

## *Ethics and Citizenship: a Republican Approach*



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This paper that you have is not the one that was announced. Actually, when I presented this paper two months ago to the Candido Mendes School inaugural class, Candido Mendes invited me to participate in this conference. I've tried to write about the republican rights and the civil service, but I wrote half of the paper, having no time to produce the whole paper. Eventually, this was better. I came here, I've heard you, and I will speak out of notes only about ethics and political values in the end of the century, at the eve of the new millennium. This speech will be based on the paper "Cidadania e res publica" that you have in hands. Some of the ideas in this presentation will be similar to that paper, but they will be somewhat different.

I will try to discuss with you which is the political ethics that is going to prevail in the next century. But to do that, I will use the historical method, and so I have to go backwards. I will not use rational, logical deductive method, which philosophers very often like. I will also use an ethical approach. I will try to see how things are. But I think that how things are depend on how they should be and this dialectics between how they are and should be is a basic

process in society. Society, during history, has established some hierarchical political values and organized itself to fulfill these political values. This is the ethics, or the ethos, of this society. I will make very broad generalizations — please forgive me about them — but they will help us to understand what is coming.

If you look at the Greek approach or the Greek political values, or at the Christian political values of the Middle Ages, or even at the Machiavelian approach, you will see they are all based on the idea of the “good monarch”. The good monarch, the prince with *virtu*, hoping he will not change into a tyrant. In the Christian view, he would be the honest man, the Christian monarch devoted to the common good. So we depend on this good monarch. It is quite an authoritarian view of politics. Overall, Machiavel represented a very strong breaking off with the previous thought since the previous thought was monist and Machiavel was dualist. This is probably the great difference. Politics is something and moral is another one, and Machiavel ethics is an ethics of power and not necessarily an ethics of moral principles. But this is a long discussion. In spite of the difference between the revolutionary Renaissance thought of Machiavel and the previous ones, the Greek and the Christian, the three are based on the good monarch.

The turning point really takes place when the liberal approach appears in the eighteenth century, or even before that, with Hobbes in the seventeenth century, bringing the idea of the social contract and the idea of the individual defending his rights. The civil rights start then to be defined. They emerge in the seventeenth and in the eighteenth centuries with the Enlightenment. The first rights defended by the liberals are the rights to freedom and property. The civil rights are based on an egoistic view of the individual, who is supposed to defend his own rights. If each one defends its rights, the rights of the whole society will be guaranteed. This is the basic

idea. In the nineteenth century — following the model that Marshall presented — we have the emergence of political rights. The political rights, or the right to participate in politics, the right to vote and to be voted, are an unexpected, an unforeseen consequence of the liberal approach and of the social contract approach. Hobbes was not for sure a democrat, but at that moment he proposed the social contract as the basic principle of legitimacy. The divinity of kings was gone. Room was opened for democracy, for the political values of democracy and its ethics, for the ideas of participation and representation. Then, with the emergent democracy in the nineteenth century — still following Marshall — we have, in the end of the last century and basically in the first part of this century, the emergence of the social rights. The rights of the poor, the rights of the weak, the rights to equality and equity. The idea of sharing and distributing benefits of society. Marshall theory stops here, with these three rights. The Universal Declaration of Human Rights also stops here, in 1948, with the social rights definition. We had then civil rights, political rights and social rights.

I would like you to consider that these rights and these political values are contradictory to the authoritarian good monarch view of the past. For sure they are a great advance in relation to this view. Society does not depend anymore of the good will of noble princes. But they have still an egoistic bias. According to liberalism, each individual is defending his own political rights, according to socialism, each group is defending its own social rights. This is an essential idea. Yet, we are observing in the last part of this century, especially in the last quarter of this century, that a fourth kind of rights is emerging. I propose to call them “republican rights”. These rights are those corresponding to a republican view of society, where you are no longer defending your own interests or the interests of your group, but you are acting in a disinterested way in

the benefit of society. You are directly concerned with the public interest. This is the “republican approach”. It is not something that should be, it is what actually is happening in this last quarter of the century. It is concerned in protecting the public patrimony.

