

# Human Nature and the Form of Government in American and Brazilian Political Thought

Gildo Marçal Brandão  
Departamento de Ciência Política  
Universidade de São Paulo

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**Abstract:**

I propose to reevaluate the classic discussion about the diversity of paths to democracy starting from a comparative analysis of the political theories and concepts of human nature which mark the origins and the construction of these two National States, the United States and Brazil. The chosen point of departure is that of the history of ideas, confronting the conceptions of human nature and the form of government presented in the political thought of the founding fathers of the American republic and the Brazilian monarchy.

The objective of this research is to reopen the discussion about the diversity of the paths to democracy, a classic theme in political historiography since the works of Marx and de Tocqueville, by means of relatively unused point of view, that of the **political theories** and of conceptions of **human nature** which informed the origins and construction of the national state in the United States and Brazil. The objective of this paper, more a research program than a presentation of an argument, is to lay out hypotheses which reduce the ideological distance between and permit a comparison of the political thought of the founding fathers of the Brazilian monarchy and the American republic.

**WHY BRAZIL AND THE UNITED STATES?**

The most obvious justification for a study of this nature is the claim that recent changes in international ideology, politics, and economics make the intellectual comparison of Brazil and the United States crucial. In fact, although there have long been variations, the theme of the cultural, as well as economic, influence of the United States is not a new one in Brazilian intellectual and political debate. Although the core of our intellectual life has always centered on a comparison with the European world -- being stepsons of the west and having serious problems of national identity -- there is a thread that runs through our history, a conjunction of themes, currents and authors who, from Independence to today, privileged the comparison with the United States and with North American democracy.<sup>1</sup> Theories, institutions, and the development of its federalism and

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<sup>1</sup>In this sense, though selecting distinct aspects, this work owes much to the recent and vigorous return to the problematic of "Americanism" in the Brazilian political thought of Luiz Werneck Vianna, especially to his comparison of Oliveira Vianna and Tavares Bastos, published by Elide Rugai Bastos and João Quartim de Moraes (eds.) **O Pensamento de Oliveira Vianna** (1994). We must also not forget also that only recently has the comparison between American and Brazilian paths to democracy become central. Historically, France and England were more common political and intellectual models.

democracy were frequently taken as explanations of our weakness or superiority, as a model to imitate or combat.

The failure of socialism as a serious alternative, the loss of the hegemonic capacity of French culture, the emergence of a mass continental society that had so many more parallels with the United States than with Europe -- for instance, the role of the media, types of policies and political machines, values, etc. -- even the possibility that liberalism is finally becoming a dominant idea in the social formation of Brazil all dramatically revives the question of paths to democracy and demands the exploration of new approaches to it. From the point of view of the future of the Brazilian nation, American political democracy serves more and more as a mirror and an enigma. Hence, we will attempt to decipher the nature of its "exceptionalism".

Ultimately, what is required is a resolution of the problem formulated by Guillermo O'Donnell, according to which recent historical experience seems to confirm deficiencies of origin and crystalize a disquieting difference between "representative democracy", whose paradigm would doubtless be the US, and "delegative democracy", of which Brazil, among other currently transitional countries, would be the most conspicuous example.

Submitting this thesis to falsification requires a return to the origins and, above all, to the founding of these two national states. There is now a vast body of literature about differences in the historical formation of the two countries, which encompasses the characteristics of colonization, Turner's thesis on the role of the frontier in the formation of American democracy (and on the absence of the possibility of agrarian reform and democracy in Brazil), the different character of slavery and its relationship with liberalism (present in the historiography since Nabuco's masterpiece, **O Abolicionismo**); the toquevillian themes of local power and intermediary associations; the role of the State as an aggregating element in a society supposedly as inorganic

and unsolidified as the Brazilian one; the role of political and administrative centralization in the restriction or guarantee of civil liberties; the relationship between civil liberties and political liberties; the theme of representation, and so on.

Much of this research consists in taking a new look at this literature. It is a matter of comparing how the institutions of the two countries worked and reconstructing the principal arguments with respect to the unity and the diversity of the historical development, the construction of the political systems, and the constellation of the predominant ideas. However, the traditional emphasis on comparative historical sociology will be replaced by the history of political ideas. Obviously a history of ideas does not make sense in and of itself. It is necessary to understand it not as an autonomous domain separated from the rest of history -- as if the ideas explained themselves -- but as a way to understand the society in which the ideas arose and which they express well or badly. Thus, to use an example from the Brazilian case, we must investigate what the ideas of Tavares Bastos and the Visconde de Uruguai -- by consensus the paradigmatic figures of liberalism and of imperial conservatism -- represent, for which social groups they spoke, and which interests they sought to favor. It is not, however, a matter of reducing them to mere "social reflection", but of seeking to understand them as artifacts, tools, attempts to diagnose real problems and to formulate strategies to resolve them, and, ultimately, as programs to organize and drive large social groups. On the other hand, they cannot be understood except as part of a process which goes beyond them and their comprehension demands, therefore, the analytic reconstruction of this process. What I have in mind, is not a historical development in the strictest sense of the term, but only along its principal lines. this involves examining the typical tendencies and the nodal points of this historical development, those which, from the point of view of political theory, are characteristic and indispensable.

## WHOM SHALL WE COMPARE?

It is my intention to study the political and institutional implications of the conceptions of human nature and form of government held by the founding fathers of the American republic and the Brazilian monarchy. On the Brazilian side, I wish to examine José Bonifacio's project for the construction of a modern Nation State; the priority given by the Visconde de Uruguai to the consolidation of the State rather than the nation; and the theory of the fourth branch of government, the Moderating Power, which constituted the axis of a political system intended to protect the State from the disruptive tendencies of an inorganic and disorganized society. On the American side, it will be worthwhile studying **The Federalist Papers**, in which the institutional engineering of checks and balances invented by Madison was combined with the nationalist project of Alexander Hamilton, to promote a strong and centralized government, restrained neither by majority rule nor by state sovereignty, and capable of its own economic initiative. Counterpoints to these centralizing theories are furnished by the thought of Frei Caneca and Thomas Jefferson. Naturally, a substantial part of the study rests in the examination of the acts of the Federal Convention of 1787 and of the Constituent Assembly of 1823.

