

Dossiê: Justiça e instituições sociais na democracia

Inequality in contemporary Brazilian debate

Between citizenship and recognition

Desigualdade no debate brasileiro contemporâneo

Entre cidadania e reconhecimento

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Abstract: In this article, I will deal with the problem of inequality in connection to the reception of the theories of citizenship and of recognition in Brazil. These theories have been playing a key role in the present day debate on inequality. My aim is to see how the Brazilian authors that seek support on these two theories approach inequality. I will proceed by investigating whether they have or not a common understanding of Brazilian inequality, through these theories. After achieving an understanding of Brazilian inequality in the light of these debates, I will conclude by making some comments on how recent Brazilian experiments in social policies, mainly those related to income transfer, may contribute to reduce social inequality.

Keywords: Inequality. Citizenship. Recognition. Brazil.

Resumo: Neste artigo, eu discuto o problema da desigualdade à luz da recepção das teorias da cidadania e do reconhecimento no Brasil. Essas teorias têm desempenhado um papel chave nos debates atuais sobre desigualdade. Meu objetivo é ver como os autores brasileiros que se apoiam nesses dois tipos de teoria abordam o problema da desigualdade. Minha estratégia é investigar se eles chegam ou não a uma compreensão comum da desigualdade brasileira a partir dessas teorias. Depois de alcançar uma compreensão dessa desigualdade à luz dessas teorias, concluo fazendo alguns comentários sobre como os recentes experimentos brasileiros em políticas sociais, especialmente aqueles relacionados com a transferência direta de renda, podem contribuir para reduzir a desigualdade social.

Palavras-chaves: Desigualdade. Cidadania. Reconhecimento. Brasil

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Introduction

Inequality has become one of the most salient categories in contemporary Brazilian debate. Both in the fields of social theory and social policy, the concern with inequality in Brazil has gained an increasing space in academic journals and meetings in the last years. This scenario is, nevertheless, quite different from that of the immediate period of democratization that followed the demise of the military regime when the concern with issues of political citizenship occupied the center of the debate. That is to say, while the process of democratization offered an appropriated context that favored the emergence of social movements whose needs remained repressed during the military regime, the consolidation of democracy took place without important changes in the patterns of social inequality that accompanied Brazilian society since colonial times.

However, after two decades of military regime, it is not surprising that in the first years of the democratic regime the idea of political freedom happened to catalyze the energy of most social movements. Thus, along with a strong trade-union movement, many other social movements as student, feminist, black, gay and lesbian, ecological, and landless, among others, gained the political scene. In part at least, this proliferation of social movements explains why the struggle for democratization has emphasized more civil and political rights than social rights.¹

On the other hand, though that differentiated array of new social movements fits well the peculiarities of Brazilian society, it is also part of an international scenario characterized by the crises of the welfare state regimes and the emergence of neo-liberalism. In such a context, despite the fact of labor and landless social movements put the accent of their struggle on social and economic rights, it is not a surprise that the problem of social inequality in Brazilian society remained almost untouched.

It is true that recent quantitative and comparative empirical researches on poverty and social inequality point to some improvement in the attempts to reduce poverty (Rocha, 2005; 2013; Soares et al., 2007). Qualitative researches on how Brazilians see this problem suggest, on the other hand, the extent to which these inequalities are rooted in Brazilian history and culture (Reis, 1998, 2000; Scalon and Cano, 2006). In any way, however, the theme of inequality

¹ For recent general accounts of social movements, see: Durham (1984); Scherer-Warren (1993); Doimo (1995); Gohn (1997); for the ecological movement, see: Tavoraro (2001); for the landless movement, see: Fernandes (1996); for the labor movement, see: Rodrigues (1997).

has recently gained an increasing space in Brazilian academic debate. Behind this increasing interest in the problem of inequality is certainly the international debate on the issue (Pedersen, 2004; Therborn, 2006), but one cannot disregard also the internal impulse it receives from recent experiments in social policy, especially those that emphasize income transfer as a way to fight both poverty and social inequality around the world (Fonseca, 2001; Suplicy, 2002; Barbosa and Silva e Silva, 2003; Cohn and Fonseca, 2004; Lavinias, 2004; Silva, 2006; 2014; Justo, 2007). Thus, as it occurs in the international scenario, the debate and the social policy experiments are also present in the Brazilian agenda regarding social inequality.

