor (accompanying extreme material inequality) can be tolerated by an idea of freedom which campaigns for a (global) society in which everyone contributes to the dignified life of all.⁷²

Unlike some theories of positive freedom, however, the idea of qualitative freedom – like the “capability theory” championed by Amartya Sen – establishes an important procedural boundary when it comes to the implementation of this notion. While the *universal enabling* of qualitative freedom is legitimately a high priority of the social and cultural state (*Sozial- und Kulturstaat*), the *specific organization* of that dimension of freedom remains exclusively a matter for the citizens themselves. There is also a right to distinguish oneself from others through one’s own work. Performance should be rewarded if and inasmuch as doing so honors everyone’s equal right to unequal advancements.

Applied to current political circumstances, qualitative freedom demands not only the social embedding and cushioning of market-activities, but also – presupposing the latter – their free operation. Fair liberalism is therefore neither *market-obsessed* nor *market-repressed*. It respects the results of the free market economy as the expression of individuals’ evaluations and aspirations *insofar* as the market – a condition never to be forgotten and often violated – is organized so as to heed the voices of the many instead of merely the valuables of a few.⁷³ Consequently, the idea of qualitative freedom straddles the usual left-right schematizations germane to the logic of quantitative thinking and their blunt assertion that more equality/solidarity = less freedom. Normally, social democrats show up upon the left side of that spectrum together with their alleged quest for achieving, with as much freedom as necessary, as much equality as possible. At the right end of the spectrum then reside neoliberals and libertarians trying to achieve, with as much equality as necessary, as much freedom as possible. Somewhere in between *classical liberalism* scuffles with *new liberalism* for the sovereignty over the definition of the golden mean.⁷⁴

⁷² See Parijs, *Real Freedom for All*.

⁷³ That is, especially in regard to the global market, unfortunately a condition that is all too often violated, which makes the economic policy of free-trade – which (under ideal conditions) is potentially a blessing – a (when under real conditions) scourge of the poor, see Agus Pakpahan, *Freedom for Farmers, Freedom for All* (Bogor, 2007).

⁷⁴ See Thomas Nagel, “Review: Libertarianism without Foundations,” *The Yale Law Journal*, 85:1 (1975), 136–149.

Underlying this quantitative scheme is the superstition of a fundamental conflict between equality and freedom, according to which gains upon the one side are registered as losses on the other: a zero-sum game.⁷⁵

It is not only in extreme cases that this model fails: Wherever no kind of equality prevails there is typically just as little freedom and vice versa. Anarchic and tyrannical conditions for the most part deny citizens both freedom and equality. This practical deficiency has its ground in the theoretical deficit of concise categories. The “alleged conflict between equality and liberality” is in truth “a *category mistake*.”⁷⁶ Even libertarians want equality, albeit limited to formal and procedural aspects. Socialists also want freedom, albeit through plan-based economic redistribution. Consequently, the *ideas* of freedom and equality do not at all find themselves in an insurmountable tug-of-war; merely some *concepts* of freedom need to be reconciled with demands for material equality.⁷⁷ So, wherever quantitative freedom declaims an abstract stalemate of ideas, the question concerning the concrete quality of respective freedoms finds a way forward: The integration of certain aspects of equality as genuine demands of the liberal idea. While, from the quantitative perspective, liberals view social-democrats as arch-enemies, from the qualitative perspective one sees them both as struggling for forms of equality which support and conform with freedom.

The same is true of liberalism’s ecological focus. For many years, upon both sides, a false antagonism between liberal and green movements was paraded around. Today it becomes obvious, though, to ever more people, that the idea of freedom includes the principle of sustainability. As soon as liberalism turns its back upon the quantitative fixation with utility-calculi and, in aiming to protect the rights of future freedom, opens itself up to the qualitative notion of an obligation also committed to strictly asymmetrical relations, imperatives of sustainability will immediately be recognized as indispensable components of a liberal program. Conversely, it should be obvious just how much green politics profits from liberal axioms. A credible demarcation from eco-dictatorial positions will only succeed by means of a marked commitment to freedom as the primordial foundation for the evaluation of all lifestyles. Only as freedom’s devisee can a politics of sustainability accept its bourgeois inheritance.

The philosophy of qualitative freedom does not define the spectrum of liberalism between the *abstract antitheses* of left and right, but rather in accordance with the *actual tension* between freedom’s prerequisites and freedom’s goals. Politics, in the sense of qualitative freedom, must continually mediate between freedom’s particular intentions and its universal conditions – through a constant back and forth between the dimensions of responsible and fair freedom. *Responsible freedom* honors worthwhile goals, while *fair freedom* preserves the presuppositions of personal autonomy. A qualitatively orientated liberalism can thus, for example, call upon cooperation between both progressive and conservative forces. In the name of responsible freedom, one might suggest the (“conservative”) cultivation of family

⁷⁵ See Harry Frankfurt, “Equality as a Moral Ideal,” *Ethics* 98:1 (1987).

⁷⁶ See Amartya Sen, *Inequality Reexamined* (Cambridge, MA, 1992), 23.

⁷⁷ See Dworkin, *Taking Rights Seriously*, 270–273.

values which give the freedom of individuals meaning and direction, but also – and for the same reason – the (“progressive”) defense of non-traditional lifestyles in which individuals likewise develop into authors of their biographies.

Never in isolation, but always in dialectical unity only, must fair and responsible freedoms express the idea of qualitative freedom. Social policy, for instance, must aspire towards a balance between subsidiary responsibility on the one hand and solidary fairness on the other. Whoever only backs solidarity in social policy quickly turns it into the paternalism of comprehensive welfare. Conversely, sheer subsidiarity makes the opportunities of the poor dependent upon the privatism of donors. *Neither paternalism nor privatism is liberal.* The idea of qualitative liberalism is not shaped by the *one-sided* – but by the *unified* – use of responsible and fair freedom. Solidarity can be responsibly handled only in subsidiary form, and subsidiarity is only fair when solidary. *Subsidiary solidarity* and *solidary subsidiarity* should therefore be the lodestars of liberal social policy.

A society that wants freedom must forgive mistakes. Just as we, in private relations, continually give people second and third chances so that their (and our) freedom can forge new paths instead of grinding to a halt in the cul-de-sacs of the past,⁷⁸ so we should also do so in economic affairs. Everyone requires opportunities to work and participate in the economy in order to be able to take care of themselves and their own. Whoever – by their own fault or otherwise – becomes unemployed must receive new chances to said participation. The state of qualitative freedom does not hand out alms, but it does provide opportunities. In an economic order which, in the interest of the common good, depends on individual risk-taking, the state has the duty to ensure that individuals always retain the capacity to contribute to the whole. Freedom *for* economic risks has to be accompanied with freedom *from* the risk of social exclusion. People grasp economic opportunities much more readily when the state helps them to a new beginning in cases of failure.⁷⁹ The state can count on the efforts of individuals if they can rely on social security by the state. Taxation to finance this backstop does not ruin our economic freedom, but rather enables and conditions it.⁸⁰ Whoever preaches responsibility must empower people to take on responsibilities.

