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Abstracts

Humanism and Solidarity in Brazilian Foreign Policy Under Lula (2003-2010): Theory and Practice

Carlos Aurélio Pimenta de Faria and Clarisse Goulart Paradis

The “humanistic” or “solidarity-based” trend in the Brazilian strategy of international insertion, adopted after the rise to power of President Lula and considered innovative, consolidated the objective of prioritizing the South-South axis and can be explained by domestic, regional, and systemic reasons. This strategy was put into practice by increasing the international aid granted by Brazil, by transferring resources and technology and by the emphasis placed on conveying to partner countries some of the domestic social policies and programmes developed successfully by the Brazilian government. The aims of this paper are: (a) to look at how this “humanism” and “solidarity” appeared in the discourse of the Brazilian authorities; (b) to discuss the reasons for them and their logic in the national, regional, and systemic dimensions; and (c) to map the initiatives adopted, the preferred partners and areas, the resources used and the intragovernmental connections necessary for their implementation.

Keywords: Foreign policy; Brazil; humanistic; solidarity

New Policies for Science and Technology and the Impacts on Public Research Institutes: a Case Study in Brazil

Thales Haddad Novaes de Andrade, Lucas Rodrigo da Silva, Leda Gitahy

This article aims to discuss how technological production has been affected by new organizational patterns of funding and evaluation, international transformations in terms of the reorganization of research centers, and changes in in-

novation practices. Researchers and scientists have had their activities redefined through new organizational formats that today are well-established. The purpose here is to verify the impacts that these tendencies have had on the scientific and technological production of Public Research Institutes. We analyzed the case of the Technological Research Institute (Instituto de Pesquisas Tecnológicas – IPT) and found that from the 1990s onwards, research institutions in Brazil internalized organizational forms that enabled them to place themselves in the international agenda as reputational agents, and that the IPT internalized an international agenda, hiring new services and with new budgets. The institutions of scientific research tended to align their interests with hegemonic devices and to withdraw the participation of agents not able to make explicit the new formulas for recognition in the scientific field.

Keywords: Science and technology policies; public research institutes; Brazil; IPT; researchers

Perceptions on Justice, the Judiciary and Democracy

Fernando Filgueiras

The reliance on courts for addressing public policy questions and political controversies is a central phenomenon in contemporary democracies. The judicialization of politics is the result of a shift in core issues regarding democratic legitimacy, both in the sphere of institution building as well as political culture. Social justice arose as a central variable in the legitimacy of democracies, becoming vital in establishing support towards democratic political systems. This article explores the relation between perceptions on justice, judicialization of politics and how the agency of judicial institutions impacts dissatisfaction with democracy. Based on a survey carried out in the metropolitan regions of Belo Horizonte, Goiânia, Porto Alegre and Recife, it is argued that the discontent towards political institutions in Brazil does not justify the ongoing judicialization process since the perceptions on inequalities place the Judiciary within the citizens' critical stance towards institutions. Just like other representative institutions, the Judiciary has not been able to mitigate the perceptions on inequalities and the ineffectiveness of the empire of law, being therefore unable to provide a satisfactory performance in regards to the normative ends of contemporary notions of democratic legitimacy and citizenship.

Keywords: Perception of justice; distrust; judicialization; democracy

The Judicialization of Territorial Politics in Brazil, Colombia and Spain

Helder Ferreira do Vale

This article explains how judicial review influences intergovernmental political dynamics in Brazil, Colombia and Spain. The argument is developed in light of two questions: how supreme courts have established themselves as pivotal institutions for settling vertical intergovernmental disputes, and how national and subnational politicians use judicial review in order to enhance their own interests. A comparison between the judicial review processes in federal Brazil, quasi-federal Spain, and unitary Colombia provides an answer to these questions. Accounting for the differences in the territorial organization and systems of government among these countries, the article assesses the patterns of judicial review origi-

nating from the subnational level. Findings suggest that courts affect the interaction between national and subnational politicians in the three country-cases, but through different patterns of judicialization of territorial politics.

Keywords: judicial review; constitutional change; intergovernmental relations; territorial politics; decentralization

Internet and Politics Studies in Brazil: Mapping the Characteristics and Disparities of the Research Field

Maria Alejandra Nicolás, Rachel Callai Bragatto, Rafael Cardoso Sampaio

This article focuses on the appropriation of the subject of Internet and Politics by Brazilian Social Sciences. To this end; we analysed 299 papers presented at 11 conferences in the areas of Sociology; Political Science and Social Communication from 2000 to 2011 in Brazil. The methodology was based on content analysis in order to map the main authors; research centres; political and technological objects; theoretical approaches; methods; techniques and coverage areas of the papers presented in each of these conferences. Our findings suggest significant growth in the number of studies presented over the last few years; where 40.5% were based mainly on qualitative research and 56.5% had an emphasis on the civil society strand. Finally; our longitudinal analyses indicate some changes in the field; with a growing number of studies carrying out empirical research; and a tendency to focus on more specific digital tools instead of on the Internet in general.

Keywords: Internet and politics, digital democracy, academic research, political science, Brazil

Humanism and Solidarity in Brazilian Foreign Policy Under Lula (2003-2010): Theory and Practice¹

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The “humanistic” or “solidarity-based” trend in the Brazilian strategy of international insertion, adopted after the rise to power of President Lula and considered innovative, consolidated the objective of prioritizing the South-South axis and can be explained by domestic, regional, and systemic reasons. This strategy was put into practice by increasing the international aid granted by Brazil, by transferring resources and technology and by the emphasis placed on conveying to partner countries some of the domestic social policies and programmes developed successfully by the Brazilian government. The aims of this paper are: (a) to look at how this “humanism” and “solidarity” appeared in the discourse of the Brazilian authorities; (b) to discuss the reasons for them and their logic in the national, regional, and systemic dimensions; and (c) to map the initiatives adopted, the preferred partners and areas, the resources used and the intragovernmental connections necessary for their implementation.

Keywords: Foreign policy; Brazil; humanistic; solidarity

By the end of the first decade of the 20th century, Brazil had attained unprecedented visibility and prestige in international affairs (Dauvergne and Farias, 2012; Hurrell, 2008; Rouquié, 2008), a position long aspired by the Brazilian elite (Lima, 2005a). Evidence of this is so plentiful that examples are unnecessary. Such a shift was made possible by both international and domestic factors.

In such a context, much has been said and written about the foreign policy put into practice during the Lula administration (2003-2010): that it was “politically engaged”

(*engajada*) (Almeida, 2004); that it sought a “sovereign presence” in the world system (Souto Maior, 2004); that it was based on a search for a new “diplomatic architecture” (Almeida, 2005); that it followed a strategy of attaining “autonomy through diversification” [of partners] (Vigevani and Cepaluni, 2007) and that it was based on a “charismatic diplomacy” that was “impossible to transfer” (Ricupero, 2010), among many other labels and adjectives.² Celso Amorim, Minister of Foreign Affairs during Lula’s two terms in office, said in an interview immediately after his appointment to lead Itamaraty once again³ that the country’s foreign policy would be “lofty and active” (*altiva e ativa*). In another interview, towards the end of his eight years as Lula’s foreign affairs minister, Amorim stated that he preferred to label it as “fearless and solidarity-based” (*desassombrada e solidária*) (Amorim, 2010).

Until quite recently, few Brazilian foreign policy analysts had stressed the importance that this emphasis on “humanism” and “solidarity” had on Lula’s strategy of international insertion, even if, as we will see, it was strongly present in public speeches given both by Lula and Amorim since the very beginning, and even if it was almost immediately translated into practice. Lima and Hirst (2006: 22), however, state that the “inclusion of the social agenda as a major topic of foreign affairs was one of the first and most important innovations”.

This new tendency of the country’s foreign policy, regarded as innovative, consolidated the objective of prioritizing the South-South axis. With this objective, Brazil established closer ties to countries on the periphery of capitalism, which can be explained by domestic, regional, and systemic reasons. This strategy was put into practice, *inter alia*, by the increase in international aid granted, the transfer of resources and technology, and the emphasis placed on conveying to partner countries some of the domestic social policies and programmes developed successfully by the Brazilian government.

This paper aims to analyse this aspect of the country’s foreign policy in discourse and in the analytical and empirical dimensions. In other words, its objectives are: (1) to look at how this “humanism” and “solidarity” appeared in the discourse of the Brazilian authorities; (2) to discuss the reasons for them and their logic, in the national, regional, and systemic dimensions; and (3) to map the initiatives adopted, the preferred partners and areas, the resources used and the intragovernmental connections necessary for their implementation. The structure of the paper will follow these objectives and attempt to unveil both the theory and the practice of Brazilian self-proclaimed “humanistic” foreign policy during the period 2003-2010.

The Rhetoric of Solidarity and Humanism in Lula's Foreign Policy

The activism of Brazilian foreign policy under Lula may be gauged by the intensity of the so-called presidential diplomacy during his time in office. Table 1 compares the official presidential trips to foreign countries made by Cardoso (1995-2002) and by Lula (2003-2010).

Table 1. Official Presidential Trips Abroad: Cardoso and Lula

	Cardoso (1995-2002)		Lula (2003-2010)	
Total trips abroad	94		146	
Number of countries visited	44		85	
Number of visits	135		254	
Number of countries visited and number of visits by region				
	Countries	Number of visits	Countries	Number of visits
Africa	3	5	21	32
Antarctica	0	0	1	1
Asia	8	8	10	19
Europe	14	44	18	57
Central America & Caribbean	4	6	11	21
Middle East	1	1	10	12
North America	3	15	2	20
South America	11	56	12	92
TOTAL	44	135	85	254

Source: Adapted from Ribas and Faria (2011).

Whereas Cardoso's presidential diplomacy had been widely praised in Brazil (Danese, 1999), the intensity of Lula's personal engagement in international affairs initially surprised many of his fellow citizens, largely due to prejudice, since the former industrial worker did not have a university degree and spoke only Portuguese.⁴ As a matter of fact, the comparison presented above not only illustrates the priority Lula gave to foreign affairs, but also shows that the South-South axis really became of particular concern during his administration.

Our objective in this section is not to present a quantitative analysis or analyse the circumstances in which Lula and Amorim made reference to their intention to develop foreign policy strategies based on solidarity and humanism, made clear in their innumerable public speeches, both abroad and at home. Neither do we intend to perform any kind of formal discourse analysis. Our goal here is much more modest: to select and present a

few passages in order to show that such a strategy was conceived since the very beginning of the Lula administration, to illustrate that it was clearly and frequently presented and to highlight how powerful this rhetoric was at times. As we will see, the fact that the president could claim, as he did on several occasions, that he himself had experienced poverty, hunger, exclusion and migration motivated by economic reasons was not the only reason for which it was so powerful.⁵

In his inauguration speech on January 1, 2003, Lula made it clear that the link between domestic and foreign policies in his government would not just be “developmental”. It must be borne in mind that in Brazil, foreign policy has traditionally been regarded as an instrument to promote economic development at home. Lima and Hirst (2006: 21) have also stressed this point: “the government’s fight against poverty and unequal income distribution at home and its assertive and activist foreign policy can be viewed as two sides of the same coin”.

In the aforementioned inaugural speech, Lula called upon the nation to make the “end of hunger a great national cause”, a “crusade”. He said, “Our foreign policy will also reflect the desires that were expressed in the streets. In my government, Brazilian diplomatic action will be oriented by a humanistic perspective and will be, above all, an instrument for national development”. The main priority was to build “a continent that is politically stable, prosperous and united, on the basis of the ideals of democracy and social justice”. The country would back the efforts to make the United Nations and its agencies efficient instruments for promoting “social and economic development, to fight poverty and inequality”.

We are starting a new chapter in Brazilian History today, not as a submissive nation, (...) not as an unjust nation, passively watching the suffering of the poorest, but as a lofty (*altiva*) and noble nation that will affirm itself courageously in the world as a nation for all, free from class, ethnic, gender or belief distinctions.⁶

The message Lula took to Porto Alegre (III World Social Forum) and to Davos (World Economic Forum) later that same month (January 2003) was not any different: he recognized that his electoral victory meant hope not only for Brazilians, but also for leftist forces all over the world. Lula stated that it was no longer possible to carry on with an economic order that allowed children to starve. “The truth is that the social problems of the world had never been discussed in Davos”, said Lula in Porto Alegre. Two days later, he said in Davos that “the construction of a new international economic order, one that is more just and democratic, is not only an act of generosity, but is also particularly an attitude of political intelligence”. To justify his proposal to create an international fund to fight poverty and hunger in the third world, Lula stated that “it is necessary to admit

that hunger and poverty are usually [part of] the cultural environment (*caldo de cultura*) where fanaticism and intolerance arise”. The speech at Davos was thus concluded: “We urgently need to unite around a world pact for peace and against hunger. And rest assured that Brazil will do its part”.

Lula regarded the task of convincing leaders, sensitizing audiences and setting the international agenda as part of his responsibility. This is clear when one looks at his agenda and reads his speeches. But Lula had more than a moral discourse, personal charm, charisma and his own life story to support his “crusade”. He also insistently presented Brazilian social policies created or improved by his government, such as *Fome Zero* (Zero Hunger) and the conditional cash transfer programme called *Bolsa Família*, which became the world’s greatest programme of that sort, as best practices to be emulated. In 2011, Lula’s former minister, José Graziano da Silva, was elected Director-General of the UN Food and Agriculture Organization (FAO). Lula once said that “Brazil wants to be proud to be the first country to accomplish all the Millennium Goals established in Rome”.⁷ In fact, Brazil managed to accomplish the first goal (“to eradicate extreme poverty and hunger”) well before the deadline. But it was not only the domestic policies that were praised and sold as examples to other developing countries. The social programmes financed by the IBSA (India, Brazil and South Africa) Forum Fund in non-member countries, for example, received an award from the UN.

Both Lula and Amorim stressed the “humanistic” spirit that characterized Brazil’s mobilization in the domestic and international spheres on many occasions. According to the rationale that was being disseminated, “the fight against exclusion and inequality is not a mere consequence of growth, but its mainspring” (*mola mestra*). As Lula had strongly condemned the invasion of Iraq, which took place on March 20, 2003, he said repeatedly that “our war is against hunger and poverty, and that is the only war that interests us”. But perhaps the most striking argument used by him on countless occasions in his speeches around the world was that hunger can be considered the most lethal weapon of mass destruction, since it killed “twenty thousand people a day and eleven children per minute”, affecting nearly one quarter of humanity. The goal of “transforming hunger into a political issue” became clear and was easily recognizable. “We will not be successful in the fight against hunger if we do not radically change the standards of international cooperation. It is necessary to turn the page on the models imposed from abroad”.⁸ “With the IBSA Fund we are proving that it is not necessary to be rich in order to show solidarity, that it is possible to help without interfering in other nations’ internal affairs”.⁹

The rhetoric of solidarity was also frequently presented as part of a defence of Brazilian national interests, once defined by Amorim as the well-being of the Brazilian people. Brazilian diplomatic efforts to liberalize the international commerce of agricultural goods

in multilateral institutions – particularly in the World Trade Organization (WTO), where the country led the articulation of the G20 in 2003 – were also linked to the search not only for a more equitable international system, but also for social justice. As Lula mentioned several times, “there will be no peace and security [in the world] without economic development and social justice”.¹⁰ Targeting the heavy subsidies for agriculture practised by the USA and Europe, both Lula and Amorim emphasised many times that “it cannot be possible that cows in some developed countries earn more than two dollars a day in subsidies, while half of the world’s population has to survive on less than that”.¹¹ In another speech, Lula said that “the sum of resources spent on subsidies for agriculture is equivalent to six times the yearly additional value necessary to make the achievement of the Millennium Goals possible. Such a situation must change”.¹² According to Amorim,

(...) for the first time in the history of trading diplomacy we have managed to put together [through the G20] two seemingly antagonistic objectives: trade liberalization and social justice. This has only been possible with this background which, in a way, President Lula created with his crusade against hunger.¹³

Lastly, but no less important, we must mention the relevance and opportuneness of a term/concept coined by Minister Amorim: “non-indifference”. Whereas non-intervention and the defence of self-determination have been traditional hallmarks of Brazilian diplomacy, as several analysts have stressed, the new concept “non-indifference” was first used to justify the Brazilian leadership of MINUSTAH in Haiti, the UN mission established in 2004 under Chapter 7 of the UN Charter. The term was later used by Brazilian diplomatic authorities to try to legitimize not only humanitarian assistance, but also debt relief and technical cooperation with the official goal of promoting social development in other third world countries. Just as “the right to intervene” was largely used by the USA in their War against Terror after the Iraq War, “non-indifference” also legitimized a sort of intervention, but for the sake of social justice (Lima, 2005b). And in Haiti, Amorim believed that Brazil was “creating a new paradigm in international cooperation to solve conflicts. (...) What we desire is that our action in Haiti turns out to be a model, at this moment in which the UN is undergoing profound transformations”.¹⁴

It is therefore possible to say that Lula worked hard in his “crusade” (or “apostolate”, as Amorim once said) to set the international agenda and to disseminate Brazilian policies, becoming a kind of international policy entrepreneur. And a very successful one, according to many observers and analysts.¹⁵ But how can one explain such a “crusade”? What are the reasons behind the humanistic and solidarity-based foreign policy developed by Brazil during Lula’s presidency? We will attempt to answer these questions in the next section.

Domestic, Regional and Systemic Reasons that guided Lula's Humanistic Foreign Policy

Although the individual, psychological motivations for launching this innovation in Brazilian foreign policy could be employed in our search for an explanation, as we saw in the previous section, in the following discussion we will emphasise the domestic, regional, and systemic variables.¹⁶

It must be initially said that, although the Workers' Party's (PT) rule in Brazil and "*Lulismo*" have been viewed as "pragmatic" – at least in comparison to other Latin American left-wing governments that rose to power, in what has been labelled as a "pink wave" that swept the region in this century's first decade (Panizza, 2006) –, it is hard to distinguish the political/ideological reasons behind the emergence of that humanistic trend in Brazilian foreign policy from the more pragmatic ones. Be that as it may, we should always ask ourselves if there really are politics without ideology.

Lula won the presidential elections in 2002 after also having disputed the three previous ones. His victory was possible not only due to a nationwide mass mobilization led by his party and his charismatic personality. His appeals to social justice during the campaign were combined with a promise to preserve the orthodoxy of the country's economic policies in order to calm down the markets and to gain the confidence of the middle classes. The neoliberal policies of Lula's predecessor, Cardoso, of the Brazilian Social Democracy Party (PSDB), would not be undone at the cost of instability. Economic orthodoxy may have marked Lula's first term in office, but as well as departing from the privatizations that took place during the government of the Social Democrats, the administration also immediately started putting into practice the long aspired foreign and social policies preached by the PT.

According to official expectations, these two policies, which were "two sides of the same coin", would be the trailblazers of the country's project of social and economic transformation. If social and economic change would inevitably come about slowly, self-esteem could be quickly induced by the forcefulness of the social justice discourse and by a renewed appraisal of the country's role in a changing world. The fact that sustained national economic improvement ensued was due both to external good fortune (particularly the commodities boom) and the progressive expansion of the internal market, fuelled by the social policies, successive increases in the minimum wage, novel forms of access to credit and the creation of millions of new jobs. Upward social mobility, material improvement and a sense of collective pride in the country (Anderson, 2011; Burges, 2005) strengthened the leading role Brazil was playing on several international stages. These were to be compared, according to the new Brazilian foreign policymakers, to the increased social

inequalities produced during the previous government and the diplomatic fidelity to the United States, with no visible domestic impact, which was the guideline of the Social Democrats.

Thus, the strategy of solidarity-based international insertion, stressing the South-South axis, was domestically produced, legitimized and reinforced by the character of the Brazilian political leader, by political competition and by the need to produce economic improvements. The Brazilian economy was among the world's first to recover after the 2008 Wall Street Crash, which took place during Lula's second term. Such a performance was attributed, to a large extent, to both foreign and social policies, as domestic demand kept the machine working and Brazilian exports were no longer dependent mainly on developed countries (China became Brazil's main commercial partner in 2009).

Regional factors also played an important role, as the new Brazilian foreign policy sought to reinforce the traditional priority given to South America, treating it as a renewed priority. However, it quickly became evident that the kind of bold regional leadership initially preached by Lula and the PT would not work out. As if the huge regional asymmetries were not enough to make most of the Brazilian initiatives suspicious, Venezuelan president Hugo Chávez had also begun expanding his regional ambitions through the ALBA (Bolivarian Alternative for the Americas) and his petro-diplomacy (Burgess, 2007).

Brazil's regional leadership had several interconnected purposes: to transform the open regionalism of the 1990s into a post-liberal one, which would supposedly promote common political, strategic and social objectives; to reduce or prevent US hegemony over the continent; to promote regional trade and the interests of Brazilian companies (and the Lula government strongly backed the internationalization of the country's companies); to support, both directly and indirectly, like-minded political leaders in neighbouring countries; and last but by no means least – on the contrary –, to make the region a platform for consolidating Brazil as a global player (Spektor, 2011). According to that rationale, the Brazilian leadership then had to be based on solidarity and humanism, which also demanded a willingness on Brazil's part to act as a regional integration paymaster.¹⁷

The global impact of the September 11, 2001 events is of central importance for understanding the opportunities provided by the international system for developing the Brazilian strategies. As the US-led War on Terror strongly promoted a securitization of the international agenda and made the US concentrate on a different region, Latin American countries found themselves free to pursue more autonomous objectives. The mostly ruinous legacy of the neoliberal policies of the 1980s and 1990s (or at least such a perception) certainly played an important role, as it made possible the upsurge of the "pink wave" mentioned earlier (Panizza, 2006; Vilas, 2005). The rhetoric of the Brazilian authorities stressing humanism and solidarity, as well as the policies promoted by the country in both

the domestic and international spheres, helped to revive the North-South divide. The War on Terror was contrasted with the war against poverty, and the selfish objectives of trade liberalization and the hegemony of the few developed nations started to be forcefully denounced in the streets and by dozens of leaders of developing countries.

Traditional Brazilian ambitions of reforming the institutional structure of the international system, particularly the UN, where Brazil demands a seat in the Security Council, are also said by many to be an important motivation for the priority given to the South-South axis. This is so because the new partners and beneficiaries of the cooperation Brazil is implementing could lead to greater political support and possibly new votes in its favour.

The 2008 outbreak of the profound financial crisis that still limits the international impetus and influence of the developed nations has been interpreted in the periphery as a sign and an opportunity. The transformation of BRIC (Brazil, Russia, India, China) from an acronym into a group of emerging countries that endeavour to coordinate their international positions, and the subsequent expansion to include South Africa, should be regarded as one of the many manifestations of this perception.

Having analysed the rhetoric of solidarity and humanism in Lula's foreign policy and very briefly presented the domestic, regional, and systemic reasons that drove such an innovation, our task in the next section is to discuss how it was translated into practice.

Humanistic and Solidarity-based Brazilian Foreign Policy in Lula's Government: Priorities, Projects and Intragovernmental Coordination

The "humanistic" and "solidarity-based" trend in Brazilian foreign policy was brought to life by a series of projects, activities and programmes implemented through a network of governmental and nongovernmental organizations. These projects and actions included: Brazil's methodological transfer of some of its main policies through the provision of South-South technical cooperation, debt relief for poorer countries and Brazil's commitment to help countries affected by natural disasters or conflict by means of international humanitarian assistance. The purpose of this section is to map these initiatives, the key partners, resources, and intragovernmental connections necessary for their implementation.¹⁸

The policies and projects in question are considered "humanistic" and "solidarity-based" because, as stated earlier, they were justified in the Lula government by the sharing of values and interests with other countries of the South; by the sense of duty or "moral obligation" to protect individuals from another country; by the guiding principle of asking no counterpart to these actions from recipient countries; and by the Brazilian

government's involvement in actions that sought to alleviate people's poverty, hunger and misery. The next subsections will briefly touch on the priorities, policies, and programmes of the following three areas: (1) South-South technical cooperation; (2) humanitarian assistance; and (3) financial cooperation. We will then conclude by presenting the intragovernmental coordination efforts and structures necessary for implementing these policies and programmes.

Before examining the practice of international solidarity in Lula's foreign policy, however, another comparative exercise may be useful in order to make the administration's priorities even clearer. The great emphasis placed by the Lula government on the "social question" in its international agenda may also be attested by a content analysis of the bilateral "international acts" signed by Brazil during 2003-2010. Such research is greatly facilitated by the fact that the Itamaraty's Department of International Acts (*Divisão de Atos Internacionais*) has a database on its website that enables access to all the acts signed and a search for specific key words. In this regard, a comparison between the Cardoso (1995-2002) and Lula (2003-2010) governments is revealing. The aforementioned site has a register of 845 bilateral acts signed during Cardoso's years in office, a figure that more than doubled during the following government (1,896 bilateral acts signed). This difference proves the great international activism of the Lula administration. For the purposes of this article, however, it is more important to compare the results of the search for the keyword "social development" in the text of those agreements. This expression appears in 576 of the bilateral acts signed during the Cardoso administration (68.2% of the total), whereas it appears in 1,546 of the 1,896 bilateral acts signed during Lula's government (81.6%).¹⁹

South-South Technical Cooperation during Lula's Government

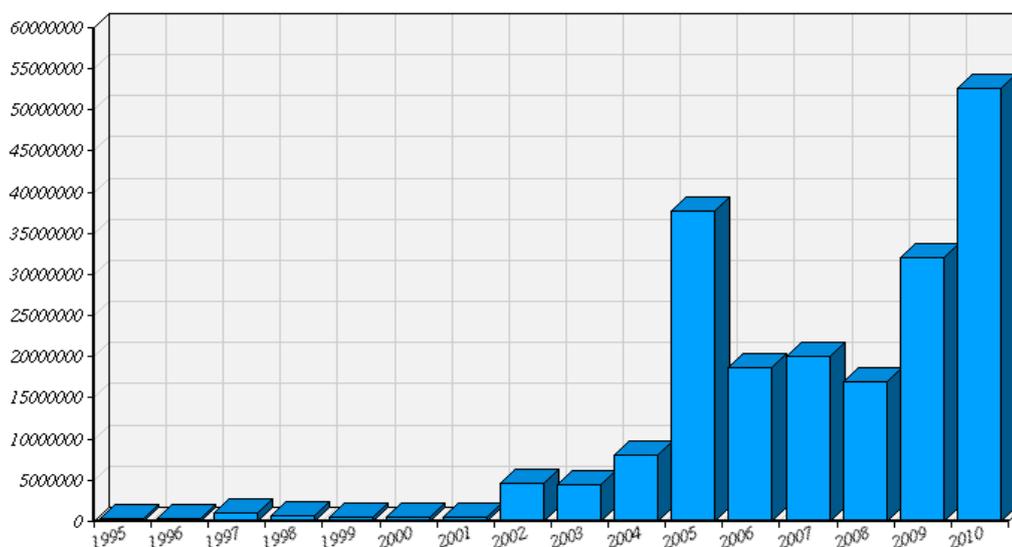
The South-South cooperation is not a new phenomenon, but it has been deeply reformulated and enhanced in the last decade or so. According to Silva (2010), the motivation for undertaking this cooperation is to share interests and mutual benefits. In this sense, the South-South cooperation had an important role during the Cold War, after the articulation of the Non-Aligned Movement at the Bandung Conference in 1955, and in the operation of the G77, created in 1964. The oil crisis, the international recession and the debt crisis in peripheral countries during the 1970s and 1980s caused a significant reduction in development cooperation, which affected both North-South and South-South cooperation. Only in the 21st century have we been able to see the South-South cooperation enter a new phase. According to Silva, several factors contributed to this revival. The rise of some developing countries through economic growth and social improvements enabled them to exercise leadership roles in the periphery of capitalism and become providers of

cooperation. The creation of the Millennium Goals in 2000 added urgency to the problems of the South. Finally, the crisis and the disappointment with the cooperation initiatives came from the North, which have frequently ended up with not very encouraging results for the recipient countries, making the asymmetries of power even more evident and strengthening the dependence of peripheral countries (Silva, 2010).

The South-South Technical Cooperation, also known as technical cooperation for development, or horizontal cooperation, is one of the cooperation modalities delivered by Brazil.²⁰ It was “reinvigorated” from the beginning of the Lula government, as pointed out by Puente (2010). This was due to the expansion of relations and to an approximation with the countries of the periphery, as well as to the growing human and financial resources allocated to the Brazilian Agency for Cooperation (ABC).²¹

The following figure shows the evolution of the ABC’s budget from 1995 to 2010. One can see that from 2004 to 2005 there was a significant budget increase, from nearly US\$ 8 million to US\$ 37 million (Puente, 2010: 294). One explanation for this sudden increase was the fact that Brazil has been carrying out cooperation projects in Haiti, where it leads the UN peacekeeping mission, MINUSTAH, which began in 2004. In the following years the budget fell in relation to 2005 and increased again in 2009. Nevertheless, from the last year of Cardoso’s presidency (2002)²² and during the Lula administration, the amount of resources allocated to the ABC increased significantly. Notice, however, that a study conducted by the ECOSOC and the OECD showed that in 2008 Brazil was only the eighth donor among developing countries, responsible for just 2.6% of the resources mobilized (apud Souza, 2012: 90).

Figure 1. ABC Budget (1995 – 2010), in R\$



Source: Produced by the authors from two sources: Puente, 2010: 294 and Farani, 2010: slide 9.

According to the ABC, from 2004, the Brazilian technical cooperation for development sought to strengthen Brazil's relations with developing countries, supporting projects that were national development priorities of recipient countries and those that had the involvement of local institutions, thus producing a greater impact and a multiplying effect on those countries (ABC, 2010, n.d.).

According to a report presented by the Ministry of Foreign Affairs (MRE), the number of projects implemented by the ABC greatly increased during the Lula government. In 2003, the ABC had started 34 projects. In 2009, 96 projects were started (MRE, 2011, n.d.). Regarding the recipient countries, in 2009, 50% of the projects were implemented in African countries, 39% in countries of South and Central America and the Caribbean, and 11% in Asia and the Middle East. The main areas covered by these projects and activities were: agriculture (21.86%), health (16.28%), education (12.12%), environment (7.43%), and public safety (6.28%). The projects in the area of social development made up 5.31% of the initiatives (MRE, 2011, n.d.).²³

Humanitarian Assistance in Lula's Government

The Brazilian Ministry of Foreign Affairs defines international humanitarian assistance as:

Any action that contributes, in an immediate and effective way, to prevent, protect from, prepare for, reduce or alleviate suffering and to provide assistance to other countries or regions that are – temporarily or otherwise – in situations of emergency, public calamity, imminent or serious threat to life, to health, to the protection of human rights or the humanitarian rights of its population (MRE, 2010).

Brazil's performance as a provider of international humanitarian assistance is based on two complementary UN General Assembly resolutions: 46/182 and 58/114. The first (46/182), from 1991, sets out the principles that must be observed in providing this sort of assistance: humanity, neutrality and impartiality. Since the sovereignty of states must never be violated, humanitarian assistance should be provided only with the consent of the affected country. The second resolution (58/114), from 2003, emphasises the need for cooperation on humanitarian assistance. It encourages governments, international organizations, and NGOs to cooperate with the Emergency Relief Coordination, of the UN Secretary-General, and to follow the resolutions of the UN Economic and Social Council (ECOSOC).

In Lula's government, Brazilian humanitarian assistance went through a growing process of institutionalization and there was great concern for its operation. This took place after the creation of the General Coordination for International Action Against Hunger (CGFOME), linked to the Office of the General Secretary of the Ministry of Foreign Affairs by Decree No. 4759, of June 21, 2003. According to the General Coordinator of CGFOME, Minister Milton Rondó Filho, CGFOME was created to be the "external interface" of the Zero Hunger Programme²⁴, providing humanitarian assistance and emergency actions on food security.²⁵

Moreover, the Inter-Ministerial Working Group on Humanitarian Assistance (GTIA-HI) was created by a decree published on June 21, 2006 in order to coordinate the efforts of Brazilian international humanitarian aid and to formulate a bill that would permanently authorize the donation of food, medicine and other items from Brazilian public stocks to international humanitarian actions. Thus, on April 17, 2007 bill nº 737²⁶ was presented for this purpose, as these donations were being sent by means of Provisory Measures²⁷, which authorized the shipments. In addition, in 2009, the first humanitarian warehouse in Brazil, at the International Airport of Rio de Janeiro, was set up with the aim of expediting humanitarian assistance.

Humanitarian assistance, as well as other actions comprising the "humanistic" and "solidarity-based" trend of Brazilian foreign policy, divides opinion within the country. The Observatory of the Metropolises, in partnership with other national and international organizations, conducted a survey in major metropolitan areas of Brazil to understand the exercise of citizenship in these regions. The survey was also conducted in six other countries: Canada, the United States, France, Sweden, Spain and Portugal. In it, respondents were asked about the importance of "helping people around the world who live in precarious situations". The indicator varies from zero to seven (seven = Very important; zero = Not important at all) and Brazil came first in the ranking, with an average of 6.23, followed by Spain, Portugal, Canada and Sweden (Azevedo; Santos; Ribeiro, 2009: 353). Since only 43% of the Brazilian population lives in metropolitan areas, the results cannot be extrapolated to the whole population. Nevertheless, they suggest strong internal support for the "humanistic" and "solidarity-based" foreign policy actions. On the other hand, according to Milton Rondó Filho, coordinator of CGFOME, the opposition parties have been against the approval of Bill 737/2007. This controversy is illustrated by the declaration of separate voting by Deputy Fernando Coruja (PPS – Socialist Popular Party):

Although the intention is commendable, this House cannot give up its prerogative to review the allocation and type of humanitarian aid to be granted case by case, otherwise we will succumb to a logic of executive power that often goes beyond common sense and can border on the absurd, penalizing the Brazilian people" (BRASIL, 2008a).

The initiative was also subject to pressure from other leftist parties. Heloísa Helena, then Senator for the Socialism and Freedom Party (PSOL), made a speech in 2004 criticizing giving humanitarian assistance to other countries instead of providing aid to needy states in Brazil:

I appeal once again to humanitarian aid for the Brazilian states that suffer emergencies and floods. Of course, I have much sympathy for the people of Africa, the Arab World and Latin America. There is no problem with that. I just want humanitarian aid to also be provided to Brazil. A government that throws in the mud of speculation 70% of the public budget, that chooses to fill bankers' bellies while emptying the plates, jobs and dignity of the Brazilian people has no moral authority to demand humanitarian aid, saying that someone in this House was against it. No one is against it. Lies! [...]. Solidarity with others, yes, but also solidarity with the Brazilian people!" (Senado Federal, 2004).