In this article, I will deal with the problem of inequality in connection to the reception of the theories of citizenship and of recognition in Brazil (Silva, 2008; 2012; 2014; Rego e Pinzani, 2013; Cunha, 2014; Sobottka, 2015). These theories have been playing a key role in the present day debate on inequality. My aim is to see how the Brazilian authors that seek support on these two theories approach inequality. I will proceed by investigating whether they have or not a common understanding of Brazilian inequality, through these theories. After achieving an understanding of Brazilian inequality in the light of these debates, I will conclude by making some comments on how recent Brazilian experiments in social policies, mainly those related to income transfer, may contribute to reduce social inequality.

Inequality

I begin by introducing the concept of inequality to which I recur in this article. To most of the contemporary social theorists, equality is a category of social justice. Then, as opposed to equality, inequality also belongs – negatively, I would say – to the field of social justice; that is, while equality is a category of justice, inequality as its opposite is a manifestation of injustice. In this regard, any talk about inequality refers at least implicitly also to equality. As categories of social justice, they are also normative categories concerning the nature of human society. On the other hand, both equality and inequality have more than one meaning. For the purpose of this article, I will rely on Göran Therborn's recent theory of inequality, whose differentiated formulation of inequality provides a useful model to approach the Brazilian debate on the issue.²

In the long introduction to the book *Inequalities of the world*, Therborn presents the basic elements of a plural theory of inequality in which he deals

² For an interesting recent approach to the measurement of inequality, see Pedersen (2004).

both theoretical and empirically with the three following dimensions of inequality: vital, existential and resource. He also speaks of cultural inequality, but his analysis is limited to the three dimensions of vital inequality (life and health), of existential inequality (freedom and respect), and inequality of resources (material and symbolic). For him, though inequalities are all outcomes of action, each form of inequality emerges in a specific arena: “Vital inequality is mainly produced at home, in the family and its habitat, existential inequality in adult social interaction, and resource inequality above all in the areas of property and employment” (Therborn, 2006, p. 8). In relation to the causes that determine each form of inequality, he argues as follow: Vital inequality results from natural conditions, from resource inequality as well as from cultural differences and existential inequality. The cultural system is the main determinant of existential inequality, but this latter can also result from inequality of resources. As it occurs with the other two forms of inequalities, resource inequality derives from different sources, including among them natural endowments, productivity differentials, systemic structuring of opportunities and rewards, but also demographic and existential factors (Therborn, 2006). Thus, it becomes obvious that these different forms of inequality are not easily distinguishable in actual social contexts.

This difficulty of dealing with the entanglement among different forms of inequality faces anyone interested in studying inequality, even in a society where the problem of social inequality is visible at a first glance as in Brazilian society. However, as empirical and theoretical researches on the issue suggest, the nature of inequality relates strongly to poverty in the Brazilian context (Rocha, 2004; Schwartzman, 2004). Though poverty in this case may mean mostly lack of material resource, it can also mean lack of symbolical as well as political resource. Pedro Demo, for instance, in his criticism of Brazilian research on poverty, argues that such poverty is more of political than of material nature (Demo, 2003). However, even considering that, beyond being material, it is also political and symbolical inequality, one could infer that inequality of resource is the most important form of inequality found in contemporary Brazilian society. Thus, it would be appropriate to take resource inequality as a legitimate starting point to approach the Brazilian case. This does not mean to ontologically establish a hierarchy among the many dimensions of inequality, but simply that in given conditions one dimension may be more important than the others. It is with this in mind, that, relying on the Brazilian debate, I will discuss in the following pages the relationship of both citizenship and recognition with inequality.

Citizenship

Citizenship has become one of the most important themes in Brazilian political and theoretical agenda throughout the last decades. In spite of its long tradition in Brazilian history, the recent revival of this theme occurred in the wake of the democratizing process that followed the demise of the military regime. Starting from the hypothesis that modern citizenship has a drive toward social equality, the persistence of strong inequalities in Brazilian society along with the concern to expand the rights of citizenship appears to be a paradox. Based on the recent literature on the issue, I will deal with such a paradox by analyzing the relationship between citizenship and inequality in Brazilian society. Before entering the analysis of the Brazilian debate, however, I will present a definition of citizenship relying on T. H. Marshall's well-known theory (Marshall, 1965).