There is, thus, an enormous amount of initial work to do. It is not easy to carry out a comparative analysis of the political conceptions of the American and Brazilian founding fathers. Beyond the specificity of the historical situations, institutions, and political results, there is also an enormous diversity of characteristics, gravity, and influence of the writers and the political action of these authors, that cannot be worked on without first clarifying their status. Whom then are we comparing?

The first point to clarify is what is meant by "founding fathers". In the United States, where the concept was born, the term refers to the creators of the State and the theory on which it was founded; not only did they govern, they formulated a theory of organization and of the exercise of power. They are "new princes"

in both the machiavellian and gramscian senses of the term. In Brazil, however, the effective "founding fathers", even prominent intellectuals like José Bonifácio, produced few relevant theories, while others which who might have rivalled the Americans theoretically, like Frei Caneca, were excluded from the process early on. For this reason, it is not possible to reconstruct the political theory which informed the creation and consolidation of the Brazilian imperial institutions without examining authors who did not participate in the founding moment, like the Visconde de Uruguai, the principal intellectual spokesman of the conservative group of the Empire, and even those liberal critics of aspects of the regime, such as Tavares Bastos and Joaquim Nabuco.

A second qualification resides in the intellectual attitudes with which the "new princes" faced the duty of creating new institutions. The question here is not as much about the quality of the leadership, since both the American and Brazilian leaders were frequently seen as larger than life,<sup>2</sup> as of the intellectual attitude about how to resolve the problem. From an ideological point of view, this question could be answered by describing the mentality of the respective national elites, which were in the main slave-holding and, at the same time, divided by the various conflicts between agrarian and industrialist tendencies (in the Brazilian case, comparing the seignorial and imperial systems, and in the American case, by contrasting jeffersonian pastoralism with hamiltonian industrial mercantilism). The real difficulty lies in the relation between liberalism and slavery, in the manner by which they resolved (in both the constitutional field and in daily life) the contradiction between liberal principles and the existence of slavery. Even intellectuals and politicians against slavery like Thomas Jefferson and José Bonifácio, tactically conceded the battle to end this institution because they realized that loyalty to this doctrine could cost the unity and the survival of their new nations. From the constitutional point

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<sup>2</sup>Americans, who cultivate heros, have an immense body of literature. It is sufficient to cite here the article by Gordon Wood, "The democratization of mind in the American Revolution", in Robert H. Horwitz (ed.), **The Moral Foundations of the American Republic** (1990). Of Brazilians, Oliveira Vianna once said that the generation which built the Empire "acted at variance with reality", but , contrary to the republicans, "to the height of their constitutional ideas". See **O Idealismo da Constituição**, (1934, 2nd edition), and also , by the same author, **O Ocaso do Império** (1925).

of view, the slave was ultimately subsumed juridically in the category of thing and it was the right of the property owner over his possessions which ultimately prevailed. The difference is that while the Constitutional Convention delegated the decision of what to do with the slaves to the states, the Constituent Assembly of 1823 avoided the question entirely, conscious that, in a country of such diverse geographic and economic characteristics, if the provinces were granted broad powers free work could supplant slavery in some of them and the coexistence of the two work regimes might well put the Empire itself at risk<sup>3</sup> -- there were a later number of writers who understood the American Civil War as a proof of this argument.

From a more general point of view, the other part of the response rests in the political theories which organize the experience in which these thinkers lived. Curiously, historians of both countries are accustomed to saying that the singularity of their country resides in the fact that, unlike the European countries, which grew "spontaneously", theirs is the product of an idea, the practical realization of a theory: lockean or classical republicanism in the American case, and constantian in the case of Brazil.<sup>4</sup> The assertions are, evidently, purely nationalist apologetics, but they reflect the historical innovation by which the written Constitution, and not simply precedent, comes to be viewed as the true incarnation of reason.<sup>5</sup> The similarities, however, stop

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<sup>3</sup>Cf. John Kaminski (ed.), **A Necessary Evil? Slavery and the Debate over the Constitution** (1995) and Vitor Nunes Leal, **Coronelismo, Enxada e Voto** (1949). While a good part of American historiography since Turner's **The Significance of the Frontier in American History** has sought to deal with slavery as a mere "incident" in the historical experience of the country, the historiography of 19th century Brazil has devoted its best effort to this problematic contradiction between a professed liberalism and the practice of slavery. Systematic comparisons between Turner's thesis and the Brazilian experience were done by Vianna Moog, **Bandeirantes e Pioneiros** (1969), and Otavio Guilherme Velho, **Capitalismo Autoritário e Campesinato** (1976).

<sup>4</sup>In the first case the assertion is common, derived from the belief in American exceptionalism. See, especially, Daniel Boorstin, **The Genius of American Politics** (1959), for whom American politics is ideological and pragmatic precisely because, since its inception, theory was incorporated into the institutions. From a more critical perspective, there is the observation of Louis Hartz according to which no thinker ever dominated the conscience of a nation as Locke dominate that of the United States, in **The Liberal Tradition in America** (1955, 1991). In the second case, the precedence of the theory over reality was explicitly asserted by José Honório Rodrigues, in **Independência: Revolução e Contra-Revolução** (1976) and **A Assembléia Constituinte de 1823** (1978), and, above all, by the conservative historiography of João Camillo de Oliveira Torres, **A Democracia Coroada** (1968) and João de Scatimburgo, **O Poder Moderador na História Brasileira** (1977). But Oliveira Vianna had already developed an extremely sophisticated manner of narrating the history of the country as though it were the history of the conflict between the "idea" of democracy and the "idea" of authority, in **O Ocaso de Império** (1925), or between "organic idealism" and "constitutional idealism" in **O Idealism da Constituição** (1939, 2nd ed.).

