

Conclusions

politics without morals and morals without politics?

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CONCLUSIONS - Politics without Morals and Morals without Politics?

We are living in a moment when the main social categories of contemporary history are undergoing a rapid mutation. The workers/people *versus* capitalists/elites dichotomy that informed the social identities and conflicts of industrial capitalism is being attenuated or replaced by social identities and new dichotomies that are fragmented and fragment social life. Ethnicity, gender, and religion are among the many identities that currently inform people's perceptions of self and others, and their demands focus more on defending specific worlds than reconstructing society as a whole.

Social classes—the main collective actors of the 20th century—have lost their protagonism. That is to say that class struggle and their attendant ideologies entered into decline and there is nothing to indicate a resurgence of these social categories. Nonetheless, politics goes on and the challenge for the social sciences is to decipher its logic.

As we saw at the beginning of this book, modern citizenship simultaneously developed the notion of free and equal individuals based on a national community. Citizenship was premised on the notion of individuals united by common values and projects which, while divergent and conflictive, were designed for the nation as a whole. However, individualism and the growing symbolic fragmentation occasioned by the emphasis placed on ethnic and/or religious cultures that often regard personal and/or group loyalties as non-negotiable priorities has jeopardized the republican notion of public space and the common good.

This mutation is accompanied by changes in political culture and political organizations. Instead of political parties entrusted to express inclusive visions of society, we are witnessing a fragmentation of social representation, coupled with a fragmentation of identities. NGOs have become the new purveyors of values and mini-utopias, and their proliferation goes hand in hand with the disintegration of the major ideologies. Political parties, while still irreplaceable as a mechanism for

political-institutional representation, seem condemned to become amorphous conglomerates devoid of moral density, caught up in the maelstrom of a social world whose parameters and dynamics they no longer understand.

Human rights discourse is now the *lingua franca* of globalization. Its engineers are NGOs and international entities (particularly the United Nations system) and its main funding sources are international agencies, North American foundations, philanthropic organizations, and European governments. The social activists who espouse this new ideology operate on an international scale with the support of the media. In this context, the ideologues of national political parties have turned into provincial intellectuals responsible for administering a small local world and its adaptation to the realities of globalization.

The democratic paradox is evident in the debilitation of political democracy not due to a shortage of democratic values, but rather to deepened expectations of equality. The democratic values of a society that strives to be transparent and egalitarian cause suspicions concerning the morality of politicians and the opacity of the State, together with a growing frustration with political parties and a feeling that democratic governments are incapable of confronting the problems of social equality and violence. In other words, the clash between the expectations created by a democratic culture and the social and political-institutional reality is expressed in a loss of confidence in democracy itself as a political system.

Whereas before, social innovations were translated and incorporated into the major inclusive ideological frameworks, human rights operate through a process of continuous fragmentation and expansion. Each new group or new perception in society is associated with the defense of a new right (right of women, of children, of African Americans, of minorities, of animals; right to health, to information, to development; environmental rights, and so forth).

While human rights absorb everything, social conflict develops over how those rights are interpreted, and this is the terrain for the current clash between two major viewpoints. The first, clearly ethnocentric, perspective lays claim to an

essential nucleus of human rights (mainly those ensuring individual liberty) embodying a superior world view anchored in the sacred core of “western culture.” This perspective is deeply rooted in the Anglo-Saxon world and is the predominant view of the United States today. The second perspective, associated with the experience of post-colonial trauma and disseminated in recent years in continental Europe, incorporates the right to cultural diversity (with the important exception of France), and places emphasis on tolerance toward social groups that do not practice—or are even at odds with—values associated with human rights.

Both of these perspectives, as tends to be the case with all world views, are confronted with the practical problems of inclusiveness and coherence. Thus, the ethnocentric vision constantly runs the risk of dehumanizing everything that does not fit squarely into its perception of humanity, while the multicultural human rights perspective ends up equating all cultures, thereby reducing the capacity for self-defense or struggling for one’s own values.

Challenges for Democracy

Modernity breaks with all the preceding forms of society inasmuch as it no longer regards the social order as a destiny preordained by a transcendental force external to human will. In the modern world, the individual and society are condemned to self-generate, to invent the future. Only in modern times have the individual and society come to portray themselves as entities autonomous from other areas of social life (particularly religion), and this is what led to the emergence of new cognitive disciplines such as sociology and psychology.