The relationship between citizenship and equality is already present in T. H. Marshall theory of citizenship. In his classical work on citizenship and social class, he argues that the concept of social class points to inequality, while the drive of citizenship is toward social equality (Marshall, 1965). This is not to say that citizenship is prone to eliminate all social inequality, but only that the status of citizens in a modern society presupposes a basic equality absent in pre-modern societies based on ascribed forms of belonging such as blood or kinship. Even for Marshall, however, the basic equality of citizenship is dynamic and has a historical as well as a geographical character, changing then throughout time and from place to place. Thus, a concept of citizenship developed with reference to the British case cannot be applied automatically to other social realities with different historical trajectories such as that of Brazil. In this regard, any discussion about the development of citizenship in Brazil has to take into account its specificity, but without ignoring the universalizing character of modern citizenship. Having this in mind, most of the contemporary approaches to citizenship in Brazil seek to find a balanced analytical strategy that considers both the universal dimension of citizenship and the specificity of Brazilian society.

As it is well known, Marshall's model of citizenship is a threefold one. It is formed by three elements he calls civil, political and social citizenship. Each of these elements of citizenship refers to a set of rights. The civil element of citizenship refers to "the rights necessary for individual freedom", the political element to "the right to participate in the exercise of political power", and the social element refers to "the whole range from the right to a modicum of income welfare and security to the right to share to the full in the social

heritage and to live the life of a civilized being according to the standards prevailing in the society” (Marshall, 1965 p. 78). He describes the evolution of citizenship in Great Britain as a double process of geographical fusion and functional separation, which means, respectively, a generalization from local to the national context and a differentiation among the initially amalgamated elements. While the first process points to generalization of basic equality, the second refers to the process of implementation of these rights throughout time. Thus he associates the civil rights with the eighteenth century, the political rights with the nineteenth century, and the social rights with the twentieth century. It is only with the implementation of these three sets of rights in a generalized form for the national community as a whole that one can speak of full citizenship in the Marshallian sense.

The most distinguishing characteristic of Marshall’s concept of citizenship is its social dimension, based on the social rights of welfare. Marshall conceives citizenship as status shared by the members of a political community and argues that, contrary to class stratification, it has an equalizing effect among the citizens. The welfare state of the second half of the twentieth century seems to express the completion of this process at least for some countries of Western Europe and North America. As we shall see, this basic equality of citizenship is far from being a reality in countries like Brazil, which is characterized by extreme poverty and inequality among the social layers.

This Marshallian concept of citizenship played an important role in the process of consolidation of the systems of welfare state after World War II mainly in Western Europe and North America, with the notion of social rights providing the basis for a social pact that guaranteed the workings of different welfare systems. Gosta Esping-Andersen, for instance, who classifies these welfare systems in terms of their degree of de-commodification, speaks of the welfare state as social citizenship state, and recognizes its relationship with Marshall’s concept of social citizenship (Esping-Andersen, 1996; Silva, 2006; 2012; 2014).

From the mid-seventies onwards, however, both the welfare state and Marshall’s theory of citizenship became the object of criticism from many different standpoints. In the case of the welfare state, the critiques have referred to the incapacity of the welfare state to deal with the tax deficit generated by the imbalance between the decreasing capacity to obtain resources from a shrinking fiscal basis and the increasing number of claims for welfare rights. They were both associated with economic stagnation (O’Connor, 1973; Offe, 1984; Silva, 1995). On the other hand, it had also to deal with the critiques raised by social movements, especially the feminist movement, to the excesses

of the state bureaucracy and its control upon the life of citizens. The first type of critique came mostly from right-wing ideologists and the second from social movements associated with the Left, but both converged to form an involuntary perverse pact that paved the way for the rise of neo-liberalism. Besides the right-wing critique to the welfare social rights, Marshall's theory has received critiques mainly from feminists that saw the theory as gender blinded and having a conception of citizenship based on a male bred winner model of citizen that excludes women and the sphere of social reproduction. To be sure, that workerist bias is one of the main characteristic of both the welfare state and Marshall's citizenship theory (Silva, 2008; 2012). The contemporary debates on recognition and the politics of identity emerged in this context.