The humanitarian assistance provided by Brazil during the Lula administration consisted of donations in kind (food, medicine and general items), sending in Brazilian professionals to help²⁸, cash donations²⁹ and participation in multilateral dialogues on humanitarian assistance.³⁰ The funds for international humanitarian assistance are authorized by the Annual Budget Law (LOA), under the responsibility of the Ministry of Foreign Affairs (MRE). In 2010, the international humanitarian assistance budget was R\$50 million. According to a study by the Institute for Applied Economic Research (IPEA) and the ABC, Latin American and Caribbean countries received 76.27% of Brazilian humanitarian aid between 2005 and 2009. The Asian continent received 16.44% and Africa received 7.26% of these resources. Oceania received 0.02% of the Brazilian aid during that period (IPEA and ABC, 2010).

Financial Cooperation

In addition to the initiatives briefly presented in the previous sections, Brazil made other efforts that enhanced the “humanistic” and “solidarity-based” character of its foreign policy strategy. Within the scope of financial cooperation, the Brazilian government deducted a significant amount from the debt that poorer countries had with Brazil, especially African countries. Among the beneficiaries were Mozambique, Nigeria, Gabon, Cape Verde and Bolivia, among others. As the National Monitoring Report of the Millennium Goals points out, “the discounts granted to developing countries in debt with Brazil amounted to US\$1.25 billion, of which more than US\$1 billion pertained to heavily indebted poor countries” (IPEA, 2010: 159).

This policy has also generated controversy. There are many questions regarding whether or not Brazil should have cancelled some of these countries' debts. In September 2004, Deputy Antonio Carlos Mendes Thame, from the Brazilian Social Democracy Party, presented Bill No. 4128, which required the Executive to obtain specific and express permission from Congress to relieve debt. As justification, the deputy argued:

Despite the merits of the announced motivation for such international acts (solidarity), we agree with the chairman of the Federal Bar Association of Brazil, who has publicly declared that he did not find any device in the Federal Constitution that gives powers to the Brazilian President to unilaterally forgive debts or make donations with public money to other countries (Thame, 2004).

The bill was in process until 2010, when it was declared unconstitutional by means of a report by the Committee on Constitution, Justice and Citizenship (CCJC) of the National Congress (Congresso Nacional, 2010).

In addition to debt relief, Lula proposed the creation of the “Action against Hunger and Poverty” programme in 2004, an attempt to diversify the international agenda. This action was supported by Heads of Government such as Jacques Chirac (France), Ricardo Lagos (Chile) and José Luís Zapatero (Spain), as well as UN Secretary-General Kofi Annan. The unprecedented nature of this initiative was the fact that it proposed to create and implement innovative financing mechanisms able to finance actions to eradicate hunger and poverty. In 2006, the proposal evolved into a pilot project and UNITAID, a central medicine purchasing facility at the headquarters of the World Health Organization, funded by a solidarity tax on airline tickets, was created.

In the next section we will present the intragovernmental coordination efforts put into practice for implementing technical cooperation and international humanitarian assistance, highlighting the most relevant actors involved at the domestic level.

Intragovernmental Coordination for the implementation of South-South Technical Cooperation and International Humanitarian Assistance

To understand the process of implementing foreign policy in Brazil it is necessary to contextualize the special dynamics of this policy. The Itamaraty has historically centralized this process. Its high level of professionalization, bureaucratic autonomy, and insulation at times enabled the MRE to reach an almost monopolistic control over how foreign policy is conducted (Cason and Power, 2009; Cheibub, 1985; Faria, 2012; Pinheiro, 2009). According to Faria (2008), other factors have also contributed to this centralization: the

dominance of the Executive in Brazilian foreign policy; the fact that Brazilian legislators delegated responsibility for its formulation to the Executive;⁵¹ the country's international isolation, which was also an outcome of adopting the development model through import substitution; and the traditional "non-conflictive" practice of Brazilian diplomacy (Faria, 2008: 81).

However, the Itamaraty's insulation has become less pronounced since the country's redemocratization in 1985 and after the economic liberalization that took place in the beginning of the 1990s, which led to the appearance of new stakeholders who tend to achieve greater influence on foreign policy decisions, in a context of the emergence of new internal distributional conflicts (LIMA, 2000). This trend highlights the increasing politicization of foreign policy in Brazil, reducing the monopoly of foreign policy production by the Ministry of Foreign Affairs (Faria, 2012), which also reflects the expansion and diversification of the country's international agenda. In this sense, new governmental actors have also come into play, and the participation of other ministries besides the MRE has become recurrent. Silva et al. (2010) have pointed out that this process of "public fragmentation of diplomacy" provides an increase in the bureaucratic spaces of foreign policy formulation and a greater dialogue with society.

The study of the current institutional arrangement of Brazilian foreign policy undertaken by the aforementioned authors demonstrated that today's competence regarding the production of foreign policy in Brazil is shared by the entire structure of the federal executive branch. Almost all ministries have a structure for international affairs. Moreover, this "horizontal decentralization" can be observed both during the decision/formulation and the implementation phases (Silva et al., 2010). In the next subsection, the activities undertaken by the various ministries and governmental agencies mobilized to put the solidarity-based foreign policy into practice will be analysed in the context of technical cooperation and international humanitarian assistance. Financial cooperation with less developed countries involves a much smaller number of governmental agencies, demanding an implementation structure that is not so complex, this being the reason for which it will not be further discussed in this paper.

Intragovernmental Coordination for the implementation of South-South Technical Cooperation

According to Puente (2010), one of the hallmarks of Brazilian horizontal cooperation is the fact that a multitude of actors participate in the domestic conception and implementation of cooperation. In addition to its role in coordinating Brazilian international cooperation, the ABC also acts in the "recruitment and mobilization" of cooperating

institutions, which, in most cases, act as executors and are fundamental to implementing many of the actions.

It is estimated that more than 120 national institutions are involved in delivering technical cooperation. These include ministries, departments, foundations, universities, private companies, NGOs, and various sub-national entities (Ayllón and Leite, 2010).

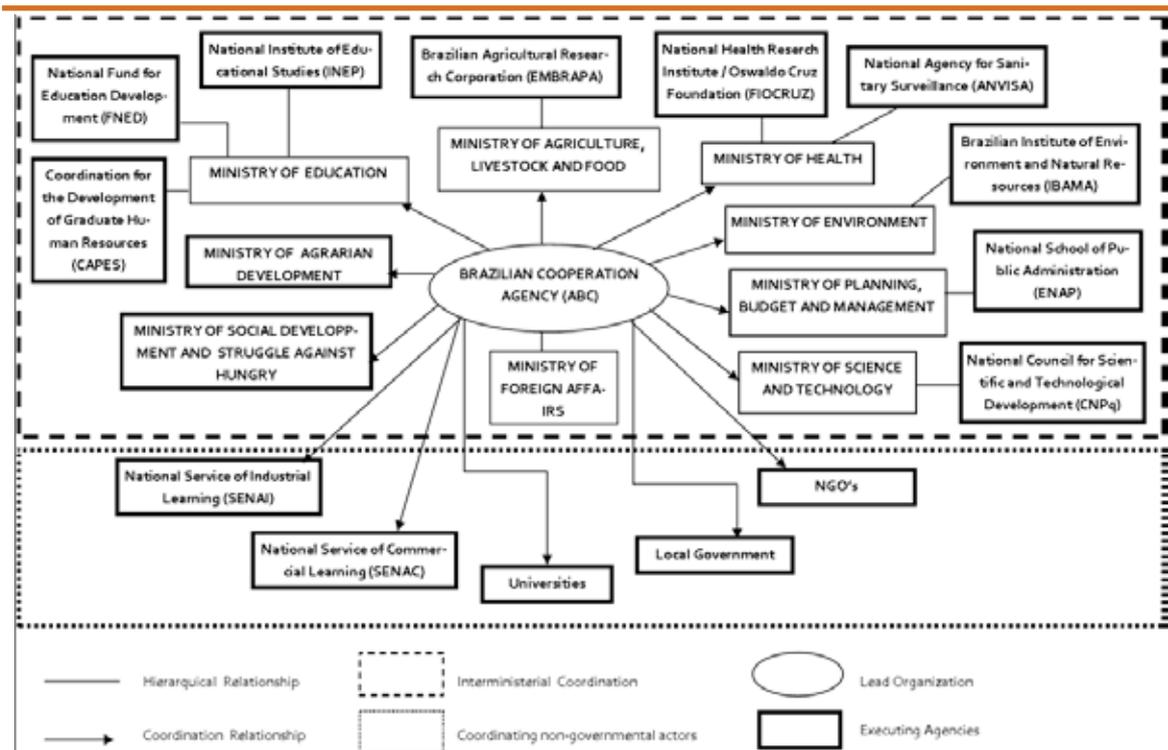
The network of agencies and organizations that deliver Brazil's technical cooperation is coordinated by the ABC. According to Decree n° 7304 of September 22, 2010, the Agency has the primary function of coordinating cooperation activities, but it is also responsible for negotiating, monitoring, evaluating, planning etc. However, it seldom acts as a direct executor of cooperation projects (BRASIL, 2010b).

Figure 2 shows the institutional design of the Brazilian technical cooperation, as well as the intragovernmental network mobilized for its implementation. It depicts the main ministries and executing agencies of technical cooperation. Among them, the Brazilian Agricultural Research Corporation (EMBRAPA) stands out. Its expertise in the area of tropical agriculture enables the transfer of its technology to developing countries. According to Ayllón and Leite (2010), the company has technical cooperation agreements with more than 50 countries and runs 65% of the ABC projects in the area of tropical agriculture. An EMBRAPA regional office was recently opened in Ghana.

In the area of public health, the Ministry of Health (MS) plays a central role. In 2010, through Ordinance n° 2356, the MS created the Working Group on International Cooperation on Health to strengthen and expand the connection and coordination of the Ministry's partnerships with others actors. Projects to support the structuring of national programmes to prevent and cure diseases like HIV/Aids are worthy of note, as is the implementation of human milk banks and support for the production of medicines in collaboration with the Oswaldo Cruz Foundation (FIOCRUZ), which recently established a branch in Mozambique (Farani, 2009).³²

Another form of Brazilian technical cooperation is the transfer of methodology of some of the social policies considered most successful in the Lula government. The Ministry of Social Development and Fight against Hunger (MDS) is significantly involved in developing technical cooperation with developing countries, as some of these social policies fall under its responsibility.³³ Until 2010, the MDS had signed 62 international cooperation agreements, in the form of memorandums, cooperation projects, letters of intent and other related documents. Most of them are part of the South-South cooperation delivered by the country (MDS, 2010).

Figure 2: Institutional Setup of Brazilian Technical Cooperation



Source: Author's elaboration

In the area of professional qualification, there is the involvement of institutions such as the National Service for Commercial Learning (SENAC) and the National Service for Industrial Learning (SENAI). The latter has projects for restructuring education systems and for creating professional training centres in Portuguese-speaking countries (Angola, Cape Verde, Guinea-Bissau, East Timor) and Latin America (Paraguay and Colombia) (SENAI, n.d.).

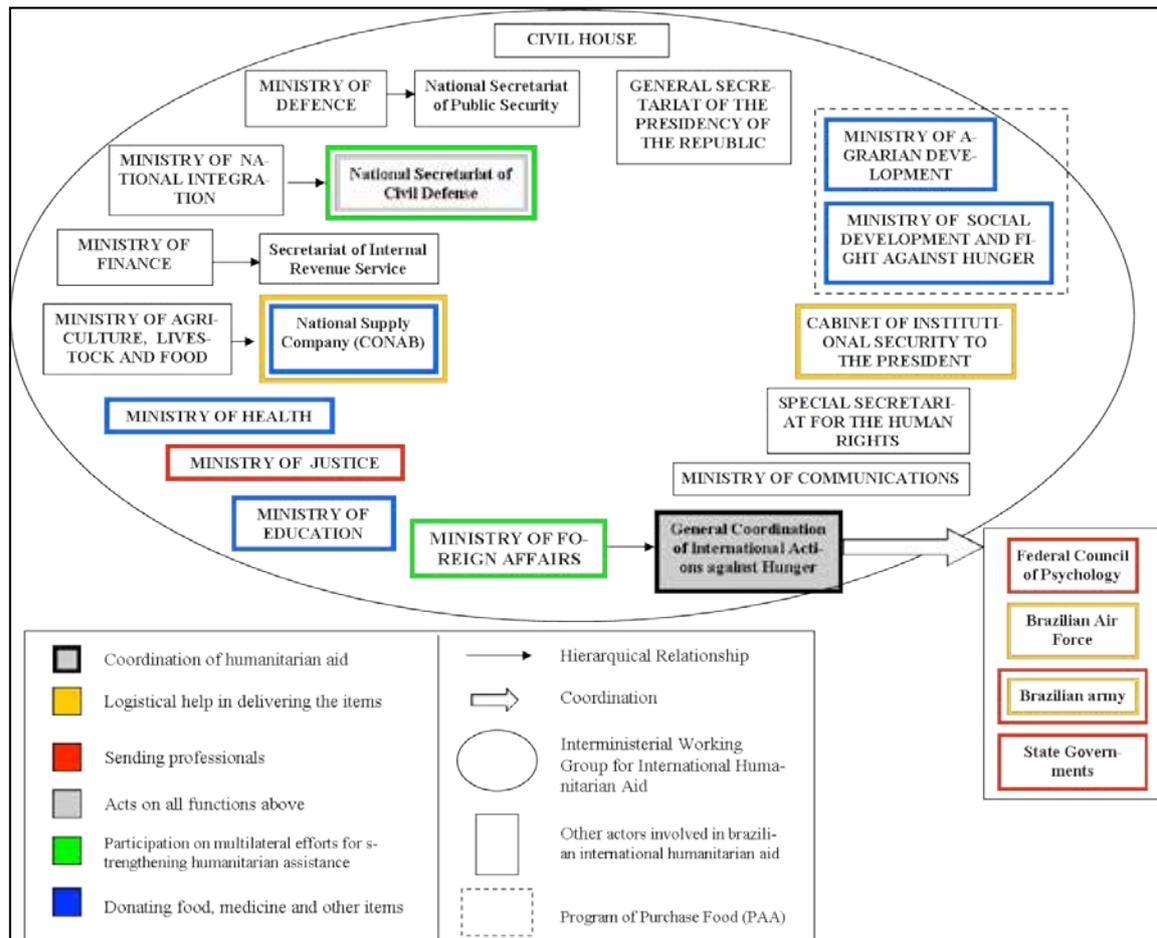
In the area of education, Brazil transfers the methodology from the National School Food Programme (PNAE), which operates under the control of the National Fund for Educational Development (FNDE). In 2010, thirteen countries kept cooperative agreements with the Fund (FNDE, 2010). Furthermore, in this same area, there is the project the NGO Solidarity in Literacy (Alfasol) has with the ABC, providing training for teachers and technical staff in basic literacy and education for young people and adults in Cape Verde (Alfabetização Solidária, 2009).

Intragovernmental Coordination for the Implementation of Brazilian International Humanitarian Assistance

The main institutional mechanism that operates international humanitarian assistance provided by Brazil is the Interministerial Working Group on Humanitarian

Assistance (GTIAHI). The Brazilian system of international humanitarian assistance includes a set of activities developed by a series of ministries and federal government agencies.⁵⁴ Figure 3 shows the actors involved in the provision of humanitarian assistance, as well as their mode of participation.

Figure 3: Institutional Setup of Brazilian International Humanitarian Aid



Source: author's elaboration

The National Supply Company (CONAB) – linked to the Ministry of Agriculture, Livestock and Supply – has an important role in international humanitarian assistance. Its general function is to manage the outflow of the national harvest, to build public stocks and to sell them according to market movements (CONAB, 2010). The role of the CONAB in international humanitarian aid is to act in the purchase of food, storage and distribution logistics. Between 2004 and March 2007, it allocated nearly 220 tonnes of food for humanitarian assistance (CONAB, 2007: 5).

Another important agency in the provision of international humanitarian assistance is the National Civil Defence Agency, which is linked to the Ministry of National Integration. According to Decree n° 7257 of 2010, the Agency is responsible for the articulation,

coordination and technical supervision of the National System of Civil Defence (SIN-DEC), and seeks to build preventative rescue, and recuperative care; to prevent disasters; and to minimize their impacts on the population. It is responsible for the humanitarian assistance provided by Brazil (BRASIL, 2010a) and operates internationally, donating items to countries affected by conflict or natural disasters; sending in trained professionals; and representing Brazil in multilateral dialogue forums dedicated to humanitarian assistance, such as the Global Platform for Disaster Reduction in 2009.

In addition, we should mention the Cabinet of Institutional Security (GSI), linked to the Presidency. Its function, among others, is to prevent the occurrence of crises and coordinate their management (GSI, n.d.). In international humanitarian assistance, its role is to liaise with other agencies to provide the logistics of assistance. In January 2010, the Office gave support to victims of the earthquakes in Chile and Haiti (Aguilar, 2012).

The role of the Ministry of Agrarian Development (MDA) and the Ministry of Social Development and Fight against Hunger (MDS) in international humanitarian assistance manifests mainly through the Food Acquisition Programme (PAA).³⁵ They carry out the donation of food coming from government stocks and bought from family farmers.

This brief mapping of programmes, projects, activities and priorities that make the “humanistic” and “solidarity-based” foreign policy of the Lula administration concrete allows us to understand its domestic operation. The creation of the General Coordination of International Actions Against Hunger (CGFOME), linked to the Itamaraty, the significant increase in both the number of projects and budget of the Brazilian Cooperation Agency (ABC) and the greater institutionalization of international humanitarian assistance, through the creation of the Interministerial Working Group for International Humanitarian Assistance (GTIAHI), are some of the ways in which the rhetoric of international solidarity has been translated into practice.

These initiatives rely on the participation of several ministries and other public agencies, which strengthens the thesis of “horizontal decentralization” in the production of foreign policy. The Itamaraty has been losing exclusive control over external issues to other parts of the state bureaucracy. Today, almost all the ministries have their own institutional structures for handling their international interests. In addition, the expansion and greater complexity of the Brazilian international agenda during the Lula government reinforced the need to involve other ministries, not only the MRE, which does not have sufficient organizational capacity, technical expertise or the authority to implement at the national level many of the decisions taken at the international level. Coordination problems, however, are still legion (Ayllón and Leite, 2010). The proper functioning of coordination mechanisms and the creation and institutionalization of new mechanisms are crucial for the maintenance and longevity of those policies at the top of the Brazilian government’s international agenda.

Additionally, improving the accountability of these policies is essential, as it helps to ensure transparency and legitimacy. The importance of accountability becomes even greater as these actions are not free from controversy. As we have seen, assistance provided to other countries from the South, in the form of technical or humanitarian assistance, can and has in fact been regarded as incompatible with the social obstacles Brazil still faces.

Concluding Remarks

In order to discuss the theory and practice of the humanistic trend in Brazilian foreign policy under Lula (2003-2010), we have used different sorts of arguments (related to three levels of analysis – the individual, the state and the international, both regionally and globally) and stressed the relevance of various actors (politicians, bureaucrats, political parties and domestic and international institutions). In order to provide more than the panoramic view that we have given here, it would be necessary to touch not only on International Relations Theory, but also on Political Science, History, Public Administration, Political Psychology and Sociology of Organizations. After all, foreign policy analysis is a multidisciplinary field almost by definition.³⁶

So, what has been the actual impact of this innovation in Brazilian foreign policy, also considering that its scope was not restricted to the national level? One could say that new institutions and social programmes were created and that old ones were strengthened; that it helped to give Brazil a special place on the world stage, an outstanding one, according to many; that it mobilized actors and institutions at home and abroad; that it helped change the international agenda; and that it promoted social improvement. Its sole impact on poverty and hunger alleviation is certainly very difficult to measure. It is therefore not absurd to say that its most visible impact, at least from the viewpoint of 2013, has been essentially political.

As Brazilians tend to interpret the merits of the country's foreign policy in terms of economic gains and benefits, as suggested by Lima (2005b), one could foresee that, as a policy innovation, such a humanistic trend would not endure the sequence of the electoral cycle. But Lula himself chose his successor, Dilma Rousseff, who was virtually unknown to most Brazilians a few months before the 2010 presidential election. During the contest in which PT's/Lula's candidate was victorious, Lula repeatedly recalled the collective pride that his two terms in office supposedly managed to promote, which can be seen as a direct product of his foreign and social policies. The priority to the South-South axis is an entrenched tradition of the Workers' Party. Rousseff also kept Marco Aurélio Garcia as her advisor for international affairs, the same member of the PT cadre who held the post during Lula's eight years in office.

In a recent seminar promoted by Perseu Abramo Foundation, an official PT think tank, Garcia said that Latin American integration “needs to be different”, that “we need a solidarity-based integration”. “We Brazilians do not want to be Latin American Germany.”³⁷ And there are several other indications of policy continuity.

Dilma Rousseff’s government seems to preserve the foreign policy innovation it inherited from the previous president, a policy orientation that does not reflect international altruism, but an international posture of “enlightened self-interest”, according to Lima’s (2005b) sympathetic suggestion. However, if such a standing results in Brazil becoming a “post-imperial power”, as Brazilian leftist media has suggested, it is a possibility that will probably make entrenched realists smile and change the subject. An “offensive realist” might not react so politely... Be that as it may, Brazil has already been labelled “the soft power great power” (Dauvergne and Farias, 2012: 913).

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Notes

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- 2 Notice that the labels and qualifications just quoted were formulated by diplomats, both retired and active (Almeida, Souto Maior and Ricupero), and by academic analysts (Vigevani and Cepaluni). Their contribution to the constitution of foreign policy as a field of study in Brazil was recently discussed by Pinheiro and Vedoveli, 2012.
- 3 Celso Amorim was also Minister of Foreign Affairs from June 1993 to December 1994, during Itamar Franco's presidency.
- 4 This was the perception one may have had from reading the editorials of leading Brazilian newspapers during the presidential race of 2002 and during the first months of Lula's presidency.
- 5 The pieces of discourse presented and discussed below were selected from public speeches that focused on the country's foreign policy made by both Lula and Amorim during their eight years in office (2003-2010). They can be found in the Brazilian Ministry of Foreign Affairs website, which attempts to make all official pronouncements available. They were all read and the quotations analysed in this paper were selected in order to achieve the objectives previously mentioned.
- 6 All speeches quoted in this section were retrieved from the Brazilian Ministry of Foreign Affairs website (<http://www.itamaraty.gov.br/sala-de-imprensa>). Downloaded on February 3, 2011. Authors' translations.
- 7 30th FAO Regional Conference for Latin America and the Caribbean. Brasília, 04/16/2008.
- 8 Lula, World Summit on Food Security. Rome, 16/11/2009.
- 9 Lula, 4th IBSA Summit. Brasília, 15/04/2010.
- 10 Lula, Press conference on the Global Fund to Fight Poverty. Geneva, 30/01/2004.
- 11 Lula, World Bank Conference on the Fight against Poverty. Shanghai, 26/05/2004.
- 12 FAO 60th anniversary celebration. Rome, 17/10/2005.
- 13 National Conference on Food Security. Brasília, 26/10/2004.
- 14 Amorim, High-Level Seminar on Peacekeeping Operations. Brasília, 02/05/2007.
- 15 In May, 2010 Lula won the World Food Day Medal from the FAO and was declared "Global Champion in the Fight Against Hunger". In the following year, he won the 2011 World Food Prize.
- 16 In the "Colloquy Brazil: Global Actor", held in Paris on July 13, 2005, Lula said: "Given my own life story and political experience, it [the fight against hunger and poverty] is a personal priority". The importance of political psychology to the development of Foreign Policy Analysis as a subfield of International Relations is discussed by Ripley (1993) and Hudson (2007).
- 17 It is important to note that Brazil's real willingness to act as a regional paymaster is still a controversial question among Brazilian foreign policy analysts, as evidence is contradictory.
- 18 It must be emphasised that the mapping that follows does not include all of the initiatives that make up this trend. Despite some initiatives implemented, such as the research carried out by the Institute for Applied Economic Research (IPEA) in conjunction with the Brazilian Cooperation Agency (ABC) (IPEA; ABC, 2010), the Brazilian government itself does not have a systematization of all these actions, since they are recent, numerous, growing fast, and

involve many actors. As pointed out by Puente (2010), the cooperation activities developed by the ABC are poorly publicized, even within the Ministry of Foreign Affairs (MRE).

- 19 Source: Sistema Consular Integrado, Ministry of Foreign Affairs website, <http://dai-mre.serpro.gov.br/pesquisa_ato_bil>. Accessed April, 25 2012.
- 20 Technical cooperation is understood as a “[...] multidimensional process, which can be bilateral or multilateral in scope, regional or interregional in character. It should be held by and between governments and may count on the participation of public and private organizations. Although it is an initiative among developing countries, it should not dismiss the support of developed countries and international organizations in their implementation” (United Nations apud Puente, 2010: 78).
- 21 Brazilian agency responsible for international cooperation, linked to the Ministry of Foreign Affairs.
- 22 According to Puente, the recovery process of the ABC budget began in 2002, after the inclusion of ordinary resources for financing activities of horizontal cooperation. From 1998 to 2001, the agency’s budget came from unused resources in projects of other government agencies with the UNDP. These funds were very low and from 1999 to 2001, served only to cover the administrative costs and the conditionalities of received cooperation (Puente, 2010: 145-146).
- 23 For a very interesting comparison between Brazilian, Chinese and Indian South-South development cooperation showing the distinctiveness of the Brazilian cooperation, see Souza, 2012.
- 24 The Zero Hunger Programme is a strategy driven by the federal government to ensure the right to adequate food to people with little access to it. It was the main social policy during Lula’s first term in office.
- 25 Interview recorded at CGFOME, in Brasília, on Oct. 7, 2010.
- 26 This Bill of Law is still pending at the Chamber of Deputies.
- 27 A “provisory measure” is a legal act in Brazil through which the president can enact “laws” without previous approval by the National Congress. There are two requirements for a “provisory measure” to be issued: the urgency and the relevance of the matter to be regulated.
- 28 For example, doctors, psychologists, coroners, military personnel and civil defence professionals, among others.
- 29 These funds are used to pay for flights transporting items of humanitarian assistance, for the purchase of items in recipient countries and for voluntary contributions to UN offices and organizations involved in humanitarian assistance.
- 30 Specifically, in the Global Platform for Disaster Risk Reduction, within the UN International Strategy for Disaster Reduction, as a donor of the Global Facility for Disaster Reduction and Recovery (GFDRR), as organizer of the Second Regional Meeting on International Humanitarian Assistance Mechanisms and in the MERCOSUR Specialized Meeting on Social and Natural Disaster Risk Reduction, Civil Defence, Civil Protection, and Humanitarian Assistance (REHU) in 2008.

- 31 This argument of a supposed legislative delegation was originally developed by Lima and Santos (2001). More recently, the literature has emphasised the contribution made by the Brazilian legislative to the production of the country's foreign policy (e.g: Alexandre, 2006; Diniz and Ribeiro, 2008; and Almeida, 2013).
- 32 Oswaldo Cruz Foundation is a Brazilian scientific institution for research and development in biomedicine.
- 33 E.g. the Zero Hunger Programme (promoting food security and nutrition), the "Bolsa Família" (a programme of income transfer, which benefits families in extreme poverty), the construction of cisterns (a receptacle for water, built to catch and store rainwater) etc.
- 34 The GTIAHI is coordinated by the CGFOME, linked to the MRE, and composed of the following agencies: Civil House; Ministry of Defence; Ministry of Justice, represented by the National Department of Public Security; Ministry of Finance, represented by the Internal Revenue Service; Ministry of Agriculture, Livestock and Supply, represented by the National Supply Company (CONAB); Ministry of Health, Ministry of Social Development and Fight against Hunger; Ministry of National Integration, represented by the National Civil Defence Agency; General Secretariat of the Presidency of Republic; Institutional Security Cabinet of the Presidency; Ministry of Education; Ministry of Agrarian Development; Ministry of Communications; and Special Secretariat for Human Rights.
- 35 "Created in 2003, the Food Acquisition Programme (PAA) is one of the actions of the Zero Hunger Programme and aims to ensure access to food in the necessary quantity and regularity for populations in situations of food and nutrition insecurity. It also aims to contribute to forming strategic stocks, allows family farmers to store their produce to be sold at fair prices and promotes social inclusion in rural areas. It is run by the Ministries of Agrarian Development (MDA) and Social Development and Fight against Hunger (MDS) with state and local governments and civil society organizations" (MDA, n.d.).
- 36 According to Valerie Hudson, "Explanatory variables from all levels of analysis, from the most micro to the most macro, are of interest to the analyst to the extent that they affect the decision making process. As a result, insights from many intellectual disciplines, such as Psychology, Sociology, Organizational Behaviour, Anthropology, Economics and so forth, will be useful for the foreign policy analyst in efforts to explain foreign policy decision making, making multi-/interdisciplinarity a third hallmark of FPA [Foreign Policy Analysis]". (2007, p.6).
- 37 Source: <http://www.fpabramo.org.br/noticias/governos-de-esquerda-debate-analisa-integracao-da-america-do-sul-e-aco-es-dos-governos>. Accessed July 1, 2011.

New Policies for Science and Technology and the Impacts on Public Research Institutes: a Case Study in Brazil

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This article aims to discuss how technological production has been affected by new organizational patterns of funding and evaluation, international transformations in terms of the reorganization of research centers, and changes in innovation practices. Researchers and scientists have had their activities redefined through new organizational formats that today are well-established. The purpose here is to verify the impacts that these tendencies have had on the scientific and technological production of Public Research Institutes. We analyzed the case of the Technological Research Institute (Instituto de Pesquisas Tecnológicas – IPT) and found that from the 1990s onwards, research institutions in Brazil internalized organizational forms that enabled them to place themselves in the international agenda as reputational agents, and that the IPT internalized an international agenda, hiring new services and with new budgets. The institutions of scientific research tended to align their interests with hegemonic devices and to withdraw the participation of agents not able to make explicit the new formulas for recognition in the scientific field.

Keywords: Science and technology policies; public research institutes; Brazil; IPT; researchers

Introduction

This paper discusses how technological production has been suffering the effects of international transformations in terms of the institutional reorganization of research centers and changes in the development of funding for innovation practices. Technicians and scientists, who have traditionally been central to technological development, have had their activities redefined through new organizational formats which today are well-established.

The globalization and internationalization of science represent tendencies that have strongly affected the constitution of social groups that lead technological practice in a global context. Today it is possible to detect global processes of connection among companies, laboratories and public research institutions creating science and technology, which are both localized and asymmetrical (Albert and Laberge, 2007; Gingras, 2002; Vessuri, 2008).

The question that now arises for the peripheral countries is: what impact has the internationalization of scientific research had on national institutions? How have national scientific elites been behaving in light of the new parameters of technological research funding?

In this new scenario, the formation of a new kind of science creates an agreement between the research community and market interests. The purpose of this text is to verify the impacts that these tendencies have had on the scientific and technological productivity of the Public Research Institutes. To elucidate these questions, we analyze the case of the Technological Research Institute (Instituto de Pesquisas Tecnológicas – IPT), part of the University of São Paulo (USP) and linked to the Development, Economy, Science and Technology Department of the state of São Paulo.

With this case study, we intend to analyze how innovation policies have interfered in the organizational criteria of the Institute and its scientific production, and where researchers and technicians stand regarding the new innovation policies. From a discussion on organizational logics, the transformations taking place in Public Research Institutions (Instituições Públicas de Pesquisa – IPPs) can be observed over time (Salles-Filho et al., 2000).

Firstly, Science and Technology policy in Brazil will be discussed, as well as its implications for research activities. Then, the text will discuss the Brazilian IPPs, seeking to emphasize the historical changes they have been undergoing and how these imply an adherence to tendencies arising in the international context. Finally, the case of the IPT – an illustrative example of the internationalization of new scientific practices in the IPPs – will be briefly discussed.

Globalization, Science & Technology

Noble's analysis (1988) of technological development in the US shows deep connections between the country's economic system, scientific culture and technological practice. In Noble's opinion, from the beginning of the 20th century, the US began to experience the emergence of a great military-industrial-scientific complex, whose internal coherence gradually solidified. The subsequent spread of this model to other countries and the globalization of Research & Development (R&D) led to a major shift in the relationship between science, technology and innovation practices.

Electrical and chemical industries formed the cutting edge of this process as they synergistically interlinked industry and science for the first time in the 20th century. Engineers, especially electrical and chemical ones, became the elite of this technological development as they began to hold highly significant positions in diverse strategic institutions such as universities, technical colleges and scientific organizations, and on the corporate boards of private enterprises.

The holding of these skilled positions meant that a specific sort of knowledge achieved a privileged position in major industrial segments and decisively influenced the areas of corporate governance and planning of university research and undergraduate programs in technological fields, especially engineering.

...engineers with scientific training, taken up by large corporations, merged the demands of monopoly capitalism and modern technology into a formal system. The modern management, which in engineering represented a shift in focus from the natural to the social realm, from the forces of production to social relations, was a deliberate attempt to alleviate the tension between the two, causing both to fit within the limits of monopoly capitalism. (Noble, 1988: 27)

This systematization of activities involving a rational management of business, technical training, professionalization and participation in scientific organizations allowed some branches of engineering to control the structuring of a highly hierarchized and strategic field, reconciling economic, managerial and scientific interests in favor of monopoly capital. Engineering took on a position of undisputed leadership and started to disseminate its scientific values and technological design in different branches of the economy. The behavior of public agencies, enterprises and universities points to a convergence of interests between previously dispersed elites.

A similar process took place in Brazil throughout the 20th century, except engineering was extremely dependent – both politically and in terms of resources – on government departmentalism, which prevented it from getting its values across as fiercely as in the core countries (Kawamura, 1981).

In the late 19th and early 20th centuries, there was an urgent need to organize large industries according to both administrative and technical skills. For this, it was essential to ensure space for a privileged group of workers with these two characteristics. These groups of professionals were responsible for systematizing and quantifying the operations of important corporate groups, improving accounting methods, estimating expenditures and processing statistical data for various purposes. The hierarchization of functions and intersectoral reporting were also set up by standardizing procedures and by the monopolization of technical expertise and administrative tools under the control of an elite of skilled engineers, who held strategic positions in North American corporations, and who later disseminated their precepts and procedures to corporate and scientific institutions worldwide.

After World War II, the radicalization of these trends and the influence of other agents were noticeable. There was a great increase in the participation by the military and public sectors in funding science and technological innovation. The US government's participation in establishing the technological agenda strengthened the elite group formed within the canons of electrical engineering and led to a connection of once-dispersed sectors, such as biophysics, biochemistry and other neighboring areas (Velho, 2011).

In Latin America, North American institutions were vital for the development of strategic scientific areas. From the beginning of the 20th century, the Rockefeller Foundation enabled staff training in health to take place, interacting intensely with national institutions and sending professionals for training abroad (Faria, 2007). American scientific philanthropy, coupled with the modernizing impulse of our elites in the first decades of the 20th century, is a successful example of international connections that enabled the development of an innovative project for health policy in an underdeveloped nation still aligned to a traditional way of living, institutionally speaking.

