



# A commentary on 'liberty and security' by 'Conor Gearty'

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Abstract

At the turn of the seventeenth century, the egalitarian impulse driven by the age of enlightenment induced the democratic shift in the Western world. This egalitarian whim was, at least in principle, rooted in the ideals of liberty and security for all. Despite the uncertainty over the exact meaning of liberty and security, they are universally acknowledged as "positive forces" fundamental to democracy.

This book appraises liberty and security at the pre, past and post-democratic levels. The pre-democratic era was characterized by monarchial, authoritarian and totalitarian states, in which liberty and security was openly and characteristically for a "select few", the elite of the society. The turn of the seventeenth century witnessed the rise of democracy, which primarily emerged to challenge this pre-democratic selective arrangement as ideas of liberty and security for everyone were advanced. The post-democratic era, or as the author calls it "neo-democracy" (p. 4) refers to the recent changes in democratic practices with various pre-democratic facets silently crawling their way back in and finding popular acceptance.

Where in the pre-democratic era, liberty and security were openly and explicitly for a select few, in the neo-democratic era they covertly serve the same purpose under the guise of universalism. It is this recent post-democratic transition or the neo-democratic turn, which is at the heart of discussion in this book.

A fundamental contribution of this book is to show how and why this transition to neo-democracy (where universalism of liberty and security has been compromised) happened. It traces the origins of liberty to the English civil wars of the seventeenth century that eventually paved the way for democracy in England and

from here to the rest of the world.

The book points out how the ideas of „levellers“, a political group that emphasized on a system of representative, responsible, accountable and democratic government (p. 10) initially prevailed over the Hobbesian absolutist philosophy (although their success was limited). This is a very interesting, not to mention, intriguing highlight. It explains the break from the pre-democratic despotic arrangement as liberty and security were realized to be universal values, which should be equally available to all.

With the rise of the democratic age, it appeared as if the egalitarian dream was finally coming true. However, this transition to democracy soon proved to be incomplete and imperfect. This is because, as Gearty brilliantly points out, the democratic ideals of universal liberty and security were never fully materialized. These ideas were not „forged afresh“ but were rather grafted along a „pre-existing society that had been designed for the few“ (p. 4), „on an earlier unjust status quo“ (p. 14). The democratic society was rather constructed „as a kind of compromise between power and people“ (p. 18). The elite and the stakeholders allowed only for a „change from within rather than in opposition to existing structures“ (p. 16). Therefore, despite the apparent success of the Levellers, we find that it was eventually Hobbes who emerged triumphant, because although what the Levellers emphasized remains true in theory, even in modern day, it is essentially the Hobbesian philosophy that exists in practice.

Thomas Hobbes was an imperialist who advocated for absolute sovereign authority. His ideas of liberty and security for all were designed in way to accommodate complete obedience of the leviathan (the state). His

theories mainly argued that the liberty of the individual could be smashed if Leviathan judges such actions to be essential for the safety of the state (p. 19). Hobbes's triumph over the Levellers explains the disparity between the theory of universal liberty and its selective practice. This truly is a startling and a disturbing revelation.

The book then looks at the recent developments and the contemporary world order. An examination of the recent and the current political developments reveals that the modern world is more in line with the Hobbesian philosophy than with the Levellers ideology. The roles of United Nations, US and Britain- the self-proclaimed custodians of universal liberty and security, are discussed and analyzed in detail.

Gearty particularly focuses on their roles in the aftermath of the September 11 attacks. The UN, which is regarded as the „citadel of liberty and security“ (p. 46), the „epitome of the drive to universalism“ (p. 32), by its nature and composition demonstrates Hobbesian ideals at work. It is not the General Assembly (where principles of universality are applied) but rather the Security Council (a group of selected few) that possesses real power. In practice, there is nothing democratic about UN's decision-making process, yet in theory it is a collective body of all countries.

