

In Memory of José Augusto Lindgren Alves: A Singular Diplomat¹

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Abstract: In memory of José Augusto Lindgren Alves' diplomatic performance and intellectual contribution to human rights promotion.

Keywords: human rights; United Nations; International Convention on the Elimination of All Forms of Racial Discrimination; Vienna World Conference on Human Rights.

1. I thank Celso Lafer, Benoni Belli and Silvio Albuquerque for their valuable comments. They and Lindgren were friends and each in his own way contributed to the defense of human rights in Brazil.

José Augusto Lindgren Alves joined the foreign service in 1968 and was a career diplomat for fifty years. He held leadership positions at the Ministry of Foreign Affairs State Secretariat, was Ambassador to Bulgaria, Hungary and Bosnia-Herzegovina, as well as Consul General in San Francisco and Barcelona. His professional record is impeccable and his contribution to Brazilian public life, while born from his career, extends far beyond the foreign service. One cannot write about the defense and promotion of human rights, in Brazil and internationally, without mentioning Lindgren. This review of his work and thinking will not only commemorate a singular diplomat but also show that the cause he championed must be constantly renewed. He left us in May 2022, a victim of COVID-19.

Lindgren's connection with human rights began in 1985 when he was transferred to Brazil's Mission with the United Nations (UN) and allocated to the Third Committee of the General Assembly, which was in charge of social issues. The human rights agenda was one of the cornerstones of Brazil's successful democratization process. Article 4 in the 1988 Constitution enshrined human rights as a guiding principle of Brazil's international relations. Although in 1985 Brazil initiated its accession process to regional and universal agreements on human rights, our foreign policy's engagement with the issue at the multilateral level remained timid. Brazil found it difficult to interact with non-governmental organizations, still seen as intrusive when they reported human rights violations. And adherence to conventions did not automatically introduce the issue into the metabolism of Brazil's foreign policy. Diplomatic discourse and action had to be updated and Lindgren played a crucial role in making that happen.

In New York, Lindgren felt drawn to the human rights issue, certainly as a reflection of the generosity that marked his personality. Upon returning to Brazil in 1989, he submitted a groundbreaking graduation thesis – *United Nations and Human Rights* – for the Advanced Studies Course (a requirement for career advancement). When heading its United Nations Division (1990-1995) he convinced the Ministry of Foreign Affairs that human rights deserved a higher place on the institutional agenda. The Department of Human Rights and Social Issues was then created and Lindgren was appointed its first Head. In that capacity and drawing from his past experience as one of the main negotiators of the final document of the World Con-

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ference on Human Rights (UN 1993), Lindgren took active part in defining Brazil's positions and negotiating other United Nations Global Conferences addressing social issues. The agenda included issues of direct and permanent interest to civil society such racism, women's rights, urban settlements and social development that to a certain extent were new to Brazilian diplomacy. So as to buttress the legitimacy of Brazil's positions, Lindgren created commissions within his Department to engage in a systematic and organized debate with NGOs and social movements about the path Brazilian diplomacy should take in those conferences. That practice had been rehearsed in the 1992 Conference on Sustainable Development and, once fully implemented, operated to transform how the Ministry of Foreign Affairs approached society and responded to the challenges of democracy.

Lindgren thus played a key role in making Brazilian foreign policy consistent with an international agenda where human rights was gaining ever greater significance. In his graduation thesis and subsequent intellectual output, Lindgren *explained* human rights, showed their political and social implications and, in particular, *described* why it was in Brazil's interest to openly participate in that growing debate. The diplomatic response would have consequences in defining Brazil's international identity. The creation of the Department opened a conduit for that intellectual argument to find an adequate institutional solution and those new avenues of dialog with organized society added consistency and legitimacy to Brazil's diplomatic positions in multilateral forums.

Still at that early stage, Lindgren's efforts alongside another notable diplomat, Ambassador Gilberto Saboia, were decisive to bridge the gap that opened between different groups in the 1993 Vienna Conference on Human Rights. As Benoni Belli recalls in his significant testimony, as a member of the delegation led by Saboia, Lindgren helped "save the conference from failure" by finding equitable formulas acceptable to all countries. Belli adds: "the idea that the international community may be legitimately concerned with the situation of human rights in any country, one of the principles enshrined in the Vienna Declaration and Programme of Action, has Lindgren's unmistakable fingerprint" (Belli 2022). The partnership was repeated in the 2001 Durban Conference against Racism, which originated from a proposal Lindgren made in 1994 when he was a member (independent expert) of the then-extant Subcommittee for the Prevention of Discrimination and Protection of Minorities, the main affiliate of the then UN Commission on Human Rights. The proposal was approved by consensus.