<sup>5</sup>Cf. Hegel, **The Philosophy of History**, trans. J. Sibree (1956).

there. In truth, both elites formulated new answers to the problem of constructing a political order without historical precedent, but while Americans were acutely aware of the originality of this undertaking,<sup>6</sup> the founders of the Brazilian Nation refused, from the start, to "reinvent of the wheel"; on the contrary, they selectively adapted institutions found universally in the local reality. This practice -- which was later theorized by the Visconde do Uruguai and whose intellectual foundation owes much to the influence of Victor Cousin's eclecticism -- prevailed even when they knew that they were creating something that had never before existed, as was the case with the constitutional order that had as its chief support the unusual Moderating Power. The inspiration for this innovation was found not in Locke or Montesquieu, but in Benjamin Constant. Yet it is likely that José Bonifácio, who formulated it, and Dom Pedro I, who adopted it, were aware of the innovation they introduced to the theory when they concentrated both the neutral power and executive power in the hands of the Emperor.<sup>7</sup>

The difference between the two elites, therefore is as much political as cultural. There is, beyond any doubt, a common background of values and readings (Locke, Montesquieu, the encyclopedists, Greek and Roman histories, etc), but the Americans are forerunners of the Revolution and the Brazilians, in a sense, its sons -- a historiographically obvious point that, nonetheless, has consequences. On the other hand, both the theory and action of Jefferson, Madison, Hamilton, Jay, Franklin and others, referred to Greco-Latin and British institutions, on which they systematically reflected. The political thought of our Independence was, itself, influenced by the American Revolution and by British institutions, but also, and strongly, by Rousseau and by

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<sup>6</sup>As Hamilton said in the First Federalist Paper, "It has been frequently remarked that it seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever to depend for their political constitutions on accident and force," **The Federalist Papers**, ed. Kramnick (1987).

<sup>7</sup>See Constant, **Oeuvres**, ed. Pleiade (1964). On Constant, see Biancamaria Fontana, **Benjamin Constant and the Post-Revolutionary Mind** (1995). On the Poder Moderador, see João Camilo de Oliveira Torres, **A Democracia Coroada** (1968), and João de Scatimburgo, **O Poder Moderador na História Brasileira** (1977)



the French Revolution, which, however, reached Brazil mediated by the Restoration. Thus the sources which inspired the authors of the Charter of 1823 were the French and Norwegian Constitutions, both monarchic documents which succeeded the constitutions of the revolutionary period.<sup>8</sup>

The ideological context in which they acted was also informed by other hegemonic European political theories. Although both were linked to the classic natural right literature and, in some measure, to smithian liberalism, Brazilian political thought became estranged early on from both the idea of the social contract and the possessive individualism upon which it was based. Thus, a strict lockean, such as Frei Caneca -- who saw in the Empire the expression of the people's pact with itself and who broke with the Emperor because he "had torn asunder the pact with the Nation" by closing the Constituent Assembly of 1823 and granting in 1824 a Constitution ruled by an unanticipated power<sup>9</sup> -- was treated as a dangerous radical and quartered. And even though Locke's thought constituted the basic reference for Bonifacio as much as for Jefferson -- both abolitionists who accepted slavery for similar reasons -- the Brazilian absorbed more of Locke's conception of science and empiricism than his political theory (which, by the way, extended a tradition that comes from the Marquês de Pombal). Although professing belief in individual liberty and struggling for the authenticity of representation and against the irresponsibility of the Moderating Power, the various tendencies of Brazilian liberalism found it hard to recognize in the in the free, isolated, unsociable individual the empirical subject of the process of the creation of civil society of the State. On the other hand, the most consistent texts of the imperial period were written in the second half of the century, a period in which the theories of a fixed and immutable human nature, prior to society and history, had been profoundly shaken by utilitarian criticism, eclecticism, and the advance of evolutionary theories.

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<sup>8</sup>José Honório Rodrigues, *A Assembléia Constituinte de 1823* (1978).

<sup>9</sup>Denis Bernardes, "Um contratualista na gênese do Império: Frei Caneca" (1993), presented at the XIX Anpocs Annual Meeting, Political Theory and the History of Ideas Working Group, Caxambu, mimeo.

## WHAT SHOULD WE COMPARE?

Explicit among the Americans, and generally implicit in the Brazilians, is the tie between human nature and the form of government which I am interested in investigating. Exploring this tie requires first characterizing the differences between two types of political realism, the "hobbesian-calvinist" federalist tradition and that which, lacking a better term, we can call by Guerreiro Ramos' expression the "dialectic of ambiguity" of eclecticism and Brazilian political Catholicism.<sup>10</sup> This is a matter of examining how and why the Brazilian experience assimilated the liberal institutions (forms of government, juridical norms, moral values) without incorporating the anthropology -- or better yet, the connection between the conception of human nature and the conception of a political system -- which underlies them.

At this point, my hypothesis is that the Brazilian political tradition formed itself rejecting both the possessive individualism of liberal tradition and the radical democratism of rousseauian tradition, and modernizing a specific conception of the person and of the human community derived from the Portuguese Scholastic Revival. Marked by a peculiar **disdain for the world**, this profoundly hierarchical conception not only ignored the value of labor and the impulse to transform the world "for the greater glory of God", but also imparted a privileged position to ethics and disqualified specifically political thought. Its ethical extremism, though not making it hostile to all types of compromise, produced a conception of action marked by a **knowledge of salvation** to which few ascended, in which everything in the world deteriorates and it is necessary to intervene demiurgically in order for things to improve. Since this outcome does not occur

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<sup>10</sup>Richard Hofstadter, *The American Political Tradition - and the Men who Made It* (1948). Guerreiro Ramos, *Administração e Estratégia do Desenvolvimento* (1966) and José Murilo de Carvalho, *Teatro das Sombras* (1988).

spontaneously, those who ascend to the knowledge of salvation must hold themselves up as models and reconstruct or restore society in their image and likeness.<sup>11</sup>

Therefore, let us examine this "salvationism" which is based on a peculiar form of political realism and pessimism in relation to both human and social nature, an ambiguity whose dialectic ruled the minds of the Imperial politicians and became an indispensable part of their (never openly articulated) belief in the divine right of kings, of their vision of society as an organic community, of their understanding of politics as a mission, and of their understanding of the necessity of assimilating the more advanced institutions of the period progressively, adapting them to the concrete conditions of the country.

In the second place, the investigation will deal with the place occupied by the question of the form of government in the two traditions. Unlike the American tradition in which, despite the severity of the dispute between hamiltonians and jeffersonians, nationalists and democrats, the representative republic was seen from the beginning as a political form adequate for the needs of the type of commercial society being created, the Brazilian tradition offers a dichotomy between the form of government and the form of society, between the "**país real**" and the "**país legal**", between the essential nature of the State and the transitory form of government.