Recognition

Theorizing about recognition is not a recent event in the history of Western thought. There is no doubt, however, that its reemergence took place mainly in the late 1980s and 1990s in connection with the debates on multiculturalism and the politics of identity both associated with the rise of new social movements. In theoretical terms, Charles Taylor and Axel Honneth, both of them drawing on the works of Hegel, are the first authors to give impulse to this revival of recognition as a social theoretical paradigm. While the more culturalist approach of Taylor (1994) gave a great impulse to the debate on multiculturalism, and became an important theoretical reference for those interested in identity politics, that of Honneth (1995), an author associated with the critical theory of the Frankfurt School, was aimed at a re-actualization of that theoretical tradition. It was during the nineties, therefore, that recognition became a key category in the agenda of contemporary social theory. By that time, Nancy Fraser, another key figure in the contemporary debates on recognition, also contributed to give a new impulse to it by introducing in the debate a distinction between redistribution and recognition (Fraser, 1995).

In a latter work, Fraser links this emergence of the debate on recognition with identity politics and maintains that for the feminist movement recognition "became the chief grammar of claims making in the *fin-du-siècle*" (Fraser, 2005, p. 288). As the main proponent of a theoretical approach that emphasizes the need to distinguish analytically between redistribution and recognition, Fraser became along with Taylor and Honneth one of the main contemporary theorists of recognition. Her interchange with Honneth on the pertinence or not of distinguishing between recognition and redistribution is in this regard

one of the most interesting moments in this recent theorizing on recognition (Fraser and Honneth, 2003).

Though both Fraser and Honneth have the same aim of building a critical social theory adequate to the present conditions and, in part at least, both rely also on similar theoretical traditions, one can hardly conclude that their interchange contributed to put them in agreement. This does not mean, however, that it was fruitless; on the contrary, to those interested in it, and probably also to Fraser and Honneth themselves, the debate between them as well as the many interventions in the debate by other authors helped to clarify many aspects of the theories held by them in the first place. If there is a similarity in their theorizing, however, it has to do with the threefold nature of both theories. Honneth articulates his theory around the categories of love, rights, and solidarity, and argues that the Hegelian concept of “struggle for recognition” is able to furnish a moral standpoint capable of encompassing the whole range of problems that faces a critical social theory. Fraser, on the other hand, elaborates her theory around the terms redistribution, recognition, and representation considering them irreducible dimensions of justice which have not to be subsumed under the sole category of recognition. Besides this main difference in the two approaches – the moral monism of Honneth and the analytical pluralism of Fraser, there is also a difference in relation to the meaning of recognition in both theories. While Honneth conceives recognition in terms of identity, Fraser in her later works conceives recognition as status in line with Max Weber (Fraser, 2000).

Both the theories of Honneth and Fraser as well that of Taylor emerged to a certain extent aiming at the articulation of a common grammar for the social conflicts associated with the new social movements. Differently from the two other authors, however, Nancy Fraser was if not the only at least the first to lament the abandonment of the socialist claims for social equality, and their replacement by the politics of difference. In this way, she argues that both recognition, conceived as identity, and the politics of identity coincided with what she calls the second wave of feminist politics characterized by an emphasis on the struggle for difference. This politics, according to Fraser, took for granted the social welfare rights conquered in the wake of a social-democratic politics. In so doing, the postulants of identity politics abandoned the struggle to deepen those already conquered welfare rights by putting the emphasis instead on the politics of difference. In this way they contributed for the displacement of the old socialist claims for social equality that she associates with the politics of redistribution. For her, all this change of goals unfortunately coincided, though unintentionally, with the right-wing discourse against welfare rights.

