

# SOCIAL THEORY AND POLITICAL PRACTICE: UNGER'S BRAZILIAN JOURNALISM

William H. Simon

Roberto Mangabeira Unger is a citizen of Brazil. While working on *Politics*, his large-scale treatise on social theory, he has been active in his country's politics. Among the fruits of these activities is a series of political and programmatic commentaries on Brazil published in the Brazilian press. The commentaries apply the style of political analysis and the general political program elaborated in *Politics* to the recent circumstances of Brazil. Thus, they give an extended illustration of Unger's general social theory.<sup>1</sup> At the same time, they exemplify a form of political writing that attempts to combine ambitious critical social theory with popular journalistic policy discussion.

Unger's major journalistic efforts, on which I will focus here, are two series of articles published in the largest Brazilian newspaper, *A Folha de Sao Paulo*. The first is *The Country in a Daze*, a seven-part essay published as part of a special supplement entitled *Brazil After Geisel* in January 1979.<sup>2</sup> The second is *The Transformative Alternative*, consisting of fourteen linked pieces published separately on the paper's "op-ed" page between December 1984 and April 1985.<sup>3</sup>

---

<sup>1</sup> Some of the themes of the Brazilian pieces are summarized in SOCIAL THEORY at 67-79.

<sup>2</sup> Unger, *O Brasil Depois de Geisel: O Pais As Tontas* [Brazil After Geisel: The Country in a Daze], *Folha de Sao Paulo*, Jan. 14, 1979, Caderno Especial. This and the Brazilian publications cited in notes 3, 6, and 11 are on file in the Harvard Law Library and at the *Northwestern University Law Review*.

<sup>3</sup> The series, entitled *A Alternativa Transformadora* [The Transformative Alternative], consists of the following pieces, each published on the "op-ed" page (page 3 of the "Opinao" section) of the *Folha de Sao Paulo* on the indicated date: (1) *O Problema e a Tarefa* [The Problem and the Task], Dec. 20, 1984; (2) *A Estrategia Politica da Transicao* [The Political Strategy of the Transition], Dec. 27, 1984; (3) *A Economia Politica da Transicao*, [The Political Economy of the Transition], Jan. 3, 1985; (4) *Uma Trajetoria Economica—Primeiro Estagio* [An Economic Trajectory—First Stage], Jan. 3, 1985; (5) *Uma Trajetoria Economica—Segundo Estagio* [An Economic Trajectory—Second Stage], Jan. 9, 1985; (6) *Uma Trajetoria Economica: A Politica de Conjuntura* [The Politics of the Short Term], Jan. 17, 1985; (7) *O Ideario Constitucional: Pontos de Partida* [The Constitutional Ideas: Starting Points], Jan. 27, 1985; (8) *O Ideario Constitucional: O Presidencialismo Reformado* [The Constitutional Ideas: The Presidential Regime Reformed], Feb. 14, 1985; (9) *O Ideario Constitucional: A Burocracia Subordinado* [The Constitutional Ideas: The Bureaucracy Subordinated], Feb. 15, 1985; (10) *O Ideario Constitucional: A Decentralizacao Antioligarquica* [The Constitutional Ideas: Anti-oligarchical Decentralization], Feb. 19, 1985; (11) *O Ideario Constitucional: O Estado E As Organizacoes Populares* [The Constitutional Ideas: The State and the Mass Organization], Feb.

Unger's journalistic style in Portuguese differs little from the style of his theoretical writings in English. It eschews jargon, portrays abstract ideas with high drama, resorts constantly to dialectical (thesis-antithesis-synthesis) exposition, sweepingly and often ironically characterizes people and events, and is occasionally unabashedly hortatory. If one compares this work to the journalistic efforts of some of the classic social theorists, it resembles those of Marx and Keynes in its flair for dramatizing current events by infusing them with broad historical significance and in its ability to criticize contemporary figures through pithy characterization.<sup>4</sup> But Unger's journalism seems more integrated with his social theory than that of Marx or Keynes. Unger makes more of an effort to portray his general theoretical scheme in his journalism; much of the two *Folha* series summarizes major sections of the argument of *Politics*. In some respects, Unger's Brazilian writings seem more in the style of *The Federalist Papers* and the eighteenth century pamphlet literature from which it arose. Like *The Federalist Papers*, Unger's articles quite explicitly and systematically expound a general social theory in the course of addressing current political issues and events.

I propose to describe the analysis in Unger's Brazilian journalism, especially the two *Folha* series, that addresses most directly the circumstances of Brazil. What follows is partly interpretive summary, partly close paraphrase. I have supplied a few basic background facts about Brazil, but otherwise the account is drawn entirely from Unger's work.<sup>5</sup>

## I. BRAZIL IN A DAZE

At the beginning of 1979, when *The Country in a Daze* appeared, Brazil seemed on the threshold of political liberalization. Increasingly divided internally, the military regime that had seized power in 1964 confronted economic stagflation and political challenge from a variety of newly invigorated forms of popular mobilization, including the industrial unions, rural workers, urban squatters, liberal professional organizations, and church-affiliated social action groups. The Geisel administration had moderated official violence, made concessions to civil liberties, and ac-

---

27, 1985; (12) *O Ideário Constitucional: O Direito de Desestabilizar* [The Constitutional Ideas: The Destabilization Right], Mar. 7, 1985; (13) *O Problema Militar* [The Military Problem], Mar. 28, 1985; (14) *A Política das Relações Pessoais* [The Politics of Personal Relations], Apr. 3, 1985. Related pieces published during this period are *A Crise Que O Brasil Ainda Não Conhece* [A Crisis That Brazil Has Yet to Recognize], Jan. 3, 1985; *A Opção Partidária dos Socialistas Brasileiros* [The Party Option of the Brazilian Socialists], Mar. 19, 1985; *Diretas-já* [Direct Elections Now], Nov. 23, 1985.

<sup>4</sup> See J.M. KEYNES, *ESSAYS IN PERSUASION* (1931); K. MARX, *The Eighteenth Brumaire of Louis Napoleon*, in *THE MARX-ENGELS READER* 594 (R. Tucker 2d ed. 1978).

<sup>5</sup> For relevant background on Brazil, see REDEMOCRATIZING BRAZIL (A. Stepan ed. forthcoming 1987); P. EVANS, *DEPENDENT DEVELOPMENT: THE ALLIANCE OF MULTINATIONAL, STATE, AND LOCAL CAPITAL IN BRAZIL* (1977); R. WESSON & D. FLEISCHER, *BRAZIL IN TRANSITION* (1983); Lothian, *The Political Consequences of Labor Law Regimes: The Contractualist and Corporatist Models Compared*, 7 *CARDOZO L. REV.* 1001 (1986).

ceded to a series of electoral reforms that seemed capable of leading to a relatively open political system. Geisel was scheduled to step down in March 1979, to be replaced by Joao Figueiredo, a military candidate apparently committed to liberalization.

The dominant focus of *The Country in a Daze* is that of *Politics*—the way ideas create and limit possibilities of transformation. Unger portrays Brazil in one of those situations for which *Politics* evokes passionate interest: the established preconceptions about social organizations have been unsettled but not replaced. The limits of possible transformation have become blurred. Everyday struggles and ordinary ambitions now sometimes appear to implicate larger social projects. The distinction between fighting within the social system and fighting about the system, between the practical and the visionary, has become harder to draw.

Unger rejects the two most influential interpretations of the situation: the technocratic authoritarianism of the military regime's adherents and the Marxist or deep-logic social theory of the leftist intellectuals. According to the former, only by repressing or dampening social conflicts and permitting the further enrichment of the already wealthy can the nation achieve the savings and investment necessary to economic growth. Concessions to popular consumption are appropriate only as strategic maneuvers to stave off disruptive protest or as part of a gradual long-term plan for the incorporation of fragments of the populace into the regime. According to the latter interpretation, the military regime is the creature of its contradictory position in the class structure—a petty bourgeois group in the service of the high bourgeoisie, crudely imitating its masters but at the same time deeply resenting them. Transformative politics must await the exacerbation of these contradictions and the undermining of the regime by economic crisis and consequent revolution.

In fact, the history of the military regime does not bear out either interpretation. Contrary to the first interpretation, there are possibilities in Brazil for combining economic growth with democracy. These possibilities result partly from an important development that the second interpretation ignores or denies: the course of economic development sponsored by the military regime subverted part of the power of the capitalist class in a way that went far beyond an expression of resentment, though it stopped far short of revolution. Moreover, the disintegration of the military regime has not occurred primarily through economic crisis, and it is neither necessary nor possible to await some profound economic crisis in order to fight effectively for democratization.

Unger pursues the theme of political possibility through examinations of Brazil's military, economy, class structure, and culture. Throughout, as in *Politics*, he portrays patterns and institutions that have structure but that preclude any deep or rigid logic; that are creatures of purposeful social activity but that often escape the purposes and even

understanding of their creators in sometimes surprising and ironic ways; and that generate multiple possibilities for elaboration and development.

### A. *The Military*

Unger sees in the conventional maneuvers and disputes of everyday political life a structure defined by interests and by preconceptions about social possibilities. In the case of the increasingly insecure military regime of 1979, this structure takes the form of five dilemmas.

The first revolves around the constitutional facade of military rule. On the one hand, the complete abandonment of constitutional pretensions would expose the regime to serious risks. It would alienate segments of the regime ideologically committed to "relative democracy." More fundamentally, it would further politicize the military to an extent that its own members might find alarming. In the absence of programmatic consensus within the regime, the military has depended on the restricted legislative and party system it has tolerated to resolve political disputes that arise within its leadership. Without this system, such disputes would have to be resolved entirely within the military. In this situation, the military would be highly vulnerable either to factionalism or to charismatic authoritarianism (*caudilhismo*). On the other hand, democratic concessions almost inevitably encumber the regime. The electoral process legitimates opposition, and the call for further democratization mobilizes and unifies the opposition. The opposition can occasionally thwart the regime in unanticipated ways through the electoral machinery, thus necessitating either unwilling substantive concessions or embarrassing and delegitimizing retractions of previous electoral concessions. And the regime finds it difficult to cabin the political participation of the lower classes so as to prevent such participation from spreading conflict beyond the range acceptable to the electoral system.