This dichotomy cuts through the dispute between liberals and conservatives, but also divides the liberal camp itself between those, like Tavares Bastos, who considered the form of government the central political question of Brazilian democracy and those, like Joaquim Nabuco, who thought it was slavery. By various

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<sup>11</sup>I take the terms and hypothesis of Antonio Paim, **História da Filosofia no Brasil** (1974), almost word for word. He seems to think that imperial political liberalism paid all of its bills to the universal culture and that and that is only from the Republic that the debt begin to accumulate. From a more global point of view, the worldly is demarcated by weberian argument about the relationship between the protestant ethic and the spirit of capitalism, on the one hand, and by the notable valorization of Catholic and Rousseauian communitarianism from the Iberian tradition, described by Richard Morse in **O Espelho de Próspero** (1988), on the other.

paths they all ultimately accepted the monarchy not only as a tactical imperative, but also as the form of government that resolved the question of power and its accumulation in the new country. The accepted form of government was clearly a constitutional monarchy, which some wanted to consolidate and others to reform, but which was finally seen as most adequate to the structure of the civil society and the human nature that existed below the equator.

Thus, it will not be surprising that despite all his criticisms about the evils of centralization and his struggle to liberate individuals from the smothering state, the leading Brazilian federalist and toquevillian came to believe that his program of political and civil reform to promote liberalism, decentralization and capitalism, could be implemented only by the effectively existing State, by the (to be) enlightened monarchy -- the argument creating a paradox found in liberal thought even today, demanding that the State itself promote the establishment and supremacy of the market.<sup>12</sup> Nor will it be a surprise that the other great and more democratic proponent of an "American path to capitalism" was finally intellectually disarmed by the political consequences of his own program: the end of slavery, which he sought, carried off with it the Empire, the political form that he wanted to preserve.<sup>13</sup>

In its turn, the current that actually held power -- conservative, instrumental authoritarian, and even "romantic anti-capitalist", of which the Visconde do Uruguai is the best intellectual expression -- ardently defended the Moderating Power, profoundly mistrusted the destructive tendencies which reside in the nature of the individual, postulated that the toleration of factions would bring about the destruction of society and the State, and accused the federalist and decentralizing program of the Regency of favoring separatist tendencies

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<sup>12</sup>See Walquíria Domingues Leão Rego, **Tavares Bastos: Um Liberalismo Tardio** (1990), doctoral dissertation presented to the Department of Political Science, University of São Paulo.

<sup>13</sup>Marco Aurélio Nogueira, **As Desventuras do Liberalismo** (1989).

among the states and of delivering the common man, bound hand and foot, to the whims of the local strongman. Making the preservation of the State and the guarantee of civil rights their political program, the conservatives took over liberal theses such as the toquevillian distinction between political and administrative centralization, and the pre-modern character of political liberty in contrast to civil liberty, to put them in the service of the construction of a political system almost point-by-point contrary to federalism, the division of powers, and political liberty.

Paraphrasing the dispute between republicanism and liberalism in American historiography, it is perhaps possible to say that in the Brazilian case, the conservatives saw themselves as defenders of the "public spirit" against possessive individualism and the liberals considered themselves "protectors of rights" against statist authoritarianism. The Brazilian paradox seems to reside, however, in the confusion of these terms. Appealing to the specificity of Brazilian society, the conservatives saw in state action the only guarantee for the protection of individual rights and the sole effective antidote to the arbitrariness and absolutism of the patriarchal clans. Appealing to the universality of human experience, the liberals saw in state centralization the basic cause of the weakness of the institutions of Brazilian society and saw in the use of political liberties the only means of guaranteeing civil liberties. Both, however, were conscious that, at that moment, the State was the only socially relevant actor, though some wanted to consolidate its power and others to reform it.

Finally, the research must address the relationship between the construction of the State and the form of government in its external aspect, since in both the American and Brazilian case the initial projects involved not only constructing nations but establishing Empires; not merely to guarantee territorial unity but to expand it.

## STRATEGIES FOR READING BRAZILIAN POLITICAL THOUGHT

As a comparative work was not a presupposition, but a result of this research, it may now be convenient to take stock of the historiography quickly and delineate the investigative path followed before laying out the hypotheses about the relationships between conceptions of human nature and forms of government. When I began to work on 19th century Brazil, it was not my intention to examine American history as well. I wanted to reconstruct the process of development of the first National project and to sketch a sort of ideological panorama of the Empire. Beginning with the clarification of the central political problems -- the choice of a constitutional empire and not of a republic, the reconciliation of liberalism with slavery, the relationship between the Moderating Power and the problem of representation, the triumph of territory over population as the constituent matrix of national sovereignty, and the relationship between the conception of human nature and the political system which imposed itself hegemonically in this period -- my intention was to compose a panel, situating the principal authors and imperial policies on an ideological spectrum from left to right, and ascertaining in what measure these authors expressed currents that prefigured the political culture of modern Brazil.

This panel would extend from the radical contractualism and Pernambucan separatism of Frei Caneca to the **realpolitik** of José Bonifácio, who, though conscious of the fact that a nation employing slaves and liquidating the indians, made himself the leading author of the unitary solution of Independence with the Portuguese prince and of the constitutional solution of the Moderating Power; from the republicanism of Gonçalves Ledo and Cipriano Barata, who ultimately accepted the monarchical solution to the liberalism (smithian in form and mercantilist in content) of the Visconde de Cairú, whose policies tried to give economic

substance to the imperial institutions.<sup>14</sup> It would go over the transformation of Bernardo Pereira de Vasconcelos from a champion of the liberals to the leader of the conservative restoration; the profound influence of Cousin's eclecticism, which ultimately give intellectual shelter to the political pragmatism of the conservatives; the principal formulation of senhorial politics, in the work of the Visconde de Uruguai; the liberalism of white handkerchiefs and washed ties of Teófilo Ottoni, eternally out of power; the criticism of the Moderating Power by Zacarias de Góes, chief liberal politician; the American federalism of Tavares Bastos, who was the first to offer a program of political and economic reforms to promote liberalism and of a type of capitalism in Brazil; the abhorrence of revolution, shared by liberals and conservatives alike; the ambiguity of the treatment of slavery; the abolitionism of Nabuco and Rebouças, who simultaneously wanted the end of slavery, agrarian reform, and a federalist monarchy; and the anti-abolitionism of the republicans from São Paulo, who favored federalism without the monarchy and immigration.