Economic globalization, which began mainly in the 1980s, had a dramatic impact on the reconfiguration of these ruling groups in terms of science and technology (Humbert, 2005). Companies that were leaders in certain areas, such as chemical and pharmaceutical industries, began to invest heavily in technology and establish networks beyond national boundaries, sharing expertise and ways of working in different continents. These groups began to articulate in an increasingly synergistic and complementary fashion, establishing a closer dialogue between technology production centers and technology consumers. This differentiation was no longer very clear once producers and consumers began sharing a growing amount of technological expertise due to the reticular behavior of large corporations.

Humbert (2005) points out that there were great changes in the technological and scientific policies of large enterprises, which created an increased presence of relevant activities in companies located in less privileged places.

Many authors used to emphasize that multinational firms were conveying obsolete or outdated technologies and that it was not a full transference, and that it was generally overpriced. The globalization of technology was contained within a unique context; multinational firms are no longer reluctant to conduct Research & Development – R&D – abroad, not only in industrialized countries but also in underdeveloped nations... thanks also to the decentralization allowed by the development of Information Technology – IT. (Humbert, 2005: 275)

In other words, dominant scientific groups present in the core nations began to establish a closer dialogue with the ruling groups of peripheral countries through the dissemination of expertise in technologically integrated laboratories, sharing patents and inputs. The design of products with potential for global reach, the internal disputes at large corporations in bidding processes for the exploitation of technological products, and the growing rates of enrolment in educational institutions in different parts of the world allowed for opportunities to be shared, privileged groups to be trained in diverse centers and for decentralized decision-making. Large transnational firms began to experience what some analysts call technological diversification, a new way of integrating expertise and project development opportunities. According to Gomes's (2003) analysis:

Technological diversification became an important feature in TNCs to the extent that subsidiaries abroad have played specific roles in the functions of R&D, whether in the continued emphasis on the local process of innovation, or in developing organizational capital that allows them to integrate the technological activities of dispersed units. The increasing geographic dispersion of strategic assets drives the capacity of foreign subsidiaries, both with regard to horizontal growth – of communication across national borders – and in a vertical direction – one of systematic use of the technological expertise of the organization's several bases. Therefore, the object of research has increasingly moved away from the strategic benefits of using the emerging resources of a particular foreign subsidiary towards the advantages associated with continuous integration... IT has enabled subsidiaries to integrate in the central laboratories of the TNCs, providing them with conditions to develop and participate in other technological activities besides the traditional roles of adapting to processes and products" (Gomes, 2003: 268)

The extensive literature on the internationalization of R&D, which points to the existence of several corporate strategies for scientific and technological development in several regions, shows the existence of a set of shared values across all the different influence levels of these sectors. Albert and Laberge (2007) indicate that technology policy makers in Quebec, Canada, follow economy and innovation parameters created in other centers, forging a situation for the international dissemination of technological and scientific perspectives. The local sectors that do not share the assumptions of the Innovation System and do not follow the procedures attached to this design end up being neglected and do not benefit from decent working conditions and employability (See also Gingras, 2002).

More recently, in Brazil, these trends have meant that it is possible for the State to not intervene decisively in science and technology and to copy models of international institutions that prescribe formulas for the organizational arrangements of scientific practices (Baumgarten, 2008). In other words, these authors indicate that the innovative elites of the public sector are those who best embody the established values of technological thinking on an international scale, arising mainly from the concepts of innovation systems and local production arrangements.

Science and Technology Policies in Brazil

In the 1950s, 60s and 70s, scientific and technological development was formally on the political agenda for Latin American countries, but this had little real effect in terms of sustaining and consolidating effective national projects. According to Vessuri (2008), modernization was a recurring collective aspiration and a key policymaking idea for several Latin American countries. However, the research community was unable to ensure a self-sustaining growth process.

In the early 1990s, notes Vessuri (2008), growth prospects for research groups in strategic sectors were undermined due to a hesitating private sector and increasing foreign debt. Until the 1970s, the international circulation of researchers had had an impact specifically upon certain fields of knowledge. However, its scope was restricted to certain economic sectors and had not yet extended to a more global coordination. Latin America's academic elites were still very much under the sway of the State apparatus, and science and technology policies displayed corporate behavior, rather than a dynamic and effective ability to set an agenda (Vessuri, 2008).

Several authors have noted that there are still many economic and institutional challenges for producing technology in Latin America today. Thomas (2006) sees a lack of synergy between the technology and productive sectors and an inability to formulate policy agendas for the field, as some aspects prevent the creation of opportunities for fruitful activities.

In recent years, policymakers in Brazil and other Latin American countries have engaged in aims such as tightening intellectual property regulations, building research networks and obtaining public-private sector synergies in the field of technology. In the case of Brazil, these trends have been consolidated over the last few decades through recent developments in science and technology policies and local activities by international groups. Lagging behind the developed economies, Brazil's technology and innovation policymakers have sought to build a new environment for innovative activities.

The "national-development" perspective was a key aspect of the trajectory of the State's S&T sector from the 1950s and throughout the military period, when the dominant paradigm for a political project was the prospect of Brazil becoming a regional power, with

the State as the crucial agent for all major scientific and technological projects, since the national bourgeoisie was not seen as an effective partner. S&T partnerships were primarily intra-state with no significant connection to the local or international private sector (Baumgarten, 2008). Science and technology policy has traditionally been headed by the research community, located in public universities and state research centers. Even today, groups located in key positions in this community make the main decisions for science and technology policies in Brazil. According to Dagnino (2007), the control that the research community exerted over national science and technology policy was very often related to corporative interests aiming to promote the self-preservation of certain groups and disciplines. To a certain extent, this strong presence of the research community in science and technology policymaking inhibited the participation of agents from the productive sectors. This development model was not seen as successful in terms of providing favorable conditions for companies to introduce technological innovation practices, so Brazil's economic and technological elites sought to address the situation by proposing institutional and cultural changes.

More recently, Brazil's scientific output – particularly from its public universities – has done better in terms of the impact of its publications worldwide. But growing scientific productivity has not boosted interaction with the productive sector (Matias-Pereira and Kruglianskas, 2005; Cassiolato and Lastres, 2000).

Given the State's fiscal crises from the 1980s onwards and new emerging forms of research funding and international trends in recent decades, Brazil's technology sector has steadily become more autonomous compared to the scientific and academic sectors. During President Lula's first term of office, an Industrial, Technological and Trade policy (PITCE) was introduced, and the Law of Innovation was passed (Law 10973/04). These efforts were necessary, but not sufficient in terms of altering innovation culture in Brazil. Following in the footsteps of developed economies, a broad range of initiatives was required, with a new social deal for technology to include companies that historically had not invested in this field, universities resistant to market practices and the public bureaucracy. A new elite of policymakers has recently emerged in research institutes and development agencies, aiming to assess the science and technology sector and create specific arrangements for its funding and evaluation (Andrade and Moreira Jr., 2009).

One aspect of these changes refers to the need to adopt an innovation agenda, which was not an important part of science and technology policy until the 1990s. Technological innovation activities started with the formulation of integrated policies covering productive sectors, government, and technological research centers. In recent decades, there has been a major redefinition of these institutions in an attempt to internalize such practices in Brazil (Arbix, 2007).

According to Plonsky (2005), since the 1990s, Brazilian society has tried to build a more effective institutional background for innovation policies. The production of The White Book (*Livro Branco*) by the S&T Ministry, the formulation of the Industrial,

Technological and Foreign Trade Policy (PITCE) and the Law of Innovation during Lula's office were important but insufficient efforts to alter the lack of innovation culture in Brazil (See also Baumgarten, 2008). The creation of sector-level research funding (*Fundos Setoriais*), the formulation of the Law of Innovation and the growing importance of business incubators with the consolidation of technology parks, all point to the tendency to integrate technological innovation experiences and practices (Lemos, 2000). These policies have led to key articulations and higher productivity, but also significant asymmetries across different research areas, more specifically between basic research and leading-edge technology. An analysis by Pacheco (2007) clearly points to this:

In the technological area, setting up sector-level funds was a new way of funding research in different areas by using non-budgetary funds. Although it involved important benefits for different areas, this initiative led to a significant division as it prioritized high-tech sectors and consequently withdrew funding from scientific research as such (Pacheco, 2007: 213).

One of the most salient results of this policy was to make innovation a separate and self-referential subject in relation to scientific development. Based on Baumgarten's analysis, the distinction between science and technology interests is particularly clear when

(...) around 70% of funds are allocated to technological development, and, given Brazil's current low capacity to demand technology resources, this creates an imbalance since supply far exceeds the level justified by demand (...) (Baumgarten, 2008: 217).

This imbalance points to a situation that is increasingly visible in S&T policies, namely the trend toward separating these two fields. Several budgetary funds now tend to be allocated to fields that are clearly performing well in technological terms, to the detriment of science education and research.

Another sign of modifications to the concept of technological research and development can be seen in university research funding. Certain universities have recently introduced incentives for students to develop grant-aided projects that explicitly pursue technological innovation. This means that funds for science student grants from Brazil's federal research agency (CNPq) are being overseen by academics using them to develop projects in companies. The criteria of technological feasibility and synergy with business are thus becoming increasingly significant when allocating funds, providing grants or educating qualified staff. Science and technology do coexist, of course, but parameters for technical feasibility and assessment are being set by academic elites clearly attuned to leading-edge technology.

From the 1990s onwards, new innovation-fostering experiences started to call for industries to engage with this agenda. But partnerships must be arranged and

experiences exchanged across a very diverse range of industries. Relations between business and state-controlled research centers pose complicated systemic problems for policy-makers (Veronese, 2006).

Another clear sign of the increasing internationalization of scientific research can be seen in the consolidation of innovation legislation in Brazil. The Law of Technological Innovation (Federal law number 10.973/2004) “provides incentives for innovation and research in science and technology in industry”, and creates an environment in which business could be more involved in developing projects. The law suggests more partnerships between business, universities and science and technology institutes in order to lead innovation processes. This law, based on parameters taken from the French experience, states a number of specific aims: creating an environment for partnerships between universities, technological institutes and companies; incentivizing the involvement of science and technology institutions in the innovation process; and fostering innovation within companies. It also enables firms to be more present in the public sphere by sharing public and private infrastructure and human resources to drive technological research. More controversially, it also regulates conditions for researchers at public research institutions to develop technology projects, offering grants for innovation and additional salaries, as well as allowing start-up technology firms. Funds can be directly channeled towards firms developing innovative projects if they can prove reciprocal benefits and results.

These new rules for technological activity may subject the scientific agenda to business imperatives, and the sectors responsible for producing scientific knowledge might not obtain anything in return. All these demands and connections aim to respond to the commercialization of scientific practice now under way internationally, which has been affecting the course of the scientific and technological logic and determining different approaches to these trends (Lamy and Shinn, 2006).

Organizational Trends in Brazilian Public Research Institutes

This section briefly discusses the historical context since Brazil’s first Public Research Institutes (PRIs) were founded in the mid-19th century, showing five main periods or stages.

PRIs were founded in response to social problems and reflected the utilitarian interests of science in human health, agriculture and livestock rearing, and natural resources (Dagnino and Novaes, 2004). In its early period, science had a close alliance with the rural elites and local bureaucracy, supporting an economic model based on exporting commodities. Different types of knowledge were produced for exporting commodities to Europe. PRIs created under this dynamic fostered industrial development but the enhanced technologies were isolated upgrades, since there was no demand for linking technology with

production. Note that Brazil at the time was still almost entirely dependent on foreign technology in a colonialist context. This period lasted from the second half of the 19th century through to the 1920s, when the agrarian export model was undermined by the crisis, along with the decline of oligarchic power in Brazil, thus opening a second period through to the late 1950s, when core-development shifted to industrialization and research institutes flourished by producing technology for local use. Technological research institutes were given great importance in this period of growing demand from civil engineering and construction, and from other entrepreneurs (Gitahy, 2001: 687). At this point, there were no fully developed connections across scientific institutions; science policies were not connected and subordinated to international capital (Baumgarten, 2008).

The third period, coinciding with the military government from the 1960s until 1985, was the most vigorous in terms of the local technological development that was supposed to take Brazil to a higher level of industrialization (Dagnino and Novaes, 2004). It was also a time of change (at least in rhetoric), in which Science and Technology (S&T) policy played a more strategic role. One example was the Médiçi government's first National Development Plan (locally known as I PND), spanning 1972 to 1974, which sought to reduce the need to import technology. Industrial competition came to be seen as not purely a matter of seeking economic growth, but also of keeping up with the technology led by foreign companies (Baumgarten, 2008).

The Geisel government (1975-1979) produced the second National Development Plan (II PND), incorporating guidelines from the previous plan. This time, the rhetoric actually materialized, and the Geisel government's industrial policy emphasized basic electronics for national security and defense (Baumgarten, 2008). In this third period, the PRIs were much more prominent and concatenated, showing a clear relationship between "bureaucracy and techno-science".

The fourth period was characterized by redemocratization in the 1980s, with economic and political liberalization. Relations between research institutes and the State unraveled because the science policies of the 1960s and 70s had been systematically based on the authoritarian State (Baumgarten, 2008). The main point regarding this period is that the local market was opened to foreign capital in the 1980s – the period generally being referred to as the "lost decade". A neoliberal adjustment of the economy coincided with the state being dismantled and a decline in local production. Meanwhile, PRIs became "dysfunctional", since a market open to foreign capital considerably reduced the demands that had traditionally been made of the PRIs.

The fifth and final period in this historical trajectory of PRIs in Brazil spans from 1990 to the present. Having previously served the demands of the economic elites, the new purpose of these institutions was now to serve different actors such as transnational

enterprises, for instance, while recovering their dynamism and ability to redirect priorities. There was a deep change in the role of the State. Fiscal restrictions prevented the provision of resources for advanced technological research. In this context, partnerships and other mechanisms were necessary to support innovation projects (Salles Filho et al., 2000). The State's fiscal and policymaking capacity was reduced with the onset of the information economy, which prompted PRIs to readapt and affected different aspects, such as partnerships and funding from non-governmental sources. Economic globalization and expanded market opportunities required greater adaptation from PRIs to cope with new competitive conditions in a flexible and highly competitive space.

Given this new situation, PRIs were forced to change tack. They had to diversify their sources for research funding, attract extra-budgetary sources of funds and pursue financial independence, which created a tendency to rebalance public goals and commercial interests. All these requirements pointed to an increasing need to improve management procedures and maximize results. From this point of view, these institutions clearly had to meet demands and redefine their forms of producing science and technology.

Materials and Methods

We shall now discuss how this process took place in the case of the Technological Research Institute (IPT), thus identifying the ways in which these trends influenced staff relations and career arrangements involved in the production of technology. As we mentioned in the Introduction, the Technological Research Institute is an illustrative example of the internationalization of new scientific practices in the IPPs in Brazil.

This case study was conducted according to the following strategies:

- a) Searching for other studies that focused specifically on the IPT. These materials provided good information on the Institute's history and its working conditions over time (Gitahy, 2001; Gusmão, 1991; Mello, 2000; Salles-Filho et al., 2000).
- b) Collecting internal publications, such as development plans, books and some press releases. We collected some of these materials by searching the Institute's website, while others were found in the local library to which we had access.
- c) Conducting structured interviews with researchers. In these interviews, we focused mainly on their perceptions regarding new working conditions that have been routinized in the Institute over recent years, especially after the Law of Innovation. Interviewing eight researchers was enough to shed some light on these new trends and their perceptions of them. We interviewed a group of senior researchers involved in the IPT's internal union (ASSIPT) who had information on work conditions, and were able to compare the current situation with established practices.

After collecting these different materials for our case study, we put together a brief history of the Institute over the decades. Then, we analyzed the new trends and their impacts using the perceptions collected in the interviews.

The Technological Research Institute (IPT) in Five Phases

The Technological Research Institute (IPT/USP) is a public institution pursuing technological research and innovation. Over recent decades, these organizational trends have been the object of research, and they provide an interesting example to discuss the internationalization of scientific knowledge and transformations in technological work. The institutional trajectory of the IPT and the context of economic and social transformation over time prompted us to present the four phases in our research, as described below.

Phase one: laboratory

In the IPT's first institutional phase – from 1870 through the early 1920s –, it was merely a laboratory attached to the university; a means of responding to the demands of urban progress (Gitahy, 2001). It was initially connected to the Material Resistance Bureau (locally denominated as “GRM”) for the sole purpose of quality assurance in industry. In the 1920s, as the demand for technology increased, the GRM was replaced by a new body reflecting society's new paradigms: the Material Testing Laboratory (known as “LEM”).

In terms of the professional activity of researchers and specialists, this period involved expanding roles and responsibilities. Full-time research positions were introduced, as well as partnerships with companies for specific activities. Fees were charged for services, and the first more systematic initiatives were taken to foster researcher specialization (Salles-Filho et al., 2000).

Phase two: founding the IPT

Phase 2 of the IPT's institutional history starts with its configuration as an independent body. In 1934, some months before the University of São Paulo (USP) was founded, the LEM became the Technological Research Institute (IPT). It took the legal form of an “autarchy”, with its own assets and premises, based in the city of São Paulo, but retaining ties with the Polytechnic School (USP). There was much more involvement by private companies, which led to new areas of technical activity, such as metrology and chemistry (Salles Filho et al., 2000). In this period, there was major growth in civil engineering and construction, which leveraged many of the projects developed by the IPT in the 1930s and 40s, and became its benchmark in the following decades.

Kawamura (1981) shows that the IPT in this period became one of the main institutions boosting the status of professional engineers in Brazil, inasmuch as it routinized technical activities that had previously been dispersed and under-regulated. The IPT intervened between technical knowledge that was still poorly regulated by professional and scientific associations and an industrial system still poorly concatenated and heavily dependent on public funds. Engineers could work at the IPT without a highly skilled professional system, as could engineer-entrepreneurs in need of more consistent academic knowledge.

Phase three: development ideology and the military regime

The third phase corresponds to the institutional consolidation of the main activities (in this case, the construction industry) and the corresponding crisis in emerging fields, and lasted from the late 1940s until 1970. During this period, there were two particularly significant processes in Brazil: the 1950s, with an economic boom anchored by a development ideology; and the second period with the first National Development Plan (I PND) introduced by the military regime (Baumgarten, 2008).

This historical context is important because it directly affected the IPT. From the 1940s onwards, the Institute expanded its technological capabilities to new areas of activity beyond civil engineering and construction, and responded to the interests of a more vigorous and ideologically defined national bourgeoisie. Major projects such as São Paulo's new subway system and the *Imigrantes* highway (between the city of São Paulo and the coast) were very important for the Institute during the military regime, and it was closely involved with these public construction projects that helped improve its image.

In the aftermath of the 1973 oil crisis, a stagnant economy and increasing inflation posed considerable problems for public programs. There was a growing demand for alternative technologies, which gave rise to the 1975 ethanol program. The IPT tried to reorient and assimilate these new technological demands and incorporate related values, but this aim failed to materialize in the medium term (Salles Filho et al., 2000).

Both private companies and public institutes were awarded contracts and offered incentives, allowing them to retain previously consolidated paradigms and reducing the need to pursue new science and technology. Even today, this is reflected in the Brazilian industry's scant appetite for agreements involving cooperation and investment in new scientific and technological trajectories.

Phase four: Business corporation

In 1971, the state government's Science and Technology Program (PROCET) launched a discussion on science and technology entrepreneurship. From this perspective, research institutes would have to upgrade institutional mechanisms used to obtain funds

and use them flexibly and autonomously. This whole discussion culminated in the legal format of the IPT being altered in 1976, when its name was changed to reflect its new status as a limited liability business corporation (IPT S.A.), which meant it could organize its activities independently and concentrate on obtaining its own funds and resources. Accordingly, the IPT went on to develop relations with the market in a more organized and efficient manner, free from bureaucratic procedures that could hinder procurement of services or contracts, thus streamlining its activity (Salles Filho et al., 2000). Salles Filho (2000) notes that this paradigm shift was not emulated by other PRIs, which gave the IPT great leeway in terms of projects attracting investment capital, as it became a public “company” or “enterprise”.

In the 1980s, like most Brazilian PRIs, the IPT went through a period of crisis as Brazil opened its markets to international capital and the simultaneous process of globalization. Many researchers left the IPT as professional prospects waned and competitive salaries in the market became more attractive to them. Research teams that had been consolidating since the 1970s lost several members and their technological vigor diminished (Gusmão, 1991).

From the 1990s onwards, technological knowledge was seen as an important competitive element, and the IPT’s science and technology policies enabled it to arrange new partnerships with firms that could not afford their own R&D department (Salles Filho et al., 2000; Castro, 2009).

Phase five (1990s): new trends

Baumgarten (2008) notes that in 2000, S&T policy in Brazil was not immune to internationally prevailing trends towards commoditizing knowledge and privatizing research priorities, a trend that was also present in research carried out at the IPT. In the last quarter of the previous century, the IPT managed R&D projects for a number of private and public enterprises and charted a new pattern of scientific and technical activity. In this period, the tone was set for the privatization of all economic activity as part of the trend towards globalization, and there were a series of cuts in the IPT’s budgets.

In 1995, to name one example of the IPT’s technology partnerships with local firms, agreements to expand technological capacity and production processes were made with companies producing basic materials, such as steelmaker National Steel Company (Brazilian) and Brazilian Metals and Mining Company.

The IPT’s first partnership agreement under FAPESP’s Technological Innovation program was with steelmaker *Cia Siderúrgica Nacional*... making medium-efficiency electric steel used for making electric motors (...). The IPT developed an alternate process for making ferroniobium for the *Cia Brasileira de Metalurgia e Mineração* (...) (REVISTA IPT – Research & Technology, 2009: 69).

These initiatives demonstrated closer connections between the IPT, development agencies and Brazilian firms, with more effective programs for innovation. During this period, special attention was given to the Institute's relations with the external environment, steering activities and priorities for different sectors. In the mid-1990s, institutional reorganization gave rise to a business-unit structure at the Institute, and the application of a concept central to business management known as "strategic support units" (locally referred to by the acronym AES).

Strategic support units do not pose a new formal structure, but rather a new way of organizing research and services, enabling a more flexible departmentalized structure; incentivizing networked matrix system arrangements, which may consist of researchers from a single unit or from different units (Salles Filho et al., 2000: 266).

Given its concern with financial dependence on the State, the IPT used this support-unit structure to introduce a new approach to market interests and the State, thus gaining more autonomy in terms of funding and financial management (Salles Filho et al., 2000). As a business corporation, the IPT developed mechanisms to optimize internal management and ensure its institutional autonomy. Support units were critical at this point because they enabled the IPT to make strategic alliances with both public and private companies, thus reducing dependence and legitimizing its initiatives.

Therefore, in the 1990s, the Institute diversified into R&D in new sectors of science beyond civil engineering and construction, including biomedical research on biodegradable plastics and quality control checks for gas stations in the state of São Paulo to ensure compliance with National Petroleum Agency (ANP) requirements.

In the second half of the 1990s, the proportions of budget and non-budget sources of funds were reversed and prospecting more external business became crucial to sustainability (Salles Filho et al., 2000). From 1995 through 1998, non-budgetary sources of funds jumped from 26% to 50%, while the state-government budget's contribution fell significantly from 74% to 50%.

Outside projects in the form of contracts and agreements signed by the Institute during the period accounted for a larger share of revenue, reflecting the IPT's post-1995 policy of encouraging new partnerships and funding arrangements (Salles Filho et al., 2000: 273).

Public and private companies signed more contracts with the Institute, making it increasingly dependent on earning revenue on services demanded by external agents. External projects were therefore increasingly specified and detailed, whereas internal projects such as training programs were subject to less interference from higher instances. This

aspect matched the important role of external sources of funding in this new institutional configuration.

Within this context of institutional shifts and reorganization of technological activities that the Institute underwent throughout the 2000s, the changes in work conditions became an even more relevant issue. This question will be dealt with in the next section.

Conditions and Careers for Technology Researches in the Recent Setting

In the early 2000s, many authors emphasized that innovation policies could lead to new conditions in technological development. There was a wide range of perspectives that pointed to the fact that the coming of the knowledge society would increase science production across different levels: national, regional and local. Lemos (2000) stated that globalization, linked to new markets and competitive standards, would rebuild technological production. For other authors, like Cassiolato and Lastres (2000), Brazilian policy makers were implementing policies that would enable our science institutions to redefine their positions on an international scale. There was an optimistic perception of our capacity to internalize such tendencies and establish new parameters of technological innovation in the medium-term.

Our case study shows that this picture is not so clear. It is hard to determine whether these conditions for technological work might lead to an improvement in scientific institutions.

Recently, official research funding agencies have enabled academic researchers to be involved in companies and research institutes through specific arrangements or by providing grants. The emergence of this kind of program demands closer relations between university research and the demands of business, based on a new scientific-technical deal that has been made by these different sectors. One of the central issues in this debate is the emergence of technological entrepreneurship. The introduction of the Law of Technological Innovation in 2004 and incentives for development agencies to enable academics to work for companies means that interfacing between research and production is high on the current agenda.

The Sociology of Science has recently discussed the perspective of “antidifferentialism”, in which scientific research and economic production in the globalized world have become so intertwined that their frameworks are now inseparable. Lamy and Shinn (2006) have discussed the response from French scientists and specialists when research was placed on a commercial basis by a new Technology Innovation Law. They noted a trend for scientist-entrepreneurs to join scientific practices with market ones in order to

preserve the specific features of both fields. They describe researcher-entrepreneurs as showing both academic and business behaviors, so researchers and specialists need to adapt their interests to scientific and economic terms.

This discussion is interesting, since it calls into question the “antidifferentialist” thesis, while emphasizing the contingency of scientific behavior. Scientist-entrepreneurs often

(...) alternate [between] an entrepreneurial system and an academic regime. Pointing to the existence of this mode of sequential coordination confirms the possibility of a non-pathological preservation of differences between science and the market (Lamy and Shinn, 2006: 49).

It is not simply a question of showing that specialists and researchers incorporate commercial logic, note these authors. Certain fields are open to business investment so that new practices and interests coexist, taking the form of specific short-term measures, but this does not mean a total acceptance of market rules.

How do these issues present themselves to the IPT at present? It is interesting that specialists and researchers do not have clear positions on the implications of adhering to new forms of relationship between researchers and business. Despite the growing agenda of interpenetration between entrepreneurs and specialists, IPT professionals do not clearly say how they are involved in these forms of technical-scientific practice.

As part of this context in which the IPT started to alter its institutional logic and reorganize technological practices in the 1990s, the issue of researchers' conditions and careers came to the fore. Many researchers left the IPT in the 1990s and staff numbers fell from approximately 3,000 in the 1980s to 1,800 (Mello, 2000). From 1994 to 1998, there was a significant drop of around 14% in the number of researchers and graduate assistants. This major loss in terms of scientific and technological leadership was not repaired in subsequent years.

From 2000 onwards, this situation became more critical. This diagnosis is clearly shown in the 2002 Master Plan, which notes the situation in which

IPT units and coordinating bodies unanimously agree that the institute requires a policy on renovation and recycling for its workforce. Year after year, the Institute has been losing skilled technical and administrative personnel due to the lack of prospects in terms of salaries and careers, and to the State's contradictory policies. Therefore, the executive board is committed to preserving and renovating its critical mass, as well as readjusting it to the reality of the market (Plano Diretor, 2002: 17).

Inability to tackle market competition is seen as a central aspect of this condition, and the Institute must find ways of attracting staff for technology work.

One major problem noted by the institution concerns the training and refresher programs for its researchers. The 2002 Master Plan emphasized this aspect as a priority to be addressed:

Firstly, one item appeared in all unit assessments: **human resources**. Salaries are below levels prevailing in the market, so there is a lack of career prospects within the institution, procedures are slow and it is not hiring, so the IPT has been struggling to retain technical staff at the level of excellence expected by its clients. This leads to concern for the future of the institution, which is heavily dependent on the technical capabilities of its staff. This is perhaps the most critical aspect the IPT is facing (IPT, 2002: 5, emphasis in the original).

As the new century begins, there is a need for new initiatives related to hiring and training through competitive examinations and postgraduate programs to be developed within the Institute. One way of tackling this issue is through programs with graduate students and visiting researchers.

Another problematic aspect for sustainability is that the absence of a skilled marketing sector able to boost the visibility of its services diminishes the Institute's presence for its target segment of small and medium firms (IPT, 2002). According to the researchers interviewed, there are still no regulatory principles for this activity within the Institute. As of yet, there is no data showing use of the technological innovation legislation to bring technology projects into the Institute, and neither have researchers applied for leave of absence to set up firms (Silva, 2009). One of the specialists interviewed said there is still a great sense of insecurity regarding technological entrepreneurship at several research institutions:

In an interview with an ITA (Technological Institute of Aeronautics) professor at a technology park, one of the questions was precisely on the Innovation Law, and he said that the law made him very insecure... he had been invited to work for a company and he wanted to do that, but when discussing this within the ITA, he felt that if he took leave, there might no longer be a place for him when he came back... so he talked about it, but did not feel secure... (Specialist 1).¹

The Law of Technological Innovation is precisely meant to enable these forms of negotiation between research institutions, researchers and companies and to provide regulations for these exchanges. However, a culture has not yet taken root for more agents to be able to adjust their future commitments and predict their modes of scientific work. In other countries, these practices are more deeply rooted and routine, but in Brazil, institutions and researchers do not yet share the same parameters.

(...) This is because it's a different culture... this support for innovation comes primarily from capitalist countries, the US and Korea.... Take the case of the US, where it is a natural part of academic life; Silicon Valley was nothing more than what they call a spin-off... Researchers automatically go to these companies and it's no wonder that 96% of patents are generated in the private sector by incorporating this critical mass... In Brazil this [kind of thing] is not seen as being so natural... Until a while ago, if a researcher at the IPT left to do research related to what he was doing here at the IPT, but for a business, this could constitute grounds for dismissal... (Specialist 2).

With the introduction of the Innovation Law, this is no longer a problem, because there is now a legal basis for spin-offs between institutes and companies, with clear rules for both sides. But this issue still has controversial aspects. Researchers still feel insecure about joining in with such new forms of work. If a researcher leaves the Institute temporarily to work on a specific project for a company, there is no alternate assessment within the Institute to recognize this external activity. According to one of the researchers, there is a need for clearer rules regarding external and internal activities:

I allow the researcher to go to such and such a company... but I continue to require things from their unit... either you create a structure that allows you to do this, or it all just amounts to babble (Specialist 2).

This type of statement shows a situation of uncertainty and opposition between the institutional logic and patterns of knowledge transfer. There are still doubts within the Institute regarding whether or not it is feasible for agents to effectively fulfill professional requirements on the one hand, and stay updated in relation to the new rules on innovative activities on the other. These new rules are seen as necessary but at the same time, they change the reputational rules and forms of recognition among scientists and specialists. Alliances with business sectors may finally break down internal accords between researchers, setting new parameters for scientific competitiveness. In the words of one of the researchers concerned with these changing rules, they destabilize the beliefs involved in scientific activity.

The IPT (a PRI) uses açai fruit to make.... a nano-particle that may be put into cosmetics... is it right for the IPT to be doing this just for Natura?... And if it is now right, should I see this as something likely to happen?... hence this malaise caused by a culture previous to a legal architecture seen as correct, objective, and now acceptable.... so that's it... These basically philosophical issues permeate these laws... when a decision is made that's it... no more. Professional embarrassment in relation to peers... legislation allows this! (Specialist 3).

The introduction of these new forms of scientific and technological activity connecting institutes with the external environment will redefine practices and rules that can no longer handle more efficient connections. Whitley (2000) notes that scientific institutions that do not prepare their staff for these new forms of collective work will not be able to place themselves in a reputational structure that is more flexible and linked to the hegemonic logic of scientific production. The IPT must build a more flexible normative framework to handle these situations enabled by the Law of Technological Innovation. Further adhesion becomes even more complex in light of the low level of concern among its researchers.

In order to help manage new investments, in July 2008 the IPT set up its Modernization Process Management Cell with the mission of defining more precise strategies for decision-making (*REVISTA IPT – Research & Technology*, 2009). The proposal is to make internal processes leaner with more streamlined decision-making.

Researchers show great concern for these practices and major infrastructure investments. Trends toward reformulated rules for research are not being matched by a greater involvement of skilled researchers acting in public institutions. Asked about the direction of these more recent internal rules, another researcher replied:

What I see is that this process of purchasing equipment did not arise from a strategic plan devised by the institution... it was not a plan that involved its staff... researchers did not contribute their opinions... they just talked about equipment... we could say that this investment was not based on a strategic plan agreed with the Institute's management... (Specialist 3).

According to Whitley (2000), the organizational conditions for researchers to become reputational agents able to set a scientific agenda for the institution have been eroding in recent times. The institutional environment created in this scenario does not create good conditions for employees to take part in these strategic plans. In interviews, researchers point out that new legislation on scientific and technological research and the large investment of funds in recent years has not been accompanied by innovative forms of discussing professional needs or negotiation around shared strategies.

Some work conditions still remain, keeping the researchers apart from the Institute's decision-making process. This organizational expansion of science and technology research and the Institute's participation in broader inter-sector partnerships is not happening concurrently with wider rules for internal dialogue and participation by different actors. Some groups of researchers are still not very aware of these management rules and cannot understand or keep up with technological production taking on more bureaucratic forms. According to Moreira et al. (2007), results provided by this new legal framework regarding innovation are still uncertain. Research institutes, universities and governments

so far have not created a stable environment in which to implement continuous incentives, especially in the case of the Law of Innovation.

One of the main aspects mentioned in the interviews is that the creation of elaborate institutional management mechanisms has raised the visibility of the more business-like management initiatives. Whether or not these trends are directly affecting conditions for technological work is not so clear. For some researchers, there is still concern about the participation of the different sectors in devising these strategies:

When you create a tremendous structure in the IPT, of infrastructure for nanotechnology, with extremely high capital investment... you're creating what they call an innovation environment... you create an environment that brings in critical mass via competitive procedures for the IPT, and through BNDES investment, you are making...following a predetermined route, so I think that even we, who have been here at the IPT for longer, need to be better informed on this qualitative change that has occurred, if only to better understand what is happening and be able to gauge what we will be doing as a result... this ends up as very simplistic reasoning...“Ah! look... they're just finding money for equipment but not for salaries”... okay, that's what it looks like at first sight...but 150 million's worth of equipment has its own logic, which permeates...the logic of creating an innovation environment, it has a logic... subtract here, add there...So you have to be careful with this, you have to see what this investment has actually brought to the table, this law and this innovation environment, in terms of technology transfer and response to the demands of society... (Specialist 4)

The new reality of internationalized scientific research points to the construction of more sophisticated and flexible managerial frameworks, but also poses problems for the technological conditions of work. The internalization of some new procedures within these organizations still produces tensions that cannot be overcome by management measures. The reputational positions involved in these struggles show that such organizations are still unable to stabilize their options.