The second dilemma concerns the means by which the military might extricate itself from its situation. To legitimate a formula for transition to a civilian regime, the military would have to negotiate with organizations representative of broad segments of the population. Yet the regime's political practice undermines the capacity of existing organizations to represent broad segments of the population. The regime refuses to strengthen or create representative organizations for fear of losing control of them. Existing organizations are strong enough to harass the regime, for example, in the congress and the press, but they are too weak to perform the representative function needed to legitimate a political transition.

The third dilemma concerns the attempt to maintain cohesion within the military regime. Basically, there are only two ways to accomplish this. One is constant deliberation among the officer class as a whole. However, this approach promises to turn the military corps into a forum of debate and intrigue. The other way is to concentrate power in

a small circle of high officials, and ultimately, in the current president. Yet this approach would isolate the regime, already isolated from the rest of society, from the military itself.

The fourth dilemma arises from the divergence between the reigning fantasies of capitalist development and the realities of government control over the economy. If the regime limited itself to subsidizing capitalists without any control over the allocation of investments, it could not plausibly hope to achieve a satisfactory level of economic growth or a measure of independence from foreign capital. Thus, the regime is driven toward policies of economic control both by the need to protect its economic goals from private investors and from its desire not to be seen by the nation as the investors' lackeys. These controls earn it the ingratitude of big business without ingratiating the middle classes. To appeal to the latter, it would be necessary either to adopt policies of open-handed redistribution or to refocus the economy away from luxury consumption and expensive consumer durables, toward the more modest consumption goods of the urban and rural petty bourgeoisies. But such measures are unacceptable to the regime. Thus, the regime has committed itself to policies that isolate it even from the sectors of the society that it has most benefitted.

The fifth dilemma is the most fundamental. It arises from the military's aversion to strong leadership. If the officers could find among themselves a person of shrewd judgment, political talent, and popular appeal, they would fear him. Such a person would push the regime to take risks other than the ones of procrastination and obliviousness that the military is willing to run. This attitude has caused the elevation of official mediocrity from an unfortunate habit to a sacred principle. "For fear of political lions, Brazil is governed by political ostriches." Thus, the distance between the severity of the nation's problems and the capacity of the government to deal with them increases.

The common theme of the five dilemmas is a fatalistic sense of the inevitability of impasse. Failure of vision leaves the military regime incapable of taking the initiative and subjects it to the constant sense of being dragged along by events.

### B. *The Economy*

Brazil's political economy presents a distinctive variation of the general problems common to the economies of the relatively wealthy capitalist nations. The general pattern (which is analyzed extensively in *Politics*) is this: The government commits itself to stimulating and maintaining economic growth by augmenting demand. In the early stages of the pattern, production and purchasing power can be increased together with relative ease because there is substantial idle capacity. New workers can be added to existing enterprises without difficulty. The government absorbs part of the newly created wealth and uses it to generate further

demand through public expenditures and transfers. But the capitalists rarely respond to the increase in demand with the kind of ambitious investments needed rapidly to expand capital stock and increase productivity. They prefer a slower, more cautious rhythm of investment. Why? Because they distrust the willingness of the government to protect their profit margins and defend them from the demands of their workers. And they fear that the state will deprive them of their gains through taxation. The consequent slowness with which output and productivity expand in relation to demand contributes to inflation and aggravates the conflicts between employers and workers, as well as conflicts between different groups of workers. The government then feels compelled to fight inflation through fiscal austerity or monetary contraction. This policy is typically strong enough to provoke recession but not strong enough to control inflation. When the government again ventures to foster growth, it again resorts to fiscal and monetary demand-stimulation measures that entail the same problems. The large early gains in national wealth become a thing of the past.

The core of this pattern is a particular relation between government and the capitalists. On the one hand, no matter how redistributive the officials' ambitions, they cannot ignore the capitalists' interests. If a government of the left undertakes to redistribute too much or to curtail drastically control over capital, the capitalists withdraw their investments: economic growth stalls, inflation grows, the electorate becomes disillusioned, and the party in power finds itself abandoned by many of its former friends. On the other hand, no matter how pro-capitalist their loyalties, the officials have difficulty giving the capitalists the degree of support and security they require to make the level of investment needed for high productivity and employment. The required level of support and security would affront widely held notions of social justice. It would also subject government policy more and more to the discretion of big business and the wealthy. Moreover, the opposition and the unions can often frustrate such attempts, and the prospect of future elections is constantly threatening to disrupt economic policy.

There are two approaches to breaking the control that private capital and management exercise over the conditions of collective prosperity and to resolving the difficulties that arise from this control. First, the regime could consolidate a nationalized leadership sector of the economy. Second, it could try to influence the pattern of investment by placing general restrictions on capital. Both approaches are politically difficult to implement. Capital and labor interests often try to block them. More importantly, trying to implement such policies gradually creates difficulties of transition: before new centers of development can be consolidated, the old ones contract and disintegrate, creating both material losses and the threat of electoral defeat for the reforming government.

In Brazil during the authoritarian regime, both approaches have been carried further than they have in any of the advanced capitalist countries. The brutal imperative of accumulation, the dynamic of centralization of power, the confidence that domestic and foreign capitalists placed for many years in the government, and the manipulative flexibility created by the suppression of democracy converged to make possible a powerful public enterprise sector unprecedented in Brazilian history and unrivaled among the industrialized capitalist countries of the world. The nationalized sector developed into an economic engine capable of responding to the demands of public economic planning and of establishing an investment process substantially independent of private investors, and not—as in most Western countries—into a graveyard for declining industries or a mechanism of subsidizing unionized workers. At the same time, the government acquired preeminent influence over the profitability of private investment through its control over credit, prices, and currency exchange.

The fact that this subversion of the autonomy of capital has occurred simultaneously with the unprecedented enrichment of the capitalists and the repression of the workers shows that it does not represent a deliberate assault on the high bourgeoisie. Yet this development has an important consequence. While enriching the capitalists, the military regime has undermined the basis of their power. It has created a structure that could make the nation less vulnerable to the kind of blackmail in which capitalists threaten to disrupt the economy through disinvestment if their privileges are not respected or augmented.

This line of thought suggests that the primary concern of a democratic socialist movement in Brazil—or of any reform movement—should be to safeguard and strengthen this unintended legacy of the regime of 1964. This legacy is the structural precondition for an economic policy of institutional democratization and redistribution of wealth that is compatible with economic growth. The movement must subordinate—or ideally, coordinate—policies of redistribution and support for popular consumption to the goal of maintaining growth. Without growth, efforts at social transformation would flounder in economic chaos, and violence and dictatorship would be required for the reconstruction of the society.

The relative freedom of government action in planning economic policy makes it possible to continue the process of accumulation with less deference to the interests of private investors. It facilitates the mobilization of the savings of the middle and lower classes, since a state that possesses the instruments for guaranteeing the level of profitability of the investments of the wealthy already possesses the means for substituting the beneficiaries of such protection. It could give officials the ability to re-orient private and public investments toward popular consumption and the advantage of the work force. It could permit a redistribution of

wealth through the tax system, allow the provision of social services, and permit the reform of administrative and pay hierarchies in enterprise. It could give the country the opportunity to achieve greater independence from the international capitalist system, while at the same time preserving its ability to enter into specific agreements with foreign investors.

### *C. Class Structure*

Some aspects of the Brazilian social structure seem enigmatic, especially from the perspective of the wealthy Western countries. In order to come to terms with them, one must abandon the premise that in every historical situation, classes have well-defined boundaries and that they speak with a single voice.

The first fact that requires attention has been widely observed, though the reasons for it remain obscure. The urban middle classes—the great majority of merchants, professionals, and functionaries—have never gained in Brazil the relative independence of action that distinguishes comparable groups in Western Europe and North America. This is not merely a matter of dependence on the state for favors, since such dependence is common throughout the West. More fundamentally, it is a reflection of the fact that the economic and political power of this group has been so precarious, and the obstacles to the transmission of its achieved social status to its children have been so great that the group has remained in a social and ideological ghetto. This is so despite the fact that this group furnished a large number of the politicians who governed the pre-1964 parliamentary regimes, as well as most of the lawyers, journalists, and theorists who articulated the ideals of these regimes. Politically this group has often leaned either toward a contemptuous rejection of politics altogether or toward support for the dominant elites. Occasionally it has sublimated its resentment in grand reform campaigns that did not seriously challenge the status quo, but it has never developed a transformative political practice.

Another surprising fact of Brazilian history has been less noticed but in the long run is more important. This is the relative absence of hostility among the lower classes. Basic conflicts between the organized and relatively prosperous industrial workers on the one hand and the unorganized, under-employed, and generally disadvantaged urban masses on the other have not developed in Brazil. This is especially interesting because in Brazil the industrial working class continues to be a genuine labor aristocracy even as the military regime has suppressed much of its economic freedom. In the major industrial powers of the West, conflict between the relatively securely employed and well-paid organized working class and the under-employed, impoverished, and unorganized workers is one of the decisive facts of political life—one which forms a major obstacle to a working class movement committed to social transformation.



A second conflict conspicuously absent is the one that might have been expected between the middle and lower classes in the countryside and those in the city. Brazilian industrial development has occurred at the cost of the impoverishment of Brazilian agriculture, and thus urban wages are generally much higher than rural ones. The situation cannot be explained in terms of the deal between urban and rural interests that permits the latter to share in the fruits of industrialization. This deal has always been negotiated at the level of the elites; it does not explain the conduct of the masses. Nor is it sufficient to point to the ease of migration from the countryside to the cities. Large numbers of people remain in the countryside and have economic interests there, involving such matters as the prices of agricultural products, the rates of pay for rural labor, and export policy, all of which are directly opposed, at least in the short run, to those of the urban workers. Why have conventional politicians not taken advantage of this latent conflict, as they did in many European countries, such as nineteenth-century Germany?