Citizenship, recognition, and Brazilian inequality

The absence of a basic equality in Brazilian society is probably the unifying characteristic of the Brazilian authors dealt with here; either their approaches are based on the theory of citizenship or that of recognition. Most of those that approach inequality through citizenship take Marshall's theory as a starting point even when criticizing it. In this article, I am not dealing with all receptions of Marshall's theory in Brazil, but only with those concerned with the specificity of Brazilian inequality.³

For José Murilo de Carvalho, a student of citizenship in Brazil, Marshall's theory of citizenship is a description of the development of citizenship in Great Britain, which is only able to account for the British understanding of citizenship. The sequence of the emergence of citizenship rights Marshall describes for Great Britain differs from that of other countries, even those of Europe. Thus, for him, it is not adequate to account for other national experiences. According to Carvalho, the same occurs in the Brazilian case, where the emergence of the rights of citizenship followed a logic that contradicts that of Great Britain; that is, in Brazil the first set of rights to materialize were social rights, while civil rights were the last. Such inversion in the sequence of the implementation of rights, he argues, affects the nature of citizenship in each country in a way that to speak of a citizen in England is not the same thing as a citizen in Brazil (Carvalho, 2001). Though Carvalho considers that Marshall's scheme does not apply to Brazilian reality, he takes it as a starting point for his analysis of citizenship in Brazil presenting the Brazilian case as a mirrored image of the one described by Marshall for Great Britain. In a very stylized form, one can say that his description of the evolution of the rights of citizenship in Brazil runs as follows: It began with social rights enforced with the labor legislation implemented by the Vargas's government during the decades of 1930 and 1940. The political rights emerged with the extension of the right to vote during the democratization that followed World War II, but were interrupted by the military *coup d'état* in 1964. The civil rights came to the fore only with the demise of the military regime that ruled the country from 1964 to 1985 along with the renaissance of political rights. The political amnesty of 1979 is probably the most important reference for these civil rights. Thus, he does not simply refuse Marshall's model; he adapts it to fit the peculiarities of Brazilian society in the form of a critical appropriation.

³ For a more general account of this reception, see: Coimbra (1987); Reis (1998); Carvalho (2001); Vieira (2001); Domingues (2002); Lavalle (2003); Tavolaro (2011); Silva (2012).

Carvalho also calls attention to the limited scope of Brazilian citizenship, whose social policy that grounds the social rights has been for a long time thought of as a privilege of some groups of urban workers leaving aside the totality of rural workers. Wanderley Guilherme dos Santos (1994), who defines Brazilian citizenship as “regulated citizenship”, also shares that view of social rights as privilege. A perception of rights as privilege obviously opposes the proper idea of citizenship whose driving force is toward the enforcement of equality. Despite the fact that in most countries the implementation of the rights of citizenship took the form of a gradual process, it is also true that if these rights are awarded only to some segments of the population of a national community, they indeed might appear as a privilege of few instead of the rights of all. To the extent, then, that these rights do not generalize to include, even gradually, the whole population, they tend to enforce social inequality instead of equality. For Santos, on the other hand, part of this limitation of Brazilian granting of social rights to the citizens has to do with their relationship with occupation. Thus, while people engaged in activities under the domain of the labor legislation qualified for these rights, others in activities not regulated by that legislation did not qualify. Both Carvalho and Santos share also the view that these rights derive first of all from state action, which under Vargas aimed at least to regulate social conflict. Thus, Santos concludes, Brazilian citizenship is simultaneously regulated and granted from above, while the citizens are taken as passive entities.

That is also the view of Teresa Sales (1994), who prefers to employ the term “conceded citizenship” instead of “regulated citizenship” as Santos does. In Sales’s analysis, the notion of “conceded citizenship” appears closely connected to what she calls “fetish of equality”. In formulating these ideas, she relies on the work of Oliveira Vianna to develop the notion of conceded citizenship, and seeks support on the idea of “cordial man” of Sergio Buarque de Hollanda and that of “racial democracy” found in the work of Gilberto Freyre to elaborate that of fetish of equality.