These groups tend to redefine their positions, both as professional groups and as reputational agents aiming to rebuild this field. For Whitley (2000), it is combining new management patterns with established status conditions that makes these disputes even harder to coordinate. In this sense, science institutions tend to impose some international conditions that reorganize ancient work practices and organizations worldwide.

In this case, science and technology policies may be conceived not just as an institutional investment, but rather as a specific way of redistributing reputations and skills. Such tendencies are linked to a widespread change in research assessment that has taken place throughout Latin America. The IPT constitutes a good case for observing these new intellectual regimes emanating from international tendencies that are taking over in many emergent countries.

Final Remarks

Technological internationalization, the integration of the innovation system, development of technology assessment methodologies and the strengthening of scientific management in the academies and scientific research institutions, along with new forms of financing, all attest to the fact that there is a new social framework for coordinating and managing the network of innovative activities.

The groups that lead science and technology seek to create conditions for a specific framework for technical interests, and constitute an elite on a global scale that has become autonomous in relation to established criteria of legitimacy.

Latin American countries in the 1950s and 60s were not able to keep up with the great scientific and technological boost in the central countries that had been stimulated by the tensions of the Cold War and the space race. At that time, the production of knowledge was more localized and less easily shared, which derailed effective interactions between research centers.

During the globalization era, there occurred an increased circulation of knowledge, and the possibility for greater participation of developing countries in the core of science. However, the neoliberal agenda prevented the allocation of necessary resources, the institutions of scientific research stagnated, and the agenda of different countries could not keep up with the direction of new forms of knowledge production on a worldwide scale.

From the 1990s, research institutions in Brazil internalized certain organizational forms that enabled them to place themselves in the international agenda as reputational agents. The IPT case demonstrates how Brazilian IPPs were encouraged by an international agenda to modify their operational logic, incorporating new hiring services and forms of fundraising.

The parameters of S&T budget and evaluation set by international organizations are giving rise to new performance patterns for scientific organizations. Institutions of scientific research have aligned their interests with hegemonic devices and withdrawn the participation of agents not able to make explicit the new formulas for recognition of the scientific field.

This paper defends the need for social scientists to work within the perspective of understanding scientific change as the result of political connections that are beyond the traditional spaces of research practice, and that operate complex networks of institutions and agents that have become increasingly significant and impermeable.

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Notes

- 1 The interviews were recorded in October 2009 with senior professionals of the IPT who contributed to an understanding of the organizational changes at the Institute.

Perceptions on Justice, the Judiciary and Democracy*

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The reliance on courts for addressing public policy questions and political controversies is a central phenomenon in contemporary democracies. The judicialization of politics is the result of a shift in core issues regarding democratic legitimacy, both in the sphere of institution building as well as political culture. Social justice arose as a central variable in the legitimacy of democracies, becoming vital in establishing support towards democratic political systems. This article explores the relation between perceptions on justice, judicialization of politics and how the agency of judicial institutions impacts dissatisfaction with democracy. Based on a survey carried out in the metropolitan regions of Belo Horizonte, Goiânia, Porto Alegre and Recife, it is argued that the discontent towards political institutions in Brazil does not justify the ongoing judicialization process since the perceptions on inequalities place the Judiciary within the citizens' critical stance towards institutions. Just like other representative institutions, the Judiciary has not been able to mitigate the perceptions on inequalities and the ineffectiveness of the empire of law, being therefore unable to provide a satisfactory performance in regards to the normative ends of contemporary notions of democratic legitimacy and citizenship.

Keywords: Perception of justice; distrust; judicialization; democracy

Introduction

Two phenomena converge in Western democracies. On the one hand, Western democracies have lived with a permanence of distrust towards political institutions, leading to transformation processes in democratic legitimacy. On the other hand,

* The data necessary to reproduce numerical results can be found in http://bpsr.org.br/files/arquivos/Banco_Dados_Filgueiras.sav

Western democracies have provided institutional changes derived from a displacement of democratic legitimacy, many times supposedly nurtured by distrust in political institutions. The convergence of these two phenomena entails transformations in political representation, and in particular, it allows for the strengthening of counter-majoritarian institutions. These institutions are legitimized to the extent that its justification is set upon the argument that representational legitimacy does not depend exclusively on the electoral process. Consolidated democracies have undergone through transformations in political representation, which are driven by critical citizens and new forms of political participation by civil society, be these conventional or non-conventional forms (Norris, 2011).

The presence of critical citizens creates an ambivalent process in contemporary democracies. On the one hand, citizens endorse the normative values of democratic institutions and thus express satisfaction with the regime, and yet, distrust political institutions due to the freedom of information and the available cognitive conditions for regime evaluation. In turn, the presence of these critical citizens infers new ways of participation by means of social movements and new demands, especially in terms of social justice (Norris, 2011). In this sense, the democratic deficit occurs when “in many countries today, satisfaction with the performance of democracy diverges from public aspirations” (Norris, 2011: 4).

The Brazilian democratic regime, due to its transition process and institutional construction by means of the 1988 Constitution, strengthened these two processes within the State’s normative organization and within the scope of political culture. Brazilian democratization occasioned in an interaction between political culture and institutional changes that have changed the panorama for democracy. That is, as in many consolidated democracies, as soon as Brazil attained its democratic transition it began to live with a normative and institutional convergence within its public sphere. And indeed, several empirical researches have revealed the aggravation of distrust in institutions in Brazil as well as the strengthening of judicial institutions (Moisés and Carneiro, 2008; Werneck Vianna et al., 2007). The dissatisfaction with the performance of institutions, conveyed by the presence of distrust, stems from a combination of aspirations for unaccomplished justice. The underperformance of political institutions and the presence of distrust led to the strengthening of counter-majoritarian institutions, particularly in the case of the Judiciary. The judgment of the “*mensalão*” case carried out by the Federal Supreme Court (STF), the judgment of direct actions of unconstitutionality (ADI’s) and changes in the electoral and party system by the Superior Electoral Court (TSE) positioned the Judiciary in the center of a public opinion debate.

The growing judicialization of politics in Brazil stems from a series of institutional changes. This judicialization process holds a component of interaction between political

culture and institutional change in which the Brazilian society sees the judiciary system as a space for the achievement of justice and citizenship. In this sense, a field of investigation opens up, relating perceptions on justice with the workings of institutions and democratic political culture.

The main goal of this article is to investigate the impact of the perceptions on justice with the dissatisfaction towards the democratic regime in Brazil and its relation with the theme of distrust in institutions. We argue that the discontent towards political institutions does not justify the ongoing judicialization process in Brazil since the perception regarding inequalities – of a substantial and procedural nature – places the Judiciary within the citizens' criticism towards institutions. Much like other representative institutions, the Judiciary has not been able to mitigate the perceptions on inequalities and the ineffectiveness of the rule of law, being therefore unable to have a satisfactory performance in regards to the normative ends of political institutions.

In the first section we deal with the issue of distrust in contemporary democracies and the arguments regarding its relation to the process of corrosion of democratic values. In the second section we deal with the relation between distrust and the empowerment of judicial institutions, observing the convergence among both of them as well as the consequent analytical possibilities. The third section deals with the Brazilian case, focusing on institutional changes within the Judiciary Power triggered by the promulgation of the 1988 Constitution. Finally, in the fourth section we present the research methodology and empirical findings from a survey on justice and the Judiciary in Brazil, carried out in the metropolitan regions of Belo Horizonte, Goiânia, Porto Alegre and Recife.

Trust in Institutions and Democracy Displacements

Generally speaking, Western democracies have been faced with an enigma: how to explain the growing dissatisfaction of citizens and their distrust towards democratic institutions and, at the same time, the support that these same citizens express towards the normative values of democracy? The issue of distrust and discontent towards political institutions has been shown to be a contemporary problem for democracy, taking into account a context of systemic changes and the emergence of new modes for mobilization and social participation. Ever since the work of Robert Putnam the theme has gained theoretical and analytical strength among democracy scholars. The author pointed out that distrust would be an element that places the legitimacy of democracy at risk as well as an expression of an authoritarian vestige (Putnam, 1993).

Luhmann observes that trust is a structuring element for social action. Insofar as modernity established a systemic and differentiated organization, centered on functions

and objectives, superimposed on the traditional aspects of collective life, trust presents itself as a structuring element in accordance with the management of social expectations as carried out by highly differentiated institutions, no longer legitimized by traditional communitarian values, but instead, by a procedural conception. Social systems are legitimized by means of procedural rules and the social belief derived from these rules. Trust, in this sense, does not only involve individuals and their relations, but also society's systemic apparatus, grounded on abstract and functional institutions. Trust is an evaluative measure for public opinion concerning the institutions' fulfillment of their fundamental procedures, which in turn legitimize them and ensure their authority. According to Luhmann trust represents a belief regarding the working of institutions and their capacity to coordinate social expectations. Trust, in this sense, is fundamental to solidify a background belief able to maintain the workings of social systems (Luhmann, 1996).

This perspective of trust aims to mobilize the institutions' ethic and normative resources, especially for political institutions. Contrary to a perspective based on an idea that trust is centered on inter-personal relationships in which its inexistence calls sociability itself into question, the perspective of trust in institutions is based on the evaluation and judgment as carried out by public opinion. For Hardin, the inexistence of trust in institutions derives from the limited information available to individuals regarding politics. Distrust is a symptom of information asymmetry and the sparse cognitive resources available to public opinion (Hardin, 1999). On the other hand, Claus Offe argues that distrust results from the incoherence of institutions relative to their normative resources (Offe, 1999). Trust in institutions presumes that society is aware of their basic norms and their permanent functions in view of the normative values and purposes that surround them. To this sense, values such as probity, impartiality, virtues, and rights, organize institutions' normative ends and generate, at the level of society, normative expectations. Trust occurs when the citizens' experience with institutions is coherent with their expectations concerning the values and norms that surround them (Filgueiras, 2008).

The empirical research on trust has shown that consolidated democracies undergo common processes which combine distrust in institutions and adherence to democracy. For Inglehart and Welzel (2005), distrust towards democratic institutions creates hardships towards the legitimation of democracy. However, a large portion of the specialized literature considers that distrust is an expression of the citizens' critical attitude against the workings of the political system. In consolidated democracies, increasing cognitive qualification leads to better informed social segments, which in turn are more critical to the workings of the political system (Klingemann and Fuchs, 1995; Norris, 1999; Pharr and Putnam, 2000). On the other hand, for democracies still in consolidation, such as the case of Asia, Eastern Europe and Latin America, such distrust jeopardizes the

government's capacity to coordinate society and to establish social cooperation (Newton, 1999). Furthermore, distrust towards political institutions does not allow for the consolidation of a democratic political culture grounded on these institutions' ability in building their normative justification (Dalton, 1999; Levi, 1998).

Regardless of the perspective by which one deals with the theme of distrust, the fact remains that it has promoted changes in practices within democracies. This collective malaise towards political institutions has led to an increasingly stronger presence of institutions grounded on indirect representation, particularly by the establishment of surveillance and vigilance institutions, and new actors who do not derive their authority from popular will, but from their capacity to modify the exercise of political power and to establish control over it (Rosanvallon, 2006). A political discourse fed by issues such as social injustice and corruption fortifies institutions grounded on surveillance, denouncements, and investigation, of which its legitimacy derives from presenting themselves as representatives of the public interest and not from electoral processes. Institutions such as the Public Prosecutor, the Judiciary, auditing or administrative control institutions, and the media, present themselves as new actors in the democratic political scene, and their legitimacy derives from their distance from representative institutions and interest groups. Transparency then comes to be an ethical resource – be it by the actions of these institutions or by the presence of an informational society – derived from the malfunctioning of democratic institutions (Filgueiras, 2011). According to Rosanvallon (2006), such process corrodes the institutionalization of political parties, electoral systems, governments and parliaments, and strengthens institutions that do not derive their legitimacy from popular sovereignty, but instead, from their capacity to establish surveillance and to distance themselves from politics itself.

As a result, counter-democratic institutions arise in order to correct representational flaws and the performance of representative democracy. Distrust nourishes processes such as judicialization of politics and the presence of bureaucratic institutions within the representational process (Rosanvallon, 2006). Distrust, therefore, promotes the displacement of legitimacy, which, once based on the exercise of voting rights, is now founded on impartiality and detachment from interests. The judiciary in particular has taken on this central role both in consolidated democracies and in those undergoing the consolidation process.

Judiciary, Perceptions on Justice and (dis)trust in Institutions

The emergence of counter-democracy, as Rosanvallon pointed out, removed from the Judiciary Power its *bouche de la loi* characteristic, as constructed in the Liberal State, and transformed it into an institution with political contours, especially in the constitutional

courts. In contemporary democracies, the Judiciary is configured as an institution of power and its legitimacy derives from the competence of its actors to resolve social conflicts. This competence is founded on the intellectual and moral reputation derived from a supposedly impartial decision making process (Rosanvallon, 2006: 262).

Since the 1990s, the concept of judicialization of politics has been employed to describe processes by which the Judiciary Power has intervened in public policies implemented by democratic governments as well as in the legislative process. Therefore, courts – especially the Constitutional Courts – came to be seen as institutions that are essentially political, in large part due to the profound effects their decisions may exert on public policies, majoritarian preferences, and social values. Tate and Vallinder (1997) deal with the causes behind the expansion of the Judiciary Power and conceptualize judicialization of politics as a twofold process which involves: (1) broadening of decision power in the judicial system to create and execute laws and (2) the adoption, by other powers, of procedures typical of the judicial logic such as the Parliamentary Inquiry Commission (CPIs) by the Legislative, and administrative courts or judges by the Executive (Tate, 1997).

According to Neal Tate (1997), the judicialization of politics results from the process of political development, especially the consolidation of democracy. Therefore, democracy becomes a condition for judicialization insofar as the Judiciary Power, in order to intervene in public policies, depends on the existence of accountability institutions and control of the power of the majority regarding fundamental rights. Likewise, the separation of powers is also a condition for judicialization since functional autonomy is essential to the Judiciary. Third, the judicialization of politics stems from a politics of rights in which minorities can appeal to the due legal process to protect themselves from the majorities.

Associated to these three factors, Tate lists five more factors that derive from the use of the Judiciary in accordance to specific interests. Firstly, the judicialization of politics stems from the use of the courts by interest groups. Human rights defense groups, social movements, and corporative groups seek the courts in order to consolidate their interests in function of procedural and normative reasons expressed by Law. Second, judicialization stems from the use of courts by oppositions, aiming for the possibility of controlling governments. Third, judicialization stems from the ineffectiveness of majoritarian institutions in the exercise of government and legislative process. The weakening of these majoritarian institutions strengthens power delegation to the Judiciary. Fourth, judicialization stems from the public opinion's perception of the construction of public policies. A solidified perception of corruption or the distance from majoritarian citizens' interests begets a position in which the Judiciary is presented as a normative and moral resource grounded on legality and legitimacy. Finally, and less common according to Tate, judicialization stems from a

delegation process by the very majoritarian institutions, which find themselves unable to govern or to legislate (Tate, 1997: 28-33).

Democracy consolidation leads to a process by which the Judiciary Power ascends in the public sphere by means of institutional changes that carry with them the centrality of the rule of law (Carvalho, 2007). On the other hand, it's important to observe that these institutional changes lead to transformations for the public opinion and in the composition of political culture.

By means of this process, counter-democracy institutions are drawn near to political representation. For John Hart Ely (1980), the presence of the Judiciary Power as an institution of representation is part of the very notion of democracy. As an institution whose legitimacy does not stem from majoritarian processes, but from a procedural conception of law, the Judiciary – especially the Constitutional Courts – emerges as a corrective for political representation. Hence, according to Ely, the presence of the Judiciary in the political process is not contradictory to the values of representational democracy. On the contrary, judicial control fosters social change and guarantees that the principle of equality is established.

The presence of the Judiciary allows for minorities to be represented against the abuses of the majority and ensures that representation does not promote distortions that could detriment fundamental rights. For Ely, distrust is not about the result of public policies implemented by governments, but a function of the procedures adopted for the decision-making process that occurs in the spheres of the Executive and Legislative Powers. In this sense, distrust depends on the observation of inequalities in the application of norms and rules (Ely, 1980). Hence, Ely's notion of distrust evokes that the empowerment of the Judicial Power in democracies depends on a negative perception of procedural equality as practiced by majoritarian representative institutions.

Therefore, such perspectives on judicialization do not conceive it as external to the changes in values and attitudes in democracies. Instead, this is a process that has its origins in the very strengthening of democracy (Rosanvallon, 2006), which in turn is associated to democratic political culture itself, along with new instruments for social mobilization, the internet and improvements in transparency instruments.

However, this literature does not take into account the particularities in young democracies in which the citizens' critical stand still coexists with ambivalent positions towards the normative values of democracy. Likewise, one cannot attribute judicialization in young democracies to a consolidated democratic trajectory insofar as a widespread perception of inequality remains, especially regarding the fundamental procedures of political and juridical decision. And lastly, it should be said that this process does not happen

uniformly in all democracies, inasmuch as in young democracies it stems from institutional changes that derive from transition processes. The next section aims to analyze the Brazilian case.

The Transformation of the Brazilian Judiciary and its Position in the Public Opinion

When analyzing the Brazilian case, Werneck Vianna et al. (2007) calls attention to the fact that judges and courts have, since the 1970s, increasingly occupied roles that were traditionally reserved to political institutions. This occurs due to profound transformations whose origins date back to the second post-war period, especially with the introduction of a “dogmatic nucleus” to express fundamental values so as to compel the sovereign power in constitutional articles. This increasing regulation through Law would result in an open, unspecified and programmatic legislation, making juridical interpretation a fundamental point in democratic life (Werneck Vianna et al., 2007).

Just as in the preambles and declarations of fundamental rights of many post-war constitutions, normative principles of absolute legitimacy were also imposed to those that followed authoritarian regimes – such as in Brazil – as a mandatory source of limitation of the State and for all positive law. Therefore, the experience of democratic constitutionalism was generalized in Brazil as public law would then internalize a conception of social justice. The incorporation of justice ideals by modern constitutionalism served a symbolic role, producing information for the political system and legitimizing – by elucidating the fundamentals of juridical order – values, expectations, and behavior. That is to say, social justice would express the normative resources of political institutions and would ensure a process of citizenship promotion that refers to a prospection of positive liberty and equality as expressed in the 1988 Magna Carta. The constitutional acknowledgment of the demand for the implementation of foundational and social rights, originating from its prospective nature, legitimized the de-neutralization of the Judicial Power’s function in Brazil, whose job is to examine whether the exercise of the power to legislate leads to the concretization of expected results as expressed in constitutional norms (Ferraz, 2007).

In Brazil, the 1988 Constitution displaced a juridical culture characterized by a kind of positivism with a privatizing disposition. This shift in juridical culture gave rise to an expansion in the conception of fundamental rights, understood as an assertion of principles. These principles, as expressed in article 5 of the 1988 Constitution, establish action programs and specify objectives to implicate the State’s duty to action. The effectuation of fundamental rights is authored by a circle of interpreters within the judicial sphere. These interpreters put such rights into effect by means of an extensive hermeneutic process in

which the aim is to give “density and embodiment to abstractly configured principles within the Constitution” (Cittadino, 2000: 39). The Judiciary in Brazil, conceived as this new public space, widened the exercise of a “complex sovereignty” where it combines political with functional representation. This combination occurs from two dimensions in the defense of citizenship: political – carried out by the elected representatives based on democratic procedures – and functional – carried out by the community of Law interpreters, made up of judicial agents legitimized by the Constitution (Werneck Viana et al., 2007).

In this sense, the Judiciary assumed the role of a vigilant for political institutions, considering that it provides the concreteness of social justice in public policies and the regularity of procedures and democratic values. Institutions in the judicial system present themselves as representatives of social interest and act in accordance to a growing criticism and dissatisfaction with democracy. Once majoritarian institutions show themselves to be unable to accomplish justice, thus nourishing the citizens’ critical stand and distrust in institutions, institutional changes in the judicial system interact with the background political culture, reinforcing the judicialization of politics. Changes within the judicial system and the support towards the Judiciary’s political agency arise in Brazil at the same time as distrust towards the political system’s majoritarian institutions expands. In the Brazilian case, distrust towards institutions is due to a poor functioning of the political system regarding the society’s interests, the constant presence of corruption by means of political scandals and the perception of their ineffectiveness when dealing with rights (Moisés and Carneiro, 2008).

Consequently, judicialization should not be understood merely as a process of institutional innovation derived from the centrality of rights, but as a process of decentering of democratic legitimacy, as Rosanvallon (2006) points out. In Brazil, the citizens’ discontent with representative and electoral institutions would entail the displacement of democratic legitimacy towards the Judiciary. Therefore, judicialization cannot be understood solely by the actions of the judiciary, but also by an incisive agency by counter-majoritarian institutions such as the Public Ministry, who presents itself as an interpreter of Law and controller of the State’s actions. In Brazil, following in the trails of Rosanvallon (2006), due to the presence of distrust towards political institutions and the presence of judicial system institutions in the public scene, a counter-democracy process emerged. Therefore, the changes within the Judiciary would not merely consist of a set of institutional innovations, but also of a displacement of the center of democratic political legitimacy, going from electoral representation towards juridical activism – the actions of the Judiciary, Public Minister and mobilization by part of the Constitution interpreters’ community. This process constitutes in an interaction between institutional changes and political culture that modifies the scene for democratic institutions.

If the specialized literatures highlights how judicialization occurs in consolidated democracies, this process holds certain particularities in countries ongoing a democratic consolidation process, especially when dealing with the perceptions on justice. In the case of Brazil the judicialization of politics, alongside the presence of distrust, does not imply in a perception by society of impartiality and equalitarian treatment in judicial procedures. As we see it, the Brazilian Judiciary was not empowered by means of a generalized distrust towards representative institutions. Just as it occurs with the representative institutions, the Brazilian Judiciary is immersed in the distrust syndrome insofar as in the light of public opinion it cannot ensure an equalitarian application of procedures and democratic values. Additionally, the perception of durable inequalities in Brazil does not allow for us to affirm that judicialization should be understood as a delegation of powers to the Judiciary, in the sense of an emergence of counter-democracy, according to Rosanvallon's argument (2006).

In the case of young democracies, such as Brazil, the perception of procedural inequality places the Judicial Power within the distrust syndrome, in spite of the endorsement of the normative values of democracy. The Brazilian Judiciary, by hypothesis, does not contribute to the correction of the vices in political representation, as Ely (1980) would affirm, but in fact it strengthens the dissatisfaction with democracy, considering it's part of the distrust syndrome. In order to test this hypothesis, the next section deals with data obtained by a survey in the metropolitan regions of Belo Horizonte, Goiânia, Recife and Porto Alegre.

Methodology and Data Analysis

A public opinion survey was carried out in the metropolitan regions of Belo Horizonte, Goiânia, Porto Alegre and Recife from a sample made up of 300 household interviews for each of the metropolitan regions, for a total of 1201 interviews. The sample was weighed – in its totality – by quotas concerning income range, gender, education level, age range and whether the respondent was part of the economically active population according to the 2010 Census².

The objective was to assess the impact of the Judiciary's agency in the satisfaction with democracy. The questions regarding the Judicial Power aimed to examine how respondents saw their role in the Brazilian political system as well as to examine fundamental issues related to procedures and institutional rules and, ultimately, its effects on democracy.

Firstly, the respondent was asked about his satisfaction with democracy in Brazil. Results show that dissatisfaction with democracy prevails for more than half of the sample, expressing therefore a critical context towards the regime. In the sample, 1.9% of the

respondents claim to be very satisfied, 38.2% claim to be satisfied, 51.3% claim to be dissatisfied and, lastly, 8.6% claim to be very dissatisfied. Similar results were found in the 2010 Latin Barometer for Brazil. For the Latin Barometer research, 3.4% demonstrated to be very satisfied, 48.7% were satisfied, 33.6% were dissatisfied and 14.3% were very dissatisfied. Such results points to a relative dissatisfaction with democracy in Brazil, and so they reveal the emergence of citizens' criticism, conducted by the belief that democracy displays problems that could affect its legitimacy.

With the intent of verifying if dissatisfaction with democracy contrasts with adhesion to democratic values, a normative question was asked aiming to understand the concordance of individuals towards democracy, when compared to authoritarian governments. Results show that adherence to democracy is a majoritarian option in the sample, converging with other researches, including the Latin Barometer, which shows that regime dissatisfaction does not imply normative indifference for the individuals when comparing democracy and authoritarianism. Within the context of the sample, 50.3% of the respondents answered "democracy is better than any other form of government", 22.0% of the sample answered "in some occasions an authoritarian government can be better than a democratic one" and lastly, 27.7% of the sample answered "there is no difference between an authoritarian government and a democratic government". That is, in spite of the high dissatisfaction level, individuals adhere to the values of democracy. However, it is important to note that the data presents elevated indicators of ambivalence towards democracy in that 27.7% of the sample claim there is no difference between an authoritarian government and a democratic government, as well as a high indicator of the presence of an authoritarian option as expressed in the assertion that in some occasions an authoritarian government can be better than a democratic one.

By crossing the data presented above, one realizes that individuals who normatively endorse democracy have a higher tendency towards satisfaction with democracy. However, individuals who support the perspective of an authoritarian government tend to be dissatisfied with democracy. According to the data shown in table 1, it is possible to claim that satisfaction with democracy is associated with the normative endorsement of the democratic regime and that dissatisfaction with democracy is associated with the opinion of individuals who assume an ambivalent position towards democracy.

Table 1. Satisfaction with democracy in Brazil x support for democracy

Support for democracy	Satisfaction with democracy				Total
	Very satisfied	Satisfied	Dissatisfied	Very dissatisfied	
Democracy is better than any other form of government	2,3%	50,7%	40,5%	6,5%	100%
In some occasions an authoritarian government can be better than a democratic one	0,4%	32,9%	60,6%	6,0%	100%
There is no difference between an authoritarian government and a democratic government	1,0%	21,0%	63,5%	14,5%	100%

Source: Centro de Referência do Interesse Público (Public Interest Reference Center), 2012.

Note: Pearson Chi-Square: 97,156, significant to 95%.

Respondents were also asked about their trust from a list of institutions. The objective is to observe how trust in institutions has an impact on satisfaction with democracy and test the two theoretical positions previously shown -- whether distrust has a negative impact on democratic legitimacy (Dalton, 1999; 2004) or if distrust can be a sign of vigor for democracy inasmuch as citizens vindicate for changes in the performance of institutions (Norris, 2011).

Table 2 below shows the trust and distrust frame regarding some specific institutions. We can observe that that data on table 2 converges with researches conducted by Moisés and Carneiro (2008) and Ribeiro (2011) in which the National Congress assumes the first position of distrust when compared to other institutions. It also reveals one data that points towards the tendency of assigning the Federal Police as a paladin for a favorable public opinion since its trust levels surpass 50% (Arantes, 2011).

Table 2. Trust in institutions

Institutions	Categories	Frequency	Percentage	Valid percentage
Presidency of the Republic	Trusts highly	71	5,9	5,9
	Trusts	574	47,8	48,1
	Distrusts	449	37,4	37,6
	Distrusts highly	100	8,3	8,4
	DNK/DNR	7	0,6	
	Total	1201	100	100

National Congress	Trusts highly	27	2,2	2,3
	Trusts	246	20,5	20,9
	Distrusts	661	55,0	56,2
	Distrusts highly	242	20,1	20,6
	DNK/DNR	25	2,1	--
	Total	1201	100	100
Military police	Trusts highly	38	3,2	3,2
	Trusts	447	37,2	37,6
	Distrusts	538	44,8	45,2
	Distrusts highly	166	13,8	14,0
	DNK/DNR	12	1,0	--
	Total	1201	100	100
Civil Police	Trusts highly	38	3,2	3,2
	Trusts	470	39,1	39,6
	Distrusts	518	43,1	43,7
	Distrusts highly	160	13,3	13,5
	DNK/DNR	15	1,2	--
	Total	1201	100	100
Public Ministry	Trusts highly	58	4,8	4,9
	Trusts	547	45,5	46,2
	Distrusts	476	39,6	40,2
	Distrusts highly	102	8,5	8,6
	DNK/DNR	18	1,5	--
	Total	1201	100	100
Judicial Power	Trusts highly	45	3,7	3,8
	Trusts	541	45,0	46,2
	Distrusts	504	42,0	43,1
	Distrusts highly	80	6,7	6,8
	DNK/DNR	31	2,6	--
	Total	1201	100	100
Federal Police	Trusts highly	113	9,3	9,5
	Trusts	669	55,7	56,5
	Distrusts	317	26,4	26,8
	Distrusts highly	86	7,2	7,3
	DNK/DNR	17	1,4	--
	Total	1201	100	100

Source: Centro de Referência do Interesse Público (Public Interest Reference Center), 2012.

Distrust in institutions in Brazil is expressed to the point that, according to Moisés and Carneiro (2008), trust in institutions does not surpass 35%, according to surveys carried out between 1995 and 2002. There is a generalized discontent in Brazil with parliaments, parties, government, courts of justice, the police, and health and education services (Ribeiro, 2011). The most important thing to notice is that such distrust is generalized insofar as this perception crosses segments of gender, income, education level, age and geographical distribution (Meneguello, 2007).

The survey also addressed the capacity of the institutions to produce justice. Since the survey deals with the Judiciary and its relations with political institutions, the respondents were asked to position themselves in regards to the capacity of institutions to produce justice, in a broad sense. This procedure was done to compare if the distrust expressed in the table above could be related to the capacity to produce justice. Questions were made regarding the capacity of the Judicial Power, government, National Congress, NGOs and associations, churches, and schools and universities to produce justice. The question did not specify what type of justice, merely its relation with the listed institutions. The data in table 3 below shows that institutions of a State character, the Judiciary, the government and National Congress have, in the opinions of the individuals, promoted less justice than institutions of a non-State character, that is, NGOs, churches, and schools and universities.

Table 3. Capacity of institutions to promote justice

Institutions	Categories	Frequency	Percentage	Valid Percentage
Judicial Power	Promotes highly	56	4,7	4,8
	Promotes	451	37,6	38,4
	Promotes poorly	515	42,9	43,8
	Does not promote	153	12,7	13,0
	DNK/DNR	26	2,2	--
	Total	1201	100	100
Government	Promotes highly	40	3,3	3,4
	Promotes	383	31,9	32,4
	Promotes poorly	565	47,0	47,8
	Does not promote	193	16,1	16,3
	DNK/DNR	20	1,7	--
	Total	1201	100	100

National Congress	Promotes highly	41	3,4	3,5
	Promotes	278	23,1	23,8
	Promotes poorly	510	42,5	43,7
	Does not promote	337	28,1	28,9
	DNK/DNR	35	2,9	--
	Total	1201	100	100
NGOs and associations	Promotes highly	76	6,3	6,6
	Promotes	522	43,5	45,7
	Promotes poorly	390	32,5	34,1
	Does not promote	155	12,9	13,6
	DNK/DNR	58	4,8	--
	Total	1201	100	100
Church	Promotes highly	95	7,9	8,0
	Promotes	573	47,7	58,5
	Promotes poorly	351	29,2	29,7
	Does not promote	162	13,5	13,7
	DNK/DNR	20	1,7	--
	Total	1201	100	100
Schools and Universities	Promotes highly	123	10,2	10,5
	Promotes	647	53,9	55,2
	Promotes poorly	279	23,2	23,8
	Does not promote	124	10,3	10,6
	DNK/DNR	28	2,3	--
	Total	1201	100	100

Source: Centro de Referência do Interesse Público (Public Interest Reference Center), 2012.

The question regarding the capacity of institutions to promote justice does not allow for a clear crossing in relation to trust or distrust towards institutions. But it is possible to discern that both questions may be correlated insofar as they touch on central themes for the building of trust. We could very likely affirm that institutions incapable of producing justice are subjected to a larger distrust insofar that justice is a fundamental social aspiration.

The agency of the Judiciary must take into consideration the respect for equality, as previously pointed out in Ely's argument (1980). The relationship between justice and democracy should be measured by the capacity of judicial institutions to ensure internal procedures by which it is possible to establish, in an effective manner, procedural equality for citizens in regards to justice (Dworkin, 2001). As for the perceptions of individuals regarding equal treatment under the law, the most common answer was "no" for 61.4% of

the respondents, followed by the answer “sometimes” for 21.8% of the sample and finally, the answer “yes” for 16.9% of the sample.

However, we must take into account that the Judiciary is not the only institution responsible for procedural equality within a democracy. For research purposes we confronted this data with a specific question regarding the Judiciary Power, interrogating whether it makes its decisions with no outside influence from politicians, businesspeople and other interest types. The most common answer in the sample, for 48.3% of the respondents, was “no”, followed by the answer “yes” for 26.7% for the respondents, and the answer “sometimes” for 25.0% of the respondents.

This measurement of the Judiciary’s impartiality means that its agency impacts citizens’ perceptions on procedural equality. That is, once its agency is not oblivious to the interests of politicians, businesspeople or other interests, this perception impacts procedural equality as a fundamental republican value. The Brazilian Judiciary does not guarantee, in the opinion of the respondents, procedural equality, and therefore it is not recognized as an institution in which impartiality ensures its legitimacy under the Rule of Law. The crossing of data presented above allows us to verify a strong association among the two variables, according to table 4 below:

Table 4. Crossing Do laws consider all citizens equally? X The Judiciary takes its decisions without being influenced by politicians, businesspeople or other interests?

		Do laws consider all citizens equally?			Total
		Yes	Sometimes	No	
Does the Judiciary make its decisions without being influenced by politicians, businesspeople or other interests?	Yes	22.0%	15.1%	62.9%	100%
	Sometimes	12.7%	41.7%	45.6%	100%
	No	15.4%	14.6%	70%	100%

Source: Centro de Referência do Interesse Público (Public Interest Reference Center), 2012.

Note: Pearson Chi-Square: 95,901, significant to 95%.

As a hypothesis, insofar as the Judiciary is not seen as ensuring procedural equality in its decision-making process – as indicated in the data sample – we can speculate that such perception is influenced by a relative deprivation of basic public goods. That is, the feeling of dissatisfaction towards the offer of public goods and the perception of one’s own life may have an impact on the satisfaction with democracy and contaminate the perception of the Judiciary itself. To this end, the research employed a relative deprivation indicator based on questions regarding peoples’ satisfaction with basic issues that impact their personal life (Vala and Marinho, 2003), asking questions about subjective evaluation of distributive justice, especially those related to the personal conditions on safety, health,

education and housing, and a question on personal life satisfaction. The data in table 5 below reveals higher dissatisfaction rates regarding safety and health than regarding education and housing. In spite of the dissatisfaction with the offer of basic public goods, the respondents reveal a high satisfaction rate with their personal life.