On the flip side, it needs to be reiterated that freedom obligates. Today’s liberalism would benefit from the ancient insight that freedom manifests and enriches itself as virtue. The encomium of freedom should not sound like a hymn to baser instincts and the lowest common denominator. But precisely in this – in the qualitative distinction between the true face of freedom and the false grimace of the permissiveness of hedonistic consumerism – the West’s politics has recently shown itself to be just as ignorant as inept. In the drunken belief in the redeeming power of unlimited growth, it was overlooked that a freedom, which only thrives quantitatively, gradually loses its qualitative determination as well as its orientation towards the common good. It was premature to reject, as an allegedly improper curtailment of the private sphere, the *res publica* as the true focus of freedom.

⁷⁸ See Klaus-Michael Kodalle, *Annäherungen an eine Theorie des Verzeihens* (Stuttgart, 2006).

⁷⁹ See Parijs, *Real Freedom for All*, 28.

⁸⁰ See Pettit, *Republicanism*, 66, 110 & 273.

Freedom depends more on the class than on the mass of our options.⁸¹ Self-reflective liberalism philosophically is thus not only bent upon the quantitative *enumeration* of abstract options but focuses in the first instance rather on the qualitative *evaluation* of concrete opportunities. For, when quantitative thinking treats all freedoms without differentiation, liberalism leaves people indifferent. For that reason, it is to be stressed that, the more essential a freedom, the more strongly should we – as against alternative possibilities – promote it. The qualitative evaluation therefore precedes the quantitative enumeration; for, in some cases (for example, in regard to unsustainable practices), *less* can actually be *better*. On occasions, freedom shows itself in the reduction of options.⁸² This holds especially for liberalism's ethical orientation.⁸³ Because the idea of qualitative freedom links individuals' freedom with universal freedom it sees the acceptance of responsibility for others as not an external negation but rather an internal manifestation of freedom.

From a qualitative perspective, then, liberalism has to take up much unfinished business of emancipation and ought to take on long-overlooked dimensions of responsibility. We everywhere need a more inclusive liberalism than the one provided by the symmetry-fixated hypotheses of contractualism and game-theory. To achieve fair and responsible freedom, a shift within liberal discourse is necessary: a turn away from the neoliberal and libertarian concepts of freedom and back towards the forever qualitatively orientated progressive roots of the Anglo-American *liberalism* as well as the qualitatively orientated ordo-liberal tradition of German liberalism.

Today's liberalism requires, *in nuce*, a *philosophy of freedom* in the *genetivus objectivus* – as a philosophy for freedom; as well as also in the *genetivus subjectivus* – as a freely self-developing philosophy. We find this philosophy arising from the idea of qualitative freedom. In regard to the tension between the aims of individuals and of communities, qualitative freedom wishes to reconcile them (to preserve freedom), to coordinate them (to shape freedom), and to inspire people to use their personal freedom on behalf of the autonomy of others (to spread freedom).

5.3 Outlook

The freedom of the other not only defines the *boundary* of our own, but also determines one of its noblest *goals*. Not only do we demand freedom but also freedom makes demands on us. It calls for liberation: internally, for the emancipation of ourselves, but also externally, for the liberation of everyone else. Since neither market nor nature can ensure that *everyone* can lead an autonomous life, the *demand* of *individual* freedom and the *promotion* of its *general* presuppositions must go hand in hand. Consequently, liberals should not only defend possessions already held and

⁸¹ See Claudia Mills, "Choice and Circumstance," *Ethics* 109:1 (1998).

⁸² See Robert Young, *Personal Autonomy: Beyond Negative and Positive Liberty* (New York, 1986); Dworkin, *The Theory and Practice of Autonomy*.

⁸³ See Brian Morris, *Bakunin: The Philosophy of Freedom* (New York, 1993).

liberties already secured, but also everyone's claim to receive access to property and rights. Personal property secures participation in the world; and there is a human right to such participation. Since we are entitled to freedom only as a result of reasons applying to everyone, it follows that, as long as there is but one single human being who lacks freedom, everyone's freedom is imperfect.

The idea of qualitative freedom is thus *per se* neither local, nor national, but global; it does not exclude anyone, yet includes everyone. Race, sex, and religion, but also spatial-temporal distance, in no way diminish the validity of a demand for freedom. The citizens of distant countries and members of future generations have just as much a human right to the conditions enabling a free life as persons with whom we interact or trade directly. A consistently realized idea of freedom extends, therefore, not only its protective dimension to asymmetrical spatial and temporal relations but also the obligation towards capability building. Only a globally solidary liberalism is a consistent liberalism.

Our work has demonstrated *that* a liberalism arising from a theory of qualitative freedom must reflect upon precisely this obligation towards worldwide solidarity. Freedom revealed itself as an ongoing task for humanity charged always to transcend its historical achievements anew. Yet this mandate does not provide liberal thinking with an instruction manual for its world-historical mission. The precise way in which a cosmopolitan liberalism operating in the name of qualitative freedom is to develop can ultimately only be decided by the global citizenry and not academic philosophy.

Precisely because the claim to freedom extends to all persons, there will be differences from place to place, not only in the manner freedom is lived, but also in the way it is conceptualized – and that includes the respective interpretation of its global responsibility. The unity of freedom must be realized, not through uniformity, but in multiplicity. At the same time, the global claim of the idea of freedom as universal entitlement to the presuppositions and conditions required for an autonomous life helps every liberalism 'on the ground' to establish the locally appropriate forms of freedom qualitatively (for example by the prioritization of competing claims) and quantitatively (for example in respect to the magnitude of individual versus institutional freedoms, the extent of societal codetermination, etc.). This is not the place to anticipate this worldwide dialogue about the future shapes and forms of freedom, but solely to prepare for it. Instead of drafting that impending form of qualitative freedom, I would like to conclude by outlining the questions and challenges that such discourse about the globality of freedom must confront.

In the face of the severely tattered global image of the idea of freedom, it seems more than doubtful at the moment that the people and peoples of this world will want to unite under the liberal banner. There is skepticism and mistrust against freedom. And not without reason. After the collapse of the 'real-existing socialism' it was loudly proclaimed that finally the idea of freedom had been victorious and that now the history of the human species was about to fulfil its destiny.⁸⁴ Today, though,

⁸⁴ See Christopher Bertram & Andrew Chitty (eds.), *Has History Ended? Fukuyama, Marx, Modernity* (Aldershot, UK & Brookfield, VT, 1994); Timothy Burns, *After History? Francis*

this interpretation of history, which repeated Hegel's fulminant thesis that "the History of the World is nothing but the development of the Idea of Freedom,"⁸⁵ has lost much of its luster.

Two decades ago, however, the course of history seemed to justify such liberal optimism. The revolutions in Eastern Europe were indeed characterized by a desire for civil liberties. With the sweeping victory of democratic freedoms over socialist commando-economies, the world appeared to exit from a centuries-old labyrinth of political and economic confusions. Intellectual interpreters like Samuel Huntington or Francis Fukuyama proclaimed in unison with less intellectual politicians like George W. Bush that under the banner of freedom the world could and should be mended.⁸⁶ The way towards a better future, to a world of affluence and peace, towards a second Garden of Eden, would, it seemed, be paved by freedom, i.e. the individual freedom to activate personal potentials and their economic power as well as the collective freedom for cooperative corporative and democratic-participative organization.

This optimism soon fell flat. The champagne of democratic autonomy of the 1990s quickly lost its fizz right after the turn of the century. Fermented by corruption on the inside and heated by crises from the outside, in Eastern and Central Europe, the sparkling wine of liberal self-government soon fermented into the vinegar of bitter systematic constraints. And especially the most recent global economic crises had a sobering influence upon liberals across the world. The intoxication of rapidly globalizing freedom was followed by the stubborn hangover of cosmopolitan responsibility and global sustainability problems.

