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THE REVIEW

Boss Nova

By *Carlin Romano*

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Harvard Law's Roberto Unger takes on the future of Brazil

The
Academic Life

Think of Roberto Mangabeira Unger as Brazil's answer to John Stuart Mill — a century and a half later and considerably nattier — with a pronounced Nietzschean bent that drives him to certain acts of excess.

Take the attitude of this political philosopher extraordinaire, the Harvard law professor widely regarded as leader of the critical-legal-studies movement that roiled American legal academe in the 1980s, toward books. He's loved them as long as he can remember.

During his teen years in Rio de Janeiro, recalls Unger, gazing out the enormous windows of the ministry he now leads in this country's modernist capital, he ordered so many foreign tomes that Brazilian authorities grew suspicious.

"I got a telegram from the Customs," explains the wiry 61-year-old minister of strategic affairs, "saying that the frequency and the quantity with which I received

books indicated that I was a nonregistered merchant and the books were therefore impounded.”

Unger — or “Mangabeira,” as all Brazilians call him — laughs in a rapid-fire giggle, as if revealing the ambitious bad boy behind the player who now sits in a green-tinted

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leaders while driving his brilliant young staff (which includes a couple of former Harvard master’s students) through 14-hour days. Listen to him scold an Al-Jazeera interviewer who’s squawking false facts (he insists) about Amazonian deforestation into his earpiece. Watch him steal moments to look at the copy he’s carrying around of Carlos Masmela’s *Hegel: La Desgraciada reconciliación del espíritu*.

How could a true avatar of Mill end up in a vast, wood-paneled, largely empty office on the eighth floor of a ministry with nary a bookshelf to be seen? In an office so bereft of personal effects that Unger could grab his brown leather satchel and clear out in 10

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minutes? Why would he opt to be so far from wife Tamara Lothian (who teaches law at Columbia) and his four children in the United States, in a mostly unfurnished apartment in the Niemeyer-mandated housing blocks that make up this hyperplanned city’s “residential sectors”?

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a child and become a naturalized citizen, returned to New York City with Unger’s mother, Edyla Mangabeira, a Brazilian poet and feminist journalist — and their new addition. Unger spent his childhood on Manhattan’s Upper East Side and attended the private Allen-Stevenson School.

Unger’s mother and father met during his maternal grandfather’s eventual exile in the United States. Octávio Mangabeira was a great liberal politician from the state of Bahia, a former professor of astronomy whose star rose after his 1910 public lecture on Halley’s comet mesmerized the locals. His grandfather, explains Unger, served as

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Brazil's minister of foreign affairs in the late 1920s before the dictatorship of Getulio Vargas forced him out of the country.

“He was a very great influence on me,” says Unger, making clear over a week of conversations that he remains the greatest political influence. “My parents would

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If Unger's grandfather transformed him into an embryonic politician, his mother provided his “awakening to philosophy.” When he was 7, Unger remembers, “my mother read to me Benjamin Jowett's translation of Plato's Republic, and that aroused my imagination very powerfully.” He began to seek out works by and about philosophers.

Brazil, however, turned out to be “immensely hierarchical,” with “terrible” schools open “only a few hours in the morning.” That permitted Unger to continue the

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autodidact agenda that marked him as a precocious student by the time he moved from high school to five years of law school in Rio.

Unger planned to study abroad after law school, then combine part-time academic life, lawyering, and politics. He felt comfortable mixing academic and political

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for the tardy arrivals to get special mentoring. That would aid his own rise to appointment at the school.

“A member of the law faculty would come once a week and describe the general ideas of his subject to us,” Unger recalls. It gave him an opportunity “to debate with a large percentage of the members of the Harvard Law faculty in succeeding weeks.” He got to know the law faculty “very early.”

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Unger had already, in Brazil, written the substance of what would be his thesis on the comparison of legal doctrine, theology, and grammar. He presented it to Charles Fried, his adviser, who “said it was fine, and that was that.” He thus finished his official LL.M. work in his first few days, permitting him to devote the year to taking and auditing courses.

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Unger, “I said no because of the code of honor that kept me from saying yes to a figure in authority. ... And he just laughed and shrugged his shoulders, and that was that. Basically no Harvard Law School dean since then has ever asked me for anything.”

Tenure, at age 29, came in 1976. Roberto Mangabeira Unger, world-class philosopher, was on his way.

As a thinker, Unger established, beginning with *Knowledge and Politics* (Free Press, 1975), an ambitious and occasionally forbidding abstract philosophical style closer to

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his German heritage than his Brazilian one (Unger scoffs at such etiological explanations). Scholarly reactions to Unger’s work have ranged from over-the-top praise to dismissive contempt.

The high point of Unger’s profile came in the late 80s, after he published his

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In contrast, Stephen Holmes blasted Unger’s 1,140-page *Politics* in a *New Republic* review headlined, “The Professor of Smashing: The Preposterous Political Romanticism of Roberto Unger.” In that treatise, Unger argued repeatedly for a “radical project” of “context-smashing” that would usher in a “complete remaking of society.” Holmes groaned that “a more repetitive attack on repetitiveness is difficult to imagine.” Holmes savaged Unger for a “riot of inconsistency” and “overdose of rhetoric,” as well as out-of-control Nietzscheanism in his demand that we “cleanse social life of its taint of enslavement.” Galston zapped Unger for a failure to realize that

“aggressive contempt for social democracy does not promote the fulfillment of radical aspirations.” Sunstein conceded Politics’s “impressively learned” character but found it a “seemingly self-contradictory work” that “ultimately points in the wrong direction.”