Table 5. Perception of relative deprivation

	Categories	Frequency	Percentage	Valid percentage
Personal and family safety	Very satisfied	28	2,3	2,3
	Satisfied	391	32,6	32,6
	Dissatisfied	656	54,6	54,7
	Very Dissatisfied	125	10,4	10,4
	DNK/DNR	1	0,1	--
	Total	1201	100	100
Your children's or similar education	Very satisfied	55	4,6	4,6
	Satisfied	661	55,0	55,3
	Dissatisfied	426	35,5	35,6
	Very Dissatisfied	54	4,5	4,5
	DNK/DNR	5	0,4	--
	Total	1201	100	100
Personal and family health	Very satisfied	52	4,3	4,3
	Satisfied	558	46,5	46,5
	Dissatisfied	479	39,9	39,9
	Very Dissatisfied	111	9,2	9,3
	DNK/DNR	1	0,1	--
	Total	1201	100	100
Housing conditions	Very satisfied	97	8,1	8,1
	Satisfied	804	66,9	66,9
	Dissatisfied	261	21,7	21,7
	Very Dissatisfied	39	3,2	3,2
	DNK/DNR	0	0	--
	Total	1201	100	100
Your personal life	Very satisfied	167	13,9	14,0
	Satisfied	902	75,1	75,4
	Dissatisfied	118	9,8	9,9
	Very Dissatisfied	10	0,8	0,8
	DNK/DNR	4	0,3	--
	Total	1201	100	100

Source: Centro de Referência do Interesse Público (Public Interest Reference Center), 2012.

We speculated if the dissatisfaction with democracy could be related to the performance of the judicial institutions. A measure was established asking the respondents if the performance of institutions in the judicial system was excellent, good, average, bad or awful. According to data on table 6, the highest criticism revolves around access to the Judiciary Power and the performance of the Public Defender.

Table 6. Evaluation of the performance of judicial institutions

Institutions	Categories				
	Excellent	Good	Average	Bad	Awful
Performance of judges of Law	11,8%	43,5%	29,3%	7,2%	8,2%
Access to Judicial Power	8,0%	39,8%	30,1%	12,8%	9,4%
Performance of lawyers	8,3%	43,7%	30,3%	10,0%	7,8%
Performance of public prosecutors	10,7%	46,8%	30,1%	5,5%	7,0%
Performance of the Public Defender	8,8%	42,2%	30,1%	9,3%	9,6%
Performance of the Special Courts	9,8%	47,9%	28,4%	6,2%	7,7%

Source: Centro de Referência do Interesse Público (Public Interest Reference Center), 2012.

Lastly, we questioned the respondents on their knowledge of the articles in the 1988 Federal Constitution. The large majority of respondents said they did not know the Magna Carta: 78.6% of the respondents revealed they did not know the articles in the 1988 Federal Constitutions, followed by those respondents who claimed to know a few, represented by 12.2% of the sample and, lastly, 9.2% of the respondents who claimed knowledge of the Constitution's articles. This variable offers a cognitive measurement regarding Law and fundamental rights.

Taking this set of data into consideration, we seek to establish their dimensionality by means of a factor analysis through the extraction of main components. The factor analysis allows us to comprehend the data interaction and how they aggregate and correlate with hypothetical factors. The objective of this technique is to establish the dimension of the data, identifying the latent factors that represent the interactions within the set of variables. We sought to define the factors associated with the respondents' answers regarding the Judiciary and trust in institutions. Before we proceed to the factor analysis we tested data reliability in order to investigate if they discriminate the set of informers by means of a Cronbach's alpha index. By aggregating the variables that will be exposed in the factor model we reached a 0.859 index, which allows us to validate the factor model composition. The factor model served to verify the aggregation effect in variables related to different forms of perceiving the performance of the judicial system regarding the themes of trust and procedural equality. By gathering the data presented above, table 7 below presents the matrix for main component and factor loads.

Table 7. Matrix of main component and factor loads

Variables	Factor 1	Factor 2	Factor 3	Factor 4	Factor 5	Factor 6	Factor 7
Trust in the Presidency of the Republic	,461						
Trust in the National Congress	,353	,578					
Trust in the Military Police	,793						
Trust in the Civil Police	,788						
Trust in the Public Ministry	,686						
Trust in the Judicial Power	,601						
Trust in the Federal Police	,722						
Judicial Power's ability to produce justice		,627					
Government's ability to produce justice		,816					
National Congress' ability to produce justice		,759					
NGOs and associations' ability to produce justice			,694				
Church's ability to produce justice			,775				
Schools and universities' ability to produce justice			,775				
Satisfaction with personal and family safety				,557			
Satisfaction with your children's or similar education				,712			
Satisfaction with personal and family health				,698			
Satisfaction with housing conditions				,670			
Satisfaction with your personal life				,657			
Perception of the equality of application of laws					,714		
Perception of the influence of politicians and other interest groups in the Judiciary's decisions					,697		
Do you know the articles of the 1988 Constitutions?						,796	
Evaluation on the performance of judges of Law							,794
Access to Judicial Power							,790
Evaluation on the performance of lawyers							,814
Evaluation on the performance of public prosecutors							,826
Evaluation on the performance of the Public Defender							,794
Evaluation on the performance of the Special Courts							,818

Extraction method: Analysis of main components.

Rotation Method: Varimax with Kaiser Normalization. Total variance explained: 62.97%.

Measure of adequacy Kaiser-Meyer-Olkin (KMO) : 0.851

Bartlett's test of sphericity: Chi-square approximate: 3218.108 – DF: 351 – Sig: .000.

Source: Centro de Referência do Interesse Público (Public Interest Reference Center), 2012.

We can observe in the factor matrix that the data aggregation allows us to affirm that there are seven dimensions or latent factors present in the analysis. The commonalities were tested and signified, reaching the value of 1. The matrix above results from a Varimax rotation process with Kaiser Normalization, presenting a KMO validity measure of 0.851. The first factor aggregated data concerning trust in institutions. It is then possible to understand trust in institutions as a latent factor. It's interesting to observe that the perception of the National Congress diverged from the perception of other institutions, being strongly associated with the capacity to produce justice in the context of state institutions. The second factor stipulated by the model aggregates the capacity to produce justice by the Judicial Power, government, and National Congress as a latent dimension to be considered. It contrasts with the third factor, which differentiated the capacity to produce justice by NGOs, church, and schools and universities, as a distinct factor. Therefore, the second factor was considered as the capacity by state institutions to promote justice and the third factor as the capacity of non-state institutions to promote justice. The fourth latent factor in the model aggregated the respondents' perception regarding relative deprivation. The data of the variables associated to this factor present the same direction and sense. The fifth latent factor would be the perception of procedural equality as practiced by the Judiciary. As shown in table 4 above, the variables that take into account the perception of inequality in the application of laws, and the perception of the influence from politicians, businesspeople and other interests in the Judiciary have the same direction, representing a distinct factor for the analysis. The sixth factor isolated the variable concerning the respondents' knowledge on articles in the 1988 Constitution. This factor only presented this variable as an isolated element in the analysis. Lastly, the seventh factor aggregated variables concerning the respondents' perception on the performance of institutions and agents in the judicial system.

The factor analysis technique allows us to comprehend the interaction between variables and search for unobserved latent variables by means of the aggregation in the set of variables. Based on this factor model, we built a logistic regression model in order to understand how each one of these factors impact dissatisfaction with democracy. Firstly, we transform the variable on dissatisfaction with democracy in a binary variable, aggregating the categories "very satisfied" and "satisfied" in a single "satisfied" category. The categories "dissatisfied" and "very dissatisfied" were aggregated with the "dissatisfied" category. This logistic regression procedure allows us to comprehend the impact of factors derived from the factor analysis on dissatisfaction with democracy. Table 8 below presents the results for the conducted logistic regression and the impacts of the factors on dissatisfaction with democracy. That is, the model allows us to identify the impact of each one of these seven factors in the chance of respondents having answered that they are dissatisfied with

democracy. The proposed logistic model was controlled by the variables: gender, whether the respondent belongs to the economically active population, low or high educational level, and income lower than or superior to R\$1,635 (3 minimum wages). The model was run from the scores established in the above factor analysis.

Table 8. Logistic regression model Dependent variable: Dissatisfaction with democracy

Variables	B	S.E.	Wald	Df	Sig.	Exp(B)
Gender (male)	,335	,270	1,545	1	,214	1,398
Economically active population (yes)	-,250	,311	,646	1	,421	,779
Education (low)	-,172	,506	,115	1	,734	,842
Income lower than R\$1635,00	-,215	,265	,662	1	,416	,806
Trust in institutions	,310	,132	5,550	1	,018	1,364
Capacity to promote justice by part of State institutions	,470	,132	12,787	1	,000	1,601
Capacity to promote justice by part of non-State institutions	-,006	,128	,002	1	,962	,994
Perception of relative deprivation	,627	,147	18,132	1	,000	1,872
Perception of procedural inequality performed by the Judiciary	,255	,126	4,075	1	,044	1,290
Knowledge of the 1988 Constitution	-,142	,129	1,210	1	,271	,867
Evaluation of the performance of judicial institutions	,086	,127	,460	1	,498	1,090
Constant	,412	,247	2,787	1	,095	1,509

Dependent variable: Dissatisfaction with democracy – analysis category: dissatisfied

Source: Centro de Referência do Interesse Público (Public Interest Reference Center), 2012.

By observing the table above, we see that some factors cannot be analyzed since they do not present a significance index lower than 5%. This is the case of the variables: gender, economically active population, education, income lower than R\$1,635, capacity to produce justice by non-State institutions, knowledge of the 1988 Constitution, and evaluation of the performance of judicial institutions. We therefore disregarded these variables.

As for the factor trust in institutions, distrust causes a 36% increase in the chance of dissatisfaction with democracy in Brazil, being therefore a significant indicator. The impact of the factor ability to promote justice by State institutions causes a 60% increase in the chance of dissatisfaction with democracy. That is, the citizens' criticism concerning the State institutions' capacity to produce justice increases by 60% the chance of the respondents in the sample to answer that they are dissatisfied with democracy. On the other hand, the factor capacity to promote justice by non-State institutions does not impact dissatisfaction with democracy and is also not significant to the analysis. The perception of relative deprivation significantly impacts dissatisfaction with democracy, increasing the response to this item by 87%. The perception of procedural inequality performed by

the Judiciary significantly impacts dissatisfaction with democracy, increasing in 29% the chance of response to this item.

We conclude from the analyses that the factors with a higher impact on dissatisfaction with democracy are, respectively, the perception of relative deprivation, perception of the inability of State institutions to promote justice, distrust in institutions and, lastly, perception of the procedural inequality practiced by the Judiciary Power. Hence, we can observe that dissatisfaction with the democratic regime in Brazil is firstly motivated by a negative perception towards certain social justice indicators, and only then is it a problem of distrust in institutions. As we previously highlighted, it is not possible to directly compare the relation between social justice and trust. Nevertheless, it is possible to know that the perception of a lack of promotion of justice, which certainly elevates the perception of relative deprivation, has a bigger impact on dissatisfaction with democracy than the problem of distrust in institutions. Therefore, we can infer that the democratic deficit is associated with the perception of social justice in Brazil, within the context of an exclusionary society, pervaded by enormous inequalities. Within this context, the perception of the performance of the Judiciary is ambivalent insofar as it operates within the expectations of producing justice at the same time that this same Judiciary continues to reproduce strong procedural inequalities in light of its evaluation by public opinion. We therefore deduce that justice, and social justice in particular, is a problem of highest priority for Brazilian society and that it impacts democracy in a way that increases the dissatisfaction towards the regime. And, at the same time, the Judiciary is inserted in the citizens' criticism concerning the democratic deficit.

Final Considerations

The data analysis carried out above allows us to assert that perception of justice in Brazil holds certain particularities when compared to consolidated democracies. Firstly, the Brazilian Judiciary is immersed in the distrust syndrome, impeding us to affirm, as Ely (1980) and Rosanvallon (2006) do, that distrust empowers the Judiciary in order to intervene and to correct majoritarian political representation. This is confirmed by the fact that the perception of the workings of justice in Brazil does not attribute impartiality to the Judiciary in relation to political interests. Instead, there is a negative perception concerning the unequal agency of this institution, which in turn impacts dissatisfaction with democracy. Unlike consolidated democracies, we can attribute this fact to the permanence of a sentiment of relative deprivation, which persists due to the perpetuity of inequalities and the inefficiency of the Brazilian State to carry out equalitarian and equitable public

policies. Functional representation is then immersed in the same societal distrust towards political institutions.

In this sense, the agency of the Judicial Power in Brazil can be understood as a result of the process of institutional changes carried out by the 1988 Constitution, but such agency should be regarded with caution when it comes to its relation to distrust, in the sense that it would give the judiciary institutions a prerogative to ensure minority representation and to strengthen vigilance in order to correct the improprieties of representative democracy. The distrust of institutions in Brazil does not empower the Judiciary, but places it within the citizenship criticism due to the permanence of perceived inequality in its regular operation. The negative perception of representative democracy also affects functional representation exerted by counter-democracy institutions. Therefore, the Judiciary is inserted within the democratic deficit criticism.

Democratic consolidation and the possible reversion of distrust in institutions in Brazil depend on a decrease in the intensity concerning the perception of inequalities. This is true both for the sentiment of relative deprivation towards access to fundamental public goods as well as in procedural equality, which should be practiced by political institutions as well as judicial institutions. Without strengthening institutions and ensuring the prevalence of the rule of law, it becomes impossible to establish a democratic political culture and to have citizens supporting and trusting the normative resources employed by institutions. This interaction between political culture and institutions demands further investigation in the Brazilian case, with special emphasis on the evaluation of institutions' normative resources and their role in producing justice and inequality-reduction.

Institutional changes derived from the judicialization of politics may result in an uncontrolled Judiciary Power in Brazil as well as in efforts to control representation as exerted in courts and which lack a public sense buoyed by the rule of law. Judicialization of politics may lead to new forms of authoritarianism in which the inherent depoliticization leads to populist temptations (Rosanvallon, 2006) or a new form of elitism disguised as a defense of democratic values, which merely maintains inequalities intact (Hirschl, 2004). As for the Brazilian case, the judicialization process seems to lead, due to the interaction between political culture and institution changes, to this second tendency, considering that the Judiciary's agency presents itself in an ambivalent position between the defense of democratic values and an elitism that reproduces social inequalities.

The propositions of this article must be tested in comparative researches of a broader scope as so to better understand the role of the Judiciary Power in young democracies. For the Brazilian case at least, it's important to perceive how distrust does not exempt the Judiciary from criticism and does not allow us to affirm that judicialization is its direct consequence. If there is something that amplifies the distrust in institutions and its

ambivalent relationship towards satisfaction with democracy, it's certainly the perception of inequalities and their permanence in young democracies. If distrust results from the inability of institutions to mobilize their normative resources, then the permanence of inequalities – social injustice and the failure to comply with fundamental procedures to the rule of law – corrodes its ability to establish a democratic culture. If there is one thing that corrodes democracy, inequalities are a certain part of this process and how they lead to corruption, inefficiency of public policies and the ineffectiveness of the rule of law.

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Notes

- 1 This article was presented at the VIII Meeting of the Brazilian Association of Political Science (*Encontro da Associação Brasileira de Ciência Política*) in 2012, in the city of Gramado, Rio Grande do Sul. I would like to thank the comments made by Julian Borba (UFSC) and Marcelo Baquero (UFRGS). I would also like to thank the comments made by Mário Fuks (UFMG) concerning the original version of this article. I also thank the anonymous peer reviewers from the Brazilian Political Science Review for their suggestions and considerations for the overall argument.
- 2 The data collection occurred between the 7th and 12th of January, 2012. The sample makes up for a confidence level of 95%, with a margin of error estimated at + / - 4%.

The Judicialization of Territorial Politics in Brazil, Colombia and Spain*

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This article explains how judicial review influences intergovernmental political dynamics in Brazil, Colombia and Spain. The argument is developed in light of two questions: how supreme courts have established themselves as pivotal institutions for settling vertical intergovernmental disputes, and how national and subnational politicians use judicial review in order to enhance their own interests. A comparison between the judicial review processes in federal Brazil, quasi-federal Spain, and unitary Colombia provides an answer to these questions. Accounting for the differences in the territorial organization and systems of government among these countries, the article assesses the patterns of judicial review originating from the subnational level. Findings suggest that courts affect the interaction between national and subnational politicians in the three country-cases, but through different patterns of judicialization of territorial politics.

Keywords: judicial review; constitutional change; intergovernmental relations; territorial politics; decentralization

Introduction

Since the enactment of their most recent constitutions, Brazil, Colombia and Spain have undergone important processes of constitutional judicial review. This article assesses the patterns of judicial review of national legislative initiatives originating from the subnational level, taking into account the differences in the territorial organization and systems of government of these countries.

1 The data necessary to reproduce numerical results can be found in http://bpsr.org.br/files/arquivos/Banco_Dados_Vale.xlsx

The ultimate goal here is to understand how intergovernmental relations relate to the process of judicial involvement in territorial affairs in different institutional settings. More specifically, the article intends to establish a relationship between constitutional judicial review and intergovernmental disputes in the selected countries. With this goal in mind, the article analyzes the instruments used by subnational politicians to challenge policies by the central government. The aim is to show the increasing displacement of conflict to the courts in matters concerning territorial governance. This article does not attempt to explain the decision-making process of judges.

In light of this goal, this article touches upon two pressing questions of territorial politics: how supreme courts have established themselves as pivotal institutions in dispute settlement concerning territorial politics, and how national and regional politicians attempt to use intergovernmental mechanisms to enhance their own interests through judicial review. Considering the differences between Brazil, Colombia and Spain, these questions will serve as a general guideline for understanding two aspects of the judicialization of politics: when plaintiffs bring territorial issues to courts, and how the structure of the judiciary shapes intergovernmental relations.

Judicial inroads into politics are receiving growing attention from scholars. Most analyses focus on the impact of the blurring of boundaries between political and judicial dynamics on democratic development. Analysts indicate that the more prominent role of the judiciary influences political dynamics in different ways: it affects the decision of voters to select political leaders (Fox and Stephenson, 2011); it impacts legislative decisions in a competitive political environment (Rogers, 2001); it has the potential to work as an insurance mechanism for policy continuity in situations of adverse electoral outcomes (Tridimas, 2010); and it fosters political centralization (Vaubel, 2009). Disputes related to the Legislative branch have been brought before constitutional courts, changing the way in which conflicts have been commonly resolved. Courts are increasingly involved in disputes between central and subnational governments, implying that in territorial politics, courts are having a determining role in conflict resolution.

In an attempt to show the judicialization of territorial governance, I will base the analysis on three countries with different territorial arrangements: federal Brazil, quasi-federal Spain, and unitary Colombia. Although the selected countries show important differences from each other that are not limited to territorial organization (e.g., systems of government, party system, modes of interaction between central and subnational governments, patterns of territorial conflict), they all have common mechanisms for intergovernmental dispute settlement to initiate a process of judicial review. More specifically, they all have in common some institutional features of judicial independence – e.g., autonomy of the judiciary and external appointment by one branch of government –, which has favored

a growing involvement of the courts in territorial politics. However, they present varying structures of judicial review – e.g., constitutional arrangements, actors who can exercise the right of a plaintiff, scope of judicial power, etc. As a consequence, in Brazil, Colombia and Spain, a greater utilization of judicial review as an instrument of conflict resolution has produced different patterns of judicial review.

Why have Brazil, Colombia and Spain been chosen for this study? Firstly, in these countries, the process of judicial review is the result of a democratic choice in critical moments of political transition. In Brazil and Spain, judicial review became an instrument for settling disputes in order to implement democratic constitutions in the aftermath of the transition to democracy. Similarly, in Colombia, the judicial process became an important element for implementing a constitution in the midst of a civil conflict.

Secondly, these countries are conspicuous cases of judicial review in their respective regions. They have become regional leaders in the use of this process. Brazil and Colombia are the Latin American countries in which the courts are most engaged in the judicial review process (Stein and Tomasi, 2006: pp. 83). In Europe, Spain has rapidly adopted a strong system of judicial review since its transition (Ginsburg, 2002), and in the western European context, it has become a notable case of a country in which political disputes often end up in the courts (Guarneri and Pederzoli, 2002).

In order to show the growing role of the judiciary in territorial politics in Brazil, Colombia and Spain, this article proceeds in three steps. Firstly, it argues that judicial review is in effect a process of constitutional review with important implications for vertical intergovernmental relations in the countries in question. Secondly, it shows that contention over issues affecting territorial governance in Brazil, Colombia and Spain increased due to the reactions of subnational governments to central government policies. And, thirdly, it demonstrates that in the three countries, territorial cleavages over varying issues have increasingly been decided in the courts, indicating the contentiousness of territorial issues and the inability of conventional political channels to resolve certain disputes.

Assessing Constitutional Judicial Review and Intergovernmental Relations

How can judicial review be considered a process of constitutional change? What is the link between constitutional judicial review and intergovernmental relations? In this article, judicial review is interpreted as an instrument not only of law enforcement but also of lawmaking. As such, constitutional review is presented as an interpretative process carried out by means of the mechanism of judicial review. This notion of constitutional review is associated with intergovernmental relations in the following way: in the implementation of

the constitution, bargaining among intergovernmental actors can lead to contention and to the pursuit of diverging intergovernmental interests, which, in turn, push different intergovernmental actors into pursuing an amendment of the constitution on their own terms.

The above argument is based on a paradigm that interprets the process of judicial review as a democratically and politically constructed process (Graber, 2005). This paradigm is also built on the idea that the political realm is increasingly judicialized, a phenomenon coined in the expression ‘the judicialization of politics,’ as Vallinder (1995) has put it. Moreover, for Tate and Vallinder (1995), this judicialization of politics is correlated with the politicization of justice, and is the reflection of the expansion of the judiciary in modern democracies (Maciel and Koerner, 2002).

As this article also considers the judicial branch to be an institution of prime importance politically, I suggest that supreme courts have a role that goes beyond the more traditional function of checks and balances among governmental branches. By understanding that processes of judicial review have entered the arena of politics, it is possible to see that courts are institutions exercising the potential function of veto players, policy players and societally representative bodies (Stein et al., 2006: pp. 82).

Based on the notion of the judicialization of politics, the definition of judicial review adopted in the article is borrowed from Tate (1995:28). He defines judicial review as a process of greater involvement by courts and judges in the decision-making behind public policies. This means that the courts are occupying a dominant role in an area that was previously the almost exclusive territory of the legislative and executive branches of government.

By using this definition of judicial review, I assume that the judiciary is vested with the function of constitutional transformation. As the judiciary becomes an active participant in political disputes, it is reasonable to propose that it is competing with traditional institutions in developing and promoting changes in the constitution. This article embraces a broad idea of constitutional change through judicial interpretation, which, as Rasch and Congleton (2006: pp. 324) suggest, entails change without any alteration to the actual constitutional text. Thus, the difference between formal amendments and the judicial interpretation of challenges to the law is related to the explicitness of the process. From this perspective, whenever there is no explicit change in the constitution (e.g., constitutional amendment), judicial review can be considered an implicit form of constitutional review.

Broadly defined, intergovernmental relations can be interpreted as a relationship between different levels of government. Although straightforward, this descriptive definition provides little information about the institutional arrangements shaping this relationship or the political context in which this relationship evolves. Considering both of these factors, intergovernmental relations are understood in this article as a range of interactions

between goal-oriented governmental actors belonging to different locations in a territorial network structure. Given the actors involved and the potential for shifting *loci* of authority, the interaction is oriented toward bargaining.

Based on the above definitions, it is worth explaining how these three central concepts –judicial review, constitutional review and intergovernmental relations – relate to each other. The article establishes the following rationale that links together the terms: in periods following the enactment of democratic constitutions, subnational politicians – who were important engineers of constitutions – attempted to maintain subnational autonomy by fighting any eventual encroachment of authority through judicial review. Under these circumstances, they started to use constitutionally guaranteed mechanisms to exercise such autonomy. Over time, the settling of disputes had implicitly transformed the constitution. The decisions by courts set a legal framework for the evolution of intergovernmental relations.

This logic is supported by Ginsburg's (2003) insurance argument, according to which judicial review is put in place after a constitutional pact is reached, so that all parties involved in the pact can be assured that, once in power, no individual party will make drastic constitutional changes altering the initial constitutional order.²

This insurance argument is consistent in the cases of Brazil, Colombia and Spain. In Brazil and Spain, for example, the pact reached among political elites during their respective transitions to democracy had to be protected through the courts, as certain parties feared an eventual encroachment of power. Similarly, amid political upheaval in 1991, Colombia engineered a new constitution, which also needed to be protected from eventual encroachment.

In addition to the insurance argument, one can complement the explanation of how in the three country-cases judicial review fits the larger picture of constitutional change with the so-called theory of renegotiation, as put forward by Elkins et al. (2009). These authors put forward the argument that constitutions can either be entirely replaced or amended. In the latter instance, in which the cases of Brazil, Colombia and Spain fall, depending on the breadth of participation in the phase of constitutional formulation (inclusion), the level of detail (specificity) and the adaptation of parts of the constitutional text (flexibility), the constitution will endure. The durability of the constitution, however, will be achieved through the amendment of its text, which can take the form of explicit change or interpretative change, as previously explained.

Based on these criteria, one can assess these principles of inclusion, specificity and flexibility considering territorial and intergovernmental aspects of the constitutional texts of Brazil, Colombia, and Spain.

From a territorial point of view, inclusion in the initial phase of constitutional elaboration sets the foundations for acceptance and implementation of the constitution. In order to become effective in the intergovernmental sphere, the principle of inclusion must take into account subnational territorial interests in the constitution-making phase. These interests were present from the very inception of the constitutional negotiations in Brazil and Spain through political parties. In Brazil, the states and municipalities obtained important concessions (Souza, 1997). In Spain, the regions are managed in an asymmetrical manner in order to have their voices heard, at the expense of the municipalities (Carrillo, 1997). Similarly, in the negotiations leading to the promulgation of the 1991 Colombian constitution, the regions (*departamentos*) gained important political powers (e.g., direct elections for regional governors, right to pass regional legislations). In Colombia, the rural-urban divide, which was a leading issue in the constitutional negotiations (Nielson and Shugart, 1999), led to the introduction of decentralizing measures.

As far as the principle of specificity is concerned, and the different territorial arrangements between these countries notwithstanding, the Brazilian, Colombian and Spanish constitutions establish responsibilities for each level of government. The Brazilian constitution lists the exclusive responsibilities of the central, state and municipal governments, as well as the shared responsibilities. Similarly, the Spanish constitution specifies the responsibilities of the national, regional and local governments. Although it designed a unitary system of government, the Colombian constitution enshrines the functional responsibilities of the regional and municipal governments.

In terms of flexibility, the right to adjudication is indeed an important sign of flexibility that has been crucial for settling intergovernmental disputes in the three countries. In Brazil, judicial review is exercised through the Direct Acts of Unconstitutionality (*Ações Diretas de Inconstitucionalidade* – ADI's) and the Declaratory Acts of Constitutionality (*Ações Declaratórias de Constitucionalidade* – ADC) filed at the Brazilian Supreme Federal Court (*Supremo Tribunal Federal* – STF).³ These two instruments are used in abstract matters, but the former is the main mechanism for intergovernmental dispute settlement. In Colombia, the instrument of judicial review made before the Colombian Constitutional Court (*Corte Constitucional* – CC) is called the 'appeal for the protection of constitutional guarantees' (*acción de tutela*). In Spain, the Autonomous Communities (*Comunidades Autónomas* – ACs) and the central government file challenges in the Spanish Constitutional Court (*Tribunal Constitucional* – TC), which are termed Positive Conflicts of Competency (*Conflictos Positivos de Competencia*), as they concern disputes over constitutionally mandated responsibilities for each level of government. Another instrument is the Unconstitutionality Action (*Recurso de Inconstitucionalidad*), which is used in matters other than the distribution of responsibilities among levels of government.

Considering that the Brazilian, Colombian and Spanish constitutions are flexible, inclusive and specific, the incentives for amendment rather than replacement are high. Although explicit changes in the constitution in the three countries are possible through formal amendments, they are more frequently used in Brazil and Colombia, while in Spain amendments have been used twice, in 1992 and 2011. The requirements to pass the amendments explain the dissonant use of this instrument across these countries, among which Spain presents the highest barriers to formally amending the constitution, followed by Colombia, and then Brazil.⁴ That said, it is often the case, especially in contentious areas involving intergovernmental relations, that judicial review becomes a crucial instrument for amending controversial territorial matters.

In line with the above argument, it is important to add to Ginsburg's insurance argument and the theory of renegotiation of Elkins et al. that subnational politicians are important players in this game. In Brazil, the executive and legislative branches of the constituent units are the main plaintiffs in judicial review. In Spain, the subnational executives have led the process of judicial review, as they are the main authors of the challenges brought to the constitutional courts. Lastly, in the case of Colombia, most of the laws pertaining to the competence of the provinces have been challenged at the constitutional court.

Dynamics of Judicial Reviews and Intergovernmental Relations in Brazil, Colombia and Spain

In any federal system a constitutional court helps to define the limits of shared power by settling disputes between levels of government. However, this role of constitutional courts is not limited to federal systems; in unitary systems courts can equally settle disputes between different administrative units. The cases of Brazil, Colombia and Spain show that intergovernmental dynamics in these countries cannot be understood without including their respective constitutional courts as decisive players in territorial politics.

The decisiveness of these courts regarding territorial politics is determined by the pattern behind the initiation of the judicial review and by the main characteristics behind court rulings. In the three cases, data on the challenges for judicial review will shed some light on the main plaintiffs behind the challenges, as well as on the main political patterns behind them.⁵ A longitudinal analysis involving all cases concerning intergovernmental conflict in Brazil, Colombia and Spain shows different patterns. In the Brazilian (1988-2012) and Spanish cases (1980-2012), the available data concerns the challenges initiated by subnational political actors.⁶ In the case of Colombia (1992-2012), due to restrictions on publicly available data, the information analyzed was the final rulings of the Colombian CC concerning territorial matters.

As far as the court rulings are concerned, they are analyzed through “landmark court rulings”, which are groundbreaking rulings by the Supreme Court concerning territorial challenges. Identifying landmark court rulings is important for recognizing relevant junctures in the recent history of judicial review in the three countries, and the intergovernmental actors favored by the courts. In Brazil and Spain, the subnational governments were favored in their respective landmark rulings, while in Colombia it was the central government (see Table 1).

Table 1. Aspects of Constitutional Judicial Reviews in Territorial Politics in Brazil, Colombia and Spain

	Spain	Colombia	Brazil
Origin of the territorial conflict	Subnational	Individual	Subnational
Degree of rulings in favor of the plaintiff	Moderate	Low	Moderate
Main dimension of the conflict	Vertical intergovernmental	Vertical intergovernmental	Horizontal subnational

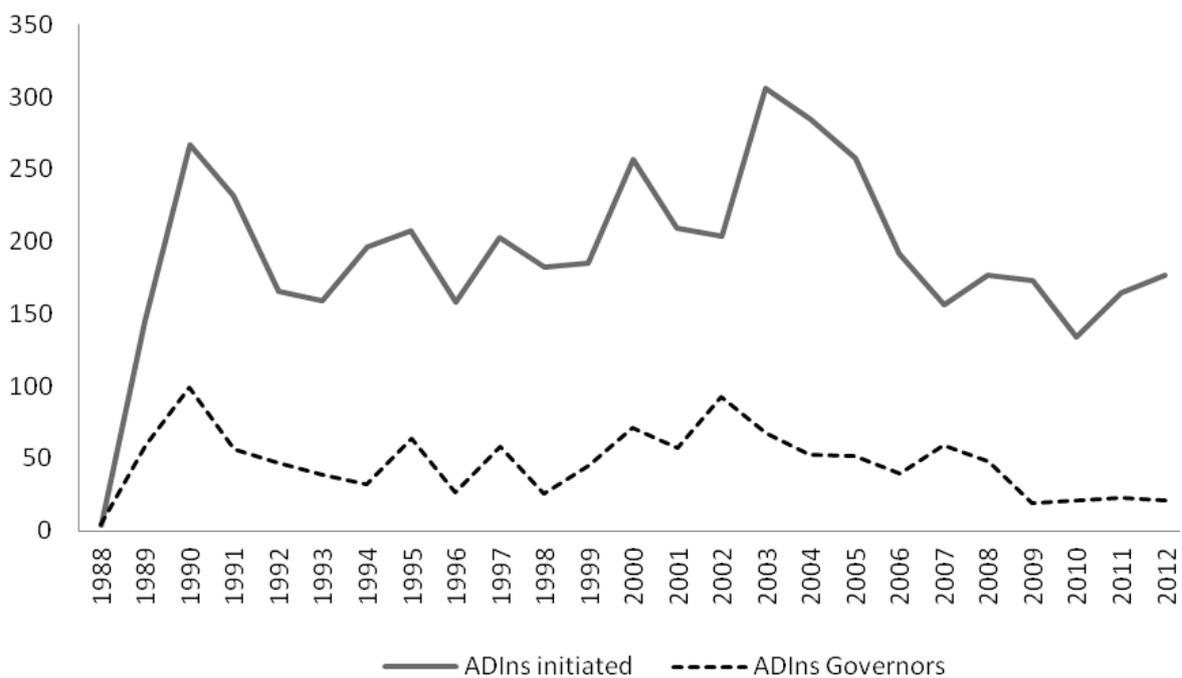
The rulings on the challenges were selected based on the salience of the issue and the impact it had on future territorial related sentences.⁷ In the following subsections, the main patterns and characteristics of the constitutional judicial review process will be identified in each country-case.

Brazil

The judicialization of politics in Brazil shows that the judicial branch plays an important role in the process of intergovernmental conflict. This role has become particularly noticeable in a context of growing independence of the judicial branch of government (Santiso, 2003). In Brazil, judicial review is exercised through the ADI’s filed at the STF.

Based on the STF’s database, state governors are the main users of this constitutional instrument, being responsible for on average 26% of all the unconstitutional challenges brought to the Supreme Court from 1988 to 2012.⁸ The other main plaintiff is the group of national union confederations, accounting for 21% of all challenges. The figures on the actors that most resort to judicial review mechanisms suggest that state governors are by far the intergovernmental actor most engaged in judicial review in Brazil (see Figure 1). However, it is important to note that 80% of all of the governors’ challenges were against the state legislature, and only 2% against the national executive and 5% against the national legislative branch.

Figure 1. Brazil's Unconstitutional Challenges



Mapping the origins of the unconstitutional challenges in Brazil, one finds that there is considerable asymmetry in the use of the ADIns by state governors. Most of the challenges come from the southern Brazilian states (e.g., São Paulo, Rio de Janeiro, Espírito Santo, Rio Grande do Sul, Paraná and Santa Catarina), which are responsible for approximately 52% of all challenges coming from all the Brazilian states, with one state alone, Rio Grande do Sul, responsible for 12% of all of these challenges.