The second half of the twentieth century witnessed a mushroom growth of democracies all across the globe. Most of these post-colonial and post-totalitarian countries that were already „insecure in their move towards true democratic culture“ (p. 55) have benefited immensely from the UN counter-terrorism initiative. Where all such regimes were struggling to make a transition to real democracy, the Western war on terrorism, without any definition of terrorism, extended them the opportunity to make only a partial transition through undermining the fundamentals of democracy; rule of law and human rights.

Hence, the new democracies, instead of striving for real democratic values have started evolving into neo-democracies, where democratic ideals are reserved for a select few and the liberties of others are frequently trampled for the formers sake. „The movement is not only that of the new democracies towards neo-democracy“ the old democracies are also in line with them. Together „they seem to be meeting in the middle with the UN“ (p. 71).

The numerous human rights violation witnessed throughout the world as a consequence of counter-terrorism policies prompted the UN and various countries to opt for „reform“ (instead of abolition of such practices). Intricate legal and official processes have been constructed to „give a greater sense of fairness“ (p. 45). Paradoxically all such so-called improvements and changes have further entrenched the „defective whole more deeply in law and culture, making the previously unthinkable part of the new normal“ (p. 85). This reflects the shift to neo-democracy- formulating policies and

procedures with the appearance of universal freedom and concern for human rights but in reality possessing very little of such substance. Thus, „instead of openly rejecting the principles of democracy, the rule of law and respect for human rights“ (p. 92), they incorporate these values in theory but fail to follow them in practice. These double standards are hallmarks of neo-democracy.

The book uncovers the harsh reality that those who enjoy liberty and security in theory and practice continue to tread on the liberty and security of others, yet at the same time they are able to somehow „persuade themselves to believe that the liberty and security, which they enjoy are universals available to all“ (p. 111). It is this state of cognitive dissonance which the author sees as a defining feature of neo-democracy. Gearty points out that „if neo-democracy was to be summed up in a single phrase, it would be collective self-deception“ (p. 112). The US drone attacks in the tribal areas of Pakistan continuously undermine the country's sovereignty and regularly violate human rights and liberty of the concerned population. Yet, majority of the American public chooses to remain silent about it as their government assures them that these security measures are necessary for their liberty. As Gearty points out that their liberty is not ours and our security, therefore, must trump their freedom every time (p. 40).

An examination of the contemporary global order particularly in the light of global war on terrorism reveals an upsetting return to Hobbesian ideals- where the sanctity of state is more important than the liberty and security of individuals and anything that challenges the state or the status quo must be crushed (p. 25-26). Legislating on terrorism without any definition shows that the phenomenon being fought is not even understood and much of what states claim to be terrorism are merely oppositions that question or challenge their authority. This Hobbesian attitude has, through the ages, consistently undermined any kind of radical political speech and revolutionary ideas, which when seen through the Hobbesian lens, were activities that threatened the state.

The Marxist, fascist and other revolutionary ideas that are much loathed today have been constructed and projected by neo-democracies as „evils“ in the society because they challenge or simply question the existing status quo. The democratic ideals have thus been distorted in a way to reject and suppress anything that challenges the state. The majority of the population in the modern democracies simply does not care about this, as long as it is not them who are threatened by it (p. 80).

It is time we acknowledge that democracy and what it actually entails is not what the state dictates or projects. Various revolutionary ideas that seek to redress social inequalities in a way that improves human rights situation and extends liberty to all are much closer to real democratic ideals. Neo-Marxism, for instance, aims to

address the shortcomings of the original Marxist ideology and possesses great emancipatory potential for redressing social inequalities. But due to the stigma attached to Marxism and all ideologies that even question the existing status quo, all such revolutionary ideas are downgraded, viewed with skepticism and projected as threats to democratic ideals of universal liberty and security.

This book is an eye opener for us, the select few, the privileged ones, who benefit from liberty and security and incredibly assume these to be universal values enjoyed by all. It reminds us of what democracy really stands for, why it was strived for in the first place- before the Hobbesian ideals become further entrenched and neo-democracy or collective self-deception becomes the „new normal“ and the real meaning of democracy as envisioned by the Levellers is lost forever.