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Mark Tushnet, a law professor at Harvard and constitutional-law expert long associated with the CLS movement, agrees that CLS has left its mark and that many legal scholars “continue to do work that’s identifiably in the tradition.” Tushnet credits CLS with influencing “critical race theory and critical feminist theory” in American law and reviving “strong versions of American legal realism after its impact had faded.”

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Law, in any case, struck Unger as just one “terrain” for institutional imagination, and his CLS work as “a subordinate part of my general intellectual project.” Primarily, he says, he cared about “the imagination of alternatives in the world.” Always a “connoisseur of systematic scholastic constructions,” he says he was never “really attracted to the content of Marxism.” For him, “the categories of Das Kapital were very

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As a result, Unger rejects social theories that take merely piecemeal approaches to problems instead of connecting them to big-picture re-evaluations of society’s core structures. That critique lies behind his most recent philosophical book, *The Self Awakened: Pragmatism Unbound* (Harvard, 2007), which he says “gives the best access” to his up-to-the-minute thinking. (Yale University’s Bruce Ackerman has called it “an important contribution to an important conversation” by “one of the very few creative political philosophers of our time.”) In it, Unger draws on American pragmatism while complaining that it’s too conservative, urging a “radicalized” pragmatism that breaks through to systematic imagination, and fresh ideas such as his

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bold claim there that laws of nature are not eternal but evolve over time. In his current spare moments in Brasília, he's writing, with the physicist Lee Smolin (*The Trouble With Physics*), a book on the subject.

Tushnet observes that Unger's "recent work is read more outside of law than within

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intellectual in the dusty steppes."

After returning to Harvard, Unger became a weekly columnist for *Folha de S. Paulo*, Brazil's leading paper, writing largely policy-oriented pieces. True to his Hegelian desire to see larger truths emerge from smaller dialectical struggles, he says his ideas for Brazil, "far from being a mechanical application of my general theories, were often developed out of my Brazilian experience."

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And there's no question that Unger's concrete political ideas over the years have been distinctive and visionary. At various times in his writings, he's urged a government department of destabilization to shake up "every aspect" of social life, a push toward universal freedom of movement for the world's people, "immunity rights" that protect people against undemocratic coercion, and a rotating capital fund from which

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of acceding to the presidency and, in the course of this struggle for central power, changing things in the direction I desired.”

His main ally for many years was Leonel Brizola, a two-time governor of Rio de Janeiro. Unger had long thought that the Brazilian government, historically attentive to “the organized minorities of the rich Brazil, the Southeast of Brazil,” should pay more attention to “the rest of Brazil, the unorganized majority.” Brizola seemed an ideal partner. Unger helped Brizola run for president twice, but Brizola lost. Later, Unger also advised another presidential candidate, Ciro Gomes, but he lost too.

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“In retrospect,” Unger comments drily, “I committed the classic mistake of the philosopher in politics, which is to try and find someone else to do the work. My belief was that once the right agent had been identified, I could get back to my books.” Ever since childhood, he admits, he has been “attracted to the monastery or to the battlefield, to withdrawal and to struggle, and repelled by what lies in between — the

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aggressive change in a second term. When Lula faced a runoff after the first round of Brazil’s 2006 election, Unger says, Lula’s “people asked me to make a statement on the television supporting his re-election, and I did so. He was elected.”

Here the story begins to sound like politics as usual. Soon after, Lula’s “people,” Unger explains, “began to work for my appointment.” Asked if it was a straight quid pro quo, Unger responds, “No, of course not.” In April 2007, Lula invited Unger for two long conversations in Brasília, then offered him a new position running a “Secretariat for

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Long-Term Actions.” Unger accepted, informing Lula that he’d start after finishing his Harvard semester.

That began a struggle over Unger’s post. Opponents of Unger tried to undo the invitation. Newspaper stories suggested Lula didn’t really want his former critic to take

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Unger. “Mangabeira Unger is very focused on building partnerships between Brazil and the United States. In fact, we were just talking about a trip for some of his staff to go to Washington, not yet announced, to be followed by the minister himself making his own trip to Washington soon thereafter.”

Unger is ideally situated to test his visions. Brazil, as he remarks, has always had a tradition of “blueprints for the reorganization of the world,” and while he rejects any such thinking that targets precise empirical outcomes rather than a “direction,” it can’t hurt to have a whiff of sober utopianism in the air. In addition, he’s operating in

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Brasília, the instant capital created in the middle of nowhere in 1960 by President Juscelino Kubitschek, one of the modern world's most spectacular urban projects.

The press, initially hostile, has become intrigued, even as Unger admits his formal style does not always go over in Brazil. "I don't have this Brazilian manner of

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policy. "It was a great day for me," Unger agrees. Six days later, Brazil's minister of the environment, feeling slighted, resigned.

Asked for an analysis of his effectiveness so far, Unger says everything has gone far better than expected. He recently signed a collaborative agreement with Russia. He's pushing Brazil's business and labor communities to do better by the country's many "excluded" workers. He travels regularly to the Amazon as the government's top strategist.

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“I have the only position in the government that is about everything, except for the position of the president,” Unger exults. “He has all power, and I have none. But I have one advantage over him. I don’t have to manage daily crises. I’m therefore free — as he is not — to deal with the future and to deal with our direction. It’s been fantastic.”

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Unger says he’ll decide what to do next year. If he returns to the United States, it could be under the administration of a former “terrific” student named Obama, with whom he’s “kept in touch.” As is the case with his office, packing up the apartment won’t strain him. The only objects in the cavernous living room are two Giacometti-like metallic figures he picked up in Brasília.

Suddenly the old contracts professor again, Unger asks his guest: “Can you identify them?” Why yes — Don Quixote and Sancho Panza.

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“Aren’t they beautiful?” Unger asks.

They are. Isolated in the middle of the floor, they look lonely but committed. Only time will tell if they’re prophetic.n

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