On the part of the West, military violations of international law and economic incursions into sovereign national spheres – cynically, stupidly, or perfidiously perpetrated in the name of freedom – have considerably damaged the liberal idea.⁸⁷ The 'liberalization' of markets pushed through as a result of, for instance, the *Washington Consensus*⁸⁸ visited severe economic dependency upon many people and peoples. Certainly, this program of deregulation originated within the camp of

Fukuyama and his Critics (Lanham, MD, 1994); Francis Fukuyama, *The End of History and the Last Man* (New York, 1992).

⁸⁵ Georg Wilhelm Hegel, TWA 12, 539f. Translated in Georg Wilhelm Hegel, *The Philosophy of History* (New York, 1956), 456.

⁸⁶ See Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York, 1996); Fukuyama, *The End of History and the Last Man*; George W. Bush, *Our Mission and Our Moment: Speeches since the Attacks of September 11*. (Washington D.C., 2001).

⁸⁷ See Carl Mirra, *Enduring Freedom or Enduring War? Prospects and Costs of the New American 21st Century* (Washington, D.C., 2005); Aziz Rana, *The Two Faces of American Freedom* (Cambridge, MA, 2010); Anthony Bogues, *Empire of Liberty: Power, Desire, and Freedom* (Hanover, NH, 2010).

⁸⁸ See Shahid Javed Burki & Guillermo Perry, *Beyond the Washington Consensus: Institutions Matter* (Washington, D.C., 1998); Ben Fine, Costas Lapavistas and Jonathan Pincus, *Development Policy in the 21st Century: Beyond the Post-Washington Consensus* (New York, 2001); A. K. N. Ahmed, *Washington Consensus: How and Why It Failed the Poor* (Dhaka, 2004); Narcis Serra and Joseph E. Stiglitz (eds.), *The Washington Consensus Reconsidered: Towards a New Global Governance* (New York, 2008).

the libertarians⁸⁹ and neoliberals,⁹⁰ and only rarely finds support by liberalism's classical authors or the German *ordo*-liberals, and not at all by the progressive *liberals* in the USA or the *new liberalism* in Britain. Nonetheless, the idea of freedom as a whole suffered collateral damage. Many blamed not only the actual actors, like the *International Monetary Fund* (IMF) and the *World Trade Organization* (WTO), for the mistakes of these programs, but the liberal ideology as such. Many, who were stretched upon the rack of economic liberalization in the last few decades, blame the dislocations they suffered on the notion of freedom itself and not only on its libertarian overextension.

What is more, there is a widespread perception that the recently experienced economic crises are not only economic but also societal, not only financial but also moral, and not really accidental but rather inevitable.⁹¹ As a result, the call for systemic reform and – prior to that – systematic reflection becomes ever louder. The economic crisis smoldering since 2008 significantly contributed to a worldwide shift in consciousness by devaluing as outdated many of the old-fashioned prescriptions of liberal politics – less state, *laissez faire*, deregulation, monetarization, and incentivization.⁹² Accordingly, the liberal camp currently sings the credo of *liberalization* more quietly.

This must unsettle neoliberals and libertarians, since for quite a long time they have directly connected the striving for freedom and the striving for profit: The racing car welded together from the axioms of neoclassical economics and neoliberal political theories, after all, has had a good run a while! That vehicle of deregulated quantitative freedom accelerated by Thatcher, Reagan, and their successors, with

⁸⁹For information about the terminology of varying libertarian [*libertärer und libertarischer*] positions in philosophy and political science see footnote 115. A concise comparison between liberal and libertarian thinking is provided by Samuel Freeman, "Illiberal Libertarians: Why Libertarianism is Not a Liberal View," *Philosophy and Public Affairs* 30:2 (2001).

⁹⁰A short note about the use of the concept "neoliberal": The appellation "neoliberal" first surfaced amongst ordoliberal thinkers (Eucken, Röpcke, Müller-Armack). In the journal "Ordo" they above all criticized as "paleoliberal" almost exactly those minimal-state attitudes (radical privatization, deregulation, *laissez faire*, etc.), which one today often writes off with the label "neoliberal." In contrast, they supported under the rubric "neoliberal" an ordoliberalism also vigilant in regard to social concerns. The use of the concept "neoliberal" based upon German etymology today, however, hardly finds any imitators, since, internationally, this fact is still largely unknown. In global discourse, the concept "neoliberal" thus rather outlines the – Mises and Hayek inspired – Chicago School of Economics' (and the political theories inspired by it) turn away from the moral as well as social and democratic elements of the classical liberalism of Hume and Smith in favor of an advancing deregulation and privatization. "Neoliberal" is also used here in this far more usual sense. For this "*deutschen Sonderweg*" in etymology see Viktor Vanberg, "'Ordnungstheorie' as Constitutional Economics: The German Conception of a 'Social Market Economy'" in Walter Eucken (ed.), *ORDO: Jahrbuch für die Ordnung von Wirtschaft und Gesellschaft* 39, 1988.

⁹¹See Rowan Williams & Larry Elliott, *Crisis and Recovery: Ethics, Economics, and Justice* (New York, 2010); Kean Birch & Vlad Mykhnenko (eds.), *The Rise and Fall of Neoliberalism: The Collapse of an Economic Order?* (New York, 2010).

⁹²See Olivier J. Blanchard et al., *In the Wake of the Crisis: Leading Economists Reassess Economic Policy*, 2012; Adair Turner, *Economics after the Crisis: Objectives and Means*, 2012.

the gas of deregulated economies seemed to glide almost effortlessly over political burdens, cultural barriers, ecological problems, and religious sensitivities. But upon the home straight towards a state-bereft global society, the sleek sports car lost traction, ended up skidding on the oil of speculative finance, and crashed into the brick wall of reality. Now that it is only fit for scrap metal, no one admits to having had their hands on the wheel.

Libertarians (like Hillel Steiner) smarten-up leftist cantilevers; economic liberals return to shock-absorbers from moral philosophy (like those in Adam Smith); and in the camp of ordo-liberalism tools critical of the market (of, for instance, Wilhem Röpke) are brought out of storage. At home and abroad one suddenly remembers the insight of classical liberalism that the selfish cruising of the few needs to be slowed down by making basic provisions for the many and ethical rules for all. Admirable though these insights are – above all as indirect admissions of guilt on the part of those who negligently or deliberately forgot all this for far too long – they do not suffice to set things in gear again. The crash was ultimately not an accident but due to the fact that the unfortunate liberal-economic vehicle was controlled by an understanding of freedom that systematically obstructed sideways glances upon the ecological, social, and moral crash barriers of the economic route. In order to make freedom's vehicle road-worthy again, the cause of the crash – the quantitative tunnel-vision – must above all be remedied. Otherwise future accidents are already predestined.