The constitution of new forms of individualism and collective action paved the way for a series of rights, institutions, and ideologies that helped modern individuals become the producers of their own future. Political ideologies in the 19th and 20th centuries were the vector through which the collective destiny of “society” was cast into the future. Those ideologies entered into crisis when people stopped believing in progress, in the possibility of predicting the future of society, or in the likelihood that society could be shaped by political projects.

The disjuncture between politics and society led social activists and intellectuals to develop new conceptual frameworks and organizational styles that would enable them to think up and act on new forms of societal self-transformation. This has given rise, as we have seen, to the current emphasis on categories such as “civil society” and to the development of NGOs, which mainly have served to dissociate politics (understood as participation in the public sphere with the objective of governing and/or transforming the State) from morals. Moreover, human rights discourse has dissociated the new transnational discourses from the local political dynamics, which are still organized within national States.⁹² This dissociation has particularly affected political parties, which have been reduced to producers of administrative bureaucrats whose legitimacy lies mainly in their capacity to keep financial stability and deliver growth. Innovative state politics was left to charismatic politicians, normally with strong authoritarian pendor.

The new political ideologies no longer portray themselves as political.⁹³ Rather it is seen as a moral vision premised on values extracted from human rights discourse or religion. The disconnect between morals and politics, due to the State’s declining legitimacy as a producer of values and the displacement of social conflict toward the Judiciary, have led contemporary social thinkers to transfer the focal point of reflection on society, shifting the analysis from the power of the State toward the production of rights.

In a world in which the triumph of individualism is accompanied by growing social inequality and signs of disintegrating bonds of social solidarity, the debate at the core of liberal tradition has shifted, in particular, toward the issue of justice in an individualistic society (Rawls’ work is central here), toward the role of the Judiciary (here, Dworkin’s work stands out), and toward opportunities for maintaining community-based forms of social organization in a liberal system.⁹⁴

⁹² See Michael Ignatieff’s book, *Human Rights as Politics and Idolatry*, which examines human rights in the sphere of international relations.

⁹³ See Richard Rorty, *Achieving our Country*.

⁹⁴ See, in particular, John Rawls, *A theory of Justice*; Ronald Dworkin, *Los derechos en serio*. Within the extensive bibliography on communitarianism, a synthesis of the debates can be found in Amy

The socialist tradition, for obvious reasons, is experiencing an even more profound crisis, as it has suffered two major dislocations: first, the end of the belief in the protagonism of the working class and its potential to create a new society; and second, the sectors currently emerging as capitalism's main "victims" are not those exploited by the system, but rather those excluded from it, the chronically unemployed, the "unemployable."

The challenge for socialist parties became one of proposing programs that incorporated the new middle sectors and the values associated with new public administration methods developed in the private sector—such as efficiency, competitiveness, fiscal discipline—while exhibiting some sensitivity towards the problems of social inequality. One of the most intellectually elaborated responses to this challenge has been the "third way," which stresses the use of public policy to ensure a baseline of social services to limit social exclusion and the deterioration of the most impoverished sectors.⁹⁵ But while the "third way" recognizes that the State has a compensatory role to play, it concurs that labor market regulation should be kept to a minimum. This stance is also particularly sensitive to identity claims or demands, an area where symbolic recognition policies could be developed at relatively little financial expense or significant harm to market functioning.

The "third way" has been portrayed as the only viable alternative from the left to date, in the context of the new globalized capitalism, able to cast its lot with the world of the "winners" without turning its back completely on values of solidarity and social justice, in other words, without neglecting the "losers." The extent to which it is possible, however, to preserve the State as a compensatory tool for social justice while allowing the "market" to intensify social inequity or destroy the social rights that have been won (such as limits on the work day, vacation, retirement, maternity rights) is still an open question, to say the least.

Gutmann, *Multiculturalism*; Amitai Etzioni, *New Communitarian Thinking*; Nathan Glazer, *Affirmative Discrimination*.

⁹⁵ See Anthony Giddens, *Para além da esquerda e da direita*.