Each of these paradoxes contains an important lesson for the conduct of a Brazilian working class party. Consider first the case of the urban middle classes. In the two recent periods in which the state achieved substantial autonomy from the elites, it failed to win the support of these middle groups and in fact ended up antagonizing them. In the Goulart era (1961-1964), they were alienated by an aggressive populist rhetoric made all the more frightening by explosive inflation and consequent economic disorganization. The result was the aggravation of hostility between the middle classes and the politically active sectors of the masses and a close reconciliation between the middle class and the dominant elites. The subsequent military regime opened unprecedented opportunities of mobility for the middle classes, but it too failed to secure their support. They were disenchanted by the military's technocratic elitism with its open disdain for liberal rhetoric and by the modesty of the improvements in their economic position relative to that of the dominant elites. Thus substantial numbers of the middle class began to vote for the opposition party.

Although they have never gained the level of power they have sought, the middle classes have been one of the most important determinants of national politics. The attitudes of this group cannot be explained either in terms of a natural alliance of interests with the wealthy or in terms of a congenital tendency to be gulled by the ideas of the wealthy. One of the most delicate tasks of a Brazilian democratic socialist movement is to show to this group that its interests are not in conflict with such a movement. In programmatic terms, this means the protection of small property, both rural and urban; security against inflation for small investment, if necessary through the use of fiscal and monetary policy to subsidize it; the overhaul of the tax system to soak the rich and undermine inheritance; the design of public enterprises as models of effi-

ciency and channels of mobility for the children of the middle classes; the scrupulous disdain for rhetoric calculated to incite indignation and fear among the middle classes; and the reinterpretation of the ideas of Brazilian liberalism as a more ample vision of democracy.

Now consider the second mystery: the absence of conflict between the organized industrial work force and the comparatively disadvantaged, under-employed urban masses. Various hypotheses might be advanced to explain the lack of such conflict, which is strikingly characteristic of the advanced capitalist countries. First, there is the rapidity and the unsettling effect of the rural-urban dislocation. A large part of the urban lower classes consists of people who arrived from the country too recently to have acquired fixed social identities and well-defined antagonisms. Second, even the best paid workers in the large industries live in a precarious state: they lack the organization necessary to defend their jobs and prerogatives against the mob beating at the doors. Third, Brazilian capitalism prefers to industrialize with advanced machinery oriented toward production of luxury goods. Since wages represent a relatively small fraction of the costs of this kind of production, industry has often been willing to pay wages well above what the market dictates in the hope of securing the loyalty of a docile and experienced workforce.

Fourth, the workers inside and outside the privileged sector have developed a complex network of family, patronage, and friendship relationships. The salary paid to the organized workers often goes to support less advantaged people. These ties have muted the impact of disparities between the two groups. Fifth, the weakness of the union movement and its repression under the authoritarian regime have blurred the lines separating the privileged and disadvantaged sectors. Large numbers of unionized workers become employed or unemployed in accordance with the fluctuations of the business cycle. In the wealthy capitalist countries, the unorganized sector of the masses is used to reconcile the guarantees won by the union movement with the freedom of the capitalists to expand or cut back production in accordance with fluctuations in demand. The unorganized sector, which can be employed or dismissed easily, suffers the brunt of economic instability. Because the boundary between the privileged and the disadvantaged fluctuates more in Brazil than in the advanced countries, a settled line of antagonism is less likely to develop.

Sixth, the subtlety of racial mixture in Brazil—the blurring of color and ethnic distinctions within the lower classes—accounts for a distinctive facet of popular unity. Color and ethnic distinctions accentuate the distance between the elites and the poor and gives them a sense of naturalness or necessity. It encourages the lighter-complexioned members of the lower classes to aspire for easier incorporation into the white middle classes. It aggravates distrust among the lower classes and furnishes an insidious racial vocabulary in which to articulate it. In Brazil, however, no clear racial and ethnic dichotomy exists to aggravate or solidify the

economic distinctions between the privileged working class and the urban masses.

Even if all these hypotheses were confirmed by empirical research, there would remain an unexplicable element to the phenomenon. In spite of all the qualifications, the material interests of these two groups of workers are in conflict. The fact that this theoretical conflict has not become open antagonism must be credited in part to the styles of imagination and conduct that characterize the Brazilian working masses.

The absence of conflict between the privileged and underprivileged sectors of the lower classes is a valuable and unintended gift to the Brazilian popular movement. To safeguard this gift, the movement needs a specific social program. The starting point of this program would be the free, immediate, and total unionization of workers in every sector of the labor market. The more encompassing unionization becomes, the less the risk that union boundaries reflect or create hierarchical distinctions. This policy requires a principle of organization that avoids not only unionization along the lines of each separate enterprise (as in Japan), but also the limitation of each union to a single well-defined stage of the economy. To enhance both the political power of the unions and their capacity to exercise pressure on employers, they should be organized in terms of broad sectors that include all workers involved in a particular industrial or commercial area. For example, in the automobile industry, the union should include not only the employees in the large central production and assembly plants, but also the less organized and well-paid workers in the smaller satellite enterprises. The practical effect of this policy would be to weaken at the outset any conflict between aristocrats and plebes within the work force.

Other policies would also foster solidarity among the various elements of the working classes. In the short run, full employment policy would moderate tensions arising from competition for scarce jobs. In the long run, the reorientation of industry toward popular consumption and more labor-intensive technology would avoid the danger of an implicit alliance between industrial workers and rich consumers, an alliance likely to strengthen divisions within the working classes.

The other potential conflict conspicuously absent in Brazil is between the urban and rural masses. Modern regimes have favored industrial development at the expense of agricultural development, have squeezed rural producers to subsidize urban consumption, and have declined to confront the landed oligarchies that dominate the countryside through both open violence and control of political machines. This state of affairs has benefitted urban workers in some respects and swelled their ranks by encouraging mass migration from the country, but it has done little for small rural landowners and workers. The danger of this—as yet latent—conflict would increase as Brazil became more democratic and more socialist. As the rural masses became more politically active and

self-conscious, they might come to see a divergence of interest with their urban counterparts over such matters as the relative pricing of agricultural and industrial products and the distribution of government assistance between agriculture and industry.

The danger would be less severe for development strategies that seek to strengthen small and medium-scale family operations through technical assistance, credit, and marketing facilities than it would be for the strategies of consolidating agricultural production in large-scale, capital-intensive enterprises favored by the state technocrats, the urban business elite, and the leftist intelligentsia. In embracing the latter strategies, some are influenced, not only by the preconceptions of both capitalist and Marxist theory about the necessary course of economic development, but also by a fear that the former strategy would necessarily foster a large reactionary petty bourgeoisie. In fact, from the point of view of the danger of rural-urban conflict, the strategy of capital intensive industrialization is the least risky, if only because it would empty the countryside. In other respects, outside of a few areas where large scale production is already established or required by technological considerations, the petty bourgeois strategy is more promising. It would most effectively engage the talents and ambitions of large numbers of small producers and workers who have strong commitments to agriculture. It would require less capital and cause less human dislocation. And most important, it would create the basis for a vigorous and autonomous electorate in the countryside.

Such an electorate would undermine the conservative rural party machines that, aided by the disproportionate representation of rural states in the legislature, have long provided powerful opposition to progressive reform. There is no reason to assume that this electorate would be conservative. A national progressive movement seriously committed to strengthening small and medium-scale agriculture and securing small rural property should be able to win its support. The petty bourgeois strategy would also avoid further swelling the cities and thus aggravating the accompanying social problems, and it would preserve valuable forms of social life in the countryside. Finally, the petty bourgeois strategy would limit the subordination of Brazilian agriculture to the international economy. The industrialization strategy makes the economy more vulnerable to domination by foreign capital and to the vicissitudes of international commodities markets.

Unger concludes this section with a warning of the dangers for a popular movement of rigid presuppositions about the identities of its possible allies and enemies, but he qualifies the point in a way that gives it a paradoxical quality. On the one hand, dogmatic presuppositions about the possible configurations of the political map restrict the left's strategic options and hamper its capacity to imagine social transformations. On the other hand, when a political movement treats all collective divisions

as arbitrary and infinitely manipulable, it loses its grounding in a conception of goals and projects that transcends transitory party conflicts, and the fight for power becomes an end in itself. The only solution to this paradox is the attempt, always difficult and dangerous, to preserve a sense of distance between the movement's fundamental principles and its specific alliances and pronouncements. There is no rule as to when the principles require modification or abandonment of the alliances and pronouncements, and indeed experience with the latter will sometimes suggest modification of the former. Thus, the line between a movement's basic political identity and its immediate political circumstances can rarely be more than a precarious one.

#### D. *Political Reform*

In this section Unger sketches the vision that *Politics* calls "empowered democracy" which is more extensively elaborated in *The Transformative Alternative*, discussed below.

#### E. *Cultural Style*

This section is a portrait of the various strata of Brazilian society in terms of cultural style, that is "the kind of alliance worked out between the passions and institutions." Unger argues that the society's distinctive modes of sociability create and limit political possibilities and that a thoroughgoing political transformation would have to reach them.

He begins with an image of sociability that is often portrayed as the Brazilian national character but that is in fact characteristic principally of the elites. The image portrays a dialectic of cynicism and sentimentality. The sentimental dimension is expressed in the capacity to give a veneer of affection to relations of dependence and domination, in the tendency to devalue impersonal duties in favor of loyalty to family, friends, and clients; in the tendency to view the public world of work as a means of fulfilling private personal obligations; in the readiness to break established rules when they conflict with the demands of personal relationships; in the idea that amiability can excuse failures of reliability and integrity; and in the proclivity for extravagant demonstrations of affection. The cynical dimension appears in the indifference to solemn promises, obligations of work, and time schedules of every sort; in the shirking of collective tasks; in the skepticism toward ideals that would sacrifice immediate interests and personal ties to long term public goals; in the energetic quest for worldly pleasures; and in an intransigent agnosticism often masked in a confused religiosity. The sentimental and the cynical are two sides of the same coin: the cultivation of the immediate, the refusal to live for the transcendent.

This culture of the established elites has a shadow. The shadow culture is expressed in a set of institutions that convey an opposed vision of

sociability. These institutions are the church, the armed forces, and the communist political parties. In Brazil these institutions have a distinctive affinity that arises from their opposition to the established elite culture. This affinity can be seen in various themes. First, there is the importance of ideals that generate rules of conduct. Second, there is the posture of asceticism, often genuine and noble. Third, there is the emphasis on ties of organization: the sanctity of promises, the sense of individual responsibility for collective goals, the sense of personal mission brought to public undertakings. Fourth, and overlapping the first three, there is the condemnation of the established elite culture, which is identified with the nation as a whole: a desire to wage war against society and reconstruct it in the image of the shadow culture (a desire moderated in the case of the church either by sympathy for the oligarchs or by genuine Christian charity).