Against the idolization of the market on the part of quantitative liberals (in their talk of 'market society', etc.) a qualitative basic principle should be adhered to: The freedom for self-determination should be realized, and not undermined, by the market. The market has to serve people and their freedom – not *vice versa*.⁹³ Qualitatively thinking liberals therefore promote a global trade that gives everyone the chance to develop autonomously. We must maintain that, only fair trade is truly free trade. Only when all parties to an economic transaction are so positioned that they can refrain from "humanly intolerable exchanges" may one conclude that formal voluntariness implies the material legitimacy of transactions.⁹⁴ To ensure a fair and square deal for all parties, it is advisable to differentiate, as in sports, between weight categories. Small states and weak economies sometimes need protective rules; liberal solidarity demands that we help them obtain these. For equally treating the unequal is quite as unjust as unequally treating the equal.⁹⁵

Some liberals falsely see critics of globalization *per se* as opponents of their cause. However, those (like the proponents of the *Washington Consensus*) who prescribe that freedom is only to be quantitatively understood, i.e. as the maximization

⁹³ See Ronald Dworkin, *Sovereign Virtue: The Theory and the Practice of Equality* (Cambridge, MA, 2000).

⁹⁴ See Vivian Walsh, "Amartya Sen on Rationality and Freedom," *Science and Society* 71:1 (2007), 63.

⁹⁵ See Mark R. Reiff, *Exploitation and Economic Justice in the Liberal Capitalist State* (Oxford, 2013).

of – especially economic – options, themselves violate that very freedom for civic self-determination held aloft by all liberals. It is rather the profoundly liberal concern – political autonomy for all – which is recognized by the critics of globalization who avowedly struggle for the freedom for regional and local self-determination. Accordingly, a qualitatively orientated liberalism may not stand idly by when forms of economic activity are internationalized, while the legal and political means for influencing it remain limited nationally. For otherwise ecological, cultural, and social liberties soon become the victims of economic freedom.

Whose freedom is served if the profits of international business primarily go to rich nations and large corporations while the negative externalities chiefly haunt poor countries and smaller civic and economic units?⁹⁶ Here, not only the principle of justice, but also the cosmopolitan dimension of the idea of freedom, is violated. Liberals should therefore protest when the postulates of free-trade and competition are asserted only if and inasmuch they coincide with the interests of affluent nations. Qualitatively directed freedom not only campaigns against discriminations contrary to human rights where such advocacy may bring political or other advantages (the opening of markets, new alliances, etc.). To loosen the grip of economic power through rule-governed competition was forever the concern and pride of the ordoliberal school⁹⁷; a notion we must return to today on a global scale.

Qualitative liberalism has to engage itself also and especially where this means coming into conflict with today's centers of power – dictatorial, hegemonic, oligarchic, and plutocratic structures. Under the flag of quantitative freedom, however, such battles were rarely fought. And, in my opinion, that explains a good part of the worldwide unease about the idea of freedom. Today many harm the banners of cosmopolitanism because of disingenuous and dishonorable campaigns in the name of universalism. Since the ideas of human rights and of freedom were often defended too one-sidedly, they are now challenged from every side. The idea of freedom therefore urgently requires new strategists (*strategoï*) and more successful – qualitatively orientated – strategies. We must rethink freedom from the ground up, in order to leave behind the division of the world into friends and foes of freedom – for being erroneous on the part of either perspective.

While quantitative theories tend to outsource into the realm of private morality all forms of global responsibility that contribute to the augmentation of their respective options, the idea of qualitative freedom fundamentally comprises and insists

⁹⁶ See J. Timmons Roberts & Bradley C. Parks, *A Climate of Injustice: Global Inequality, North-South Politics and Climate Policy* (Cambridge, MA, 2007); Stephen M. Gardiner, "Ethics and Global Climate Change," *Ethics* 114:3 (2004); JoAnn Carmin & Julian Agyeman (ed.), *Environmental Inequalities beyond Borders: Local Perspectives on Global Injustices* (Cambridge, MA, 2011); Flavio Comim, "Climate Injustice and Development: A Capability Perspective," *Development* 51:3 (2008).

⁹⁷ See for example the contributions in Walter Eucken et al., (eds.), *Freiheit und wettbewerbliche Ordnung: Gedenkband zur Erinnerung an Walter Eucken* (Freiburg, 2000) as well as in Eucken's original: Walter Eucken, *Grundsätze der Wirtschaftspolitik* (Bern, 1952).

upon a responsibility for the whole. As individuals' rights to freedom are not rooted in their subjective *particularity*, but rather in their *personality*, a qualitatively orientated philosophy of freedom necessarily culminates in *cosmopolitanism*: with the task of helping everyone achieve autonomy. Qualitative freedom begins and ends with global citizens and their actual opportunities in life. Nationalistic egotism is thus foreign to a qualitatively directed liberalism. Instead of being on the defensive, liberals are proactively to advance the free self-determination of *everyone* and stand up for the emancipation of *all* global citizens.

But who is this global citizen? Just as in the search for the essence of the human being, this question cannot simply be answered materialistically or empirically. Neither the *human being as such* nor the *global citizen as such* can be laid down naked upon a spectrometer so that we can then precisely read off their anthropological-metaphysical mass. Of course not; since humans are relational beings, one cannot analyze them in abstraction from their relations. At issue is less the biological skeleton and more the symbolic framework of the human lifeworld. The worlds created artificially from science and religion, morality and law, economics and politics, within which human beings develop their future selves, demonstrate that it is in the nature of human freedom to be at work; and its works are not only material but also ideal. Metaphysics belongs to the human condition just as much as monuments do; humanity gives expression to its ideals through edifices of the spirit just as much as by way of physical buildings. Before the eternal background of religion's and metaphysics' ultimate questions, humanity ever anew ponders what, in its time and day, might be adequate answers to the penultimate questions of politics and economics, law and morality. It is therefore not very modern but rather very naive to expect or desire that human beings at long last renounce metaphysics, religion, and spirituality.

Principles so comprehensive that, even in cases of conflicting interests, the global community still turns to them for normative orientation never can be externally, i.e. heteronomously, imposed on people. They must rather be suggested to people from within their own worldviews and made plausible by means of their own reason. I am thus skeptical about the attempts of academic philosophy to solve the problems of global ecology, global economy, and global politics by reinventing the moral wheel. One does not have to be a gourmet to find unappetizing the idea of a 'global dish' to feed all people everywhere. And the notion of a 'global ethics' (*Weltethik*), which once and for all, down to the smallest detail, would prescribe to everyone everywhere what they should do, seems to me to be just as unattractive. I believe it more plausible, as well as more in keeping with freedom's procedural guidelines, to rather seek a convergence of those values global citizens already espouse.

The philosophy of freedom must thus leave the ivory tower and make its way within the streets of this world and pick up on what forms of responsible freedom find respect in the various cultural communities.⁹⁸ Thus it will encounter people as constantly self-interpreting and morally self-examining persons. Yet only a few

⁹⁸A similar argument can be found in: Ganesh Nathan, *Social Freedom in a Multicultural State*, 2014.

people orientate their normative ideals of self solely by means of secular mental models. Most people abundantly supplement their cognitive diet with spiritual accoutrements. A liberalism unable to digest this side-dish will thus sooner or later become enfeebled.⁹⁹ Unlike theories of quantitative freedom (see Sect. 4.3), any liberalism concerned with the actual *homo sapiens* must therefore also be able to understand spiritual and metaphysical orientations and relate these to its own values and tenets. And only within the framework of a theory of qualitative freedom can this be accomplished; albeit – as the philosophies of Kant and Krause clarified – never in a manner that imposes more – or other – forms of reflection upon ultimate questions than the citizens themselves request.