Lindgren's intellectual output gathered pace after Vienna. In 1994, he published *Human Rights as a Global Issue*, with a foreword by Celso Lafer. The book was well received in academic circles and enthusiastically praised by professor Maria

Victoria Benevides (1994) in a review for magazine *Lua Nova* (to which, incidentally, Lindgren became a frequent contributor). At that stage, Lindgren dedicated himself mainly to the multilateral dimension of the debate. Books such as *The International Architecture of Human Rights* (Alves & Bicudo 1997) and *International Relations and Social Issues: The Decade of Conferences* (2001) have through their combination of knowledge, intellectual rigor and diplomatic sensitivity become mandatory reading material for anyone studying the evolution of Brazil's human rights diplomacy. From the 2000s onward, Lindgren broadened his horizons beyond diplomacy, looking at human rights as a civilizational issue involving choices that set the course of modernity. It is impressive how Lindgren interacts with classic authors such as Weber, Marx and Hannah Arendt, with modern thinkers such as Bobbio, Zizek, Lyotard, Alain Badiou, Derrida, Amartya Sen, Bernard-Henry Levy and Brazilian intellectuals such as Abdias Nascimento, Flávia Piovesan, Celso Lafer, and Paulo Sergio Pinheiro. Lindgren's major books in this phase are *Human Rights in Post-Modernity* (2005) and *Human Rights Must Be Saved!* (2018).²

Participation in United Nations meetings and committees gave Lindgren personal prestige and international respect. Between 2002 and 2017, he was elected and successively reelected expert member of the Committee for the Elimination of Racial Discrimination (CERD), a body of independent experts tasked with monitoring the implementation of Member States' obligations under the Convention for the Elimination of All Forms of Racial Discrimination, in force since 1968. From 2018 to 2020, Lindgren was Executive Secretary of the Mercosur Institute of Public Policies on Human Rights (IPPDH). Lindgren's work with CERD offered him a privileged position to monitor and comment on the changes in the human rights agenda and on their multilateral implications. Lindgren saw from the inside how a multilateral body works, and wrote notable papers on the institutional limits to the application of rules and resolutions in the area of human rights and on the difficulties of dealing with conflicting interpretations about their scope.

The collection of papers he selected for his last book covers a wide time span, from 1996 to 2018, and provides a valuable record of Lindgren's assessment of the history of the struggle for human rights that begins with the 1948 Universal Declaration. Lindgren therein focused on the visible achievements: recognition of women's rights as part of universal human rights; imposing respect for homosexuality (and the LBGQTQIA+ community) gained respect; slavery made a crime against humanity; and the term afro-descendants gaining traction in international forums. Brazilian law ceased to recognize crimes against honor; the notions of bastard and adulterous children were abolished; adultery itself ceased to be a crime; same-sex

2. This biographical sketch is partially based on the foreword I wrote for the book.

marriages were recognized as family units governed by the same rules applicable to domestic partnerships of heterosexual couples; affirmative actions were used to redress historical inequalities. Each of those achievements has its own unique history but the universal character of human rights, by creating a consistent ideological framework in defense of individual dignity, is present in all of them.

Those many achievements did not dampen Lindgren's realism and his late writings contain a measure of disenchantment. Not by coincidence, the title of his last book sounds like an appeal: "human rights must be saved!" Lindgren therein explains why action was urgently required and describes how the Vienna consensus was weakened and how achievements that seemed secure were being undone. Lindgren believes the creation of a large multilateral human rights bureaucracy made it difficult to oversee what the many bodies and agencies do and, above all, to verify their efficiency. The book reviews the torture episode in Guantánamo and its consequences to examine how intolerance and xenophobia emerge in societies that have been at the forefront of promoting human rights. That scenario is made worse by a multiculturalist essentialism that risks fragmenting the essentially universal perspective that Lindgren defended as the platform upon which to organize the best defense of human rights. Lindgren offers significant insights on how the identity agenda, valid in itself, should be used to fertilize and to support a struggle that is essentially universal. He had the intellectual courage to confront intricate and controversial societal issues and the answers he proposed were always balanced and sensitive.

The total sum of Lindgren's experiences is unique; no other Brazilian citizen has ever acted on so many fronts in the struggle for human rights. As a diplomat, Lindgren was a pioneer who helped shape Brazil's foreign policy on human rights. He realized that institutional changes were needed and led their implementation. He trained diplomats. He negotiated the key documents that wove the contemporary patterns of international legitimacy. He actively participated in the drafting of the 1st National Human Rights Plan. What he learned as a diplomat was elaborated into conceptually sound thinking recorded in books and papers one always reads with profit. He became, on his own merit, a United Nations expert and got to know the innards of the multilateral system and its limitations. He

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disseminated his knowledge through numerous seminars, interviews, lectures and, more recently, webinars. Public recognition came when Lindgren was awarded the Heleno Fragoso National Prize for Human Rights, in 2001, and the Sergio Vieira de Mello Medal for Human Rights and Humanitarian Law, in 2013.

The diversity of his experience and the way he lived through it made Lindgren a singular diplomat whose efforts went beyond the Ministry of Foreign Affairs to serve foreign policy and to serve the country. Lindgren spoke of human rights with authority. He left a significant intellectual legacy and, above all, an example of integrity in his dedication to the cause of a more equal, more tolerant and better world. His legacy is “at the service of citizenship to obtain social advancement with justice” (Alves 2018, 11). ▬

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