The urban middle classes and professional groups have no coherent attitude toward the conflict between the established elite culture and the shadow culture. At times, they zealously mimic the elites; at times, they share the indignation of the shadow. Most often, they seem to do both at the same time, thus giving a paradoxical cast to Brazilian middle class culture.

Unger argues that this polarized cultural scene is a major obstacle to transformative politics. The type of sociability that characterizes the established elite culture is incapable of nurturing civic duty, collective solidarity, and devotion to ideals. On the other hand, the isolation of the shadow culture means that its institutions define themselves negatively. Viewing themselves at war with the society, they are unable to devise means of accommodation and dialogue between their own ideas and those they believe dominate the society as a whole. Saddest of all, the established elite culture and the shadow culture are both founded on the exclusion of the masses and an inability to understand them.

The Brazilian elites have always thought of the masses in terms of two wildly inaccurate images. On the one hand, they see the masses as exaggerated examples of the established elites—self-indulgent, hedonistic, irresponsible, sentimental, and cynical. On the other hand, they see them as an exaggerated version of the shadow culture—severe, implacable, and resentful. Both views rest on the elites' overwhelming ignorance about the Brazilian masses. In contrast to the sterile, simplistic, imitative, and monotonous culture of the elites, Brazilian popular culture embraces an exciting variety of forms of sociability and moral visions.

To give an idea of the panoply of forms of social life among the lower classes, Unger devotes much of the remainder of the discussion to a particular cultural system. This is the system characteristic of the northeastern and central regions of the country. It consists of four related elements: large-scale agriculture; small towns; areas of small and medium farms and villages; and metropolitan cities, which may be physi-

cally remote from the other three elements but have important ties to them. The important point is that all four elements are prominent in popular consciousness. The connection of the elements is particularly visible in the organization of work, for example, in the situation of seasonal agricultural workers who live in the small towns and large cities but depend on agricultural work.

In the areas of large-scale agriculture, hierarchical distinctions often take an especially naked and brutal form, and solidarity among the workers is often weak. The largely unchecked power of the landowners and their agents rests not only on their capacity for violence and the availability of state assistance, but on the inability of the workers to identify their fates with this kind of production. The harshness of their lives inspires, not resistance, but dreams of escape to family farms, small towns, or the metropolitan city. In these circumstances, collective fights and hopes never assume clear definition.

In turning away from the realm of large-scale agriculture, the worker looks in two directions: toward family farms and villages and toward the small towns. Despite their physical proximity and the ease with which people move between them, the two represent radically opposed modes of sociability. Life in the small farm sector is characterized by entrepreneurial pride, by norms of mutual assistance among neighbors, and by a sense of equality. It is a hard and even desperate life, but one with traces of nobility. In comparison, small town life is mercenary and competitive. Inequality is flaunted shamelessly and cruelly. Attitudes of conniving and demoralization overwhelm solidarity, and citizenship is degraded to parasitism. Even more than in the metropolitan cities, a vacuous, numbing popular culture consisting largely of television and soccer holds sway.

Unger suggests three social factors that underpin the contrast between the small farm and the town. First, in the realm of small agriculture, the relative physical separation of family farms, coupled with the dependence of neighbors, fosters autonomy and solidarity. In the small towns, on the other hand, where people lack space of their own and the necessities of cooperation are weaker, people tend to view each other as rivals and feel oppressively hemmed in by others. "In the countryside, distance unites people; in the small towns, proximity divides them." Second, the political circumstances of small agriculture are conducive to some measure of equality. The large landowners are unable to subjugate the small ones but generally are able to prevent them from growing into large ones themselves. Thus, there is a relatively stable equality in the relations of the small producers to each other. By contrast, the economic role of the small towns, as intermediaries between large-scale agriculture and the metropolitan cities, generates economic circumstances that facilitate hierarchy. Third, the small operator's experience of violent oscillation between the intimacy of the relatively isolated family farm and the

economic sufferings imposed by the outside world (the large plantations, the towns) creates an atmosphere conducive to great hopes of collective redemption. The precariousness of the existence of the small operator and the elemental quality of his problems gives the small farmer a sense of participation in a collective historical drama. On the other hand, in the small towns, life is moderately more secure, and economic struggle is experienced as more petty, mundane, and competitive. Here it is easier to imagine salvation as the task of the individual soul, working against an unchangeable world and appealing to a remote, hidden God.

The final element of the system is the metropolitan city. Here lower class experience moves among three realities. There is the impersonal hierarchical order of large industry, a realm of relatively secure and privileged employment. Then there is a realm of less security and more personal dependence—the realm of employment in small business, domestic service, and odd job handiwork, and of patron-client relations with privileged acquaintances. The third reality is the disaster of unemployment and the disintegration of personal ties. The lower classes in the metropolitan cities are buffeted among these three experiences. Each type of existence is thus unstable: the fortunes of individuals and those to whom they are connected fluctuate constantly.

This sketch of the diversity of popular experience in this particular Brazilian social system is intended to illustrate three general points. First, lower class culture is not adequately portrayed in terms of stereotypes that preoccupy the elites. Popular experience cannot be reduced to a contrast between self-indulgence and truculence; rather it involves a deeper dialectic of suffering, resignation, and discovery. Second, the fluctuating quality of popular experience blurs the lines of group identity, interest, and commitment. Third, the lower classes are relatively open to messages of collective struggle and redemption. If they are capable of abandoning themselves to demagogic manipulation and charismatic authoritarianism (*caudilhismo*), they are also capable, with responsible leadership and collective organization, of transforming the uncertainties of the world into weapons of power and knowledge.

## II. THE TRANSFORMATIVE ALTERNATIVE

The military regime ended in 1985 in a manner that reflected the confusion and internal division emphasized in Unger's 1979 analysis. The regime had established a procedure by which the new president would be elected in January 1985 by an electoral college constituted in a manner that gave its own party a majority. But divisions within the party intensified to the point that in the summer of 1984 the leader of the moderate faction of the regime party bolted and entered into an alliance with the Party of the Brazilian Democratic Movement (PMDB), the largest opposition party. The alliance pledged itself to vote for a slate consisting of the PMDB's Tancredo Neves for president, and Jose



Sarney, a member of the bolting wing of the party of the military regime, for vice-president. As the year went on the alliance solidified its position. By the time that the first articles of *The Transformative Alternative* appeared on December 20, it was clear that the Tancredo Neves-Sarney slate would be elected in January.

The PMDB was one of several parties that appeared in 1980 through the political opening sponsored by the military regime, which promised a gradual loosening of the electoral process and permitted relatively free organization of parties. It emerged through the reorganization of what had previously been the only opposition party recognized under the tightly controlled electoral rules. Unger was associated with the party at the time of its reorganization and drafted its "manifesto of foundation."<sup>6</sup> In accordance with Brazilian electoral law, the party submitted this document to the Superior Electoral Court as part of its official platform. (The law also requires that upon joining a party, members attest that they subscribe to the principles espoused in such documents.) The document is in both style and substance similar to the newspaper articles, though the dogmatic and hortatory qualities of the style are less restrained and seem far more familiar in the context of the manifesto form.

The manifesto emphasizes many of the central themes of *The Country in a Daze*: the importance but insufficiency of constitutional democracy; the need to carry democratization into the realm of private life; the importance of decentralized popular organization; the need for economic transformation that focuses on public support for small enterprise in the countryside and the cities; the importance of avoiding polarization of the organized working class and the petty bourgeoisie, and of rural and urban workers; and the possibility of a politics that attempts to transform mundane grievances into more far-reaching critique and opposition. Especially striking in the context of the manifesto is Unger's insistence that social change be viewed as provisional and not as a program designed to achieve its goals once and for all: "Through democratization and mobilization, all society would become, not the fulfillment of some ultimate destiny, but a field of experiment."<sup>7</sup> The manifesto outlines some of the institutional reforms elaborated in *The Transformative Alternative*.

The PMDB soon moved away from the relatively radical and unconventional tenets expressed in the manifesto. The manifesto had committed the party to reach out from its centrist base within the elite to the working class parties, labor unions, and local church-connected popular organizations. But in practice, the party sought to conciliate centrist and conservative groups. By the time of the electoral alliance with the mili-

---

<sup>6</sup> R. Unger, Programa: O Partido do Movimento Democrático Brasileiro E Sua Obra Futuro (unpublished manuscript) (available in Harvard Law School Library). The manifesto has been published and widely distributed in Brazil as part of a collection of the party's electoral documents.

<sup>7</sup> *Id.*

tary party, its program and rhetoric bore little resemblance to Unger's manifesto (despite the manifesto's continuing legal status as the party's official platform).

Shortly after his election as president in January 1985, Tancredo Neves died and was succeeded by Jose Sarney, the nominee of the moderate wing of the party affiliated with the military regime. It is not clear that this change had any significant effect on the programmatic direction of the PMDB. Certainly Unger felt that the programmatic shift away from the principles of the manifesto had occurred earlier.

Thus, while *The Transformative Alternative* elaborates on the program of the PMDB manifesto, it was written in opposition to the PMDB as it had evolved by the time of the 1985 elections. The program to which it is an "alternative" is explicitly that of the Tancredo Neves administration.

By this time Unger had become associated with the Democratic Workers' Party and its leader Leonel Brizola, a major figure in the Goulart regime who had recently returned from exile. A leftist populist-style leader, Brizola was one of the few Brazilian politicians with anything like a mass following and was probably the most popular. He was widely regarded among the elites as a demagogue and was the political figure most feared by members of the military regime.

*The Transformative Alternative* begins with a prediction that the imminent PMDB regime would frustrate the hopes of the middle and working classes and would fail to vindicate the ideals of political democracy. Unger describes the fundamental characteristics of this program as a desire to alleviate the grossly unequal distribution of income in Brazil without confronting entrenched economic privilege. This "redistributive but institutionally conservative"<sup>8</sup> program is committed to welfare measures and an income policy but does not propose to alter the productive structure of the economy. Unger argues that this program is bound to fail and that without fundamental institutional change, redistribution will impede growth and productivity.