Qualitatively orientated liberalism thus inherits selectively – and critically – humanity’s metaphysical and spiritual traditions. If religious citizens formulate political maxims as a result of their spiritual convictions, such arguments are not suspect simply because they are guided by spiritual premises. Nevertheless, whenever these religious convictions make the claim immediately to instruct collective action and political decision-making, one must examine the extent to which those arguments could also convince non-believers or those of other faiths.¹⁰⁰ Therefore, in a qualitatively liberal political system, religiously or metaphysically founded truths do not directly carry weight, but at most do so indirectly: when and insofar as they formulate values affirmable also by alternative world-views.

The latter is all the more the case the more precisely the respectively mobilized values agree with fundamental convictions of all human beings, like, for instance, the *Golden Rule*.¹⁰¹ With such principles, the transformation of spiritual wisdom into secular validity easily succeeds; with other values (for instance when looking at certain sexual norms) that is far less the case. Yet, wherever a stable, intercultural agreement in certain fundamental values does result, it can work in the background of political discourse as a subtle filter for the proposals being foregrounded. For instance, political projects of religious (as well as secular) interest groups and communities that move within that intersection of globally converging values, may thus enjoy greater approval and thereby better chances of being realized than others.

But is there at all such a humane consensus and wherein could it consist? In the last years, this question was intensively pursued within spiritual,¹⁰² agnostic,¹⁰³ and secular¹⁰⁴ contexts, especially under the auspices of the *Global Ethos Project*

⁹⁹ See Di Fabio, *Kultur*, 8.

¹⁰⁰ See Todd Hedrick, *Rawls and Habermas: Reason, Pluralism, and the Claims of Political Philosophy* (Stanford, CA, 2010).

¹⁰¹ See Bauschke, *Die Goldene Regel*.

¹⁰² See Fethullah Gülen, *Toward a Global Civilization of Love & Tolerance* (Somerset, NJ, 2004).

¹⁰³ In this regard we must above all think of the recent publications of the Dalai Lama, for instance: *Beyond Religion; Ethics for a Whole World* (Boston, 2011).

¹⁰⁴ A collection of secular approaches can be found in: Dierksmeier, *Humanistic Ethics in the Age of Globality*.

(*Projekt Weltethos*) founded in 1990 at the University of Tübingen.¹⁰⁵ Over the last 25 years, scholars there have undertaken research into the fundamental values which interconnect people of all nations and regions and have produced a body of scholarship encompassing thousands of pages. As well as comprehensive monographs on the common ethical values of Judaism,¹⁰⁶ Christianity,¹⁰⁷ Islam,¹⁰⁸ in Daoism and Confucianism,¹⁰⁹ and in the spiritual life of Hinduism, Buddhism, and Jainism,¹¹⁰ Hans Küng and his team also traced this convergence of values in the field of intercultural literature¹¹¹ and philosophy.¹¹²

The central result of these studies was that two formal principles and four substantial values were recognized – although, of course, not always observed – to be morally binding by humanity across all spatio-temporal boundaries.¹¹³ *First*, the *Golden Rule* of reciprocity (known through directives like “*Do unto others what you would have them do unto you!*”) and the principle of humanity, to treat human beings humanely, i.e. to not treat subjects like objects. *Second*, when applied to the everyday lifeworld these two formal principles lead to four substantial basic values which likewise enjoy worldwide approval: truthfulness, justice, partnership, and peacefulness. Together, these rules and values constitute the kernel of an ethical attitude which has always and everywhere inspired people towards ethical behavior, precisely a *global ethos*.

Since these values have always found comparable expression in incomparable cultural contexts, that is to say, because the *global ethos* (*Weltethos*)¹¹⁴ belongs to the foundations of human self-orientation, one can view it as the kernel of a realistically idealistic anthropology. It represents the legacy of all human traditions: Thus, within and throughout the *concrete plurality of cultures*, we find a reflection of the

¹⁰⁵ See Hans Küng, *Projekt Weltethos* (München, 1990).

¹⁰⁶ See Hans Küng, *Das Judentum: Die religiöse Situation der Zeit* (München, 1991).

¹⁰⁷ See Hans Küng, *Das Christentum: Wesen und Geschichte* (Zürich, 2007).

¹⁰⁸ See Hans Küng, *Der Islam: Wesen und Geschichte* (Zürich, 2007).

¹⁰⁹ See Hans Küng, *Tracing the Way: Spiritual Dimensions of the World Religions* (London, 2002).

¹¹⁰ See Stephan Schlenzog & Hans Küng, *Der Hinduismus: Glaube, Geschichte, Ethos* (München, 2006).

¹¹¹ See Karl-Josef Kuschel, *Im Ringen um den wahren Ring: Lessings “Nathan der Weise” – eine Herausforderung der Religionen* (Ostfildern, 2011); Karl-Josef Kuschel, *Jesus im Spiegel der Weltliteratur: Eine Jahrhundertbilanz und Einführungen* (Düsseldorf, 1999).

¹¹² See Hans-Martin Schönherr-Mann, *Globale Normen und individuelles Handeln: Die Idee des Weltethos aus emanzipatorischer Perspektive* (Würzburg, 2010); Hans-Martin Schönherr-Mann & Hans Küng, *Miteinander leben lernen: Die Philosophie und der Kampf der Kulturen* (Zürich, 2008).

¹¹³ A good overview of this and what follows is provided in: Küng, Gebhardt & Schlenzog, *Handbuch Weltethos*.

¹¹⁴ See Hans Küng & Karl-Josef Kuschel, *Wissenschaft und Weltethos* (München, 1998); Helmut Reinalter, *Projekt Weltethos: Herausforderungen und Chancen für eine neue Weltpolitik und Weltordnung* (Innsbruck, 2006); Schönherr-Mann, *Globale Normen und individuelles Handeln: die Idee des Weltethos aus emanzipatorischer Perspektive*.

conceptual unity of the ethical nature of humanity. The global ethos thus resembles an invisible union of all civilization and cultures. That union cannot of course supplant the visible efforts on its behalf. Yet it instructs people of all backgrounds about how they can theoretically unite and practically cooperate. The key idea of the *Global Ethos Project* is that, as a result of the convergence of elementary values, persons of the most diverse backgrounds can, through dialogue, develop shared ideas and meaningfully cooperate.¹¹⁵

Clearly, for them to have obligatory power, the values of the global ethos need not only spiritual but also secular foundations. *Secular* reasons must be adduced so that they can bring together both believers and unbelievers beyond all *spiritual* foundations. These can be of historical as well as of systematic nature. One may perhaps more easily reach agnostics and atheists with the *historical* argument that conceptions of an ethically self-committed freedom, along with the values identified by the *Global Ethos Project*, have constantly arisen over the centuries. Across all historical and geographical spheres, people have time and again agreed on these basic norms of coexistence; in different forms, of course, from place to place and from time to time: in the spiritual teachings of China and India, in the philosophies of northern Europe and South America, as well as in the poetry and reflections of African culture.¹¹⁶ *Systematically*, though, it needs to be shown furthermore why a way of life orientated by those values expresses the reasonable self-commitment of human freedom consistently and coherently.

Although people differ about *what* they celebrate as the highest quality of freedom, our study could demonstrate that they can very well agree *that* and about *how* human freedom should be ethically orientated. From this perspective, the values of the global ethos can be seen to manifest qualitative freedom via the mandate to take on responsibility for the dignified autonomy of all fellow humans. The perpetual quest of the world's cultures for a good, true, and meaningful life, viewed through the lens of a qualitative conception of freedom, appears to be as essential for a fulfilled human existence: as an expression of our freedom's ethical autonomy. This is why a qualitative liberalism must treat the traditions of all peoples, both spiritual and secular, with respect.