The republican rights are the rights that every citizen has — since we are speaking about citizenship rights — that the public patrimony be indeed public and not captured by private powerful groups or individuals. They guarantee that public patrimony will be not privatized — as we say here in Brazil — by these groups, or as Americans and the Anglo-Saxon recent tradition uses to say — that this public patrimony will be not object of rent-seeking. Rent-seeking is the idea that comes from the conservative economists and political scientists from the United States. Privatization is something that comes from social-democrats in Brazil. But the idea is exactly the same: the protection of the public patrimony.

These rights to the public patrimony, the republican rights, can be organized in three types:

- the republican right to the historical, cultural patrimony;
- the republican right to environmental patrimony (and I think that these two correspond to the idea of Mme Rémond-Gouilloud) and a third right that was not in her speech;
- the republican right to the economic patrimony of society, to the *res publica stricto sensu*.

When I talk about the economic patrimony of society I am not concerned with the roads, the streets or the palaces that belong to the government or to public non state organizations. These are assets hard to be captured privately. I am speaking more specifically about the revenues that the state receives and spends every year. I am also talking about the process through which ambitious or

greedy people, using their personal or organizational power, try to capture these revenues by private ways. Not only through corruption. Corruption is well defined. But through other means besides corruption, besides clientelism, through several others means through which you capture the revenues of the state in your own interest or in the interest of your group, and not in the public interest.

These right can only be protected if you have a republican attitude. If you have an active, disinterested attitude towards the public interest. I am suggesting that this is happening in the last quarter of this century. It is interesting to remark that one of the origins of this kind of thought is neoconservative, with the idea of rent-seeking. The neoconservatives or neoliberals have a very negative view of mankind, they do not admit that republicanism is possible — because they always think that men are strictly selfish, that collective action is in most cases impossible. But anyway, when they put the idea of rent-seeking they were posing the problem of how to protect the public patrimony, instead of just selling it, privatizing.

To protect the *res publica* is a major problem today, taking this into account, you have two questions. First, is this idea of republican rights, of a republican attitude, a return to preliberal and predemocratic ideas? Probably not. These republican values may be distinguished very clearly from the republican approach of the good prince. Why? Because these republican values of the last quarter of this century — and it is quite sure that they will prevail in the next century increasingly — are built on the civil rights, the democratic rights or political rights, and the social rights. The republican rights are a fourth moment of the defense of citizenship rights.

A second question to be answered, finishing my presentation, is the following: is this not a naive dismissal of the twentieth century

crisis of reason? The conferecists today seem to be optimistic. But yesterday they were not so optimistic. In some moments this conference sounded deeply pessimist. Maybe they were not optimistic because they were thinking about the crisis of reason. We really had a crisis in the twentieth century. We had a crisis of scientific method, no doubt, and we had a crisis of the salvationist utopias. These two crises, that were quite clear in the twentieth century, made the end of this century very confusing, disordered and complicated. Mme. Delmas-Marty argued that “some disorder is good” — and I agree with her — but anyway, how the idea of crisis, the idea of something that goes wrong, can match with being optimistic, thinking that the republican rights can go ahead in this kind of climate?

I do not agree that the twentieth century has been so bad. On the contrary. I will remind you that this century was also a century when plurality became an important value, and when democracy became the dominant political regime. The twentieth century is the century of democracy. I know that the Americans created their democracy in the eighteenth century. But, in general, real democracy in civilized world only became dominant this century. The neoliberal or neoconservative thought postulates that what characterizes the end of this century is the triumph of the market — not the crisis of the state — and so, leaves for the state and for collective action a limited role, the role of just protecting contracts and property rights. This sort of thought is historically false. What we have new is democracy, a regime where the people has the final say. Well, what we see, in developed and developing countries, is that people do not share with neo-conservatives this negative view of the possibility of collective action. People are expecting not only the defense of individual and social rights, but also of the republican rights.

Together with the emergence of republican rights, what is emerging in the end of this century is a new state and a new democracy. Why do I say that is emerging a new democracy? I know that it will take a lot of time, I know that there are cycles, ups and downs crises. But I am sure that we come into a new democracy. Why? Because the rigid distinction between the private and the public, that was essential in the eighteenth century to establish the preconditions of democracy, now began to be again mixed, blurred. And that is good. The idea that the public is synonymous of the state is false. It is becoming each time more clear that in the concept of public there is an enormous area of public nonstate organizations, nonprofit institutions, that produce goods and services or participate in controlling government. This area is the area of direct democracy, of participatory democracy. I am not only referring to the NGOs. There are other types of public nonstate organizations, of nonprofit organizations. They will have a major role in shaping the twenty first century.