Unger argues that the PMDB constitutional rhetoric has also taken a conservative direction. The party leaders have begun to balk at the notion of contested direct elections and to flirt with the idea of "democracy by acclamation."<sup>9</sup> They suggest that contested elections may be a luxury inappropriate to unstable times and that rallies, opinion polls, and plebiscites might adequately replace contested elections. Gradually becoming explicit in this rhetoric is a conservative constitutional project. One of its themes is an effort to combine presidential and parliamentary models in a way that restrains the aspects of presidentialism considered dangerous, which is to say, anti-elitist. These are the aspects that permit

---

<sup>8</sup> *O Problema e a Tarefa*, supra note 3.

<sup>9</sup> *Id.*

popular leaders to appeal directly to the masses over the heads of the party oligarchs and local interests. The other theme of the project is corporatism: social groups organized under the control of the state would be accorded representation in the decisional processes of the government. For example, labor and management representatives would have more or less official representatives in the economic planning process.

Unger argues that Brazil needs a constitutional regime exactly the opposite of this. Instead of a chastened *presidencialismo*, it needs a regime that retains the power of the president to appeal directly to the people, while adding measures that avoid the institutional stalemates that characterize presidential regimes. Instead of a conciliating, tutelary corporatism, it needs a system that fosters popular self-organization while emancipating it from the state.

The turning away of the PMDB from the concerns of the lower classes and from institutional innovation favors more contentious leaders capable of giving voice to popular discontents. But Unger acknowledges a danger here: that of repeating "the recurrent drama of contemporary Brazilian politics."<sup>10</sup> A tumultuous and confused populism could antagonize the middle classes and provoke the military to re-assume power. The risk seems particularly great because the process of redemocratization is occurring without any clear affirmation of the principle of civilian rule and without the institutional reforms necessary to it. Unger attributes this danger to the populist style associated in Brazil with Getulio Vargas, who ruled from 1930 to 1945 and from 1951 to 1954, first as a usurping dictator and then as a popularly elected president, and which many now attribute—not entirely without reason, Unger admits—to Leonel Brizola. This style, which emphasizes welfare spending and direct personal appeals to the masses by charismatic leaders, is ultimately ineffectual, first, because it neglects the tasks of mass organization and thus makes itself vulnerable to coups, and second, because it neglects the tasks of economic reform and thus makes itself vulnerable to inflation and disinvestment.

At the level of party politics, Unger sees three broad groups. The group of conservative development is committed to keeping things more or less as they are and responding to popular deprivation indirectly through general economic growth. The redistributive group (to which, Unger says, the leaders of the PMDB would belong if redistribution did not require taking away from some as well as giving to others) is committed to redistributing wealth and income within existing structures through fiscal, income, and welfare policy. Lastly, the group committed to institutional transformation includes the "independent leftists" of the PMDB, the Democratic Workers' Party, and the Workers' Party.

---

<sup>10</sup> *A Estrategia Política do Transicao*, *supra* note 3.

None of the parties of the left has yet acquired a mass base. But the popular mobilization in the last years of the military regime, especially by labor unions and local church-affiliated groups, provides important opportunities. Unger insists that the Brazilian left is distinguished from the center at both the party and the popular levels, not by a commitment to statism over privatism, but rather by a preference for a more egalitarian, experimental, and participatory mode of decentralizing the economy than the dominant private rights model of Western political economy. A striking and paradoxical quality of the recent popular labor and ecclesiastical movements has been precisely that they express an aspiration to radically democratize the society in the language of socialism at the same time that they reject statism, the talisman of traditional socialist movements. So far, these aspirations remain vaguely formulated. Unger offers his program as a contribution to the effort to give concrete content to them.

Unger argues that the success of a more ambitious project of transformation depends on the willingness and ability of the Tancredo Neves-Sarney government to secure basic legal and economic rights, rights of organization, and welfare rights that alleviate the kind of severe misery that leaves people more prostrate than indignant. Thus, the independent leftists within the PMDB government have an important role to play in insuring that the government keeps its commitment to basic political liberties and economic rights. Unger doubts, however, that they can move their party very far to the left. He thinks that the electorate will so rapidly identify the party with the more conservative path it has charted that the party will compromise its ability to deepen its program.

The "independent" quarters of the PMDB, the Workers' Party, and Democratic Workers' Party are likely to contribute to the project of developing the organizational and programmatic bases for a more ambitious politics. But for the moment, those within the PMDB seem paralyzed by ambivalence about their relation to the party. And the Workers' Party has a social base—the radicalized sectors of the salaried middle classes and factory workers in the industrialized areas—and a doctrinal perspective—one that puts the conquest of the state before the transformation of society—that make it difficult for the party to perform the critical tasks of organizing the masses outside the industrial sector and of conciliating among the different political groups committed to transformative politics.

Leonel Brizola and the Democratic Workers' Party, which have a following among the unorganized workers and are less committed to the traditional preconceptions of socialist politics, seem better situated to undertake these tasks. To do so, however, they need to develop a concrete program of non-statist socialism, and they need to develop internal processes that are more impersonal, complex, and pluralist. At the same time, the independent leftists within other parties need to develop a fairer

appreciation of labor history, of the phenomenon of popular leadership, and of Brizola himself.

In four articles of the series, Unger sketches the economic dimension of his program, and in the following six, he sketches the political dimension. Another article discusses the reform of the military, and the final one discusses "the politics of personal relations."

#### A. *Economic Change*

The sketch of Unger's economic program begins by rejecting two assumptions shared by the dominant currents on both the left and the right. The first assumption is that prosperity requires that development continue to focus on concentrated, large-scale industry. The second concerns the understanding of the meaning of decentralization adopted from liberal political economy—one which identifies centralization with government control of the economy and decentralization with private property rights. Unger's program proposes state interventions designed to foster decentralization and challenges some of the aspects of private property rights that in fact promote centralization, notably the control exercised by a small number of large-scale institutions in the name of property investment and capital.

Despite his emphasis on fundamental institutional change, Unger expresses some sympathy for those who say that the new government must attend to the most urgent economic problems in incremental fashion, and only turn to basic reform when immediate pressures abate. He does not deny this point, but rather argues that there are many possible incremental responses to immediate problems, and that some have more potential than others to contribute to further, more basic change.

The economic program has two stages. The first involves the creation of a partnership between the state and small enterprise. The idea is most readily illustrated in the agricultural sector, where programs in the United States and other advanced countries have attempted, albeit ambivalently and with mixed success, to support small enterprises through the provision of services and resources designed to compensate for the disadvantages of scale. Thus, through price regulation, favorable tax policies, and access to credit, the government makes small farmers less vulnerable to the market. It helps small producers take advantage of some scale economies without growing by providing technical assistance and by assisting in the organization and financing of cooperative marketing and development projects. Such a policy in Brazil would constitute a reversal of the longstanding practice of public subsidy and assistance to large-scale enterprise. Recently published data indicate that agricultural establishments of less than one hundred hectares account for twenty percent of the agricultural land in Brazil and receive thirty-four percent of agricultural finance but are responsible for fifty percent of agricultural production, while enterprises larger than one hundred hectares account

for eighty percent of the land, receive sixty-six percent of finance, and contribute less than half of agricultural production. The most immediate victims of the established policies, and the potential beneficiaries of the proposed reform, are the underemployed and impoverished masses in the large cities, most of whom have emigrated from the countryside for lack of employment.

Though the model of state support for small enterprise is less familiar in the industrial sector, it could be extended there. For example, instead of nationalizing the banks or continuing to leave small entrepreneurs at the mercy of banks who invariably prefer large clients, the government would organize an alternative financial system designed to support small enterprise. It would organize industrial parks, even in areas already highly industrialized, that would provide technical and mechanical support to participants that would enable them to take advantage of technology with high minimum fixed costs while remaining small and would encourage experiments with cooperative and participatory work organization.

The point is not to abolish all forms of economic concentration in either agriculture or industry, but to divert the emphasis of economic policy from its traditional subservience to large-scale organization. Even a modest shift in emphasis, if shrewdly managed and complemented by popular political organization, could have revolutionary consequences for economic development and social equality.

One of the economic consequences would be to increase the productivity of the parts of the economy—rural and urban small enterprises—that employ the great majority of the Brazilian workforce. Instead of relying on the radiating effects from a nucleus of concentrated industry, which will never employ more than a small percentage of the work force, the policy would open to previously excluded masses of workers opportunities to participate in the central and dynamic mainstream of the economy. And it would enable Brazil to avoid playing the role being designed for the more advanced Third World countries by the dominant trends in the international division of labor—that of serving as a base for the kind of concentrated and bureaucratic industrial organization that the wealthy Western countries have already started to abandon.

The program would contribute to social equality by increasing employment and income. The increased purchasing power of the lower and middle strata would push industry to re-orient production toward popular consumption and away from its present focus on consumer durables, such as automobiles and appliances, that in Brazil are upper class luxuries.

However successful, this preliminary stage will be self-limiting. The limit will occur when the problem of radical inequality re-asserts itself among the newly developed businesses. The more successful will grow large; the less successful will try to hang on by pleading for increased

state support. At this point a second stage of more fundamental reform becomes appropriate. The second stage involves the "revolving capital fund" program advanced in *Politics*. In this program, the government would establish broad parameters over such matters as the level of savings and investment and the permissible degrees of economic inequality. Below the government but substantially independent of it would be a series of investment funds. Each fund would specialize in a defined area of the economy and different kinds of investment, but the funds would overlap sufficiently to permit competition among them. The funds would make capital available strictly on a temporary and conditional basis. Some funds would be allocated through rationing; others through auction. Under rationing, funds would be lent subject to extensive conditions restricting the organization and activities of the recipients. The rationing criteria would give preference to the creation of new businesses rather than the expansion of established ones. Eligibility would be restricted to groups of workers committed to specified norms of democratic work organization. The recipients would pay interest to the fund, a portion of which would be remitted to the central government. Favoritism in allocating resources would be constrained in part by competition among the funds to achieve the highest possible returns within the rationing constraints.