Of course, the rules garnered by the *Global Ethos Project* are of an expressly general nature and must, according to the context of their application, be further determined. The *Global Ethos Foundation (Stiftung Weltethos)* set about concretizing the meaning of these values and norms for questions of, for example, global

¹¹⁵See Hans Küng, "We Need Bridge-Builders – No Survival for the World Without a Global Ethic" in *East-West Divan in Memory of Werner Mark Linz* (London, 2014).

¹¹⁶See Christel Hasselmann, *Hans Küngs Projekt Weltethos interkulturell gelesen* (Nordhausen, 2005); Hans Küng, *Ein Weltethos für die neue Weltepoche* (1998); Hans Küng, *Weltordnung braucht Weltethos – Interkultureller Dialog als Schlüssel zu friedlicher Koexistenz* (1997); Dierksmeier, *Humanistic Ethics in the Age of Globality*.

politics,¹¹⁷ rights,¹¹⁸ economy,¹¹⁹ science,¹²⁰ culture,¹²¹ pedagogy,¹²² sport,¹²³ sustainability,¹²⁴ etc. The shared goal of both the *Global Ethos Foundation* as well as the *Global Ethos Institute (Weltethos-Institut)*, which was founded at the University of Tübingen in 2012, is to continue and develop this work in the most inter-culturally inclusive manner possible.¹²⁵ Nevertheless, the *Global Ethos Project* neither can nor wishes to issue exact instructions for all *actions (Handlungen)* through a universally binding “global ethic,” it rather uncovers the shared ethical *attitudes (Haltungen)* behind humanity’s divergent systems of morals. The goal is the orientation and coordination, not the equalization and standardization, of behavior so that, in the light of their basic convictions, people in all places together find appropriate solutions, for their respective time and context, to the problems they share.

The “global ethos,” inductively derived from humanity’s greatest ethical repositories, is not only to be *pragmatically* preferred to a philosophically deduced “global ethics” for departing from people’s beliefs rather than sending them on an arduous intellectual path towards abstract philosophical ratiocination. Its most decisive advantage is in terms of *principle*. While a “global ethics” can all too easily understand itself as an ultimate *answer* to all questions, the *Global Ethos Project* stands for the precise opposite: for the beginning of an intercultural conversation that, in light of those shared attitudes and convictions, allows people to address what separates them as well as to cope with conflicts and problems. In the light of the global ethos, culturally conditioned differences in values are likely to be discussed and

¹¹⁷ See Hans Küng, “Weltpolitik und Weltethos,” *Evangelische Akademie Bad Boll: Aktuelle Gespräche* 43:4 (1995), 30–35; Hans Küng, “Zur Problematik von Weltpolitik, Weltstaat und Weltethos” in Stefan Gosepath & J. C. Merle (eds.), *Weltrepublik Globalisierung und Demokratie* (München, 2002).

¹¹⁸ Hans Küng, “Menschen-Rechte und Menschen-Verantwortlichkeiten” in Hans Küng (eds.), *Dokumentation zum Weltethos* (München, 2002).

¹¹⁹ See Hans Küng, Klaus M. Leisinger & Josef Wieland, *Manifest Globales Wirtschaftsethos: Konsequenzen und Herausforderungen für die Weltwirtschaft* (München, 2010); Hans Küng, “Weltethos und globale Führungsverantwortung,” in Uto Meier & Bernhard Still (ed.), *Führung. Macht. Sinn: Ethos und Ethik für Entscheider in Wirtschaft, Gesellschaft und Kirche* (Regensburg, 2010).

¹²⁰ See Küng & Kuschel, *Wissenschaft und Weltethos*.

¹²¹ See Hans Küng, “Weltmusik – Weltreligionen – Weltethos. Interkulturelle Kommunikation durch Musik” in Christine Büchner et al. (ed.), *Kommunikation ist möglich theologische, ökumenische und interreligiöse Lernprozesse, Festschrift für Bernd Jochen Hilberath* (Ostfildern, 2013).

¹²² See Stephan Schlensoeg & Walter Lange (eds.), *Weltethos in der Schule: Unterrichtsmaterialien der Stiftung Weltethos* (Tübingen, 2008).

¹²³ See Hans Küng, “Welt – Sport – Ethos. Weltethos” in Eckhard Nagel (ed.), *Deutscher Evangelischer Kirchentag Hannover 2005* (Gütersloh, 2005).

¹²⁴ See Hans Küng, “Nachhaltige Entwicklung und Weltethos” in Heidi Bohnet-von der Thüsen (ed.), *Dekanstöße ‘99 Ein Lesebuch aus Philosophie, Natur- und Humanwissenschaften* (München, 1998).

¹²⁵ More information about the institute’s work can be found at www.weltethos-institut.org/.

resolved, instead of – as is to be feared of the perspective of a global ethics – being silenced and repressed.

Qualitative liberalism and the *Global Ethos Project* converge in the basic insight that freedom will flourish insofar as it helps people overcome worldwide ethical challenges. Thus, when the *Global Ethos Project* demands cosmopolitan responsibility from individuals' freedom, the image that should come to mind is not that of a prison cell, but that of a body's skin. Said responsibility is a *boundary* conferring shape and individuality on freedom, not a *limit* hindering it. Our investigation has shown: Values – and the global dialogue concerning them – belong in the center of the liberal self-image. In the face of the spatial globality of our lifeworld and in the time-spanning countenance of generations to come, from care for our natural and social surroundings, as well as from concern for what we leave behind, both with a view towards the ideal of the integrative tolerance and faced with the reality of exclusionary intolerance, mindful of the material foundations of life as well as of its spiritual transcendence, a freedom finding its measure and mean in the global ethos brings people together in calling upon the freedom of each and every person to advance the freedom of all the world's citizens.

Attempting to navigate by the light of its lodestar, a qualitatively orientated philosophy of freedom finds in the *Global Ethos Project* an ethical inspiration of kindred spirit. A philosophically crafted theory of qualitative freedom likewise provides important secular support to the *Global Ethos Project*. A qualitatively oriented liberalism can explain why the spiritual traditions detailed in the *Global Ethos Project* may also inform secular perspectives. For human beings are what they become, and people become what they strive for; and thus the cultural and spiritual aspirations of humanity – of all human beings – belong to the definition of *homo sapiens*.¹²⁶ Human beings are cultural by nature insofar as they realize themselves by means of the symbolic worlds and meanings they themselves create. As beings seeking for meaning they essentially live in a world of values. Thus considered, moral commandments and the vast cosmos of contemplative or meditative practices and religious symbols belong to humanity just like the flora and fauna which populate our biological environment.¹²⁷ Instead of having to create out of nothing the values for the orientation of human freedom within daily life, they can be picked up from the wealth of spiritual and secular designs and historically developed practices.¹²⁸

With the critical sampling of values and with the selection of programs suitable for the problems of the future, it is as ever the task of philosophy to analytically examine the (metaphysical, moral, political, and religious) concepts introduced by its interlocutors, and to square them with the demands of reason. The *procedural dimension* of qualitative liberalism – as worked out especially in the chapters on Karl Christian Friedrich Krause and Amartya Sen – ensures that this return to tradi-

¹²⁶ See Ernst Cassirer, *Freiheit und Form: Studien zur deutschen Geistesgeschichte* (Berlin, 1916).