To conceive citizenship as “conceded” means that it does not result from a conquest by citizens through a social struggle from the bottom up, but, on the contrary, that they received it from above as a kind of gift by the state or the elites. According to Sales, the “culture of gift” expresses politically Brazilian inequality in a way that “the gift arrives at our *res publica* replacing the basic rights of citizenship” (Sales, 1994, p. 26). In her analysis, however, the idea of gift does not have the same meaning as that of Marcel Mauss (1968) or of contemporary adepts of Mauss’s theory like Alain Caillé (2000) and Jacques Godbout (1999). To these later authors, the concept of gift refers to a

threefold relationship formed by giving, receiving, and restitution, and implies a symmetrical and equalitarian solidarity between giver and receiver. To Sales, on the other hand, though the notion also implies interdependence between giver and receiver, such relationship is an asymmetrical one characterized by the subordination of the receiver in relation to the giver. Therefore, it expresses a relationship of inequality.

Thus, to Tereza Sales the notion of conceded citizenship derives from a political culture of gift represented mainly in the sphere of private personal relations of domination of free and poor men by the landlords in the post-slavery period. It is then contradictorily a negation of citizenship, and expresses equality only as a fetish. That is why she speaks of “fetish of social equality” as the measuring tool of class relationships in Brazilian society. In the same way, for her, the category “fetish of equality” is meant to reveal the hidden social inequality that lies behind the appearance of equality suggested by the ideas of “cordial man” and that of “racial democracy”, found respectively in the works of Hollanda and Freyre.⁴ Thus, while citizenship itself points to social equality, the notion of conceded citizenship could mean quite the opposite: the persistence of social inequality.

Jessé Souza also deals with the specificity of Brazilian citizenship (Souza, 2003; 2006). However, he prefers to employ the term “sub-citizenship” instead of conceded or regulated citizenship, as do respectively Sales and Santos. Though relying also on Brazilian classical authors, like Freyre and Florestan Fernandes, Souza’s main theoretical sources are Charles Taylor and Pierre Bourdieu. Based on Taylor’s reflections regarding the “singularity that cultural, moral and symbolical questions [...] assume in the modern world”, Souza (2003, p. 15) finds here a communitarianist standpoint critical of naturalism, and a notion of recognition he considers adequate to be translated into the peculiarities of a peripheral country like Brazil. From Bourdieu, he takes the concept of habitus and develops it from a twofold category into a threefold one achieving then a sub-category he calls “habitus precarious”, which is to be applied to the Brazilian context. According to Souza, both Western European and North-American countries were able to generalize to their whole population a kind of basic equality he names primary habitus, which functions as the basis of citizenship, leaving the secondary habitus to take care of the social stratification in terms of life styles. In Brazil, he

⁴ In the views of Brazilian citizenship found in the works of Carvalho, Santos, and Sales there seems to be no place for the struggles either of the masses of slaves and ex-slaves against slavery (Azevedo, 2004b) or of the labor movement for rights during the First Republic (Silva, 1996).

argues, there was no such a generalization of the basic equality meant by the term primary habitus. On the contrary, what we have here is the production of a precarious habitus that helps to reproduce a social structure in which the citizenship rights guarantors of a basic equality among the citizens are denied to the majority of the population. Therefore, according to Souza, it is the lack of real equality before the law, despite its existence in the Brazilian legal codes, what makes invisible Brazilian inequality (Souza, 2006).

Through the same category of sub-citizenship, Marcelo Neves also calls attention to that *de facto* asymmetry before the law. Drawing mainly on the legal theories of Habermas and Luhmann, he analyzes the formation of Brazilian citizenship as a process of juridification observing that “citizenship requires [...] the achievement of constitutional norms which refer to basic rights” (Neves, 1994, p. 260). Without this achievement, which is necessary to generalize their normative meaning, there is no citizenship, even if it remains in the constitutional text. Conceiving citizenship as an egalitarian juridical integration in society, he argues that there is no citizenship “when relations of sub-integration and super-integration generalize in the constitutional system, as it occurs in peripheral countries like Brazil” (Neves, 1994, p. 260-261). Without inclusion into and real access to the juridical system, therefore, the population rests divided into two stratified groups, one sub-integrated group of sub-citizens and other super-integrated group of super-citizens.