The other funds would hold capital permanently at auction. Whenever new bidders demonstrate an ability to earn a higher return on resources than the current holders, the capital would pass to the new bidders. The prior holders would be compensated by a program of displacement benefits.

At the enterprise level, the program contemplates a broad range of autonomy in the organization and operation of businesses, especially in those funded by auctioned funds. Instead of having rights in a particular job in a particular industry—a kind of privilege that paralyzes social and personal innovation—workers would benefit from a permanent retraining system. And they will be secure against impoverishment through a welfare system financed by interest payments to the capital funds.

Unger argues that, while this program would diminish the sovereign character of property rights in capitalist economies, it would decentralize the economy. It would do so by divorcing the ability to take advantage of scale economies from the control of large concentrations of capital.

The economic discussion ends with an emphatic repudiation of many of the established practices of Brazilian public finance. It rejects the practices of redistributing through the manipulation of foreign currency exchange (as by overvaluing the national currency and then rationing foreign currency at the implicitly subsidized rates to favored users). The program would hold the state to strict standards of fiscal efficiency and responsibility. It would reject uncontrolled monetary expansion that feeds inflation and pushes up real tax rates. The program would also

dispense with the practice of generalized salary adjustments unrelated to increased changes in productivity. It would address the salary question by refocusing investment so as to increase the relative productivity of the lower classes.

One of the aims of the program would be to combat financial speculation, which has assumed economically disastrous and humiliating proportions in the Brazilian economy. The program would sell public securities directly to individual savers rather than institutions, would prohibit their use as security for private borrowing, would require the banking system to internalize the financing of interbank transactions without state subsidy, would apply aggressive antitrust legislation to the banks, and would tax gains from speculative transactions at exceptionally high rates.

With respect to Brazil's high foreign debt, the program would seek creditor forbearance, but it would treat forbearance as space in which to pursue institutional reconstruction, not as a license to redistribute as much as possible before the ax falls.

Unger concludes by stating that, while he prefers redistribution through institutional reconstruction to redistribution through transfer payments, he recognizes the need for some transfers. On the other hand, his program would repudiate "at any cost" the type of redistribution favored by recent Brazilian governments that relies on hidden subsidies, currency manipulation, monetary magic, and featherbedding public employment.

### *B. The Constitution*

The six pieces in the series sketching the constitutional aspects of the program were offered as proposals for the Constituent Assembly which was then planned and, subsequently in 1986, elected and convened to draft a new constitution for Brazil. Unger prefaces the constitutional discussion with two warnings. The first is that the temptation to view the new constitution as a means of establishing once and for all a permanent model of social organization imposing the policies and principles of the drafters on future generations should be resisted. The task, rather, should be seen as laying ground rules for a process of "permanent innovation." The critical precondition for such a process is preventing the possibility that any particular class or faction assumes dominant power. Unger asserts that this view does not mean that the constitution should be brief or dry. He rejects the suggestion that the American Constitution should be taken as a model. Neither the concision nor the long duration of the American Constitution, so widely admired in many quarters, are necessarily virtues from the point of view of the ideal of permanent social innovation.

The second caution stresses the importance of achieving a realistic understanding of the relation between constitutional thought and the



claims of organized social movements. This requires taking account of some lessons of the Brazilian experience. When the institutions of the liberal democratic state are projected into circumstances of extreme inequality and unabashed elitism like those in Brazil, they suffer two perversions. In the poorer and more submissive areas of the country, they become mired in clientalism. In the more politicized areas of the country, these institutions confront a level of expectation and agitation, either from organized movements or more frequently from populist leaders speaking for disorganized masses, that they are unable to canalize or absorb.

It is said that these perversions would disappear with the achievement of greater equality. But the institutions Brazil has received from the Western liberal democratic tradition, instead of being part of the solution, are part of the problem. They make frequent far-reaching reform difficult by deploying an array of constitutional obstacles. At the same time, these institutions leave popular organizations without support or, as with the corporatist variations of liberalism, with the kind of support that crushes them.

This should not be surprising. The constitutionalism of the liberal democratic state, so readily identified as the natural essence of democracy, is in fact the contingent product of heterogeneous events and circumstances. One such circumstance is the type of political party—more than a mere alliance of professional politicians but less than a real mass organization—that took root in the early democracies in the nineteenth century. Another is the set of constitutional techniques, such as the classical scheme of the separation and balance of powers in the presidential regime, designed to restrict officials in a way that also rigidifies the social order, protecting it from agitations and agitators and conserving power in the hands of social elites.

Brazil needs new constitutional ideas and institutions in order to break the vicious cycle of its politics. It cannot attain or surpass the level of freedom and equality of the wealthy foreign democracies by imitating their political systems. To do so would perpetuate the pattern of clientalistic appropriation of the state, followed by extra-institutional mobilization, followed by impasse, and ultimately, by regime failure. Brazil needs a constitution that will foster a more flexible state, a more mobilized society, and a more contentious culture than those of the countries to which it looks for its models.

The constitutional program Unger proposes in response to these concerns emphasizes five features: first, a reformed presidential regime; second, the transformation of public administration; third, a set of norms and institutions that foster “self-organization” in workplaces and residential communities; fourth, a revised understanding of federalism; and fifth, a set of norms and institutions designed to impede and destabilize concentrations of power.

Unger embraces a strong, directly elected presidency in preference to the parliamentary models popular among the elites, not on the ground that it is intrinsically superior, but on the ground that presidential elections in Brazil traditionally have been privileged occasions of political mobilization that have anguished the elites and confounded their calculations. A strong presidential regime has the most promise of canalizing the energies for reform against the blocking efforts of the elites.

Unger rejects the complaints being advanced against "*presidentialism*." The critics assert that presidential regimes produce omnipotent and repressive executives. Unger replies that some parliamentary regimes, such as England's, and to a lesser extent India's, have produced chief executives as strong as any in the world. Moreover, in Brazil, presidents have tended to be strong only in their capacity to give out favors; they have been weak in their capacity to execute the reform programs to which they have committed themselves. The former problem requires reforms that restrict particular kinds of presidential power, but the latter requires reforms that extend presidential power.

Another complaint is that the presidential regime provokes periodic political crises. But to an important extent, the "crises" are nothing more than reflections of the threat that presidential elections have represented to elite political control. The constitution should preserve this threat. It should protect the continuity of basic democratic commitments by strengthening the means for presidents to fulfill their electoral commitments and by safeguarding basic political rights, especially those of popular organization.

The critics also say that presidential regimes excessively personalize politics. But in a country where political leaders are accustomed to ideological posturing, a focus on personalities is not entirely a disadvantage. The emphasis on personalities often involves an effort to assess the real intentions of the candidates, so often hidden behind the misdirections and prevarications of campaign rhetoric.

Nevertheless, the classical presidential regime does suffer from a basic defect: a tendency toward impasse between a popularly elected president and a parliamentary opposition majority. This tendency is particularly severe in connection with efforts at fundamental reform. Brazil is a country in which the citizenry has been generally oppressed and has achieved freedom only when and to the extent that it has mobilized. And it is a country in which popular forces can gain the presidency more easily than they can achieve a legislative majority. In such circumstances, a tendency to impasse is fatal. It fuels the frustrating cycle of modern Brazilian politics: a centrist president . . . disillusionment of the working class electorate . . . a left-wing president . . . a congress opposed to presidential reforms . . . popular mobilization in support of the president . . . reaction, coup, and collapse of the democratic regime

. . . redemocratization . . . vacillations of chastened liberals . . . a centrist president . . . . It's time to put an end to this recurring history.

The solution is to reform the presidential regime to cure it of its tendency to impasse. This requires a means of quickly referring the basic disputes to the electorate in a way that facilitates both the resolution of basic issues and the replacement of the personnel identified with the rejected alternative so as to make possible governmental unity. The result might be viewed as a synthesis of parliamentary and presidential models, though it is radically opposed to the style of parliamentarism favored by conservative jurists in Brazil.

In this model, the congress would be empowered to dismiss the president within, say, a year of election for political or programmatic reasons. The dismissal of the president would trigger new elections for both the congress and the presidency. For his part, the president would be obliged to submit to the congress at the beginning of each session a reform plan setting out the general outlines of his program. Should the congress reject the program, the president could dissolve the congress and call new congressional elections. But the president could invoke this power a second time only by simultaneously triggering a presidential election for which he would be ineligible. The president would not be permitted to legislate by decree during the interval between the dissolution of the congress and the election of a new one.

This system of mutual dissolution and substitution of powers would also make liberal use of referenda, initiatives, and plebiscites. These techniques do not represent within the framework proposed here what they might elsewhere: an invitation to a popular leader to appeal to the people over the heads of constitutional institutions without modifying those institutions, and in effect to conduct a kind of permanent *coup d'état*.

A presidential regime reformed along these lines would have two basic virtues. It would contribute to a politics that repeatedly mobilizes the society to question its basic structure. And it would give the victorious party an opportunity to implement a program of basic reform.

The next feature of the constitutional reform confronts the features of the Brazilian state that make it a powerful instrument for handing out favors and punishments but a weak one for reforming society. At first glance, this situation might seem an irresolvable paradox; the state's power to affect society might seem to lie precisely in its capacity to dispense and withhold myriad forms of patronage. But this is a mistake. In fact, precisely the same factors that cause the state's hypertrophy as patron are responsible for its impotence as reformer.

The first of these causes is irresponsible functionalism. Elected officials control appointments to not only upper level government positions involving policy formulation, but also a vast and poorly defined array of middle level offices. The consequence is to place between policy level officials and the professional civil service an undisciplined and incompe-

tent horde of friends of friends of the powerful. Meddlesome and politically unaccountable, this group, which is occupied largely with matters of patronage and profiteering, impedes the execution of any government program. The problem would be alleviated by ending the practice of patronage appointments below the policy level. More difficult but also necessary is the definition of ideas and the cultivation of attitudes that promote and distinguish the political responsibility of policy officials on the one hand and ministerial responsibility of civil servants on the other.