¹²⁷ See Helmuth Plessner, *Die Stufen des Organischen und der Mensch: Einleitung in die philosophische Anthropologie* (Berlin, 1965).

¹²⁸ See Arnold Gehlen, *Anthropologische Forschung* (Reinbek bei Hamburg, 1967).

tion, via a lively exchange of religious and philosophical, spiritual, and secular arguments, remains within the confines of a wholesome pluralism. For, after all, only those values may be put into practice which both survive their critical self-application (see Sect. 4.3) and are honored by the citizens as a liberal form of collective self-commitment. Through liberal procedures, freedom can thus be reclaimed as a morally appealing and aspirational ideal without, however, restricting the idea of freedom to but a single set of ethical goals.

This optimistic vision of a reciprocal self-examination of freedom's demands taking place in the public sphere with the aid of values broadly affirmed by humanity, and, proceeding by means of a "cosmopolitan conversation"¹²⁹ about the collective mastery of the problems besetting global citizens, does not find applause with secular and spiritual fundamentalists. The former dislike the notion of spiritual foundations penetrating into public judgments. The latter are displeased about their religious fundamentals being subjected to critical examination – that would be to faithlessly enthrone reason as a judge over God. The religious fanatic is never satisfied with the demand for tolerance – i.e., with maintaining one's faith as true *internally*, while *externally* neither representing it as absolute nor imposing it ruthlessly on others.¹³⁰

We have already (see Sect. 4.3) rebutted the secular fundamentalism (for instance of Rawls). The spiritual fundamentalism must of course be countered as well. Certainly, in plural societies, the views of religious fundamentalists are nowadays modernized and mediatized as a rule. Yet even where the stability of civil tolerance is not in peril, it exists against the will of the fundamentalists and is often only the eventual result of century-long bloody confrontations.¹³¹ For inner-societal and inter-societal peace, it is therefore important to indicate to religious fanatics that an absolutization of their own viewpoint is contrary to that very stance – and not just contrary to the liberal procedures of open societies. The true strength of the pluralistic worldview lies in this argument: Religious fundamentalism contradicts the true essence of religion; fanaticism is irreligious.¹³²

Whoever views religious proclamations as signs with binary indicators – here the sign, there the signified – misunderstands them. Holy texts do not function as signposts equally valid for and equally indifferent to every observer. Religion rather communicates *symbolically* in a tertiary relation, where in the middle, between the sign and signified, the believers enter (or do not enter). Without their interpretation the process of communication from sign to signified is broken and no intellectual spark is transmitted. Religious electricity can only flow when the believer personally produces that interpretative connection. The spiritual fundamentalist therefore

¹²⁹ See Kwame Anthony Appiah, *The Ethics of Identity* (Princeton, NJ, 2005).

¹³⁰ See Hans Küng, *Existiert Gott? Antwort auf die Gottesfrage der Neuzeit* (München, 1978).

¹³¹ See Heiner Bielefeldt, "Universalism Versus Relativism on the Necessity of Intercultural Dialogue on Human Rights" in Kai Hafez & Mary Ann Kenny (eds.), *The Islamic World and the West: An Introduction to Political Cultures and International Relations* (2000).

¹³² For more information about the following issue see Dierksmeier, *Noumenon Religion*.

performatively contradicts himself when he precisely denies to others that which religiously electrifies him: the individual appropriation and interpretation of religious symbols. He can only account for the truth of his faith in a manner which he – if he wants to lead them into *faith* – must grant to others. The people which the religious fundamentalist wants to convert will only become relays of spirituality by way of their very own hermeneutic – or never reach authentic religiosity. The uniqueness of religious truth in the inner perspective and its plurality in the outer perspective are, correctly understood, one and the same. Consequently, with the demand for the toleration of adherents of other faiths, religious freedom is not curtailed but confirmed.¹³³

Since secular fundamentalism misses the mark and spiritual fundamentalism contradicts itself, the metaphysical question concerning the identity of the global citizen whose freedom qualitative liberalism is committed to can be answered by no one other than the global citizen himself. And, of course, religious and spiritual voices will enter into this answer too. That is why we require a liberalism which is also spiritually literate. Instead of secularly determining once and for all what constitutes freedom under the aegis of qualitative freedom, discussion must be encouraged about what – here and now – we should safeguard as freedom. The best way for society to secure freedom of and from religion is by allowing and tolerating debates on spiritual questions, not by suppressing them. Let us trust in the power of procedural reason asserting itself precisely in such controversies to discover the best arguments!

The idea of qualitative freedom can integrate cultural specificity without a relativistic submission to local values. All normative claims fighting politically for their validation are always to be evaluated critically by a standard of legitimacy whose apex is the conceptual totality of all present and future persons. In terms of political implementation and realization, the path towards a cosmopolis of freedom runs through all those local and regional bilateral and multilateral institutions into which people and peoples gather together to protect their current interests. In terms of validity, however, the idea (preempted by Kant and, for the first time, systematically worked out by Krause) of a general federation of humanity is decisive. Endeavors that cannot be advocated in the name of humanity, will not find the support of qualitative freedom. Qualitative liberalism is thus especially amenable to post-national, supranational, and transnational as well as intergovernmental politics, since its idea of freedom, constraining itself with this very argument, consistently leads to the conception of universal human rights.¹³⁴

¹³³ See Heiner Bielefeldt, “Misperceptions of Freedom of Religion or Belief,” *Human Rights Quarterly: A Comparative and International Journal of the Social Sciences, Philosophy, and Law* 35:1 (2013).

¹³⁴ See Heiner Bielefeldt, *Philosophie der Menschenrechte: Grundlagen eines weltweiten Freiheitsethos* (Darmstadt, 1998); Heiner Bielefeldt, “Historical and Philosophical Foundations of Human Rights” in Catarina Krause & Martin Scheinin (eds.), *International Protection of Human Rights: A Textbook* (Turku; Abo, 2009).

Some hold, however, that without a firmly established global government, no globalization of the right to freedom is possible.¹³⁵ Is that true? Do we need a global state, a global federal state, or at least a global federation of states, in order to assure freedom global respect? Is the imperative, continually repeated up until today by teachers of natural law, to leave the legally unregulated state of nature (“*exeundum est e statu naturali*”) also true at the level of global law?

In my opinion there is an important difference between a hypothetical state of nature among individuals (before and apart from all societal organization) and an analogously conceived state of nature between states.¹³⁶ Most global citizens are already legally integrated in (mostly national) communities so that – *conceptually* – an immediate membership of all people in a state of global citizens is not required in order to satisfy the call for universal security through laws.¹³⁷ This does not, however, vitiate the demand for the *actual* protection of human rights. Nevertheless, there exists the possibility that the real conditions in practice will one day sufficiently correspond with the ideal demands of theory. Then, however, the universal recognition of human rights must also be reliably enforceable, so that the affiliation of individuals to certain political communities leads to their *systemic realization*, and not (as in corrupt regimes) to their *systematic suppression*.