Though having the benefices of the juridical order denied to their members, the sub-integrated group remains dependent on its prescriptions. Made of excluded citizens, this group has duties, but hardly has rights. They are then sub-integrated citizens. The super-integrated group is that of super-citizens; these later, according to Neves, use the democratic constitutional text only when it is necessary to defend their interests or that of the social order. Thus, differently from the first group of sub-citizens, that of super-citizens is prone to have more rights than duties. On the other hand, he argues that we cannot separate this sub-integration of the masses in the juridical order from the super-integration of the privileged super-citizens; with these latter having, moreover, “the help of state bureaucracy to direct their actions toward the blocking of the reproduction of law” (Neves, 1994, p. 261). Obstructed by private interests, the state is unable to generalize the legality necessary for the construction of citizenship. The achievement and expansion of full citizenship would depend then on the construction of a legal public sphere capable of generalizing an “egalitarian juridical integration of the whole population in society” (Neves, 1994, p. 268).

Despite some undeniable successes brought by the 1988 Constitution, with the “Ministério Público” standing as the best example (Sadek, 1999; Kerche, 1999; Teixeira and Leniado, 2004), the *de facto* asymmetries pointed out by Marcelo Neves seem to continue dominating the scene of Brazilian system of justice. This diagnosis is shared by José Reinaldo de Lima Lopes in his analysis of human rights and the problems of impunity in Brazil. For Lopes, “the everyday experience of any Brazilian is the enduring conviviality with impunity”, which gives the impression that everyday violence “compensates in face of the impunity and the lack of institutional resources to solve controversies” (Lopes, 2000, p. 78-79). Relying on a present day debate on recognition, his analysis is insightful as regarding to how the unequal treatment of citizens by the system of justice can contribute to mine the credibility of the legal system throughout citizenry. Thus, while acknowledging the recent improvements in the area of justice allowed by the rise of so-called collective rights, he is well aware of the long distance Brazilian society is from providing the basic equality and autonomy to its citizens, especially those belonging to the culturally and/or materially more oppressed groups, as women, blacks, gays and lesbians.

In linking the problem of impunity and disrespect of human rights to that of misrecognition, however, Lopes’s analysis may favor a vision that emphasizes more the problem of difference than that of inequality. Paulo Sérgio Neves (2005) addresses the same problem through his analysis of anti-racism in Brazil. Based on the conceptual pair recognition-redistribution, he calls attention to this dilemma of choosing between a politics of affirmative action that stresses the construction of racial identities or a redistributive politics directed to the enforcement of social equality.

Even agreeing with Therborn (2006, p. 3) that “inequalities are differences we consider unjust”, the problem of choosing between a political strategy that emphasizes difference or equality is of great importance for the social policy debate in Brazil, mainly given the degree of poverty of a large part (about 1/3) of its population. Besides the relevance of the poverty problem behind an eventual choice between one or other political strategy, there are still other problems. Nancy Fraser (2000), for instance, formulates her concept of recognition as status as a counterpoint to recognition as identity just because according to her analysis the later does not prevent the risk of reification of identities. In the same way are the criticisms of Paul Gilroy (2000) and Patricia Pinho (2004) in calling the attention to the problem of commodification of black identities. In a similar line, Celia Azevedo (2004a) criticizes the adoption of racial quota in Brazilian universities by pointing to the risk of a social policy

in which the state classifies the population along racial lines while leaving untouched the institutional arrangements that reproduce racism.

All in all, the Brazilian literature dealing with either theoretical approaches or social movements related with multiculturalism and identity politics is already substantial and diversified (Lopes, 2000; Pinto, 2000; Azevedo, 2004a; Pinho, 2004, Costa, 2006; Santos, 2007). This literature has contributed to throw lights on the action of many emergent social movements while these movements themselves also feed the debates with their actions and claims. In consequence, the last decades have been taken by an effervescent intellectual and political climate. We have then a progressive “struggle for recognition” that goes hand in hand with a stimulating theoretical debate on recognition, both trends contributing to reveal the deep social inequalities in Brazilian society.⁵

In sum, one can infer from the above discussion, that there is in the two paradigms, that of citizenship and that of recognition, a common concern in addressing the problem of basic equality, even if they sometimes differ in the form of approaching it. For both paradigms, therefore, basic equality is a necessary requisite to guarantee the autonomy and dignity of citizens in a modern society providing them with the sentiment of being part of a solidary whole. Nevertheless, this sentiment supposes an understanding of the legal order as based on reciprocity, not on asymmetry.