Another aspect of the dilemma is the corporatist practice that pervades Brazilian public administration. It is exemplified by the "mixed commissions"—official bodies with jurisdiction over some area of policy whose membership is composed in substantial part of representatives of interested private groups. The use of such practices to extend citizen representation within the state has striking defects. On the one hand, it facilitates the control by the state of the represented private groups; on the other hand, it permits the more powerful private groups to capture for their own benefit the public regulatory power they are supposed to be supervising. At the same time, this form of administration impedes the formulation and implementation of a coherent governmental program by the central government. It tends to dissolve government policy into a series of small private deals. The proper response to this situation is to purge public administration of all vestiges of corporatism. The state should try to strengthen popular organization in the ways discussed below, but it should stop doing so by according official executive status to the strongest private organized groups.

Still another dimension of the administrative problem is the proclivity for hidden and indirect redistribution through subsidies, unequal indexing for inflation, discriminatory price and foreign currency controls, and public job creation exempt from norms of productive efficiency and financial responsibility. Besides allowing perverse forms of redistribution that would be unacceptable if done explicitly and directly, this proclivity aggravates the dilemma of public administration. Indirect redistributive practices encourage an endless line of favor-seeking that distracts and encumbers the executive. It also permits the governing potential of the executive to be cannibalized by private interests and encourages particularistic solutions to broad social problems. The appropriate response is to ban hidden and indirect redistribution.

To create a state weak in its ability to hand out favors but strong in its ability to execute reforms, Brazil must dismantle the patronage state, which stagnates reform by the same means that it infantilizes and corrupts its citizens.

The third aspect of the constitutional program concerns the principles and instruments of citizen self-organization. The program contemplates the development of practices currently established in labor organizations and their extension to other areas of social life.

All discussions in Brazil of labor organization begin by rejecting the established system of corporatism; a system that, under the pretext of making unions part of the state, subordinates them to the state. But the rejection of corporatism should not lead to the embrace of pluralism, which permits rival unions to compete to represent the same groups of workers. On the one hand, pluralism dissipates the energies of the labor movement in internal fighting. On the other hand, it radically separates the union's confrontation with the employer from its confrontation with the state. In any case, pluralism favors a moderate level and an economistic style of labor militancy.

In the hands of an authoritarian government, a unitary union system serves as a means of repression, especially in combination with the weapons of political control that a corporatist system furnishes the government. But in the circumstances of developed democracy, unity has the opposite effect. It facilitates politicized union militancy, politicized in the sense of linking economistic claims to claims of institutional reform.

Unger proposes a union structure that combines unity with autonomy. As in the current system, the state would define a structure that would include a single representative organization for each group of workers. Different currents of opinion, whether or not linked to political parties, could compete for influence in these organizations, in much the same way that political parties compete for offices in the state. The two competing national labor organizations in Brazil today, which are not part of the official state-mandated structure, illustrate how competition can operate within a single-union structure. Without being part of the legal structure, they give organizational expression to the different currents of opinions among the workers and link the legally mandated union structure to the national political parties. Such organizations complement the official centralized organization that forms a part of the legally mandated structure.

Whether or not a system of state mandated unitary unions can be reconciled with genuine autonomy for these unions depends on the resolution of a series of concrete problems. For example, there is the issue of the classification of workers for the purpose of determining the scope of the bottom tier representative organizations. A unitary system requires a single set of classifications. But unitary classification does not necessarily mean classification by the state. An initial classification by the Ministry of Labor could be a provisional one subject to modification when a majority of the affected workers voted for a particular reclassification.

Another matter that raises the issue of the reconciliation of unity and autonomy is the labor tax, which under the established Brazilian corporatist regime the state collects from employers and returns to the unions to fund organizational expenses. It is not inevitable that the labor tax lead to oppression and corruption. But to avoid this, a series of re-

forms is essential. The majority of the receipts should remain in the hands of the base level union organizations. The system should be organized on the model of public political campaign finance systems, so that funds are available to finance competitors in contested union elections. The tax should be scaled to fall more heavily on capital-intensive enterprise so that it does not act as a disincentive to employment. Unions should be most generously funded in those sectors of the economy that can most easily isolate themselves from union pressures.

To the extent that the democratization of the economy proceeded along the lines proposed above, especially in terms of support for small enterprise, the unions might acquire new functions, not so much in terms of representing employees against employers, but in terms of representing the interests and aspirations of small entrepreneurs vis-à-vis the state.

Alongside the unions, a system of neighborhood organizations should be established. These organizations would act as a kind of counter-state, facilitating local political participation and competing with the municipal councils, not with respect to their legislative powers, but with respect to identifying problems and organizing pressures for change. These neighborhood organizations might in turn affiliate with any of a variety of national political organizations. No legal structure would be prescribed for the national organizations; they could adopt whatever structure seemed appropriate to their program.

The constitutional program also addresses the issue of decentralization. Legislative and administrative decentralization is widely favored in Brazilian political debate. Unger emphasizes that, from the left's point of view, decentralization as conventionally conceived would be dangerous. It could strengthen local oligarchies by immunizing them from political struggles that arise more readily at the national level. If centralized power has often taken the side of the wealthy and powerful, it has also been the only agency capable of threatening them and of opening space for transformative politics.

Unger proposes an approach to decentralization in which the national government permits and even encourages state and local legislative initiative but retains responsibility to guarantee that such initiative is not used to create or strengthen inequality and dependence. State and local initiative would be facilitated through a general doctrine of concurrent legislation that would permit governments to opt out of federal legislation in certain areas and through specific federal delegations of legislative power in other areas. Safeguards against the abuse of decentralized power would be enforced through federal judicial review of state and local concurrent legislation or legislation under specific delegations, through legislative revocations of improperly used delegations, and through citizen exercise of "destabilization rights."

The proposal for "destabilization rights" begins with a criticism of the dominant tendency of thought among Brazilian social democrats

about constitutional rights. This tendency is to focus on guarantees of material welfare and to give little attention to guarantees of distribution of power. Unger argues that it is unlikely that constitutional welfare rights could ever be formulated so as to be effectively enforceable. On the one hand, if the rights were vaguely defined, almost any government program would survive review under them; on the other hand, if they were specifically defined, they would deprive the government of needed flexibility to respond to economic contingency.

Rather than focus on guarantees of material welfare, Unger would focus on guarantees of opportunities to mount political resistance to perceived violations of substantive political values, including welfare rights. These guarantees include rights of free expression and of political organization. Most distinctively, they include destabilization rights: rights to provoke, through appeal to a fourth branch of government, the destabilization and reconstruction of organizations and practices whose structure of authority or membership conflicts with the minimal exigencies of the democratic order and which have become immune to the normal forms of electoral challenge. The practice or organization might be a way of organizing work or of assigning students to schools or providing treatment in hospitals or asylums. It might be a usurpation of decisional power. It might be an exclusion that victimizes women or minorities.

The constitutional program could provide, not only to the individuals and groups directly affected, but to any citizen, a right of action. If sustained, the claim would warrant intervention by the state to provide minimal conditions of dignity and autonomy to those oppressed by the challenged organization or practice. The enforcement of destabilization rights is a distinct activity separate from legislative and judicial functions and it should be confined to a distinct branch of government. This could take the form of a council composed of some members elected directly, the President of the Republic, and perhaps members appointed by the other branches.

Although these new rights and their distinctive enforcement mechanism may appear radically innovative, they merely generalize solutions already accepted under different names and in more truncated forms, in several contemporary democracies.

### C. *The Military*

All discussions of progressive reform in Brazil are haunted by a vague but pervasive fear of military veto. This is a condition intolerable to any democratic program, and thus Unger's program includes proposals for reforming the military.

Unger begins by observing that there is no plausible strategic role for the Brazilian military as it is presently organized. On the one hand, it is not and could never become strong enough to engage in war with a nuclear power, and it is not organized to conduct the kind of guerilla

warfare that would be needed against an occupying great power. On the other hand, it is vastly larger than necessary to counter any plausible threat of invasion from a neighboring country.

Moreover, the military regime actually weakened the fighting capacities of the military. It left Brazil and its army divided internally between an arrogant semiheditary officer caste and a miserable, untrained, and immature rank-and-file. Far from being capable of the operational and technological flexibility modern warfare requires, the army's commanders seem to have been preparing to refight the Battle of Verdun in southern Brazil. The troops have been demoralized by their subordination to the domestic security unit during the military regime and corrupted by the use of the military career as a springboard to privileged state and private employment. Unger sketches a plan designed to make the military less prepared for domestic political intervention but more prepared for military combat.

The plan distinguishes between a "social-military service" and a "military center." The social military service would conscript young men and women for obligatory national service at the time they finished their studies. Part of their service would involve social projects, such as constructing schools, hospitals, irrigation and land reclamation projects, as well as providing educational, medical, and legal services. At the same time, they would undergo basic military training, and would go on after their period of full-time service to become reservists. The emphasis would be on general skills adaptable to a variety of circumstances and a changing military technology.

Inductees would be conscripted in the opposite order from that of the present system: the most educated people would come first; then the relatively less educated but only to the extent the system was prepared to provide them with significant education within the social-military service. The more educated recruits would share the more humble work with the less educated. Thus the armed forces would come closer to the image of a Brazil without social classes that those forces, in their best moments, have wanted to realize. The children of the elites would be required to serve and would thus be exposed to the darker side of Brazil.

The military center would be a separate organization. It would be a vanguard of highly trained officers, responsible for the development of a repertory of technological and organizational capacities and strategic conceptions. It would serve two purposes, which would have a variety of peaceful applications, taking advantage of the links between military and civilian technology. In this way, the system would continue the polytechnic tradition of the Brazilian officer corps. At the same time, the military center would supervise the military training and availability for combat of the recruits and reservists of the social-military service.

The military center would not have effective control over the troops of the social-military service. The latter would be organized in decentral-



ized fashion and would have its own administrative officer corps which would not be a self-perpetuating elite. The goal of organization would be to enhance national security while at the same time to eliminate the possibility of a domestic military veto of political initiatives.

#### *D. The Politics of Personal Relations*

The last piece in the series argues that political transformation should involve, not only institutional change, but the self-conscious re-making of the tones and patterns of personal relations.