How can one find a connecting thread which might make it possible to manage this diversity? Methodologically, my models were excessively classical: whether Richard Hofstadter's book **The American Political Tradition -- And the Men Who Made It**, which focused on political personalities and not on "ideologues"; or the literary and musical studies of Georg Lukács, Theodor Adorno or Walter Benjamin, which treat individual artistic works, aesthetic evolution, and the intellectual and political destiny of authors as if they embodied the different alternatives and decisions which were open to social actors as the solution to German backwardness. This presented enormous difficulty, however, as the political-ideological life of the Brazilian Empire apparently does not support this type of analysis. Excepting literary expressions which manifest the "will to create a Brazilian literature", as Antonio Candido put it,<sup>15</sup> or the work of isolated artists, such as

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<sup>14</sup>For a comparison of the economic policies of Hamilton and Cairú, see Déa Fenelon Ribeiro (1982). Specifically on Cairú, the most systematic work is that of Antonio Pena Gonçalves (1991). Both are doctoral dissertations defended in the History Department of the University of São Paulo.

<sup>15</sup>In **Formação da Literatura Brasileira** (1991).

Machado de Assis<sup>16</sup> -- the majority of those intellectuals and politicians did not possess theoretical elaborations with sufficient consistency and continuity of position over time to permit the use of a ponderous methodology like that of the Frankfurt school, which attempts to trace the internal logic of the works and understand them as expressions mediated by structures, processes, and social groups.

Even the use of a softer methodology such as the construction of a typology of "styles of thought" along the lines of Mannheim, though adapted to Brazilian historiography on the Empire since the 1960s in the works of Florestan Fernandes, Paula Beiguelman, Raimundo Faoro, and Bolivar Lamounier, among others, does not avoid excessively generic and abstract schemas, leaving us in the same position as that denounced by Mario de Andrade in his critique of the synthetic a priori literary criticism of Sílvio Romero and Tristão de Ataíde, according to which,

In this mess that is Brazil, our critics are compelled to amass personalities and works, by the illusory precision of perceiving that which does not yet exist, to wit, the nation. From there a prematurely synthetic criticism, contenting itself in generalizations that are oftentimes cursory, others completely false. Proclaiming our individualism, they socialize everything. When the approach had to be the analysis of the personalities and at times even each work in particular, they synthesize the currents, imagining that the understanding of Brazil will come from synthesis. Now, such synthesis was, especially in relation to cultural phenomena, impossible: because, as occurs with all the other American peoples, our national formation is not natural, it is not spontaneous, it is not, it can thus be said, logical. Therein lies the squalor of contrasts of which we are composed. It is not yet the time to understand the Brazilian soul through synthesis. Because in this way we either fall into dubious and confusing assertions like that of Tristão de Ataíde when he declared that religious sentiment is "the true soul of Brazil, that which we have which is most distinct, the most our own"; or as in that unspeakable compilation of index cards by Medeiros de Albuquerque, who censured a nationalist poet for singing the peanut "a strange, small fruit, perhaps originating in Switzerland."<sup>17</sup>

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<sup>16</sup>Roberto Schwarz, *Ao Vencedor as Batatas* (1977); *Um Mestre na Periferia do Capitalismo* (1988).

<sup>17</sup>*Aspectos da Literatura Brasileira* (1972).



The question is, therefore, whether it is possible to describe the political life of the Empire from an angle that intrinsically relates, not merely juxtaposes, the themes of slavery, centralization, and representation; and whether it is possible to formulate a hypothesis about the mechanisms that tied the ideological formulations to -- or disconnected them from -- the process of evolution of political institutions. As José Murilo de Carvalho noted, both questions lead to the investigation of the "image and the model of Brazil", to the reexamination of the discontinuity between "the conception of the real Brazil and the vision of the desired Brazil, as well as the definition of the paths that could lead from one to the other", which guided the actions of the builders of the Imperial State.<sup>18</sup>

A good part of the bibliography of Brazilian intellectual history can be read as an attempt to frame and make manageable the problem formulated by Mario de Andrade. This attempt has driven a notable accumulation of knowledge.<sup>19</sup> To the extent that it pointed to the objective problem behind the methodological difficulty, Mario de Andrade's formulation itself furnished the key to the investigation. Thus the connecting thread is precisely the absence of the Nation itself, in the discontinuity between the real process and the political project. In the case of the Empire, the tragedy was objective, residing in the nature of the situation and the

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<sup>18</sup>Carvalho, **Teatro das Sombras: A Política Imperial** (1988).