Considering that the majority of the unconstitutional challenges in Brazil review legislative measures and that the state governors are the main plaintiff, the judicial review process in Brazil has two main characteristics: it is concentrated at the subnational level and it is mainly an inter-branch conflict. These characteristics indicate that judicial review in Brazil is not dominated by intergovernmental disputes. Yet unconstitutional challenges in Brazil have consolidated as an important institutional mechanism at the disposal of intergovernmental actors. In effect, between 1988 and 2012, the national government presented only 8 challenges to the STF, while the state governors presented 1,140 challenges.

The most important challenges that reached the STF concerned financial matters (Kapiszewski, 2011).⁹ Among those, it is possible to consider as a landmark ruling on territorial matters the challenge filed by the governors of Santa Catarina, Paraná, Mato Grosso, Mato Grosso do Sul and Tocantins against Constitutional Amendment 3 of 1993 and Complementary Law 77/9. These legislations created a new tax, the Provisional Tax on Financial Transactions (IPMF), which made it compulsory for states and municipalities

to pay tax on their financial transactions. The STF declared these legislations unconstitutional on the grounds that no federal constituent unit can impose tax on another. In August 1993, an injunction was granted concerning ADI 926, in order to establish the *status quo ante*, while the court reached a final ruling on the merits.¹⁰

Another ADI that was decisive in the defense of the autonomy of states is ADI 1728 (Maués, 2005). An important Supreme Court decision regarding this was one against a resolution by the Senate (Resolution 117) that determined that 50% of the states' revenues obtained from privatization should be used to reduce public deficit. Seventeen states supported ADI 1728 contesting the Senate's resolution.

The Brazilian municipalities have also filed ADI's against the national and state governments. There have been several occasions on which the STF has decided in favor of the municipalities. This occurred as the federal states tried the following: to determine the territorial demarcation of certain municipalities (ADI 458); to establish new municipalities without referendum (ADI's 222 and 269); to delimit state intervention on the municipalities (ADI 336); and to regulate the establishment of municipal councilors by number (ADI 204). These examples of judicial intervention show that municipalities have been active in the defense of their autonomy, confirming the observation that municipal autonomy is preserved and defended in Brazil through political review (Araujo, 2005: pp. 26).

The evolution of judicial review in Brazil indicates that after the 1988 Constitution the process gained momentum; however, it has been used with more or less the same frequency. This feature is also applicable to the challenges presented by Brazilian state governors (see Figure 1).

All things considered, the STF has a tendency to favor the executive branch of government. Early findings also support this claim (e.g., Leoni and Ramos, 2006). However, caution is needed when interpreting the role of the STF in a broad area such as territorial matters, which encompass fiscal and administrative issues. Fiscal issues represent 60% and administrative issues 32% of the total challenges of judicial review. As a consequence of the wide range of rulings that fall in the territorial matters category, there are important variations in terms of court rulings. There is nowadays an increasing consensus on the fact that the STF exercises restraint in ruling against the executive (Carvalho, 2004; Oliveira, 2006; Vianna et al., 1999). However, after looking at the landmark rulings in Brazil, it can be suggested that state governors have exercised their power as veto players in intergovernmental relations through judicial review. This does not mean that the state governors are always successful; rather, it indicates that they meddle in federal policies aided by the STF.

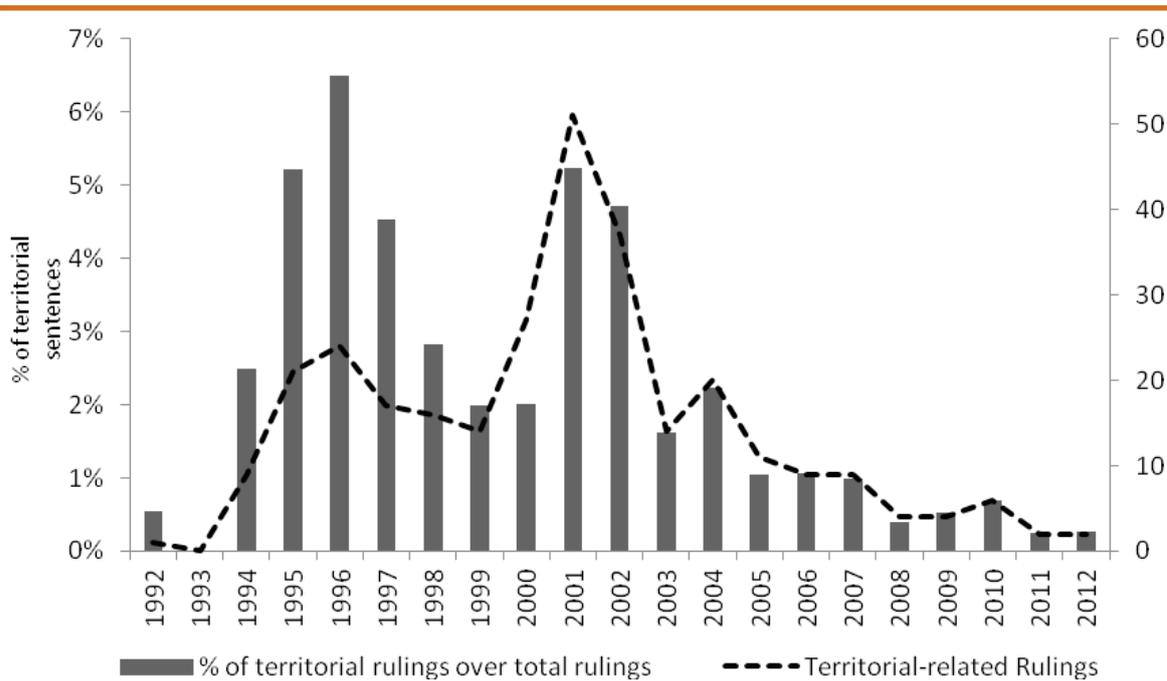
Colombia

Since its creation in 1991, the CC has made important inroads into politics. Over time, this court has become an important institution in the Colombian political arena by

regulating and restricting the presidential power to declare a state of emergency (Uprimny, 2004, 2007: pp. 53), and deciding about the possibility of re-election of the president. The Colombian judicialization of politics is well documented, especially regarding issues pertaining to the state of exception, as well as human and social rights issues. However, the effects of judicialization on the intergovernmental dimension are overlooked in Colombia.

Although Colombia is a unitary state, its regional administrative units, *departamentos*, as well as the municipalities, are active entities in the attempt to preserve certain responsibilities. In effect, from 1992 to 2012, over 60 laws dealing with the competencies of the regional administrations were brought to the CC challenging their constitutionality. Out of this total, only approximately 20 laws were reviewed by the CC. Even though there is no clear pattern in terms of the evolution of the challenges over time, a trend can be observed – most of the territory-related laws have been contested before the CC, but most of the challenged laws never received a verdict.¹¹ As such, the 297 sentences of the CC concerning territorial challenges from 1992 to 2012 account for less than 2% of the total court sentences issued in this period (See Figure 2).

Figure 2. Rulings of Colombian Unconstitutionally Challenges



Source: Colombian Constitutional Court

One of the reasons for this sizable number of challenges is the advancement of the decentralization process in Colombia and the wide variety of actors who can make use of the legal instrument of judicial review. Under the 1991 Colombian constitution, which granted substantial power and autonomy to subnational governments, decentralizing reforms

were launched. With decentralization, the Colombian regions and municipalities gained important functional responsibilities, which were followed by an attempt by the central government to enact new legislative measures to counter the initial local autonomy (Falletti, 2010). To reduce the effect of the decentralizing reforms following the enactment of the 1991 constitution, the central government passed several national legislations from 2000 onwards, triggering the initiation of several constitutional challenges.

The new laws passed by the national government were perceived as diminishing the subnational autonomy acquired with the constitution, while regulating subnational responsibilities. As a consequence, the most contested laws in the CC – e.g., Law 136 of 1994, Law 616, 617, Law 633 of 2000 and Law 715 of 2001 – were laws attempting to establish new administrative and fiscal norms for the regions and municipalities. Laws 136 and 617 attempted to modernize the municipal administration, laws 616 and 633 to regulate municipal fiscal matters, and law 715 regulated municipal responsibilities concerning certain aspects of the delivery of educational services. The laws that received the largest number of challenges were 136 and 715, with 55 and 31 challenges being filed before the CC, respectively.

An explanation for this number of challenges contesting laws of a territorial nature is the fact that in Colombia any ordinary citizen can file a challenge, making access to judicial review very open. Uprimny (2004: pp. 43) attributes the greater involvement of the CC to this open access. This is important to mention because it is often the case in unitary states that administrative regions and other entities cannot file any challenges. In other words, although Colombian governors and mayors cannot take part in the judicial review process, they individually, as Colombian citizens, can initiate a review process.

Despite this freedom to initiate a judicial review, it is important to mention that the CC can strike down any unconstitutional law for substantial and procedural reasons. In effect, all the territory-related constitutional challenges have been either struck down or the final ruling has favored the central government. In short, so far, no challenge concerning territorial matters has been successful in reverting or amending centrally proposed legislation on territorial matters.

A landmark ruling in Colombia was the CC's decision C-478 of 1992 to reaffirm the unitary character of the Colombian state in a ruling concerning the budget process envisioned in Law 38, passed in 1989. According to Law 38, the revenues and expenditures of the subnational governments can be regulated by the national organic law. With the C-478 ruling, the CC endorses the notion of restrictive autonomy of the budgetary powers of subnational governments while reassuring the central government with the power to sustain the unity and harmonization of the Colombian budgetary system. This ruling set the precedent for future court decisions (e.g., C-720/99, C-897/99, C-579/01).

Rodríguez-Raga (2006) confirms the proposition that in case of salient legislation for the national government the CC does not overrule the legislation. Moreover, it rarely rules differently from the Attorney General.¹² A telling example of the consonance of all the institutions is the recognition by the Colombian constitutional court to uphold Law 796, which called for a referendum on the constitutional reforms in 2003. All the challenges before the court were overridden by judges, reaffirming the support of the court for the national legislative (Cajas Sarriá, 2006: pp. 40). Epstein and Knight (1998) find that the judges in Colombia are in tune with the politicians and other important actors, such as the Attorney General (*Procurador General*).

All in all, despite being a unitary state and having a rather recent experience with judicial review, challenges before the CC have shown that there is an increasing judicialization of intergovernmental politics in Colombia due to the open right to initiation. However, the process of judicial review works as an incomplete process of constitutional review, as the general pattern shows that the CC frequently strikes down the challenges. This suggests that whereas the process of judicial review concerning territorial disputes is in place and functioning, it fails to review the claims by plaintiffs being brought to the court. Furthermore, while this pattern indicates that the CC does not change the status quo as it fails to produce an adverse effect other than siding with the Attorney General and striking down the challenges. In other words, judicial review in Colombia has a predictable outcome.

Spain

The TC can be considered one of the most important institutions mediating relations between the ACs and the central state (Aja Fernández, 1996:129). In effect, the Court has been deemed the single most influential institution in the Spanish territorial system (Aragón Reys, 1986). Constitutional challenges have often been viewed as one of the main instruments for managing conflicts between the central government and the ACs in the face of the generalities of the constitutional provisions in Spain. As the Constitution establishes (Paragraph 3 of Article 149), in matters in which it is not clear whether there is exclusive authority of either the AC or the central government, each level of government can claim authority, although the central government maintains residual authority. This has required the intervention of the TC, which, throughout the 1980s and 1990s, ruled over issues of the ACs' spending, elimination of some taxes, and the redefinition of the ACs' responsibilities.

The governments of the ACs have clearly been the main plaintiffs of the judicial review process. Although the central government has initiated challenges against the ACs, they were less frequent than the AC-led challenges. Only in 1982 did the number of central government challenges exceed those by the ACs. It was in this year that an important

number of ACs drafted their autonomous statutes. Since these statutes, once approved by the subnational parliaments, have to be endorsed by the national parliament, contentious provisions were brought to the constitutional court. This can be explained in part by the lack of specificity of the Spanish Constitution regarding the process and form through which the ACs can exercise their autonomy.

Considering all the challenges concerning territorial matters, López Guerra considers challenge 32/1981, initiated by the ACs against the Organic Law on the Harmonization of the Autonomic Process (LOAPA), the most emblematic ruling to date. The challenged LOAPA established common norms concerning the implementation of the constitutional responsibilities of the ACs. Creating an important precedent, the TC proclaimed that the LOAPA cannot be enacted as an organic law based on the principle of harmonization. In addition, the TC considered that several provisions of the LOAPA (e.g., Articles 1; 2; 3; 4; 5.1, 2 and 3; 7.1 and 2; 9; 10; 22) encroach on the constitutionally guaranteed responsibilities of the ACs. This is a landmark ruling as it establishes a doctrine of distribution of responsibilities in the Spanish territorial regime, according to which the basic rules of territorial organization in the constitution set out the fundamental norms for the ACs to exercise and further develop their competencies. As a consequence, this sentence has accelerated the process of consolidation of the territorial regime in Spain (López Guerra, 2008).

As far as the activism of the Spanish central government in judicial review is concerned, the national executive presented two successful landmark challenges, 32/1981 and 31/2010, against the ACs. These challenges resulted in two landmark rulings in favor of the central government. Challenge 32/1981 questions the constitutionality of Catalan Law 6/1980 that gives powers to the Catalan government to regulate the provinces under the argument that it violates some constitutional principles. Parts of the law (Art. 1, 2, 3, 5 and 9) were considered unconstitutional as they violate article 142 of the Spanish Constitution, several national laws and article 9.8 of the Catalan Statute of Autonomy.

More recently, in 2010, the TC issued ruling 31/2010 on the challenge initiated by the Spanish central government questioning the legality of the 2006 Catalan Statute of Autonomy. This Catalan legal text has been a source of controversy for its explicit reference to the notion of Catalonia as a nation. In response to this dispute, the TC considered the terms “Catalonia as a nation” and “national reality of Catalonia” used in the preamble of the Catalan Statute juridically inadequate. Moreover, it declared several articles of the Catalan Statute unconstitutional. This ruling, which is considered a milestone in the history of Spanish constitutional law (Villaamil, 2011), affected the future process of judicial review concerning other statutes of autonomy in Spain (Gavara de Cara, 2011). It will certainly have a deterrent effect on any attempt by an AC to vest sovereignty in the

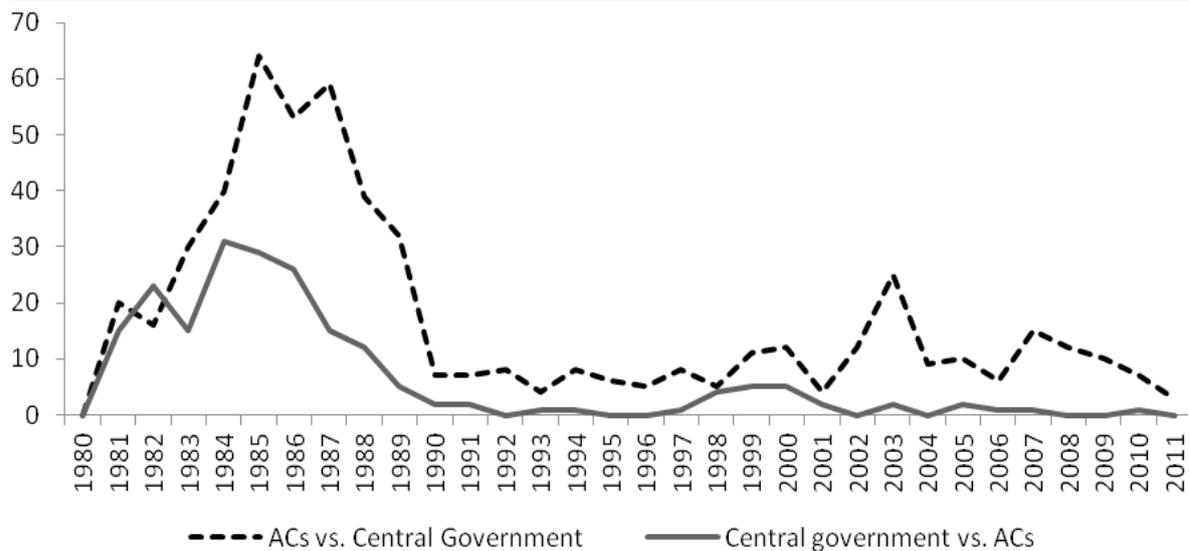
subnational constituent unit in its preamble. Overall, these two landmark challenges show that the active engagement of the center in resorting to judicial intervention to achieve its preference prevails.

A glance at the map on the origins of the challenges across Spain reveals that there is an asymmetry in the use of judicial review among the ACs. Four ACs constitute 95% of all the challenges against the central state. Catalonia alone is responsible for 45% of all the challenges against the central state from 1980 to 2005. The Basque Country comes second with 25%, followed by Galicia with 16% and Andalusia with 9%. It is not a coincidence that all of these ACs gained access to competencies via the fast-track procedure and were the first ACs to enact subnational constitutions. As these ACs quickly gained responsibilities for a wider spectrum of territorial issues, judicial review became an instrument for resolving conflicts over competency.

As judicial review and the making of territorial arrangements are closely related in Spain, the use of instruments of judicial review abounds in two periods: throughout the 1980s when the territorial regime was being developed; and at the turn of the century, when some ACs started to review their autonomous statutes. These periods show that there is a close relationship between the process of drafting and enacting the statutes of autonomy and the rise in the process of judicial review. The two periods that show the highest number of challenges in the TC coincide respectively with the enactment of the statutes and their reform. In 1985, the year in which the educational and fiscal reforms were introduced, the TC received the highest number of challenges from the ACs in its history. In the 1990s, the challenges led by the ACs were drastically reduced, increasing again in 2003 with the revision of the autonomous statutes in some ACs (See Figure 3).

Party politics have also played an important role in the judicial review process in Spain. In periods in which the non-statewide parties were composing the national coalition government, the challenges brought to court were reduced, though the ACs remained the main users of the judicial review instruments. Under the governments of the Spanish Socialist Party (*Partido Obrero Español* – PSOE), from 1993 to 1996, and of the Popular Party (*Partido Popular* – PP), from 1996 to 2000, the Catalan political party – Convergence and Union (*Convergència i Unió* – CiU) – was part of the governing coalition. During this period, as long as the CiU – which was governing Catalonia at the time – belonged to this national governing coalition, the number of challenges brought to the constitutional court was reduced (See Figure 3).

Figure 3. Spain's Unconstitutionally Challenges over Territorial Responsibilities



Source: Spanish Ministry of Public Administration, "Conflicto entre el Estado y las Comunidades Autónomas", 2013

It is important to note that the central government also challenged the laws approved by the ACs. However, as Heywood (1995: pp. 20) reports, from 1981 to 1991, while the central government challenged 120 of the more than 1,500 laws approved by regional governments before the Constitutional Court, regional governments challenged 127 of the 528 laws approved by the central state. In light of this evidence, there is little doubt, as Agranoff and Gallarín (1997: pp. 16) point out, that these are important instruments in the hands of the ACs for increasing their share of self-rule. As a result, there are clear indications that judicial review is part of intergovernmental bargaining in Spain.

Discussion

This article has identified patterns of constitutional judicial review concerning court and plaintiff posturing throughout the judicial review process. The most distinguished feature of judicial behavior in Brazil is the involvement of different branches of government within and across the different levels of government. In Colombia, the most notorious feature is the consistent positioning of the courts with the recommendations of the Attorney General in striking down judicial challenges. In Spain, constitutional judicial review patterns are mainly characterized by a consonance between the governing party at the central level and regional governments. These different distinguishing features point to institutional constraints shaping review processes in different countries.

Although in all the case studies judicial review was introduced against a backdrop of democratization, democratization *per se* cannot explain the judicialization of

intergovernmental relations. The democratization approach to judicial review is useful for explaining the initial motivation behind the adoption of judicial review. However, as Hirschl (2008) argues, this approach does not fully explain variations in judicialization among newly democratized countries.

The Brazilian case conforms to the predictions suggesting that in federal countries with horizontal federalism, the different levels of government are more competitive than in countries with vertical federalism (Halberstam, 2008). In effect, under horizontal federalism, different branches of government in the different levels are more likely to pursue their own initiative before courts, just like in Brazil, in which there is a considerable number of challenges initiated by the subnational branches of government. Brazil is known for having a wide number of actors with access to legal instruments for starting a process of judicial review, and, as a result, it is the country with the broadest group standing worldwide (Ríos-Figueroa and Taylor, 2006: pp. 753). In short, in Brazil, horizontal federalism, accompanied by the high group standing, has substantially increased the opportunities for judicial review being initiated at a subnational level.

In Colombia, the main observed pattern of judicial review in matters concerning territorial issues indicates that the courts side with the Colombian president's appointed Attorney General, who, in turn, sides with the national executive. The Colombian case is in line with the predictions suggesting that under hyper-presidentialism (Rose-Ackerman et al., 2011) judges arbitrate in favor of the national executive in matters related to territorial governance. This observation provides evidence for the extraordinary powers of the national executive in Colombia, even in the face of judicial review (Rodríguez-Raga, 2011). With the new constitution, institutional constraints have guaranteed the independence of the Colombian constitutional court, yet the court's judges have been playing strategically by following the recommendations of the Prosecutor General. In other words, the judicialization of territorial politics in Colombia follows a hierarchical decision-making process. This trend is observed in matters concerning territorial issues, marking a stark difference from the involvement of the CC in areas concerning social policies and the use of the presidential state of emergency powers, where the Court has been playing a counter-balancing role.

In Spain, the type of relationship between central and regional governments has been determinant in the process of judicialization of territorial governance. The proximity of Spanish territorial organization with the vertical federal system creates greater interdependence between central and regional governments. Under vertical federalism, at least in principle, there is greater institutional protection of the interests of constituent units (Halberstam, 2008: pp. 146). As this predicament does not apply to Spain due to the unfinished nature of the territorial distribution of power in the constitution, the TC became not only the defender of the constitution on territorial matters, but also developed

constitutional matters further based on the judges' own interpretation (Guillén López, 2008). As a consequence, in Spain, judicial review is used when there is greater conflict between the parties governing at the center and the regions. However, as has been previously noted in this article, intergovernmental conflict in Spain can be reduced if the party in the regional government is also in the national government. This implies that in Spain, constitutional challenges are pursued when there is a failure in coordination between central and regional governments. Party politics seem to have influenced this coordination game.

There are several implications behind this mediating role of the judiciary in intergovernmental relations through the supreme courts. Two implications deserve special attention: the fact that courts can be decisive institutions for the intergovernmental balance of power by shaping policies concerning territorial governance; and that they can influence the options and strategies of the national and subnational parliaments and executives.

With regard to the first implication, courts can set the general legal framework of intergovernmental dynamics (Opeskin, 2001: pp. 135). Subnational politicians in Brazil, Colombia and Spain have resorted to judicial instruments for challenging legislation in the supreme courts. Undoubtedly, the supreme courts' rulings over these issues have significant weight on the intergovernmental balance of power. This happens because courts bring stability, as their decisions are final and they do not have an open agenda (Tridimas, 2010: pp. 86). Thus, territorial conflict over issues that cannot be resolved through intergovernmental bargaining are settled by an institution that has a closed and specific agenda.

In reference to the second implication, political actors might build their strategies for political influence by considering the judicial review factor. After all, judicial review itself is constrained in some circumstances (Vanberg, 2001). The process of judicial review, for example, might induce national political actors to engage in strategies to circumvent judicial reviews, such as engaging in amending the constitution, as in the case of Colombia. Another choice is to use judicial review as a process of constitutional change, which is the case of Spain and Brazil. In the latter case, even constitutional amendments are subject to judicial review.

Evidence of the influence of the courts abounds in the three cases. In terms of the intergovernmental balance of power, the courts have favored one level of government over the other in the long-run (see Table 2).

Table 2. Landmark rulings initiated by the subnational levels of government

	Landmark rulings	Content of the challenge	Rulings	Level of government favored by the ruling
Brazil	ADIn 926	Questions the constitutionality of Complementary Law 77/93 and Constitutional Amendment 03/93, which created the IPMF and imposed a 0.25 % tax on any financial transaction.	Considers certain provisions unconstitutional provided that the federal constitution already establishes the fiscal responsibilities of the states and municipalities. The final decision, an injunction, determines that the states and municipalities as federal constituent units should be granted exemption from the IPMF.	Subnational
Colombia	C-478/92	Challenges Law 38-1989 claiming that it curtails the fiscal autonomy of “departments” and municipalities.	Declares Law 38-1989 constitutional and establishes principles for conflict resolution (hierarchy, homogeneity, unity, and centralization of economic affairs) concerning territorial disputes.	National
Spain	STC 76/1983	Contests the national Organic Law on the Harmonization of the Autonomic Process (LOAPA), which establishes common norms concerning the implementation of the constitutional competencies of the Autonomous Communities.	Pronounces that the LOAPA cannot be enacted on the principle of harmonization and as an organic law. Furthermore, it considers unconstitutional several of its articles (e.g., Articles 1; 2; 3; 4; 5.1, 2 and 3; 7.1 and 2; 9; 10; 22), which, according to the ruling, encroach on the constitutionally guaranteed competencies of the Autonomous Communities.	Subnational

In Brazil, the courts have been decisive on the fiscal front. The STF has increasingly decided on matters involving conflict between the executive and legislative branches at a subnational level, having a tendency to favor the executive branch. In other words, the STF has increasingly regulated subnational matters. In the Colombian case, indirect constitutional change has been felt in the post-constitutional setting up of the hierarchical mode of intergovernmental relations, whereas the constitution initially envisioned a decentralized mode of intergovernmental relations. In the Spanish case, under vague constitutional provisions on the territorial architecture, the courts have been able to establish a doctrine of intergovernmental relations that is notorious for delineating the distribution of responsibilities among the central government and the Spanish ACs.

Further evidence of the courts’ lasting impact on intergovernmental relations is that over time they have created a pattern across the cases characterized by a gradual reduction of challenges, following the growing involvement of the courts. In Brazil, after 2005, the challenges brought to the courts by the state governors were substantially reduced. In Colombia, from 2001 onwards, approximately 10 years after the promulgation of its constitution, the number of challenges began to decline. And Spain, too, experienced a

progressive reduction of unconstitutionality challenges in 1990, 10 years after the subnational challenges began to be admitted in court.

Final Remarks and Extensions

This article comes to the conclusion that whereas constitutional judicial review is being used as an instrument for intergovernmental dispute resolution, there are different institutional incentives behind the constitutional judicial review process. This variation in terms of patterns of reviews in Brazil, Colombia and Spain stems from the different institutional constraints influencing the judicialization of territorial relations in these countries.

In the comparison between the three cases, although there are variations in terms of how to file an unconstitutional challenge across the cases (e.g., the decision on whether concrete or abstract, applied *a priori* or *a posteriori* of the law enactment, distribution of power over the judicial review process among the supreme court and the subnational courts) there are some similarities among them, namely, the motivations behind the use of judicial review and the sustained role of courts on territorial issues.

In contentious political matters, such as issues involving more than one level of government, the uncertainty of the final outcome of the contention is often difficult to achieve through political mechanisms. In line with the main predictions put forward by Ginsberg (2003) and Hirschl (2004), constitutional courts in Brazil, Colombia and Spain work as an insurance mechanism for conflict resolution through different patterns. What determines these patterns are institutional differences such as inter-branch disputes in Brazil, the internal hierarchy of judicial decision-making in Colombia, and party competition in Spain.

The analysis of judicial review in the three countries answers the two central questions of this article. As far as the first question is concerned – how do national and subnational elites use intergovernmental mechanisms to enhance their own interests? –, in all the three countries the supreme courts are perceived by the political elites as legitimate forums for dispute settlement, and the process of judicial review is interpreted as a strategic choice in intergovernmental disputes. This is so even if courts have a tendency to favor the central government in dispute settlement.

In reference to the second question – how have supreme courts established themselves as pivotal institutions for intergovernmental dispute settlement? –, it is possible to infer that in the context of constant constitutional change, which applies to the three countries, the process of judicial review functions as an insurance against reforms that affect the interests of subnational politicians. Although the courts favor the central

governments in their final ruling, it is often the case that the subnational elites use the unconstitutionality challenges as a strategic tool to exercise political pressure. Such pressure is exercised by delaying the implementation of the law being challenged and/or to gain certain notoriety by being engaged in an intergovernmental dispute. This is particularly clear in the Spanish case. In Spain there is an unambiguous relationship between the growth of unconstitutionality challenges and the participation of regional parties in the national government coalition.

In Brazil, Colombia and Spain the judicialization of intergovernmental politics has been exercised in a context of institutional choice that has created an opportunity for subnational political actors to make use of judicial review mechanisms in situations where informal political institutions cannot settle conflicts. This article shows that constitutional judicial review has indeed been working as an insurance mechanism in times of intergovernmental conflict. One can generalize to all cases and say that territorial issues have become contentious enough in the three country cases, and touched on sufficiently fundamental territorial aspects, that courts have become the ultimate arbiter of contention.

In the attempt to build the relationship between constitutional judicial review and intergovernmental dynamics, new research should delve into further aspects of judicial review for further refinement of this relationship. Given it was beyond the scope of this article, the process of the courts' deliberation to reach the final ruling over judicial challenges has been overlooked in this analysis. A closer look at the deliberations might reveal the conflicts that exist behind the final courts' rulings. Another aspect of the judicial process that this article has paid little attention to is the response by national and subnational legislatures to the supreme courts' final rulings. Future research should concentrate on the consolidation of supreme courts as veto players in territorial affairs and how, in the long-run, courts become decisive actors in (un)balancing intergovernmental relations.

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Notes

- 1 The author wishes to thank Danielle da Costa Leite Borges, Elliot Parra Avila, Julio Ríos, Sabrina Ragone, Anna Margherita Russo, Giuseppe Martinico, and Maria Isabel Gonzalez Pascual for their valuable suggestions and comments.
- 2 It is possible to interpret Ginsburg's insurance argument from a more narrow perspective and apply this argument to transitions to democracy in which the members of the incumbent autocratic regime control the transition process. In such a situation, the courts are envisioned as having the role of protecting the incumbent elites in case they are faced with electoral defeat later on.
- 3 Other instruments of abstract review include the declaratory action of constitutionality, the direct unconstitutionality act due to omission (ADO) and petition for non-compliance with a fundamental precept. In addition, there are other mechanisms through which conflicts reach the STF, such as through the Extraordinary Appeals (*Recursos Extraordinários – REs*), which challenge lower court rulings, and the Writ of Mandamus (*Mandato de Segurança – MS*), both of which are concrete review mechanisms.
- 4 The Spanish constitution is difficult to amend because there is a requirement of a two-thirds majority in each chamber, followed by dissolution of parliament and ratification by referendum in order to approve an amendment. In contrast, to amend the Brazilian and Colombian constitutions, a lower threshold is required.
- 5 Data on the challenges in Brazil and Colombia were obtained from the webpages of the supreme court of each country (Brazil: www.stf.jus.br; Colombia: www.corteconstitucional.gov.co). The

data on Spain was obtained from the report “Conflictividad entre el Estado y las Comunidades Autónomas” from the Ministry of Public Administration and Territorial Affairs (www.mpt.gob.es/publicaciones.html).

- 6 The standing right to judicial review is a noticeable difference among the three case studies. Spain has the most restricted access to the instrument of judicial review among the selected cases. In Brazil, the potential plaintiffs of a constitutional challenge are several institutional actors, including the head of the national and subnational executives, the national and subnational legislatures, the Prosecutor General and political parties. The Colombian procedure for judicial review is open to all individuals, who can become plaintiffs in the revision of a law or part of it.
- 7 Saliency will be based on secondary sources. These sources use either interviews or media accounts to determine the relevance of the court cases.
- 8 The STF maintains and updates detailed information on all the challenges that have reached the court since 1988. For more details, refer to the following webpage: <http://www.stf.jus.br/portal/peticaoInicial/pesquisarPeticaoInicial.asp> (Accessed on April 20th, 2013).
- 9 Kapiszewski (2011) identifies the 20 most salient challenges that reached the STF since its creation. These 20 cases, which include, for the most part, financial matters, were determined by scholarly sources, newspapers and interviews with experts.
- 10 In a similar challenge, ADIn 939, this time initiated by the National Confederation of Commerce Workers (CNTC), ruled in December 1993 that some articles of the challenged laws were unconstitutional.
- 11 One of the difficulties in identifying a Colombian pattern of judicialization of territorial politics stems from the lack of implementation of the territorial system in the country as envisioned by its constitution.
- 12 In Colombia, all the unconstitutionality challenges must be reviewed by the Attorney General, who must declare an opinion before the constitutional court declares its ruling.

Internet and Politics Studies in Brazil: Mapping the Characteristics and Disparities of the Research Field*

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This article focuses on the appropriation of the subject of Internet and Politics by Brazilian Social Sciences. To this end, we analysed 299 papers presented at 11 conferences in the areas of Sociology, Political Science and Social Communication from 2000 to 2011 in Brazil. The methodology was based on content analysis in order to map the main authors, research centres, political and technological objects, theoretical approaches, methods, techniques and coverage areas of the papers presented in each of these conferences. Our findings suggest significant growth in the number of studies presented over the last few years, where 40.5% were based mainly on qualitative research and 56.5% had an emphasis on the civil society strand. Finally, our longitudinal analyses indicate some changes in the field, with a growing number of studies carrying out empirical research, and a tendency to focus on more specific digital tools instead of on the Internet in general.

Keywords: Internet and politics, digital democracy, academic research, political science, Brazil

1 The data necessary to reproduce numerical results can be found in http://bpsr.org.br/files/arquivos/Banco_Internet_e_Politica.sav

Introduction

Despite still being considered a ‘new media’, the Internet is already a lady in her forties: the Arpanet, its predecessor, was created during the Cold War period, between the 1960s and 70s, and the Internet as we know it today started to spread in the beginning of the 1990s, just after the invention of the World Wide Web in 1989. Since this happened, many authors and researchers have investigated, wondered and argued about the impact of this media on many fields, including politics and, more specifically, on the democratic system. Such reflections have tried to assess how the technological aspects of the Internet, such as its interactivity, multimedia characteristics and capacity to store information impact on political systems and civil society organizations.

Thus, several studies of political topics have addressed the changes related to the inclusion of Information and Communication Technologies (ICTs) in social dynamics. Indeed, in Western countries, the use of the Internet by the most diverse types of political actors and institutions participating in the political system has been the object of systematic and empirically oriented analysis, especially in Anglo-Saxon nations (Medaglia, 2012; Sæbø, Rose and Flak, 2008; Susha and Grönlund, 2012). In fact, Chadwick and Howard (2009) have indicated that studies on Internet and Politics have overmatched research on mass media and politics in the English language.²

In Brazil, as in many other countries, there is a broad and continuous amount of publishing in this field. There are studies on the opportunities for participation offered by the State to the civil sphere (Braga, França and Nicolás, 2009; Bragatto 2008; Nicolás 2009); on online campaigns and the impact of the Internet on electoral disputes (Aggio, 2010); debates about the effects of the Internet on party organization (Albuquerque and Martins, 2010); issues related to new political practices (Penteado et al., 2011); reflections on the potential of the Internet as a public sphere and for online deliberation (Sampaio et al., 2011); on the uses of new media by civil society organizations (Maia, 2006); and on the relation between new media and social inequality (Moraes et al., 2009), among others.