Nevertheless, as is well known, there are currently many places which normatively and/or actually do not meet this demand for a cosmopolitan protection of human rights.¹³⁸ Where the present powers cannot secure a satisfactory protection of human rights (as in failing states) or do not want to (as in the IS terrorist state), the global community must come to the fore; especially in regard to violent conflicts. Religiously motivated civil wars and genocides are not something which one can put aside with reference to the national sovereignty of the respectively concerned territorial states.

Notwithstanding, it does not immediately follow that we must advocate a *global government* furnished with universal sanctioning powers. The historical genesis and the systematic validity of global acts of law are two different things. On the timeless level of philosophical validity, all global citizens are granted the unconditional protection of their human rights. Historically, however, we face the question about the respectively suitable conditions under which this demand could be most efficiently realized. A concretization and optimization of the existing institutions of *global governance* could, for example, at the moment present the most appropriate means for approximating towards this end. Perhaps the norm of universal human rights is presently better honored with certain networks and institutions, which in

¹³⁵ See James A. Yunker, *Political Globalization: A New Vision of Federal World Government* (Lanham, MD).

¹³⁶ See Martha Nussbaum, *Frontiers of Justice*, 237. See also: Pauline Kleingeld, *Kant and Cosmopolitanism: The Philosophical Ideal of World Citizenship* (Cambridge & New York, 2011).

¹³⁷ See Shaw, *Rawls, Kant's Doctrine of Right, and Global Distributive Justice*.

¹³⁸ See James W. Nickel, “Is Today’s International Human Rights System a Global Governance Regime?,” *The Journal of Ethics* 6:4 (2002).

their combination span the globe, than in prematurely grasping for supranational legal constructions that at the moment are not (yet) desired by the international community. Maybe humanity finds itself now already upon the path towards such a gradual expansion and differentiation of transnational norms and values when it comes to establishing and implementing sustainable social and environmental standards. The outcome of this process remains to be seen.

Many complain that hitherto the under-regulation of the global market enabled a *race to the bottom*: firms move to production locations where a lack of adequate legal guidelines leads to reduced costs for doing business with negative externalities; competitors feel forced to follow suit; economic sites consequently enter into a negative competition for the lowest ecological and legal standards in order to generate or maintain the flow of oversea investment-capital and thereby jobs and tax-revenues.¹³⁹ Are we inevitably heading for a downward spiral, which, in the *worst case scenario*, only ends when all economic assets are privatized and the entire economic and social cost is socialized? Will the snowball of excessive profit-seeking grow into an unstoppable avalanche on the slope of an unbalanced global economic order?¹⁴⁰ The empirical data does not entirely corroborate this prediction.¹⁴¹ The actual result of globalization for freedom and human rights turns out to be not quite so negative.¹⁴² We also see upward spirals. Benefitted by the technical facilitation of physical and informational commerce, a critical global public has emerged, the sheer existence of which has a normative effect. Pragmatic imperatives of business thus today often result in some firms, even in under-regulated societies, signing up to demanding transnational standards of corporate governance in order to, for instance, be attractive to global investors.¹⁴³

Nevertheless, the regulation of the global public sphere can ultimately of course not only be entrusted to the discretion of economic organizations and non-governmental institutions with insufficient democratic legitimation.¹⁴⁴ Even the shrewdest incentive scheme cannot replace institutions of mandatory law. Not every conflict can be settled by mediation, not every tension can be bilaterally or multilaterally lifted, and not every outrage can be overcome by *naming, blaming, and shaming*.

¹³⁹ See Andrea Amaro & William Miles, "Racing to the Bottom for FDI? Changing Role of Labor Costs and Infrastructure," *The Journal of Developing Areas* 40:1 (2006).

¹⁴⁰ See Andreas Georg Scherer & Guido Palazzo, "Toward a Political Conception of Corporate Social Responsibility: Business and Society seen from a Habermasian Perspective," *Academy of Management Review* 32:4 (2007).

¹⁴¹ See David M. Konisky, "Regulatory Competition and Environmental Enforcement: Is there a Race to the Bottom?," *American Journal of Political Science* 51:4 (2007).

¹⁴² See Jagdish N. Bhagwati, *In Defense of Globalization* (New York, 2004).

¹⁴³ C. Lattemann, "On the Convergence of Corporate Governance Practices in Emerging Markets," *International Journal of Emerging Markets* 9:2 (2014).

¹⁴⁴ See Sangeeta Kamat, "The Privatization of Public Interest: Theorizing NGO Discourse in a Neoliberal Era," *Review of International Political Economy* 11:1 (2004).

That has been unpleasantly confirmed by the *global governance* crises of recent years. While, that is, for some aims of humanity, the flexible approach of a creeping regulation through *global governance* proves to be perfectly appropriate, other aims are, in my opinion, better provided for through classical *government* institutions, which is why the speculation about an institutional optimization of humanity's global legal representation in no way appears idle.¹⁴⁵

In every case, a global domestic policy practiced by everyone in the name of freedom has to press for inclusive participative procedures. If, for instance, the principle of "one man, one vote" holds true on the national level, why not – we need to ask from a liberal perspective – also apply it on a global level?¹⁴⁶ Certainly, there are many *pragmatic* reservations (in rich countries), as to what might happen if one involved every global citizen equally (including those of poor countries) in the decision-making about questions of *global governance*. Yet, the *ethical* validity of these reservations seems questionable to me,¹⁴⁷ especially so far as we postulate freedom – procedural and substantial – as a basic right of every single person as such. In short: "Everybody matters."¹⁴⁸ I believe that the creditability of liberalism stands and falls with the resoluteness of liberals to strive for the globality of autonomy and, on the global level, to speak up for a "solidary liberalism."¹⁴⁹

From a liberal and cosmopolitan perspective, therefore, we must strive for a global order which can cope with those ramifications of individual, corporative, and state action that affect the global sphere.¹⁵⁰ For while problems arising within the state's territory (can) often become neutralized by national legislation (that is, via the so-called internalization of negative external effects) this is yet to be accomplished on the global level. Liberals should thus fight decidedly for a global economic law and for a global penal law with sufficient sanctioning powers, in addition to striving for an effective political representation of the world's entire population. The current global economic and legal order's legitimacy-deficit, the non-binding nature of its regulations, and its inability to sanction, clearly opposes the idea that all people should be able to autonomously determine the quality of their freedom.

Through whichever procedures and processes the global community seeks to make headway with these questions, the guiding perspective for selecting appropriate means to advance its ends can be outlined with clarity: Instead of a world of quantitatively boundless possibilities where only a few can attain everything, we

¹⁴⁵ On this, see the observations of the World Federalist Movement (<http://www.wfmi.org>)

¹⁴⁶ See Parijs, *Real Freedom For All*, 228f.

¹⁴⁷ Peter Singer, *One World: The Ethics of Globalization* (New Haven, CT, 2002).

¹⁴⁸ "Everybody matters: that is our central idea. And it sharply limits the scope of our tolerance" (Appiah, *Cosmopolitanism*, 144).

¹⁴⁹ See Parijs, *Real Freedom For All*, 232.

¹⁵⁰ See Charles R. Beitz, "Cosmopolitanism and Global Justice," *The Journal of Ethics* 9:1/2 (2005).

should strive for a world of qualitatively meaningful realities where significant chances are available to everyone. I believe the fascination for freedom will grip everyone, once we assert its indivisibility and assume the cosmopolitan responsibility this requires. The world was, is, and remains, the common property of all humanity – and it should be treated so as well: in the service of the promotion of the qualitative freedom of all.

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