<sup>19</sup>See, for instance, Caio Prado Júnior, **Evolução Política do Brasil** (1933) and **Formação do Brasil Contemporâneo** (1945); Oliveira Vianna, **Instituições Políticas Brasileiras** (1949), **O Ocaso do Império** (1925), **O Idealismo da Constituição** (1939); Gilberto Freyre, **Casa Grande e Senzala** (1932), and **Sobrados e Mocambos** (1956); Sérgio Buarque de Holanda, **Raízes do Brasil** (1936), **O Passado e a Sombra** (1980); Nestor Duarte, **A Ordem Privada e a Organização Política Nacional** (1952); Vitor Nunes Leal, **Coronelismo, Enxada e Voto** (1949); João Cruz Costa, **Contribuição à História das Idéias no Brasil** (1978); Guerreiro Ramos, **Administração e Estratégia do Desenvolvimento** (1966) and **A Crise do Poder no Brasil** (1961); Paula Beiguelman, **Formação Política do Brasil** (1967), **Pequenos Ensaio de Ciência Política** (1969); Fernando Henrique Cardoso, **Capitalismo e Escravidão no Brasil Meridional** (1968); Nelson Werneck Sodré, **A Ideologia do Colonialismo** (1961); Raimundo Faoro, **Os Donos do Poder** (1975) and **Existe um Pensamento Político Brasileiro?** (1993); Paulo Mercadante, **A Consciência Conservadora no Brasil** (1965) and **A Ética e o Compromisso** (1970); Antonio Paim, **História das Idéias Filosóficas no Brasil** (1978); João Camilo de Oliveira Torres, **A Democracia Coroada** (1968); Jarbas Medeiros, **A Ideologia Autoritária no Brasil** (1978); Wanderley Guilherme dos Santos, **Ordem Burguesa e Liberalismo Político** (1978); Simon Schwartzman, **Bases do Autoritarismo Brasileiro** (1982); Bolívar Lamounier, "Formação de um pensamento político autoritário na Primeira República: uma interpretação" (1977) and **Eleições, Representação e Democracia no Brasil** (1987); José Murilo de Carvalho, **A Construção da Ordem** (1980) and **Teatro de Sombras** (1988); Roberto Schwarz, **Ao Vencedor as Batatas** (1977) and **Um Mestre na Periferia do Capitalismo** (1988); Marco Aurélio Nogueira, **As Desventuras do Liberalismo** (1989); Ilmar Rohlf de Matos, **O Tempo Saquarema** (1986); Richard Morse, **O Espelho de Próspero** (1988); Luiz Werneck Vianna, "Americanismo e Iberismo: a polêmica entre Oliveira Vianna e Tavares Bastos" (1993); Walquíria Domingues Rego, **Tavares Bastos: Um Liberalismo Tardio** (1990); among others.

actors, which, on the one hand, permanently disassociated the question of human nature (both of the slave and of the propertyless freeman) from the question of the form of government; and on the other, inverted the antagonistic relationship between individual liberty and state power, apparently throwing the enlargement of the governmental sphere into the same camp as the guarantee of rights for the common man.

It is therefore necessary to assume "that which does not yet exist" as the interpretive hypothesis. Stated in another way, the synthesis can be made viable by reference of the "squalor of contrasts" to the social configuration the it expresses, indicated precisely by the absence of the Nation. It is this relationship between the unfinished process and the ambition of the project that could supply the line of continuity of Brazilian history, permitting us to demonstrate both its identity with and its contradiction of American history, which seems to characterize itself by exactly the opposite, by success in achievement of the project.

## **STRATEGIES FOR READING AMERICAN POLITICAL THOUGHT**

Posing the question in this fashion, it is possible to recognize common problems behind the diversity of responses given by the American and Brazilian historical experiences. The inversion of the meaning of "federalism" in the two contexts can summarize this identity and difference: a proposal for overcoming state sovereignty and creating a strong and autonomous national power, unrestrained by democratic pressures, is read as a project for weakening central power to the advantage of the states and limiting the State's discretionary power over the individual. This was Oliveira Vianna's criticism of the other "Americanist" of Brazilian history, Rui Barbosa, and of the Constitution of 1891, which he considered both insane (for importing institutions that were not appropriate for Brazilian conditions) and utopian (for believing that the existence of a good Constitution would be a sufficient condition to generate a good society). It is curious, therefore, that Oliveira Vianna contented himself with this dismissal, and avoided confronting the challenge which, at least

theoretically, **The Federalist** offered to his work: the possibility of achieving centralization and constructing a national power by means other than the authoritarianism he proposed.

On the other hand, if he was mistaken about Rui, who was not the naive decentralizer of Vianna's criticism,<sup>20</sup> this was due not only to Brazilian circumstances, but also to American history itself, whose unity and consensus should have invited doubt. Indeed, there exists a conflict of interpretations over this, having been described as a complementary or contradictory result of the collision between two antagonistic principles, whether they be characterized as republican and liberal, as disenchanting realism and manifest destiny, as national and democratic, or as hamiltonian and jeffersonian.<sup>21</sup> The American experience has also been described as the fruit of an unresolved tension between authority and democracy, between an initial elitism and the belated democracy, clashes whose results were not always favorable to democracy.

For an influential "progressive" such as Herbert Croly, for example,<sup>22</sup> two ideas govern American politics: the "principle of nationality" and the "principle of democracy", principles which, at the beginning of the party system, were separate than united. In these terms, the hamiltonian strengthening of the federal government, far from promoting self-government, was and ought to have been used to promote authority rather than democracy, or the Nation as much as the individual. The contemporary return of this thesis takes the form of the argument that the expansion of the rights of the individual has led only to the fragmentation of the country into a multitude of particularist pressure groups precisely because the battle for equality of rights and

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<sup>20</sup>See José Murilo de Carvalho, "Federalismo y centralización en el Imperio Brasileño: Historia e argumento", in Marcelo Carmagnani (ed.), **Federalismos latinoamericanos: México/Brasil/Argentina** (1993).

<sup>21</sup>In his excellent **Ordem Burguesa e Liberalismo Político**, Wanderley Guilherme dos Santos argues that the specificity of Brazilian political thought consists in a dualist understanding of the world. This observation is right to the extent that it refers to that Andradean "squalor of contrasts", but errs in implicitly suggesting that thinking in terms of "structural dualism" is the prerogative of the underdeveloped. A good part of dependency theory makes a similar mistake.

<sup>22</sup>See **The Promise of American Life** (1909).

for the incorporation of new groups into civic life has not been accompanied by the adoption of policies of integration and the strengthening of authority.<sup>23</sup>

On the other hand, for a liberal of the left like Hofstadter -- whose book, **The American Political Tradition**, despite its critical and radical intentions, has become a basic text book and ultimately inaugurated a historiography which explained the American exceptionalism by the absence of substantial conflicts in its history -- the Constitution and the work of the federalist is "realist", intended to repress the destructive tendencies of human nature and popular government.<sup>24</sup> And from right to left, from J.G.A. Pocock to Michael Sandel, the "republican" and "communitarian" criticisms come together in the affirmation of the tradition of "civic humanism" and "classical republicanism" as a counter-ideology, as a radical alternative to the liberal, individualist, and lockean hegemony in North American political thought.<sup>25</sup>

In short, I am suggesting that despite the profound differences of historical experience in the two countries, both confront the relation between the "national question" and the "democratic question" making the second instrumental to the first, which sets the terms. However much the forms of articulation vary, the essential point is the construction of strong and powerful national governments, the form of government being an instrumental question. Thus, it is this priority of the national question, this tension that has marked the

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<sup>23</sup>See Samuel H. Beer, **To Make a Nation: The Rediscovery of the American Federalism** (1993) and Arthur M. Schlesinger, Jr., **The Cycles of American History** (1986).