Regarding the systematization efforts of the Brazilian studies, Rothberg (2008) has revised part of the area’s national publications in order to propose a research agenda in digital democracy, and, through an analysis of the research findings, has aimed to assess to what extent the Internet is allowing civil society to participate in defining the agenda and public policies. His conclusions suggest some avenues of research, among which are studies for verifying the quality of participation in the process of production and evaluation of public policies and for checking the focus and scope of such initiatives. Moreover, he emphasises the need to evaluate the forms of moderation of discussions and website design, as well as the quality of information provided to support processes of public consultation.

Although the Brazilian bibliography is extensive and although there are efforts to try to identify and summarize the study questions, initiatives to map the Brazilian research that seek to gather data on academic publishing are still rare. Other than the efforts made by Amaral and Montardo (2011), Araújo (2011) and Bragatto and Nicolás (2011), we cannot find attempts that would enable a systematic recognition of the state of the art, that is, by major universities or authors, or the approaches, themes and objects that have guided research in the field in Brazil.

The purpose of this paper is therefore to present the results of our research on the appropriation of the Internet and Politics theme as an object of study by Brazilian Social Sciences, especially by Sociology, Political Science and Communication. To this end, we analysed papers presented on the subject at some of the major conferences held in Brazil from 2000 to 2011 (N= 299).

In order to present our research, we have organized this article as follows: (1) first, we carry out a short review of the studies on Internet and Politics, emphasizing the digital democracy approach; (2) second, we present a summary of the methodology employed; (3) third, we examine some empirical evidence of the research; (4) and finally, we close the paper with some considerations and notes about the research agenda.³

Internet and Politics

In the same way as in the advent of the telegraph, radio and television, discussions about the impact of the Internet on political activities have been accompanied by what could be termed the discourse of technological determinism – the rhetoric about radical changes caused by the social and political appropriation of new technological artefacts. Throughout history, there has been the idea that new technologies would promote, invigorate or cause ruptures in the democratic system (Wright, 2006).

Considering the impact of the Internet on democracy, Vedel (2006) identifies three main “ages”. The first one emerged in the 1950s with cybernetic sciences under Norbert Wiener’s⁴ supervision. At that time, the idea was to use computer technology and automated systems to re-evaluate the processes of political negotiation and conflict resolution. Thus, computers would function as new mediators, since it became possible to process large amounts of information and to arrive at more “rational” conclusions. Of course, this approach was strongly criticized for its over-simplification of politics “into a practical, scientific system that can respond to the environment in predictable manners and achieve well-defined goals, and termed (...) technocracy” (ibidem, pp. 227).

The second age of electronic democracy was from the 1970s to the 1980s with the proliferation of cable TV networks and the first private computers. According to Vedel, it

was highly influenced by social movements which defended that “society would be better transformed from the bottom up and the coordination of local actions rather than through the conquest of the state central apparatus” (idem, p. 228). Thus, local communities were considered the key political arenas for participation experiments. Television was used to broadcast public hearings, debates and citizen discussions, enabling interactivity through telephone callbacks. This phase, usually known as ‘teledemocracy’, faced several technological limitations, such as a lack of real interactivity, and interconnectivity problems with computer networks. Nevertheless, Vedel recognizes that this period of experimentation generated active interest for the democratic potentials offered by ICTs (see also Arterton, 1987).

The third stage started with the emergence of the commercial Internet in the 1990s and was accompanied by a new ideology of freedom of information and of cyberspace itself (Coleman, 2007; Vedel, 2006). Vedel (2006) defends that the first visions were based on the ‘Californian ideology’, which stands for social solidarity, political liberalism (i.e. less power for the State) and ecological concerns. Hence the Internet was not just a tool for democracy, “it creates a new way of being together and a novel polity, which no longer takes place within the bounded territories of nation states, but in an open, de-territorialized, non-hierarchical space” (Vedel, 2006: pp. 229).

In his turn, Coleman (2007) believes that the emergence of the Internet led to an impetus for grandiose narratives of technocratic determinism. These narratives were based on two main assumptions. Firstly, the Internet was regarded as a new frontier, a deterritorialized cyber-utopia beyond comprehension or control by the State. Secondly, the feedback possibilities would allow everyone to vote directly on every issue and it would defy ‘old’ forms of political representation (i.e. direct democracy).

In the subsequent years (from the late 1990s until the early 2000s), several empirical research projects were carried out to test these points of view. Not surprisingly, the majority of the studies found that the introduction of these new technologies did not result in immediate and profound changes in hard politics. Some even called this ‘politics as usual’, since the political system actors adapted the new technologies to their own agenda and needs (Margolis and Resnick, 2000; Wilhelm, 2000).

Nevertheless, as the analysis progressed, the initial question “what can the Internet do for democracy?” was replaced by others about how the different media, channels and digital tools that make up the Internet can be used by individuals, organizations and institutions involved or interested in the political system to enhance democratic values. To this, we can add several variables such as socioeconomic and cultural factors, party ideology, level of Internet access, digital literacy, etc. Likewise, the willingness of political representatives to implement or accept such innovations and the motivation of citizens to

create or seize such opportunities have become subjects of study (Gomes, 2011; Marques, 2010; Medaglia, 2012; Sæbø et al., 2008).

In this way, we would like to highlight four important issues that have guided our research: theory, design of digital tools, strands and methodology. Firstly, regarding the theory, just as different views of democracy have always been present in discussions on political theory, the same is true about research focusing on the impact of the Internet on the experience of democracy. Liberals emphasize the need for greater visibility and accountability. Supporters of strong democracy call for a conformation of spaces in which citizens can express their will directly. Deliberative democracy theorists emphasize the importance of exchanging rational arguments in public and the public sphere issue (Dahlberg, 2011; Gomes, 2007). Regarding our study, we have analysed the different theoretical approaches used by researchers and whether or not they bear any relation to the political objects.

Regarding the design of digital tools, one cannot ignore that this is a direct consequence of political forces behind its development (Chadwick, 2006; Gomes, 2011; Salter 2004). But, more than that, several factors can hinder or foster online political participation and the adoption of online tools, and design is considered an important variable. Some research projects have already indicated that a poorly designed website can inhibit political discussion (Janssen and Kies, 2005) and participation in e-government (Bezerra and Jorge, 2010) and e-democracy projects (Sampaio, Maia and Marques, 2011). Finally, the different options and features of each digital tool should be considered in this evaluation. For instance, one could analyse the need for identification, the role of moderation, technical features of each software (e. g. how reply and feedback work, if it is voice or text-based, if it is possible to send/upload images, videos, files, emoticons and so on, if it is more “online forum-like” or if it resembles a social network website), etc (Janssen and Kies, 2005; Salter, 2004; Wright and Street, 2007). Of course, design should not be regarded as the main deciding factor for whether digital initiatives succeed or not, as this would be a sort of technical determinism (Coleman and Blumler, 2009). Nevertheless, ignoring this question could also lead to an incomplete evaluation (Marques, 2010). Hence, this study will both map the different technological tools (websites, blogs, wikis or social networks, for example) and the political objects (i.e. government or organized civil society) analysed in Brazilian studies.

Thirdly, a distinction that helps this study is the classification of the work into the social or the institutional strand (Gomes, 2007). The former focuses on (but is not limited to) the implications of the new media for civic engagement, the public sphere, political deliberation and its relation to social capital. Common to all these points is a concern for the political education and political skills of the citizenry in cyberspace. That is, how the

Internet can provide suitable places for the formulation of preferences, strengthening of links between groups with the same interests, organization of social demands and ripening of political and ideological positions.

The “institutional view” addresses three things:

a) the study on the digital conformation of democratic institutions in a strict sense (digital cities and governments, online parliaments) or in a broad sense (online political parties); b) the institutional initiatives in the vector that goes from State to citizens (such as the provision of online public services and e-government); and c) institutional initiatives in the citizen to State vector (opportunities for participation or offer of input by the citizenry in the form of votes, responses to surveys, budget decisions or suggestions, records and discussion of opinions in electronic forums, etc.) (Gomes, 2007: pp. 11).

The considerations here are of a more structural order, since they relate to the organization of democratic dynamics and, consequently, the link between institutions of the democratic State and the citizenry.⁵ These two strands will be verified in the Brazilian research papers.

Finally, one should consider the methodological approach of the different research projects themselves. According to Macintosh and Whyte (2008), incomplete or incorrect methods account for some low results from the e-participation fields. Aström and Grönlund (2012) show strong evidence for this hypothesis with their analysis on the results of several research projects in the field. They found that the better the evaluation, the better the results; in other words, badly designed research could lead to false/incomplete results.⁶ Although there is some degree of determinism in this statement, since it denies the reality of the study object and establishes that low research results are due to a bad investigation method (and what is a desirable method is largely a normative definition), it also indicates the need for different methods for distinct purposes. In relation to the present study, this means that a large variety of objects should, in some way, be followed by an equivalent quantity of methods and techniques. That could be considered an indicator of an epistemologically mature field.

Given the above theoretical assumptions, which are not exhausted by the authors or the ideas mentioned, in the next section we will move on to a presentation of the methodology for analysing the papers presented at conferences in Brazil, considering these four points as starting points. Three main research questions guided the construction of our methodology and database:

- Research Question 1: *Is the Internet and Politics field in Brazil showing signs of growth, stabilization or reduction?*

- Research Question 2: *Was such a tendency followed by an equal distribution of research among the different regions of Brazil? Or could one identify a concentration of leading institutions and objects of research?*
- Research Question 3: *Finally, what are the main elements of the Internet and Politics field regarding its theoretical approach, research object and methodology?*

Methodology

Our methodology was structured so as to construct variables allowing a comparative analysis of papers about Internet and Politics mapped in the selected conferences. Similar research has already been conducted, especially abroad. We highlight the work of Kræmmergaard and Schlichter (2011), which lists 450 articles on e-government from 2000 to 2009, of Sæbø et al. (2008), who found 131 articles on e-participation published until 2006, and of Medaglia (2012), who, in continuity with the research by Sæbø and team analysed 123 articles on e-participation in the period from 2006 to 2011. In turn, Susha and Grönlund (2012) worked only with articles presenting e-participation frameworks (N=50) and Aström and Grönlund (2012) dealt only with research covering specific e-participation projects (N=58). Nevertheless, there are still few research projects covering countries other than Europe and the United States, especially comparative ones (Chadwick and Howard, 2009).

In Brazil, as mentioned before, there is still a gap in such comparative studies (Rothberg, 2008). There are few studies focused on mapping research related to Internet and Politics. We found only three. First, Amaral and Montardo (2011) made an analysis of all the papers presented in the Cyberculture sessions at the Intercom Meeting from 2001 to 2010 (N=443) and identified 13 major themes in the studies. Secondly, Araújo (2011) listed the Brazilian works in the area of cyberactivism from 2000 to 2010 (N=22) and classified them according to the publication period, the authors' area and institution, the research object and bibliographical sources. Finally, Bragatto and Nicolas (2011) mapped studies presented at four Brazilian conferences between 2006 and 2010 (N=71), which were categorized according to themes, objects of study, types of approach, methods and research techniques.

It is noteworthy that, in order to perform this research, there was an apparent need to define the concept of politics. We chose the broad concept of politics proposed by Maia, “not only restricted to the world of governments and the function of defining votes by citizens, but one that also encompasses the processes of civic association, negotiation and conflict among subjects in day-to-day interactions” (2006, pp.15).

Initially, it was necessary to separate political activity from acts of sociability to avoid grouping very disparate researches. Therefore, we considered two key questions. The first was the object of study and the second, the objective made explicit by the authors. The papers were only included in the sample if their object and/or objective were directly related to political actors or political activities.

Regarding our sample, we considered the main Sociology, Political Science and Communication conferences held on Brazilian territory. The period covered goes from 2000 to 2011. Besides believing that a decade of analysis leads us to more general conclusions and to a better monitoring of the field's trajectory, it is also the case that the first annals of Brazilian conferences became available online in 2000.

We analysed 299 papers presented at 11 conferences. We checked all annals and proceedings available online. In order to apply the questionnaire, we used three progressive rules as follows: 1) initially, we checked only the title and the abstract, 2) if this was not sufficient, we also evaluated the introduction and conclusion and, if any doubts remained, 3) various parts of each paper were examined.

For the testing and subsequent refinement of the criteria, three pilot studies were conducted. In the first one, 30 papers were analysed and the problems and difficulties reported, which led to changes and improvements in the indicators. In the second pilot test, the application was remade with the 30 original papers and another 30 were added, but using the new categories created after the first pilot. Finally, the third test involved the application of the criteria to another 30 papers different from the previous 60. Small changes were made to the spreadsheet, which then reached its final form, as described below.

- a) Conferences: we considered the seminars, conferences, meetings and symposia held in Brazil. We adopted certain criteria in this selection: the existence of a work group, area or session that included studies on the relationship between the Internet and Communication, Sociology or Political Science; regular periodicity; nationwide coverage; possibility of participation by graduate students. Each paper was classified as to (1) the name of the conference, (2) the institution hosting the conference, (3) the year of the conference, (4) the name of the session.
- b) General characteristics of the paper: we collected information related to the name of the paper, the keywords and, lastly, the level of detail required for analysing the paper: (1) abstract, (2) abstract, introduction and conclusion (3) various parts of the paper.
- c) Authors and institutions: we included variables such as (1) name, which allowed us to check whether or not there was a concentration of authors in the sample; (2) the author's institution, seeking to note if there are major research centres in the area; (3) the Brazilian state the institution is located in; (4) the title of the author

- (i.e. Master, PhD, Post-doctorate); (5) area of expertise⁷ (we considered the area of the author's last qualification); (6) whether the author is a professor; (7) if so, at which institution; (8) whether the author belongs to a research group; (9) the number of authors, and (10) in cases where there was more than one author, if it was an inter-institutional partnership, which could indicate a greater consolidation of the field.
- d) Type of strand: corresponds to the distinction observed in the papers, if social or institutional. For the categorization, we used Gomes's classification (2007), as cited.
- e) Theoretical approach: at this point, the goal was to verify the texts' main theoretical approach. However, there are a multitude of theoretical areas in Internet and Politics, so we chose to create broader categories⁸ that would summarize the main theoretical approaches in the area: (1) Transparency, (2) Information, (3) Participation, (4) Deliberation, (5) Engagement, (6) Digital inclusion, (7) Social capital and political culture, (8) Identity and citizenship, (9) Political and electoral strategy, (10) Accountability, (11) Representation, (12) Political economy, (13) Other.
- f) Technological object: that is, the media or digital tool analysed by the paper being evaluated. We considered the following categories: (1) Discussion forums and chats, (2) Blogs, (3) Websites, (4) Social networks (Orkut, Facebook, Twitter etc.), (5) Wikis (Wikileaks, Wikipedia etc.), (6) Open source software, (7) Content share sites (YouTube, Flickr), (8) Internet, (9) Media, (10) Other. The categories "Internet" and "Media" were created after the first pilots of the analysis because some papers (especially the theoretical ones) did not address specific technological objects.
- g) Political object: we chose categories that would systematize the main points of attention of the studies on Internet and Politics: (1) Communication policies, (2) Electoral campaigns, (3) Political parties, (4) Government (Executive, Legislative and Judiciary), (5) Social movements and civic organizations, (6) Non-organized civil sphere ("spontaneous" political movements⁹), (7) Other.
- h) Methodological variables: in this item we included the variables related to the methodology issues of the papers. It consists of the following:
1. type of approach: (a) Theoretical, (b) Empirical;
 2. type of method: (a) Qualitative, (b) Quantitative, (c) Bibliographical – the classification results from the type of technique used in the research;
 3. type of empirical technique: we sought to identify the main analytical techniques used by Brazilian researchers, namely: (1) Survey, (2) Ethnography,

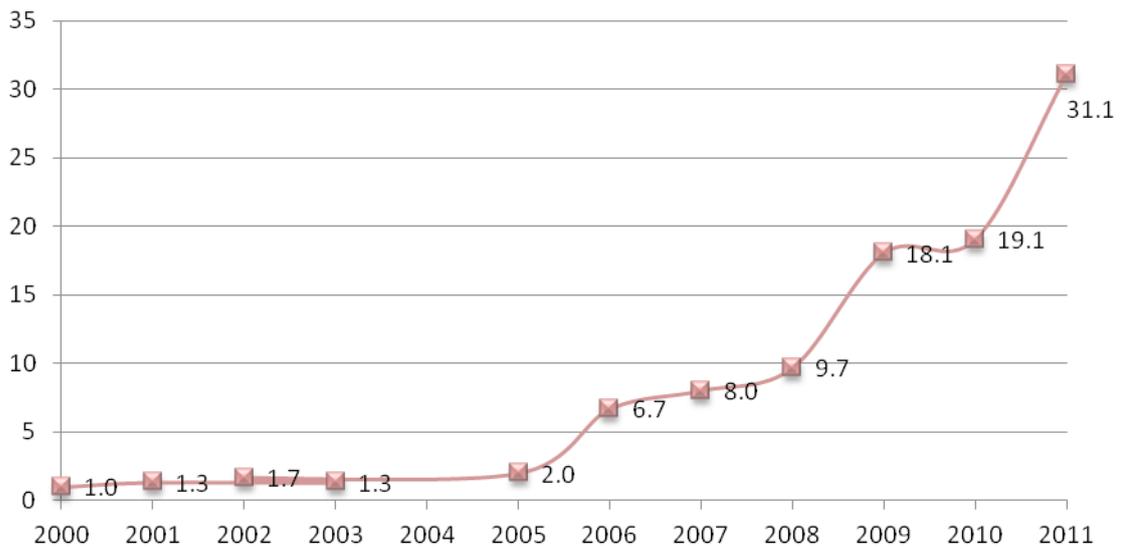
- (3) Interview, (4) Discourse Analysis, (5) Content Analysis, (6) Mapping of networks, (7) Did not apply any of the aforementioned techniques.
4. use of statistical technique: firstly, we applied a dummy variable on the use of statistics (or lack thereof), and then verified the type of statistics used. They were: (1) simple frequency, (2) descriptive statistics, (3) inferential statistics.

Results

Altogether, we analysed 299 papers presented at 11 conferences on Brazilian territory. We listed 36 papers from the Meeting of the National Association of Post-Graduate Programmes in Communication (*Encontro da Associação Nacional dos Programas de Pós-Graduação em Comunicação – Compós*) from 2000 to 2011 (representing 12.0% of the sample), excluding 2003 and 2004 because there were no papers on the subject. Regarding the Meeting of the National Association of Post-Graduation in Social Sciences (*Encontro da Associação Nacional de Pós-Graduação em Ciências Sociais – Anpocs*), 27 papers (9.0%) were evaluated from 2010 and 2011. From the Meeting of the Brazilian Association of Researchers in Communication and Politics (*Encontro da Associação Brasileira de Pesquisadores em Comunicação e Política – Compolítica*), we found 52 papers (17.4%) from 2006, 2007, 2009 and 2011 (therefore covering all of the association's meetings). From the Brazilian Congress of Sociology (*Congresso Brasileiro de Sociologia – CBS*), there were 10 papers (3.0%), from 2005, 2009 and 2011. From the Meeting of the Brazilian Association of Political Science (*Encontro da Associação Brasileira de Ciência Política – ABCP*), we analysed 13 papers (4.3%) from 2008 and 2010. From the National Seminar of Sociology & Politics (*Seminário Nacional de Sociologia & Política – UFPR*), there were 24 papers (8.0%), covering 2009, 2010 and 2011. From the Brazilian Forum of Political Science (*Fórum Brasileiro de Ciência Política – Ufscar*) there were five papers (1.7%) from 2011. From the National Seminar of Political Science (*Seminário Nacional de Ciência Política – UFRGS*), we evaluated 14 papers (4.7%) from 2008 until 2011. From the Meeting of the Brazilian Association of Researchers in Cyberculture (*Encontro da Associação Brasileira de Pesquisadores em Cibercultura – Abciber*), the analysis included 42 papers (14.0%) from 2008 through 2011. From the Congress of the Brazilian Society of Interdisciplinary Studies in Communication (*Congresso da Sociedade Brasileira de Estudos Interdisciplinares da Comunicação – Intercom*), we analysed 58 papers (19.4%) from 2001 until 2011. And, finally, from the Latin American Congress on Public Opinion – Wapor (*Congresso Latino-americano de Opinião Pública – Wapor*), there were 19 (6.4%) from 2011.¹⁰

Regarding the evolution in the number of papers submitted each year, we can see in Figure 1 that up until 2005 the percentage of papers presented did not exceed 2% of the total sample. There is a notable curve in 2006 (6.7%), with a tendency for papers presented over the years to increase. And finally, we can observe that in 2011 there was a considerable percentage of papers (31.1% of the sample) and that out of the 11 conferences analysed, papers were collected in nine of them, indicating a significant and more homogeneous growth in publishing.

Figure 1. Papers per year



Source: Authors.

We found that 225 papers of the sample contained keywords, which is a very significant amount (75.3%), especially because some conferences do not require their use. The presence of key terms is essential for searching through the websites of the conferences and through search engines on the Internet in general. Regarding the 10 most commonly used terms, we found the word “Internet” 65 times in the abstracts, making it the most frequent term. Next comes the word “cyberspace” used 18 times; “electronic government”, 14 times; “blog”, 12 times; “communication” and “cyberdemocracy”, 11 times each; “Internet and Politics”, 10 times; “politics” and “Twitter”, nine times and, finally, the term “social networks”, eight times.

Institutions and Authors

With regard to the authors, we analysed variables related to the institutions to which they belonged, the region and state, education and area of their last degree, as well as whether they wrote in co-authorship and if they belonged to any research groups.

Table 1. States in Brazil and Education

States in Brazil	Leading institutions																						Total	
	UFBA		PUC-SP		UFMG		UFPR		USP		UFRJ		UFRGS		UFC		UNB		UFES		UFPE		N	%
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%		
São Paulo	0	0,0	32	18,5	0	0,0	0	0,0	15	8,7	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	47	100
Bahia	36	20,8	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	36	100
Rio de Janeiro	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	12	6,9	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	12	100
Minas Gerais	0	0,0	0	0,0	21	12,1	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	21	100
Rio Grande do Sul	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	11	6,4	0	0,0	0	0,0	0	0,0	0	0,0	11	100
Paraná	0	0,0	0	0,0	0	0,0	18	10,4	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	18	100
Ceará	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	9	5,2	0	0,0	0	0,0	0	0,0	9	100
Distrito Federal	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	9	5,2	0	0,0	0	0,0	9	100
Espírito Santo	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	6	3,4	0	0,0	6	100
Pernambuco	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	0	0,0	4	2,4	4	100
Total	36	20,8	32	18,5	21	12,1	18	10,4	15	8,7	12	6,9	11	6,4	9	5,2	9	5,2	6	3,4	4	2,4	173	100

Source: Authors.

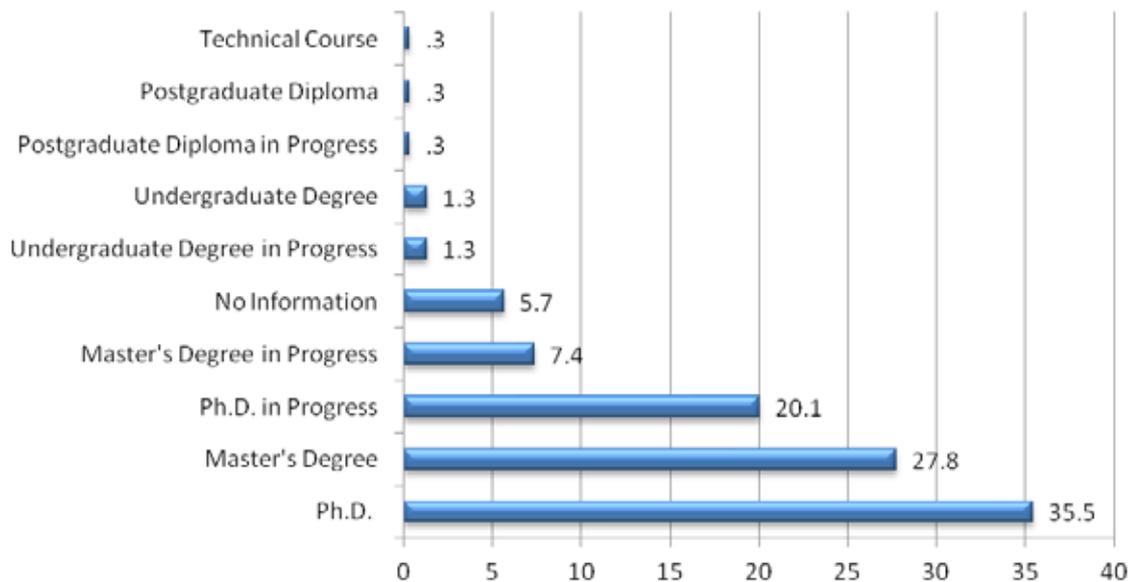
From Table 1, one can see that the seven¹¹ institutions that lead the publication of papers are UFBA (20.8%), followed by PUC-SP (18.5%), UFMG (12.1%) and UFPR (10.4%). Together, the seven institutions represent over half of the total sample (61.8%),¹² there being a perceptible concentration of research in the South and Southeast, with UFBA, located in the Northeast of Brazil, being the exception. We believe UFBA's leadership is probably related to the fact that it has one of the oldest postgraduate programmes in the area of Communication in Brazil and because of its pioneering research projects both in Political Communication and Cyberculture.

Table 1 also shows the analysis by institution, from which it is possible to evaluate publishing profiles by states in Brazil. Indeed, the Southeast is the predominant region,¹³ with a significant concentration of publications (49.6%). This is not due to the work of only one university – four universities contributed to this. The Southern region¹⁴ came second (16.8%), but well below the Southeast. As far as Bahia’s prominent place is concerned, it is possible to establish a close relationship between its placement and publications by UFBA. It is also worth mentioning that among the seven leading institutions, six of them are public universities and five are federal institutions.

We identified 282 distinct authors in the 299 papers of our sample. Regarding the authorship of the papers, a considerable amount was written by only one author (66.2%), representing more than half of the sample. Although a large part was written in co-authorship (33.8%), a very modest amount made a partnership between institutions (8%). Of the papers with only one author, more than half were written by authors who belong to a research group (57.5%). However, several authors did not specify whether they participated or not in groups.

With regard to the title of the author, in Figure 2 one can see a concentration of authors with a high level of education: Ph.D.s (35.5%), followed by Master’s students (27.8%) and doctoral students (20.1%).¹⁵

Figure 2. Education

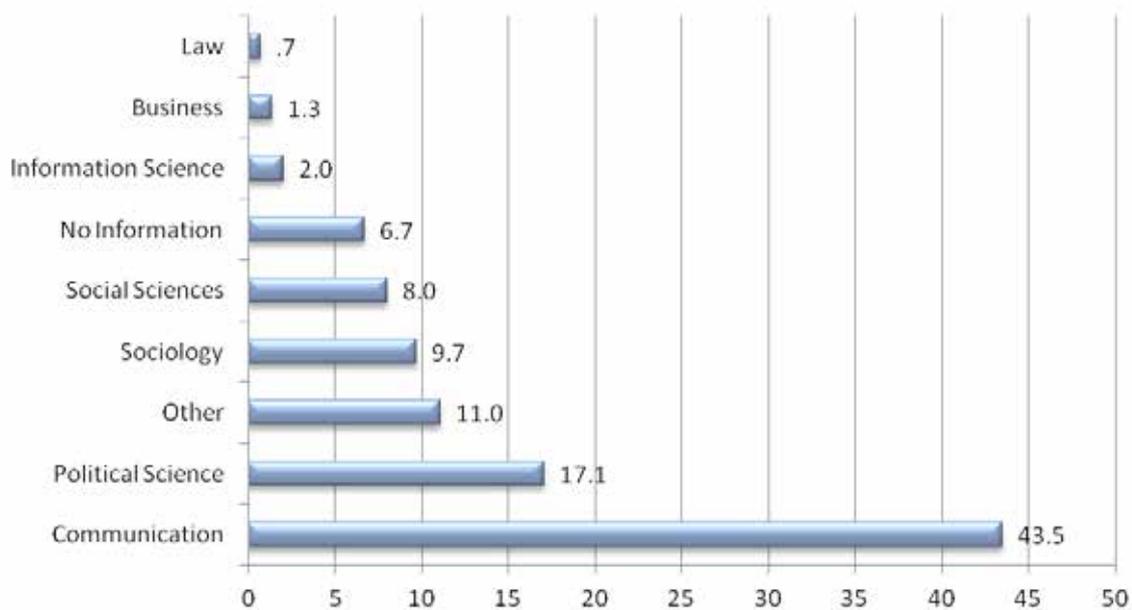


Source: Authors.

With regard to the area of the researchers’ most recent degree, we noticed a concentration of authors in the areas of Communication (43.5%)¹⁶ and Political Science (17.1%).

If we add Sociology (9.7%) and Social Science (8%) to these areas, there is a concentration of almost 80% of the sample. These data show that a significant proportion of researchers participate in conferences pertaining to their areas of academic education and that the conferences analysed tend not to be so interdisciplinary.

Figure 3. Area of the Researcher



Source: Authors.

We found that the first 20 authors presented an average of four papers in the period analysed, representing 28% of the sample. It is a significant concentration if we consider that the total average of the rest of the researchers is one paper.

Strands, Approaches, and Objects

Regarding information about the type of strand of the papers, we found that the majority of them were located in the social strand (56.5%). By crossing the type of strand and the conferences (Table 2), one can see that those conferences related to the areas of Politics and Sociology (Anpocs, ABCP, Compolitica, Fórum Brasileiro de Ciência Política) favoured the institutional papers. Yet this is not a rule, since other conferences belonging to the same areas (Seminário Nacional de Ciência Política, Seminário Sociologia & Política, CBS) had more papers on the social strand. However, in the conferences related to the area of Communication (ABCiber, Compós and Intercom), papers on the social strand prevailed.

Table 2 shows the relationship between the strands and the leading academic institutions. Most notable are UFBA and UFPR, with the majority of papers belonging to the institutional strand. On the other hand, UFMG, UFRJ and USP showed research that was significantly more focused on the social strand. This is possibly explained by research areas and groups related more to one strand than the other.

Table 2. Conferences, academic institutions and types of strand

	Social strand		Institutional strand		Total	
	N	%	N	%	N	%
Conferences						
Abciber	25	59,5	17	40,5	42	100
Anpocs	13	48,1	14	51,9	27	100
ABCP	4	30,8	9	69,2	13	100
Compolitica	23	44,2	29	53,8	52	100
Compós	22	61,1	14	38,9	36	100
Intercom	45	77,6	13	22,4	58	100
Fórum Brasileiro de Ciência Política	1	20,0	4	80,0	5	100
SBS	5	55,6	4	44,4	9	100
Seminário Nacional de Ciência Política	8	57,1	6	42,9	14	100
Seminário Sociologia & Política	14	58,3	10	41,7	24	100
Wapor	9	47,4	10	52,6	19	100
Total	169	56,5	130	43,5	299	100
Institutions						
UFBA	15	40,5	22	59,5	37	100
PUC-SP	18	58,1	13	41,9	31	100
UFPR	5	27,8	13	72,2	18	100
UFMG	14	66,7	7	33,3	21	100
USP	10	66,7	5	33,3	15	100
UFRJ	10	83,3	2	16,7	12	100
UFRGS	6	54,5	5	45,5	11	100
Total	78	53,8	67	46,2	145	100

Source: Authors.

Table 3 provides information on the theoretical approaches and the political objects. One can see that the “participation” category (N=62) was the most recurrent and that “engagement” came second (N=36), which reveals the intention of researchers to understand to what extent the Internet can provide new ways and channels for citizens to take

part in political processes. The “representation” category (N=2) was the least used, which is also symptomatic of research interests in the field.¹⁷

Table 3. Theoretical approaches and political objects

Political object	Theoretical approaches															
	Communication Policy		Election Campaign		Political parties		Government		Social movements and civic organizations		Non-organized civil sphere		Others		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Transparency	3	27,3	0	0,0	1	9,1	6	54,5	1	9,1	0	0,0	0	0,0	11	100
Accountability	0	0	2	40,0	0	0,0	3	60,0	0	0,0	0	0,0	0	0,0	5	100
Representation	0	0	0	0,0	1	50,0	1	50,0	0	0,0	0	0,0	0	0,0	2	100
Political Economy	8	40,0	1	5,0	0	0,0	2	10,0	2	10,0	2	10,0	5	25,0	20	100
Others	0	0,0	3	15,6	2	9,1	6	27,3	2	9,1	5	22,7	4	18,2	22	100
Information	1	3,3	5	16,7	0	0,0	13	43,3	1	3,3	9	30,0	1	3,3	30	100
Participation	1	1,6	8	12,9	1	1,6	26	41,9	6	9,7	17	27,4	3	4,8	62	100
Deliberation	0	0,0	1	3,3	0	0,0	8	26,7	6	20,0	12	40,0	3	10,0	30	100
Engagement	1	2,8	1	2,8	0	0,0	2	5,6	20	55,6	11	30,6	1	2,8	36	100
Digital Inclusion	9	50,0	0	0,0	0	0,0	2	11,1	2	11,1	5	27,8	0	0,0	18	100
Social Capital and Political Culture	0	0,0	1	10,0	0	0,0	2	20,0	1	10,0	5	50,0	1	10,0	10	100
Identity and citizenship	1	4,3	0	0,0	0	0,0	0	0,0	7	30,4	15	65,2	0	0,0	23	100
Political and electoral strategy	0	0,0	24	80,0	1	3,3	4	13,3	1	3,3	0	0,0	0	0,0	30	100
Total	24	8,0	46	15,4	6	2,0	75	25,1	49	16,4	81	27,1	18	6,0	299	100

Source: Authors.

It is remarkable to see that the main theoretical approaches can be characterized as part of the digital democracy field (Gomes, 2007). If we add the categories ‘participation’, ‘engagement’ and ‘deliberation’, the result accounts for over 40% of our sample. Other approaches that are generally prominent in international studies, such as political strategy, elections, digital inclusion and political economy, have reached relatively small values in our sample.

However, we need to consider two things regarding participation overrepresentation. Firstly, there are studies that deal with political participation in democratic theory while others deal with more “abstract” concepts of participation based on Cyberculture. Although they are different, both were classified as “participation” – something that other researchers could try to differentiate in future research. Nevertheless, we believe that the

participation category would still be the most present one, not only because of the recent Brazilian history of struggle against dictatorship, but mainly because of the even more recent redemocratization process and all the related concerns with civil society entering the decision-making processes (a concern present in the 1988 Brazilian Federal Constitution), which emphasises the role of political participation in democratic processes.