Income transfer and the search for basic equality

As the specialized literature shows, at least for the citizens of Western European welfare states, the achievement of a basic equality is the distinguishing characteristic of the modern notion of citizenship (Esping-Andersen, 1990). We know, however, that to make it feasible the structure of these welfare systems relied upon a kind of compromise, untenable today, that combined economic grow, full employment and state action. As it is becoming clearer in our days, the technological revolution seems to have undermined the possibility of full employment (Gorz, 1983; Rifkin, 1995; Offe, 1984), while the globalization of the economy contributes to weaken the capacity of the state to maintain the old equilibrium of the Keynesian welfare state (Gorz, 1997; Beck, 2000). Thus, according to many contemporary authors, “the golden age” initiated after World War II is over and a new compromise is now at stake (Marglin and Schor, 1990; Esping-Andersen, 1996; Wuhl, 2002).

⁵ See Lopes (2000); Costa and Werle (2000); Souza, 2003; Pinto, 2000; Feres Jr. (2002); Krischke (2004); Neves (2005); Pallamin (2005); Michelotti (2006); Mattos (2006); Cunha (2014); Sobottka (2015).

Brazil does not stand far apart from these changes. Thus, if in the European countries the crisis of welfare state systems meant a return of the social question with a demand of a new social compromise for preventing social disintegration and exclusion, what to say in relation to Brazil? In other words, for Brazilians, whose basic equality of citizenship is far below the level achieved by Europeans, the consequences of such changes turn our social problem still more demanding. For that reason, the problem of inequality among us tends to be very different, mainly due to the weight of poverty and material deprivation of a significant part of the population. In such circumstances, at least for those in worse social conditions, inequality might mean mainly inequality of resources, though not only material but also symbolic resources. In saying this, I mean that it seems appropriate to assume inequality of material and symbolic resources as a key to approach other forms of inequality as those of vital and existential inequality. It is in this context that one has to consider the recent experiments of income transfer as playing a key role in Brazilian social policy (Silva, 2006; 2014; Silva e Silva, 2004; Rocha, 2005; Rego and Pinzani, 2013).

In order to conclude this article, I would like to briefly address the efforts to change this situation. Thus, in the area of income transfer, as it occurred in relation to collective rights, there are some novelties pointing toward an enforcement of basic equality. They refer mostly to programs of income transfer whose implementation began in 1995 with the first experiments of minimum income in three important Brazilian cities: Brasília, Campinas, and Ribeirão Preto. Behind these first experiments of minimum income there was already an ongoing debate initiated in Brazilian Senate in 1991 about Senator Eduardo Matarazzo Suplicy's project on the issue (Silva, 2006). Designed initially along the lines of Milton Friedmann's negative income tax (Friedmann, 1984), Suplicy's was aimed at to benefit persons with very low income, beginning with the elders. Suplicy has changed afterwards his position, progressing from the limited conception of minimum income to that of a universal basic income to be distributed to every citizen regardless of being poor or rich (Suplicy, 2002; Lavinias, 2004). Such change profited from the international debate animated by the Bien (Basic Income Earth Network), as well as from the proliferation of this kind of income transfer program throughout the main Brazilian cities. In this regard, the "Bolsa Família" program, which unified most of the other specific federal income transfer programs, attended circa 55 million people by the end of 2013. Thus, despite the criticism received from the neoliberal Right as well as from the conservative Left, both still tied to an untenable workerist paradigm, we can infer that there is an increasing

acceptance of this kind of income transfer program in Brazil. It was in this context, in addition, that Suplicy succeeded in approving a basic income law, sanctioned by President Lula in January 8th, 2004.⁶

As pointed out by recent empirical and theoretical researches, that kind of distributive program, once put into practice, could certainly contribute for the reduction of poverty and inequality, which in turn would guarantee those basic conditions necessary to start the struggle against both vital and existential inequality (Lavinias, 2004; Rocha, 2005; Soares et al., 2007; Silva, 2014).

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⁶ The fact that this basic income law was sanctioned but not yet put into practice does not diminishes its relevance as a normative objective to be attained in the future (Lavinias, 2004; Silva, 2006; 2014; Silva e Silva, 2006).

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