<sup>24</sup>**The American Political Tradition -- And the Men Who Made It** (1948). For criticism of Hofstadter's position see "Ethics and Politics" by Martin Diamond, one of the leaders of the Straussian school of American political theory, in Robert H. Horwitz, ed. **The Moral Foundations of the American Republic** (1990). On the problem of American exceptionalism, one of the interpretations most consistent that of Hofstadter is Louis Hartz, **The Liberal Tradition in America** (1956). Here too, the original critical intention yielded to an apologetic vision, as in Daniel Bell's **The End of Ideology** (1959), which is probably the principal work of "consensus" historiography. A recent look at this problem can be found in Seymour Martin Lipset, **The American Exceptionalism** (1995).

<sup>25</sup>See J.G.A. Pocock, **The Machiavellian Moment - Florentine Political Thought and the Atlantic Republican Tradition** (1975) and Michael J. Sandel, **Democracy's Discontent - America in Search of a Public Philosophy** (1996), among others. For a criticism of these positions see Isaac Kramnick, **Republicanism and bourgeois Radicalism - Political Ideology in Late Eighteenth-Century England and America** (1990).

relationship between nationalism and democracy in the two new nations, the identity of problems beneath the diversity of responses, which will permit us to reduce the ideological distance between the founding fathers of the American republic and the Brazilian monarchy, allowing their comparison.

Hence, it can be said that it was in the search for this common ground that the analysis of the theories of **The Federalist Papers** (that is, the relationship between the hamiltonian project of national greatness and the madisonian perspective of institutional construction) placed itself in the "natural order of things". One reason that it is worthwhile to focus on this book is the fact that it can be read as an heir -- or as an employment -- of western European political reflection on the relationship between human nature and forms of government, on the grounds of its philosophical foundations (Hobbes, Locke, Hume, Montesquieu, etc.) and in its analysis of the institutional processes that lead to the rise and fall of the republicans (Tacitus, the Machiavelli of the **Discourses**, the Montesquieu of the **Causes of the Grandeur and Decadence of the Romans**, etc.). It is an employment of the tradition particularly suited to this research precisely because it was not an exclusively or even essentially theoretical work, but a "descent from theory to practice", as Thomas Jefferson acutely called it, noting that the subject "does not have a better book than **The Federalist Papers**".<sup>26</sup> Finally, the fact is that, together with **Democracy in America**, it was one of the books most often consulted in 19th century Brazil, especially when dealing practical and institutional questions, whether it was to be selectively adapted or rejected as inapplicable to the country, as done by liberals and conservatives alike.

It is not easy, however, to read **The Federalist Papers**. Since it is not formal a treatise of theory or political philosophy, but a collection of essays aiming at a specific political goal, it cannot be expected that its authors fully and rigorously defined the concepts that they used or the presuppositions of their argument. As

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<sup>26</sup>Letter to T. M. Randolph, Jr., May 30, 1790, **Papers of Thomas Jefferson**.

with every book of immediate political engagement, there is a discrepancy between what its authors really thought and what they finally wrote, and not all the positions defended could be elaborated completely. None of this, it is true, means that they are necessarily imprecise or slipshod, but it requires that the reader consider the context in which the arguments were produced more carefully than usual.<sup>27</sup>

An additional source of difficulties lies in what gives **The Federalist** its force, its direct association with the American Constitution. To the extent that the authors created not only the theoretical foundation but also the institutional framework in which the American political system developed, a large part of political and ideological debate even today occurs over the interpretation of the Constitution and the intentions of the founders when they wrote, which makes research particularly difficult and slow. In truth,

Depending on the degrees of wisdom and influence attributed to **The Federalist** and the Constitution, the book has been available for patriotic appreciation of the American regime's fundamental principles of the American political regime, for critical revelation of the regime's essential deficiencies, or for melancholy or satisfied contemplation of the subsequent degradation or improvement of that regime. A once common view held that **The Federalist** and the Constitution manifest an undemocratic beginning to American liberal democracy, a beginning later corrected by progress visible in Jeffersonian, Jacksonian and Rooseveltian revolutions but perhaps not fully corrected yet. A more recent and sophisticated view holds that **The Federalist** reveals the liberal beginnings of American democracy, a liberalism which displaced an earlier tradition of "republicanism" and "civic humanism".<sup>28</sup>

In the face of these difficulties, it is appropriate to identify the principal conflicts of interpretation and select those pertinent to the analysis. It is possible to map at least two large blocks of questions. The more recent and prestigious directly confronts the question of liberalism and opposes it to republicanism, the older one opposes nationalism to democracy. In the first case, I refer to the dispute between the authors like J.G.A.

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<sup>27</sup>For the protocols of reading, cf. Albert Furtwangler, **The Authority of Publius -- A reading of The Federalist Papers** (1984), which emphasizes the literary strategies of the text, David F. Epstein, **The Political Theory of The Federalist** (1984) and Morton White, **Philosophy, The Federalist, and the Constitution** (1989).

<sup>28</sup>David F. Epstein, **The Political Theory of The Federalist** (1984).

Pocock, Bernard Baylin, and Gordon Wood who privilege classical republicanism and those, like Carl L. Becker and Louis Hartz (to cite the classics), Joyce Appleby, Thomas L. Pangle, Paul A. Rahe, Isaac Kramnick, and Forrest McDonald, who, in different ways, emphasize the liberal character and the lockean influence in the political thought of the founding fathers of American democracy.<sup>29</sup>

For the former, a "Neo-Whig" group, as Richard K. Matthews calls them,<sup>30</sup> the genealogy of **The Federalist Papers** and the American Constitution should be sought in classical republicanism, both in its Aristotelian and Florentine expression and in its English offshoot. Postulating the existence of an Atlantic tradition antagonistic to liberalism, these authors seek to displace the consensus over the influence of Locke on the American Revolution and claim that those documents represent "the end of classical politics", the final act of the Renaissance and the beginning of a movement that "Americanizes virtue", that is, it leads from civic humanism to the deterioration represented by modern liberal politics.