In contrast to the “third way”, other initiatives, still in their embryonic stages, attempt to revisit the revolutionary, extraparliamentary theory, associated with new forums for antiglobalization struggles. A sign of the times: the debate has shifted toward a critique of the legal system. Antonio Negri’s work⁹⁶ stands out in this regard; he argues in favor of stretching social boundaries by promoting constituent power over the legal forms that seek to domesticate or discipline it. Meanwhile, other currents have criticized the social order from the standpoint of legal pluralism,⁹⁷ invoking the growing fragmentation of the legal system at the supra and subnational levels and stressing the need to establish new spaces for self-organization and solidarity guided by alternative values.⁹⁸

There is nothing to indicate that the paths described here represent a convincing solution for reconstituting the social order. The durability of Negri’s “constituent power” runs counter to the body of sociological knowledge regarding how societies tend to organize social life and is based on the author’s quite idiosyncratic vision of the human condition and freedom. The “legal pluralism” analysis fails to take into account that criminals are behind most of the new forms of extra-governmental legal regulations, or they are the result of the lack of adequate government services (in the slums, for example), rather than an expression of a superior legal organizational structure.

Clearly these perspectives reflect a very real phenomenon: the crisis of citizenship as it crystallized in the 20th century. Citizenship is the institutional mechanism through which the legal system coordinates the relationships between itself, society, and the State in modern democratic societies. Nonetheless, the components of this equation today are substantially different. “Society,” as a human grouping empirically and subjectively identifiable with a population defined by national borders has lost its density, either because of globalization processes or new collective identities that are not confined by national frameworks. The State, while maintaining its central role in social regulation, has lost legitimacy due to the

⁹⁶ Antonio Negri, *O poder constituinte*.

⁹⁷ There is a vast amount of literature on legal pluralism; see Jean Carbonier, *Sociologie juridique*. Regarding the debate over the utilization of the Brazilian case, see Eliane Botelho Junqueira, *A Sociologia do Direito no Brasil*.

⁹⁸ See, in particular, Boaventura de Souza Santos, *Toward a New Conventional Wisdom*.

dwindling representativity of political parties or faltering loyalty to the fatherland/nation/people, in addition to the pervasive sense that governance has become a technocratic exercise at the service of market demands. Lastly, the legal sphere has been undermined by the impact of the constitutionalization of the legal system and the influence of human rights on legal practice, by the expansion of the legal field to incorporate new subjects, and by the judicialization of social conflict.

Citizenship as the principal vector of participation and political representation entered into crisis, bringing into sharp relief the growing communication gap between the various social subsystems and the State. As we have seen, the new collective identities, and the social actors associated with them (affiliated with networks operating at a sub or supra-State level),⁹⁹ do not aspire to government and generally promote transnational agendas. As the judicial system absorbs this new reality, it must accept the de-coupling of the national State system and the legal system, which ultimately dissociates citizenship from the national legal system. Likewise, the development of new social actors around social identities that accentuate their essential differences carries with it the risk of destroying the public space, understood as a substratum of common values premised on the belief that the debate established in the public sphere is productive, in other words, that it transforms those who engage in it, has substantive value, and is not merely a negotiating field for individualistic or corporativists interests or visions.

Perhaps the main contradiction of public life in the contemporary world lies in the universalization of homogenous political and economic agendas at a time when national states –with very different social structures and cultural traditions– continue to be the *locus* for the generation and distribution of wealth. The universalization of agendas insensitive to national differences is as prevalent among those who embrace the so-called neoliberal policies as it is among those who oppose them. The difference is that those who regard globalization as positive uphold a free market agenda, while their opponents support the promotion of their similarly homogeinizing agenda worldwide.

⁹⁹ See Manuel Castells, *The Rise of The Network Society*.

The trend toward global agendas and postures that tend to bypass the State opens the door to populist or to extreme right-wing politicians who claim to represent and defend the nation. With such trends in mind, this work points to the need to go beyond globalized agendas. It underscores the urgent need to develop national institutional strategies that unhesitatingly incorporate the globalized context and act on it, while strengthening the State as a democratic instrument for the regulation and control of economic power, reinventing social policies and labor law instruments, and creatively reestablishing the connection and balances between individual and collective rights, since it is impossible to create individual paradises while living in urban social infernos. This challenge requires us to reject postures that view globalization as a schizophrenic phenomenon: with a dark side to be eliminated and a good side to be cultivated. Instead, we must keep in mind that, in capitalism, the *lex mercatoria* has always prevailed and that it is up to social forces to take advantage of the transformative momentum of capital to demarcate its empire and humanize its impact.