I believe that the defense of individual rights, of social rights and of republican rights is something that is coming. I read in this conference a very interesting paper from Mr. Bernstein, and he says that recourse to protest and civil disobedience is the inversion of a constitutional patriotism. I believe that this constitutional patriotism, and I was learning with Sergio Adorno, is not exactly republicanism, but is similar to republicanism. What I am saying is that this dialectics between the republican attitude and the defense of the individual and group rights is crucial. The republican perspective, as Bernstein proposes, is limited, is partial. Each one of us hope to have a republican attitude, but we do not know for sure what is really, in each case, the general interest. So people have to protest to make clear what they want. This dialectics is very important.

On the other hand, I would like to comment on a little the presentation of Eduardo Rabossi, about the classical format. He was asking for a new format, because this classical format is old. I think that the Universal Declaration of Human Rights is old, because it is only concerned with human rights. It is a very important, a major moment in the history of the defense of rights. But it consolidates civil, political and social rights. And we need a step further. We are making this step further, and this step is toward the republican rights. Thank you.

## Discussion

*Renato Janine Ribeiro* — A question for Minister Bresser Pereira. He knows that I am in complete agreement with what he says and what he thinks but anyway I would like to put a question.

I quite agree with what you said about republican values and so on. But it seems to me that there is some sort of an absence in your reflection. Actually you speak about democracy but you do not develop the subject of democracy. I would say that your thought is very consistent regarding republican values, the idea of a republic as a *res publica*, a common asset of things that inherits some ancient ideas. The point would be about the Roman idea itself of *res publica* but I do not see quite well how this thought could be considered democratic in the sense of where would be *demos* in itself? I see some characteristics that point to republican values: austerity, honesty, the idea that the *res publica* implies a self denial on the part of private interest, *vertu*, as reminds Sérgio Paulo Rouanet. I can see the heritage of Montesquieu thought about republic in your thought, but I do not see quite how is the sense of democracy in it. It is obvious, I do not say that your thoughts are not democratic, I do not mean that. I only want to point to the fact that it is very often



today, we have a balance: on one side you have these characteristics of a republic, — austerity, honesty and so on — and on the other side you have the idea of a *demos* that desires to assert itself and to have its own interests received. What would you say about that? Is it something that you consider important?

**Minister Bresser Pereira** — I think that Janine's question is a good one and it gives me the opportunity to clear a little more what is my point of view. I speak about republican rights and republican ethos, or republican ethics. It is important to note that republican rights are only possible if there are people that are ready to have a republican *virtu* and is ready to protect it. Because you are not protecting something that belongs to you especially. You are protecting the general interest. How can we match this with democracy? How is this consistent with democracy? I think that this is perfectly consistent. There are some trade offs between these four rights: civil, political, social and the republican rights. Some conflicts and trade-offs. But mostly they build one upon the other much more than are in conflict. What about the link between democracy and republican rights? I think it is quite clear. I think that you are referring to the idea of a republican perspective linked with the authoritarian view of republicanism that comes from the past. Well, why don't you think in a different way? This kind of republicanism of the past was something that only very special monarchs, very special statesmen had the opportunity to practice. A republicanism that was not accessible to common people. I consider democracy the system, the political regime that gives opportunity to the common citizen to be republican. Republican not in the American sense, nothing to do with it. Republican in the sense of a citizen seeing what he wants, fighting for the common good, for the public interest, giving a weight to his position when talking in the name of the *res publica*. In an authoritarian regime only the

king could do that. Now every citizen is able to do that. Why? Because there is democracy. So, this is a considerable difference. Well, in democracy each citizen is defending his interest or is defending also the public interest. At a second level, democracy is something that you can think in several degrees. You may have several degrees of democracy, since a very limited one to very advanced democracies. And I think that this is the process that is happening nowadays. When democracy is just the defense of freedom, it is only a procedural system where you have the right to defend your interest. This is important, no doubt, but I do not think it is enough. You have elections, you have free press, you have things like that. But when besides this, there is some degree of effective participation of citizens in the defense of public interest, in the well-being of society as a whole, then there is a qualitative difference. This is happening, mainly because democracy allowed and still is allowing it to happens.