In the second case, the dispute over interpretation takes place among those who can be called "nationalists", "anti-consolidationists" (or "anti-statists") and "pluralists".<sup>31</sup> The first group sees Publius as a strict nationalist, a supporter of a strong government, and Hamilton, Madison, and Jay as energetic leaders who, disappointed by the weakness revealed by the experience of Confederation, proposed a restructuring of the economy and the State in order to concentrate authority and reduce the sovereignty of the states.

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<sup>29</sup>See J. G. A. Pocock, **The Machiavellian Moment** (1975), Bernard Baylin, **The Ideological Origins of the American Revolution** (1990, enl. ed.), Gordon Wood, **The Creation of the American Republic** (1969, 1993) and **The Radicalism of the American Revolution** (1993); Carl L. Becker, **The Declaration of Independence** (1942), Louis Hartz, **The Liberal Tradition in America** (1956), Joyce Appleby, **Liberalism and Republicanism in the Historical Imagination** (1992), Thomas L. Pangle, **The Spirit of Modern Republicanism -- the Moral Vision of the American Founders and the Philosophy of Locke** (1990), Paul A. Rahe, **Republics Ancient and Modern**, vol. 3 (1990), Isaac Kramnick, **Republicanism and Bourgeois Radicalism -- Political ideology in Late Eighteenth-Century England and America** (1990), Forrest McDonald, **Novus Ordo Seclorum -- The Intellectual Origins of the Constitution** (1985).

<sup>30</sup>**The Radical Politics of Thomas Jefferson -- A Revisionist View** (1984).

<sup>31</sup>The classification is from Edward Millican, **One United People -- The Federalist Papers and the National Idea** (1990).

The "anti-consolidationists" believe that, on the contrary, the book exudes a tremendous distrust of power and tries to create a central government surrounded by strong restrictions, leaving the protection of liberty deliberately in the hand of the States, in voluntarism, and in individual initiative. The essential point would be in the proposition of a minimal State, a federal government as limited and as little interventionist as possible.

The third current agrees with the first in that the political system created by the federalists sought to frustrate majority rule and to limit the sovereignty of the states, fearing that they could become instruments of democratic pressures. These authors believe, however, that for that reason, it was a matter of fashioning a limited government, in which the separation of powers, the competition among multiple interests, and the compromise between the private and the public would preclude any attempt to suppress minorities, as was claimed by the second group. Under these conditions, the intentional result of the federalists' action was a government which tends to immobilism, so as not to suffocate a society that drew its dynamism from the existence of conflicts among various interest groups. From this point of view, it is perhaps not a great distance between the classic interpretation of Charles A. Beard, who likens the factions to economic interest groups, and the modern interpretation of Robert A. Dahl, who rereads "Federalist 10" as if it prefigured the party systems of the current polyarchies.<sup>32</sup>

## LAYING OUT THE HYPOTHESES

Having traversed this route, we can now conclude. Our initial proposal was to analyze the conceptions of man and the world which governed the articulation of the political institutions of Brazil and the United States, to demonstrate how and why the Brazilian experience assimilated liberal institutions without

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<sup>32</sup>Cf. Charles A. Beard, *An Economic Interpretation of the Constitution of the United States* (1934) and Robert A. Dahl, *A Preface to Democratic Theory* (1956).



incorporating the anthropological base -- or rather, the type of articulation between human nature and political system -- underlying them. The suggestion made in the text is that, despite the enormous distance between "hobbesian-calvinist realism" and the "salvationist realism" of secularized Catholicism, the political theories which informed the construction of these two national States could be compared if the reading did not take **The Federalist Papers** as a finished "model" of Democracy and Democratic Theory, or of "good federalism" counterposed to what would be Brazilian "bad federalism"; if it avoided what is probably the most prestigious interpretation, the "pluralist", which tends to understand the text in terms of the polyarchy into which the United States has turned itself. If, finally, the reading were to historicize the book and were to assume as a hypothesis that the essence of it is more a theory of the Nation than of the representative republic; that the essence is the presupposition that there is an American national interest and that its defense and expansion depends on the creation of an energetic and clearly sovereign central power. In these terms, the theory of popular and representative government, the mechanism of checks and balances, the constitutional role of the Supreme Court, and the like, would not have value in themselves, but as instruments for the realization of a determined end. Hobbes and not Montesquieu, or Hobbes more than Montesquieu, would explain the basic intention of the founding fathers, both in the question of the indivisibility of sovereignty and on the question of the relativity or functionality of the form of government.

This reading seems to me even more consistent and for taking seriously the fact that **The Federalist** is the product of a unique intellectual group of authors who disagreed amongst themselves both before and after and with relation to everything else, who were not be completely satisfied with the Constitution approved by the Philadelphia Convention, and who, particularly Hamilton, were openly supporters of a much more centralized government than that which was ultimately instituted.<sup>33</sup>

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<sup>33</sup>On the "split personality" of Publius, see Douglass Adair, "The Authorship of the Disputed Federalist Papers", in **Fame and the Founding Fathers** (1974).

In order that this not result in an absurd assimilation of radically distinct political proposals, the diminution of ideological distance between the two worlds would be, thus, in the recognition of the ascendancy of the national question over the democratic, and state sovereignty over the form of government. Hence, it would be necessary to confront the democratic question directly, that is to say the radical difference in the forms of government postulated, the distinct modes of linking civil and political liberties found in the American and Brazilian centralizers. My suggestion is that, on this point, the comparison would be possible if, to turn the focus around, the absolutism of the theory of the Moderating Power were not taken only as the instrument of guaranteeing the unity of the country and the state cohesion in front of the dispute among the Legislature, Executive, and Judiciary branches, but also as an attempt to resolve, in a different fashion, the same problem formulated by Federalist 10, that of the faction, of the bad republican. The investigation of this hypothesis will require a minute examination of the formulation of Benjamin Constant and the interpretation that it received in the granting of the Constitution of 1823.

My expectation is that this selective reading of **The Federalist Papers** and of the process of "hobbesian foundation" of the American State could be used to understand the Brazilian founding.