Unger suggests that the most distinctive characteristic of the Brazilian ideal of human relations lies in the obscure link between two tendencies that, at first glance, appear contradictory. One of these tendencies is the commitment to delicacy and softness in personal encounters and the conviction that immediate personal solidarity is more important than abstract differences of principle. The other tendency is the exaltation of an ideal of grandeur in personal style, a devotion to the grandiose, the excessive, and the impulsive qualities that enliven conventions and routines and that mirror on the plane of human encounters the unconstrained, superabundant qualities of nature. Thus, many of the major figures of Brazilian high literary culture juxtapose a fascination for spontaneous and disorderly vitality with the sober irony of decline, limitations, and frustration.

The most original mark of Brazilian culture is this conviction that there is a mode of self-affirmation that strengthens sensitivity and solidarity, rather than subverting them—that there is a way of being at once sweet and great. This ambition is distinctive within Western culture, where Christian paths of charity have often seemed incompatible with pagan ideals of grandeur.

But this distinctive vision is degraded by a variety of forces in Brazilian life. In contrast to the ideal that they undermine, these forces are not specifically Brazilian; they oppress the cultures of many subjugated peoples.

There is, first of all, the sentimentalization of power. The relations of exchange and work in Brazil are also relations of domination and dependence. These ties, at once contractual and hierarchical, become tolerable by sentiments of mutual loyalty that temper the force of fear and interest. In this situation, every show of tenderness risks turning into servility. And every rebellion appears to be a betrayal of venerable loyalties. Women, who are the major carriers of the distinctive aspects of Brazilian culture, are also the major victims of this confusion between sentiment and power. Thus, in Brazil the feminist movement is necessarily implicated in the attempt to desentimentalize power.

Then there is the dialectic of bureaucracy and paternalism. The omnipresence of paternalism leads to the imposition of rigid rules and centralized administration to protect people from extreme personal

subjugation. But bureaucratization multiplies inefficiency and generates distrust. To make things work, it is necessary to reintroduce discretion, which reintroduces favoritism and paternalism. If the Czarist regime could be characterized as despotism tempered by assassination, the practice of personal relations in Brazil could be called bureaucracy tempered by patronage. For those who do not have patrons, or who do not want them, the solution is to fight for a style of relationship that is both more informal and more impersonal. But without paternalism, informality requires trust. And trust requires a minimum of autonomy and equality.

People who do not know each other, or even who are not connected by previously defined relations, tend to be indifferent and even brutal toward each other. Anyone who has driven an automobile in any of the large cities in Brazil knows this. This lack of civility among strangers arises from a difficulty in imagining other people as real and deserving of respect, which is in turn a function of a social structure of hierarchy and exclusion.

Institutional change is necessary to change these traits. But it is also necessary to practice an extra-institutional politics of personal relations in the places where people live and work: in schools, factories, and neighborhoods. It is necessary to develop more informal styles of sociability and conditions of trust through small-scale confrontation and experimentation. Everyday realities have to be changed through everyday practices. Only through such experimentation can Brazilian culture approach its ideal of becoming at once both sweet and great.

\* \* \* \* \*

By 1987 the emphasis of *The Transformative Alternative* on the dangers and limits of institutionally conservative redistribution seemed prescient. As expected, the Sarney government committed itself to modest redistributive efforts and rejected ambitious institutional reform. It soon faced triple-digit inflation and declining investment, both aggravated by the pressures of a huge international debt burden. In early 1986 it responded with the Cruzado plan, a series of economic reforms including a new currency, temporary wage and price controls, various steps toward the de-indexation of the economy, and promises of responsible fiscal and monetary policies.

The plan was portrayed as a means of preserving the purchasing power of the wage earners, though Unger argued in the *Folha* that the wage controls were structured so that workers lost ground.<sup>11</sup> The plan had an initial success in spurring growth and arresting inflation and generated a wave of popularity for the administration. Riding this wave and looking toward the November 1986 elections, the administration main-

---

<sup>11</sup> Unger, *O Plano de Estabilizaco—Um Golpe Branco Contra Os Trabalhadores* [The Stabilization Plan—A Conservative Coup Against the Workers], *Folha de Sao Paulo*, Mar. 18, 1986 (Opinao), at 3.

tained price controls long after its economists thought appropriate, and it broke its promise of responsible monetary policy.

In consequence, the price controls discouraged production, buyers went on a purchasing binge that depleted inventories and then turned to imports until the country's foreign exchange reserves gave out. The administration's policy held until just after the November 15 elections, in which Sarney and his electoral alliance enjoyed a sweeping triumph. But almost immediately afterwards, shortages and investment declines became striking, and triple-digit inflation re-ignited. The administration was forced to relax price controls and fall back on indexing. Antigovernment street demonstration and strikes became frequent.

Thus, more than two years after its publication, the account in *The Transformative Alternative* of the dilemmas of centrist reform seemed as timely as ever.

### III. CONCLUSION

*Politics* and Unger's journalism share a concern about the relation of the modernist critique of established and conventional thought with prescriptive and programmatic thought. In legal and moral discourse, Unger's style of modernist critique tries to show that the conclusions of conventional discourse do not follow from their premises or that the premises yield several, sometimes contradictory conclusions. In social theory, the critique attacks claims that events are necessarily linked in rigid sequences or that social circumstances combine in only a small number of patterns.

This style of critique seems to pose difficulties for programmatic argument, since any programmatic argument is vulnerable to the critical methods modernists apply to conventional thought. The modernists themselves have shown that there is no such thing as a discourse without premises and presuppositions; yet critique can always show that prescriptive conclusions are not rigorously or uncontroversially grounded in their premises or that the premises themselves are controversial. At the most extreme, this recognition has led modernists to deny or abandon prescriptive thought entirely or to adopt a nihilist or avant-gardist style that attempts to escape criticism by making a principle of arbitrariness.<sup>12</sup>

Unger rejects these more extreme moral claims of modernism. Unlike his first work, *Knowledge and Politics*, his more recent work does not aspire to a "total criticism"<sup>13</sup> that would encompass and transcend the most basic premises of the dominant modes of thought. It insists on the impossibility of entirely transcending the influence of the established conventions of thought and culture, while denying the necessity of surrender

<sup>12</sup> See, e.g., Sontag, *The Aesthetics of Silence*, in *STYLES OF RADICAL WILL* 1-34 (1969); Luban, *Legal Modernism*, 84 *MICH. L. REV.* 1656 (1987).

<sup>13</sup> *KNOWLEDGE AND POLITICS* at 1-3.

to them. The style of argument in the journalism is one Unger has called "internal development" and "deviationist doctrine"<sup>14</sup> elsewhere, and one he defends at length in *Politics* as a combination of "internal" and "visionary" argument.<sup>15</sup>

Unger acknowledges that this style of programmatic discourse involves an irreducible element of will, but he argues that it also involves a style of meaningful argument and analysis involving the "mutual correction of abstract ideals and their institutional realizations."<sup>16</sup> The society's institutions are criticized in the light of its ideals, and its ideals are revised in the light of its experience with institutions. The practice is internal in the sense that it makes use of the established conventions of normative argument; it is visionary in the sense that it appeals to the more abstract and Utopian ideals of the culture to criticize and revise these conventions.

Several aspects of this style of argument seem well suited to the forms of journalism. One of these is the emphasis on the provisionality of political prescription. Provisionality seems both a virtue, since it reflects Unger's ideal of the continuously self-revising society, and a necessity, since from the perspective of modernist critique, any particular commitment seems an unstable compromise of conflicting concerns. A closely related aspect is the insistence on the contextual nature of social and political thought. In showing that the abstract propositions of social and moral theory do not yield the conclusions conventionally drawn from them, critique forces programmatic thought to focus more concretely on particular social circumstances.

Another relevant aspect of Unger's prescriptive style is its attenuation of the distinction between working within the system and fighting to change the system, or between reform and revolution. The conventional distinctions presuppose that the social system has a determinancy that deconstructive critique refutes. Unlike many theorists of the left, Unger both envisions dramatic social transformation and insists on the political meaningfulness of small-scale, incremental change. He suggests that transformative ideals can inform political projects of widely varying degrees of ambitiousness. Thus, he is able to point to short-term incremental reforms with the potential to contribute to broader transformative possibility, as well as more radical forms of reconstruction.

All these traits of Unger's theoretical approach would seem to make his style of argument compatible with some of the conventions of contemporary journalism. Indeed, one complaint that might be made about *The Country in a Daze* is that it is not journalistic enough, that it is too

---

<sup>14</sup> THE CRITICAL LEGAL STUDIES MOVEMENT at 15-22.

<sup>15</sup> FALSE NECESSITY at 355-95.

<sup>16</sup> *Id.* at 580.

sweeping and abstract and does not entirely satisfy the appetite it awakens for concrete description.

Other characteristics of Unger's approach—his concern with explicating his theoretical presuppositions and the visionary aspects of his thought—square less readily with journalistic conventions, especially those of American journalism, which favor a pseudo-pragmatic style of discourse that is reluctant to acknowledge or examine its premises and which takes place within a narrow ideological range. And although American newspapers devote an increasingly large amount of space to policy debate, they do not present political discourse oriented around an explicit, comprehensive program of reform. It is hard to imagine a major American newspaper giving an individual or group the space that Brazil's largest newspaper gave Unger to develop a political analysis or program.

The portions of the newspaper pieces that summarize some of the critical theoretical arguments in *Politics* (most of which are omitted in the summary given here) strike me as considerably less successful in their journalistic form. It is hard to make clear the relevance of the critique of the premises of conventional discourse without a fairly elaborate analysis showing that the propositions discussed are in fact presupposed in conventional discourse. On the other hand, the more specifically programmatic portions of the argument do not suffer comparably from their more compressed exposition. They do acquire a more dogmatic and hortatory tone than they have in the treatise, but this seems appropriate to partisan political discourse, even one that aims to unsettle traditional boundaries of partisanship. Given space constraints and the prohibition on technical discussions, the articles cannot offer more than a superficial defense of the controversial positions of the platform. But for the purposes of refocusing discussion and interest, or more ambitiously, of defining a political movement, the brevity, accessibility, and liveliness of exposition seem advantageous.

Unger's Brazilian journalism offers a model of a style of argument that combines critical and programmatic discourse that overlaps but is partially distinct from that of *Politics*. The form of his journalistic manifesto has great promise, as well as venerable antecedents, though it would take a considerable liberalization of the editorial practices of American journalism to accommodate its revival here.