Regarding the political objects, the category “non-organized civil sphere” was the one that showed the maximum value (27.1%) – however, “government” showed a small difference (25.1%). One can notice a preponderance of studies related to spontaneous manifestations by society, and of research involving issues close to the executive, legislative and judicial branches. The longitudinal study revealed no significant differences between the political objects throughout the years and was not included. Similar results were found in the work of Medaglia (2011) about research on e-participation.

However, when crossing data on approaches and research subjects, as seen in Table 3, some significant findings were made. First of all, the participation approach was mainly used to analyse the government (41.9%). Considering that e-gov was not a prominent topic in our sample, this finding suggests that Brazilian researchers are interested in seeing participation in government-led initiatives or, at least, participation with a direct impact on government. This echoes the studies from the e-participation field in the English language context (Sæbø et al., 2008; Susha and Grönlund, 2012). On the other hand, the online deliberation studies in Brazil were more related to the non-organized civil sphere. This specific result may be better assessed in future studies. We believe that these studies were more interested in verifying the political conversations among citizens; however, one could argue that the problem is that the government itself is not interested in promoting online deliberation initiatives.

Still regarding the objects of study, the actions by the civil sphere (whether organized or not) represent more than 43% of our corpus and the majority were analysed using the engagement approach. This could be connected to a more “grassrootist” notion of democracy, in which the hope for democratic improvements lies in social movements. According to this vision, the State is an agent to be beaten or even conquered. Future studies may check the reason for this focus on social institutions¹⁸.

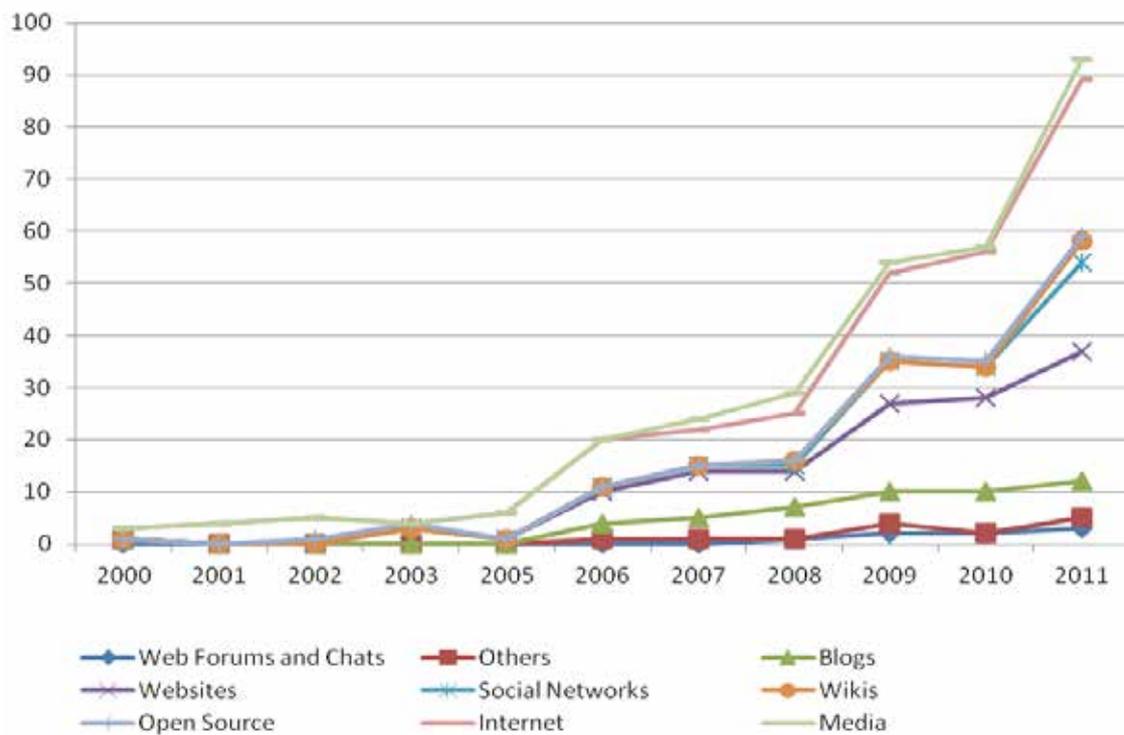
We can also highlight the low value achieved by research regarding political parties (2%), which confirms the impressions of Albuquerque and Martins (2010) about the low interest of Brazilian researchers in the relation between political parties and ICTs.

With regard to the technological objects, the broader technological categories were the most frequent, with 35.8% (N=130) of papers about the “Internet” (in a general way) and another 28.8% (N=86) about “websites”. Together they represent over 64% of the

sample. In turn, the technological objects of “web 2.0” (blogs, wikis and social networks) still represent only 24.5% of the corpus – if combined together.

However, after the longitudinal analysis, one can see that the “Internet” category was the most studied until 2003. Thereafter, other platforms become more prominent, such as studies on websites. In 2006, studies on blogs and social network websites started to appear, with a significant increase until 2011. Therefore, we can affirm that Brazilian research was able to keep up with technological evolution and that there is an indication that new technological platforms (e.g. social media) are going to be significant in Brazilian academic research.

Figure 4. The longitudinal analysis of technological objects

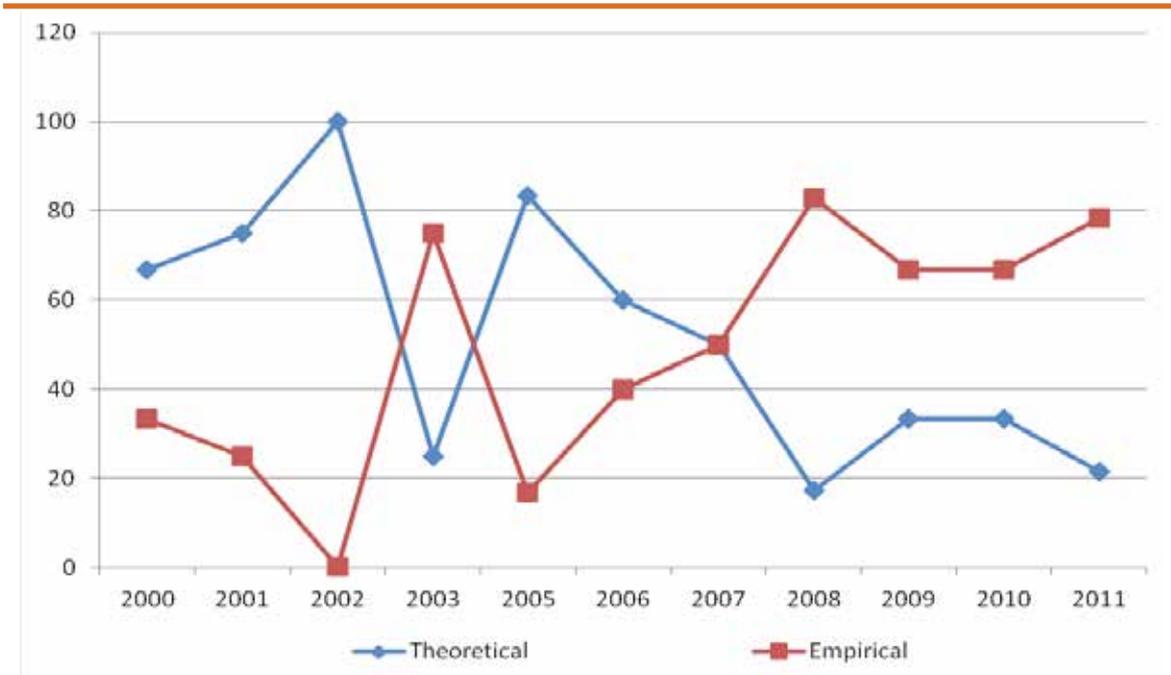


Source: Authors.

Methodological Variables

As far as the methodological variables are concerned, a majority of empirical studies can be observed (65.9%). In Figure 5, if we compare the types of studies throughout the years, one can note that empirical studies have become more frequent since 2007 and that theoretical papers are decreasing. Specifically, there is a noticeable difference in 2011 between the studies of an empirical (78.5%) and a theoretical (21.5%) nature.

Figure 5. Type of study per year

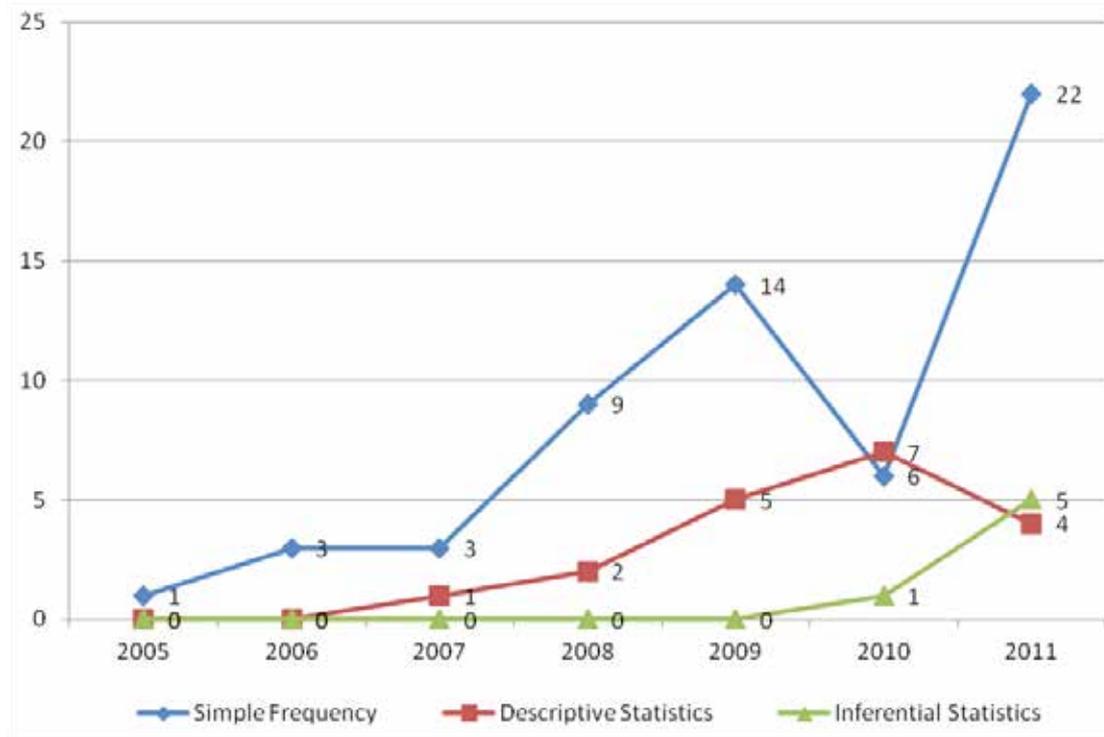


Source: Authors.

Regarding the type of method used, a considerable number of papers were of a qualitative nature (40.5%), followed by bibliographical papers (33.1%) and, finally, quantitative papers (26.4%). A small percentage applied some kind of statistic (27.8%), in contrast with the 216 papers that did not, representing more than 70% of the sample. Of the 83 papers that used statistics, we highlight the preponderance of simple frequency (69.9%), followed by the use of descriptive statistics (22.9%) and only a small use of inferential statistics (7.2%).

However, according to the longitudinal analyses in Figure 6, the use of statistics has been increasing in the last few years. In particular, one can verify a remarkable increase in the use of descriptive statistics from 2007 onwards, and of inferential statistics from 2010.

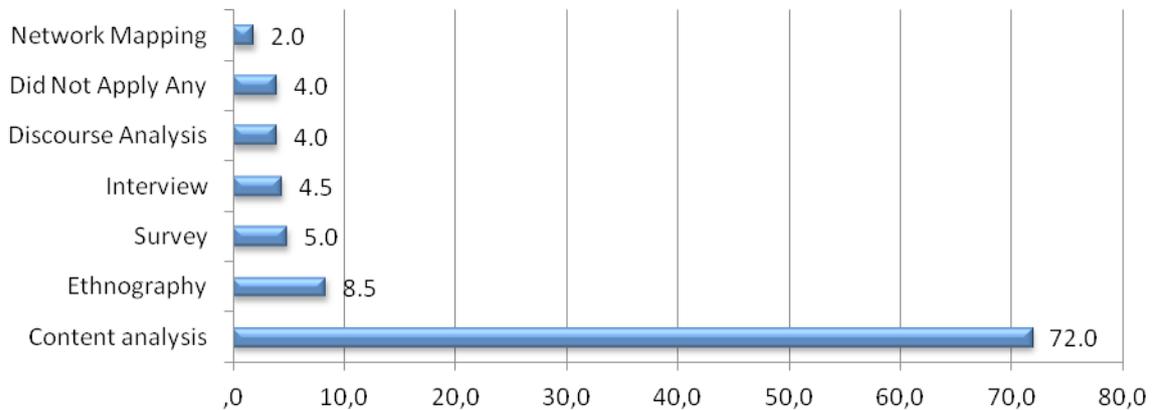
Figure 6. Use of statistics per year



Source: Authors.

Moreover, according to Figure 7, a significant number of papers have employed “content analyses” (72%). If there should be an “ecology” of available techniques, since distinct objects and approaches require distinct techniques, both the concentration of “content analysis” and the relative absence of other techniques are a cause for concern. We do not wish to defend that some techniques are linked to the best types of research, but we note that there are few techniques being used in the Brazilian Internet and Politics field. Future studies could try to understand whether this fact is related to research choices or if certain techniques are not available to most researchers.

Figure 7. Type of empirical technique



Source: Authors.

Conclusion

Initially, regarding our first research question, our analysis shows that the Internet and Politics field in Brazil is indeed a mature research area and that it is attracting more studies over the years. With respect to our second research question, in other words, the distribution of research among the different regions of Brazil and the existence of concentrations related to authors and objects in general, numerous disparities can be noticed, especially regarding the authors. The sample points to a concentration of research in leading academic publishing institutions (UFBA, PUC-SP, UFMG, UFPR), in South-eastern and Southern Brazil (except for UFBA, located in the Northeast) and in the researchers themselves. This can be demonstrated by both the fact that the first 20 authors alone represent almost one third of the sample (28%) and by the existing 282 different authors, which shows that a significant proportion accomplished only one research project in the area – at least among those presented in conferences. The study also points to apparently little practical interest in changing this situation, since only 8% of the research projects showed institutional partnerships. Regarding the study area, we noted that almost half of the sample pertains to Social Communication (43.5%), which is almost twice as great as the other two areas, Political Science (17.1%) and Sociology (9.7%).

Finally, concerning research question 3, we could identify the main elements of the field and some changes over the years. Regarding the strands (Gomes, 2007), there was a slight preponderance of the social strand (56.5%) over the institutional one (43.5%), which is probably connected to the fact that the area of Communication has favoured this branch of study (since there was a greater balance between Political Science and Sociology).

In turn, the technological object was the one that underwent the greatest change over time. The Brazilian researchers initially focused on major questions and conducted their research on the Internet in general. Over time, more specific objects began to be addressed and, more recently, blogs and social networks have gained prominence compared to traditional objects, such as websites.

On the methodological variables, we can highlight the presence of empirical studies (65.9%), but there was great variation from 2000 to 2011. Initially, there was a preponderance of theoretical papers and currently the majority focuses on empirical studies. On the other hand, it is still noticeable that few apply statistical techniques (27.8%) and, among these, the majority (69.9%) applies only simple frequency. Only 7.2% used techniques of inferential statistics.

Throughout this text, we have indicated some possibilities for future research. For example, the concentration of research in the Southeast and South of the country can be related to either a greater number of researchers in these regions and/or to the presence of some prominent researchers in institutions located in these areas. Moreover, our mapping indicates that the Brazilian Internet and Politics field has paid more attention to issues related to digital democracy and to the civil sphere. Moreover, these results could initially be compared to other Latin American countries and, later, to Europe and the United States, searching for differences and similarities among these groups.

Finally, one can see that certain methodologies are still underused by Brazilian researchers and a survey might better understand the reasons for this. There is still the possibility of future studies analysing the articles published in Brazilian journals of Social Communication, Political Science and Sociology, which would allow us to both verify our findings and compare the differences between initial papers (conferences) and final articles (journals).

Overall, research on Internet and Politics in Brazil is growing significantly and our study indicates a greater consolidation of an autonomous and interdisciplinary field. A significant tendency towards empirical works with more specified objects can be verified, which demonstrates that the area is moving from a more general reflection to an analysis and examination of specific objects, uses and promoters of digital initiatives, as well as of the possible effects and consequences.

This research has some limitations, however. Firstly, we opted for classifying the articles using their “emphasis”, which can lead to distortions. Some articles may have more than one theoretical approach or even use two empirical techniques. Nevertheless, we believe that our methodological choice not only allows statistical analysis but also effectively highlights the emphasis of the studies.

The second limitation is related to the lack of explanation for the results. Several findings were presented but we did not question their causes. Our main objective was to map the field, something that had not yet been done. We believe that now other researchers can focus on those findings and try to understand their causes and explanations.

Thirdly, we tried to deal with all the bibliography available, but some articles were not found, something that can be attributed to the poor quality of the websites of the conferences and associations, which often do not even have a search engine. Still, we believe that the corpus is very close to the entire bibliography presented in conferences in the Brazilian field of Internet and Politics between 2000 and 2011.

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Notes

- 1 We would like to thank Prof. Dr. Sérgio Braga and Prof. Dr. Emerson Cervi as well as the two anonymous reviewers of the BPSR for their valuable contributions and assessments for the elaboration of this article.
- 2 For instance, “In 2006, 113 articles dealt with television and politics, while 424 were concerned with the internet and politics” (Chadwick and Howard, 2009: 2).
- 3 This paper aims to map and describe the Brazilian Internet and Politics field, not establish causal relationships between the main findings. Questions such as “why did Brazilian researchers prefer some topics over others?” or “how did these concentrations happen?” are topics for future research.
- 4 Wiener is considered the originator of cybernetics, a formalization of the notion of feedback, with many implications for engineering, computer science, and the organization of society. For more information, see: http://en.wikipedia.org/wiki/Norbert_Wiener.
- 5 For a broader discussion on issues of the institutional strand, see Chadwick (2006) and Gomes (2011).
- 6 The authors also recognize that this is an indication. One could not confirm a priori if it is the approach of the research projects or the quality of the initiatives the main factor for their findings.
- 7 Although the conferences are linked to Communication, Political Science and Sociology, we wanted to check if there was any preponderance among researchers from any of these segments. The areas analysed were: (I) Communication, (II) Political Science, (III) Sociology, (IV) Social Sciences, (V) Information Science, (VI) Administration, (VII) Law, (VIII) Computer Science, (IX) Others.
- 8 The categories result from theoretical areas used by authors who deal with Internet and Politics issues (Bimber and Davis, 2003; Braga 2007; Chadwick, 2006; Dahlberg, 2011; Gomes, 2007; Maia, 2011; Medaglia, 2011; Sæbø et al, 2008).
- 9 There are rallies and political demonstrations clearly linked to associations, unions and civic groups. We classified as spontaneous demonstrations those that were not explicitly presented as a movement or action spearheaded by a group, such as the marches against Corruption in

Brazil, the Occupy Wall Street movement and the Arab Spring, for example.

- 10 Some online annals were not available. The Intercom makes all the annals from 2001 to 2011 available, but the 2004 annals were organized in a way that made it impossible to locate the papers. Therefore, this year is not in our sample. The ABCP has only the last two conferences (2008 and 2010) available online. Regarding the Brazilian Forum of Political Science (Fórum Brasileiro de Ciência Política – Ufscar), we could only find online the annals of 2011 onwards. Finally, we only found the 2011 online annals of WAPOR, which were included because it was held in Brazil. In the case of CBS, the annals were available from 2000 onwards, but we only found papers on the theme in the annals from 2005, 2009 and 2011.
- 11 Federal University of Bahia (*Universidade Federal da Bahia – UFBA*); Pontifical Catholic University of São Paulo (*Pontifícia Universidade Católica – PUC-SP*); Federal University of Minas Gerais (*Universidade Federal de Minas Gerais – UFMG*); Federal University of Paraná (*Universidade Federal do Paraná – UFPR*); University of São Paulo (*Universidade de São Paulo – USP*); Federal University of Rio de Janeiro (*Universidade Federal do Rio de Janeiro – UFRJ*); Federal University of Rio Grande do Sul (*Universidade Federal do Rio Grande do Sul – UFRGS*).
- 12 We only took into account the main author’s institution.
- 13 The South-eastern region includes the states of São Paulo, Rio Janeiro, Minas Gerais and Espírito Santo.
- 14 The Southern region includes the states of Rio Grande do Sul, Santa Catarina and Paraná.
- 15 The longitudinal graph showed that there was no significant variation in education and therefore was not included.
- 16 The dominance of Communication researchers is not a Brazilian characteristic though. According to Tomasello et al. (2010: 538), “media-oriented journals publish nearly half of all internet and related digital new media articles” and “a core set of 14 communication, or related, journals currently publishes new media research” in English.
- 17 Again, the longitudinal graph indicated similar growth among the areas and was not included.
- 18 Longitudinal analyses have not revealed significant differences and were not included.

Identification of Areas of Vote Concentration: Evidences from Brazil

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In spite of the recent progress in the discussion on vote regional concentration brought by Avelino et al. (2011), there is still a lack of determination of the districts' internal areas where candidates obtained their votes. Synthetic concentration indices, as the G index, do not allow for evaluation in disaggregated levels, as municipalities, which would be relevant for the verification of the areas of a candidate's political influence. This paper aims at bridging this gap through the joint utilization of two other indicators, the Location Quotient (LQ) and the Horizontal Cluster (HC), that use different measurement units. These indices were applied to the elections of federal representatives in Brazil from 1994 to 2010, and the results were compared to those obtained by Avelino et al. (2011). The application reaches its aimed result, clearly showing the places where the candidates' votes are located in the electoral districts.

Keywords: Vote Concentration; proportional elections; G Index; LQ Index; HC Index

Introduction

The study by Avelino et al. (2011) represents an advance in the debate on vote regionalization for Brazilian elections. As acknowledged in the literature, the regional aspect is fundamental for the understanding of the Brazilian political dynamics mainly because of electoral rules for legislative elections: a proportional method with open list in multimember districts (Ames, 1995a, 1995b; Mainwaring, 1991, among others).

However, authors suggest there are deficiencies in the indicators of vote regionalization and suggest a new indicator, the G Index, to measure the vote concentration level for each candidate.

The use of this indicator, however, does not attend to other aspects in the debate, for it does not give information in disaggregated levels of analysis and, thus, does not allow for the identification of the particular areas where the candidates' votes are located. These are relevant aspects, for one does not expect either homogeneous or random vote distributions across cities: the votes should reflect the candidates' efforts to attract sections of the electorate, be it during the campaign or during their mandates. In addition, in order to observe the formation of "reduto"¹ (Hunter and Power, 2007; Zucco, 2008), a phenomenon territorially located, indicators of these areas are required. To this effect, we need measures capable of giving disaggregated information on the vote concentration of legislative candidates. The proposed measures are the Location Quotient (LC) and the Horizontal Cluster (HC), taken from indicators used in industrial economics to evaluate the spatial concentration of economic activity. These measures will be applied to federal representatives' elections from 1994 to 2010 in São Paulo, Brazil.

This paper is divided in three sections. The next section presents the indicators. The following section presents the results when the indicators are applied to cases highlighted in Avelino et al. (2011), in order to show their coherence to the results obtained with the G Index. Last, we present final considerations.

The LQ and HC Indices

As pointed to in Avelino et al. (2011), the traditional indicators of vote concentration are problematic and need to be replaced. The suggested new indicator, the G Index, intends to fill the gap, evaluating the spatial concentration of the vote for a particular party or candidate across the whole district. Its formula is given by the expression

$$G_i = \sum_i (P_{im} - P_m)^2, \quad (1)$$

where P_{im} is the percentage of the vote obtained by the i party in the m municipality and P_m is the total percentage of the vote of the municipality m in the state total vote. The difference between the party's share of the vote in a given municipality and that of the municipality's in the state's total detects the relative dispersion of the party's vote. Thus, the G Index is a measure of the gross spatial concentration (in the terms of Ellison and Glaeser, 1994) of the party's vote. As this indicator uses proportions, these can be computed for different aggregation levels. The LQ and HC indices, in their turn, allow for a relative evaluation of the regional dispersion of the votes obtained by a specific candidate.

To this end, they overcome two important difficulties. First, they control for the result of the relative size of each city's electorates, since in Brazil cities in each district are very heterogeneous as to the size of their electorates. The second advantage is the presentation of an easily interpretable indicator, whose meaning clearly shows the regional distribution of the vote. We believe both indicators operated successfully in this experiment.

To make things clear, we recur to an analogy: assume that each candidate's vote was previously established in an hypothetical ballot box where voters would randomly take a ballot in order to deposit it in the official ballot box. In this imaginary situation, we would expect to find for each candidate a larger number of votes in cities with the larger number of voters. In other words, the expected spatial vote distribution would be random relative to municipalities, implying that an eventual vote concentration would be a strict function of the number of voters in each city; at the same time, it would be homogeneous relative to the number of voters in each municipality, for there would not be particular interests altering the result. The resulting regional distribution would be due to chance and the representative would be elected according to the total of votes obtained, regardless of their spatial distribution. As we know, this is not what happens. Candidates campaign in specific areas, even when this does not result in concentrated votes (Avelino et al., 2011). But the identification of the places of interest for each candidate may be determined, if we control for the number of voters in each municipality.

In order to overcome this difficulty, we first suggest the utilization of the Location Quotient (LQ), as utilized by Bendavid-Val (1991). Briefly, the LQ may be defined as a measure comparing the proportion of jobs in an activity sector in a regional level to that that would be expected due to the participation of that region in the total work force in the larger area of analysis, be it state or nation. This index shows the relative importance of each region in the sector of the economy under scrutiny, determining if there are work places above what would be expected for that city's size. Thus, an adaptation for electoral results is

$$LQ_{im} = \frac{V_{im}}{V_i} / \frac{V_m}{V}, \quad (2)$$

where V_{im} is the total of votes cast for candidate i in the municipality m , $V_m = \sum_i V_{im}$, $V_i = \sum_m V_{im}$ and $V = \sum_m \sum_i V_{im}$. For the computation of the concentration in each municipality,² LQ is a simple measure, for it allows for direct inference of the vote proportion cast for the candidate in each municipality above what would be expected if its spatial distribution was homogeneously distributed relative to the number of voters and to the total votes cast for the candidate. The numerator measures the proportion of votes cast for the candidate in a given municipality, and the denominator, the proportion of votes of the city in the district total. Thus, when LQ equals 1, it means that the candidate obtained exactly the number of votes expected in that municipality if the vote distribution was homogeneous,

given the total vote cast for the candidate; if it equals 2, the candidate had obtained twice as much as was to be expected, and so on. That information allows for the comparison of the vote obtained per municipality in a homogeneous distribution.

From the LQ, Figleton et al. (2005) propose an adaptation to treat the information on concentration, keeping the original unit with a new index, the Horizontal Cluster (HC). Assume that V_{im}^* is the amount of votes that would equal the LQ observed for a candidate in a given municipality to 1. The HC would be equal to $HC = \frac{V_{im}^*}{V} (LQ - 1)$. In other words, if, when LQ equals 1, we have $V_{im}^* = \frac{V_{im}}{V}$, then we may say that $HC = \frac{V_{im}}{V} (LQ - 1)$. Thus, HC will be larger than zero when LQ is larger than 1, indicating the quantity of votes the candidate obtained above what would be expected in a strictly homogeneous vote distribution. On the other hand, HC would be negative when LQ is smaller than 1, showing exactly how many more votes the candidate would need to reach the homogeneous distribution. Such an index has an even simpler interpretation than LQ, that is, the number of votes above (or below) the homogeneous distribution. A HC equal to 500 indicates thus that the candidate got 500 votes above what would predict the homogeneous distribution. If, on the one hand, LQ gives information that controls for that difference relative to the population in each place, HC informs the size of that difference in number of votes. Both indices allow for an understanding of the vote concentration phenomenon.

Application to Selected Cases

Avelino et al. (2011) present cases of representatives whose concentration indices were large in given elections, suggesting vote concentration. We computed the respective LQs and HCs for some cases and drew maps from the results. For the LQ maps, the intervals were created in terms of the standard deviation of the data for the most recent election disputed by the candidate, and were kept constant for previous elections. As to HC, we used the same intervals in all maps, in order to make them comparable for the unit is the same (number of votes). All municipalities where the candidate fared a value smaller than zero – less votes than were to be expected under the homogeneous distribution hypothesis – and a LQ of less than 1 were classified as “negative performance”. Other categories inform how many votes the candidate got above those expected under the homogeneous distribution hypothesis. The HC maps show the outline of the administrative sectors to allow for the identification of regions of relative “advantage” of the candidates. The following analysis extends the applications of these indicators.

I. Antonio Carlos Pannunzio

His votes are concentrated around the region of Sorocaba, center-west of São Paulo state, up to the limits with Paraná state. Table 1 shows the evolution of the G Index and of the electoral results, with their respective concentration of his votes in three of the region's cities.

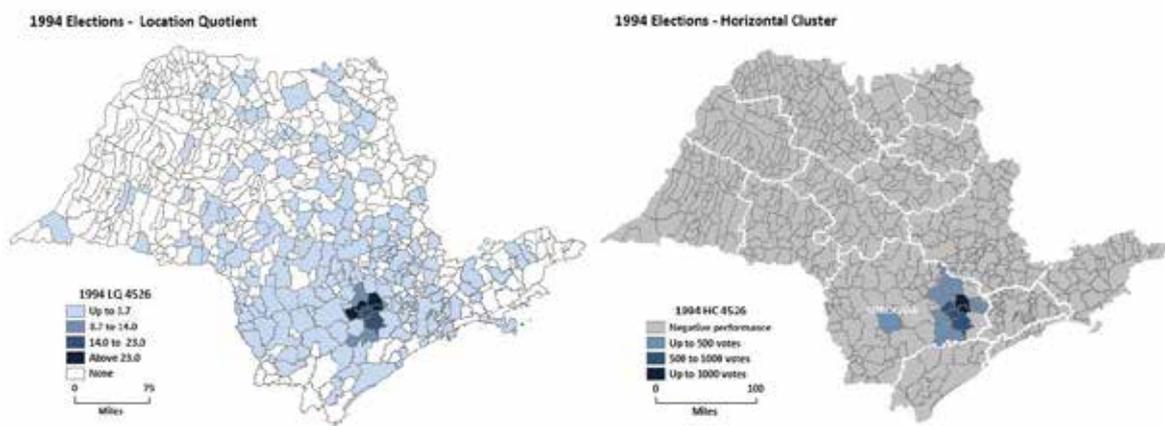
Table 1. Values computed for Antonio Pannunzio's votes in the three cities where he got the largest HC in 2010

	Municipal G	Sorocaba			Tatui			Votorantim		
		Votes	LQ	HC	Votes	LQ	HC	Votes	LQ	HC
1994	0,67	38.108	63,49	37.508	131	1,09	11	5.358	43,69	5.235
1998	0,40	43.555	45,12	42.590	148	0,81	-35	7.789	39,71	7.593
2002	0,34	63.554	38,62	61.908	472	1,52	162	6.551	20,09	6.225
2006	0,12	28.983	19,79	27.518	563	2,10	295	3.020	10,60	2.735
2010	0,23	38.505	28,84	37.170	6.299	26,34	6.060	4.756	18,35	4.497

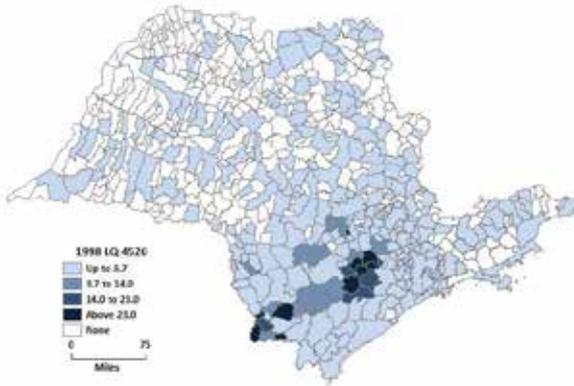
Source: Authors elaboration from TSE data

Pannunzio's vote becomes less concentrated across time. This may be seen in the values of the G Index. The municipal concentration gets systematically lower from 0.67 in 1994 to 0.12 in 2006, with a slight increase to 0.23 in 2010.

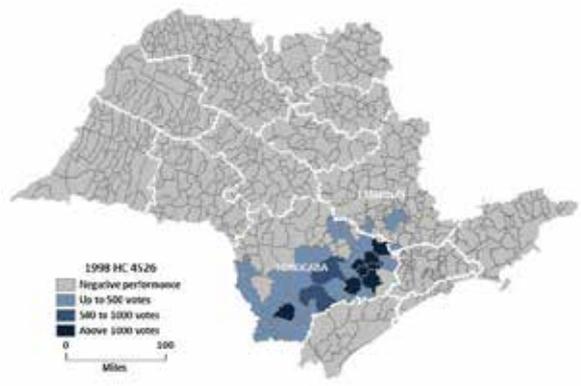
Figure 1



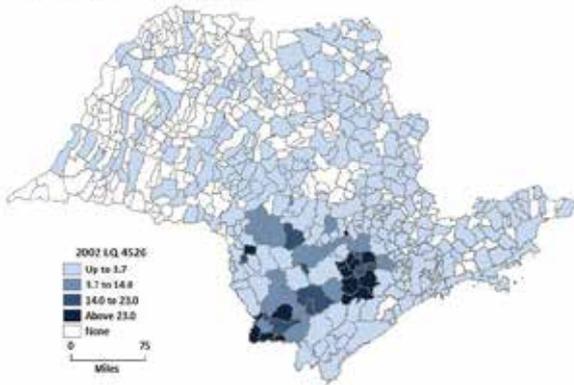
1998 Elections - Location Quotient



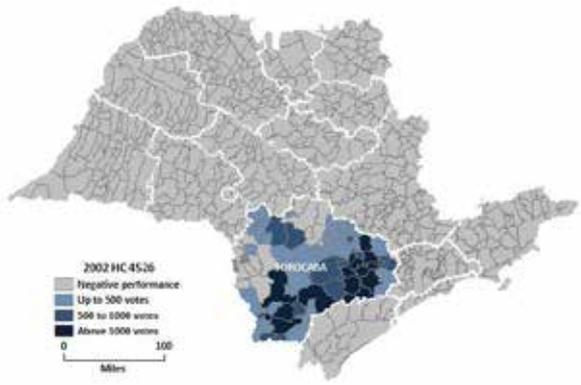
1998 Elections - Horizontal Cluster



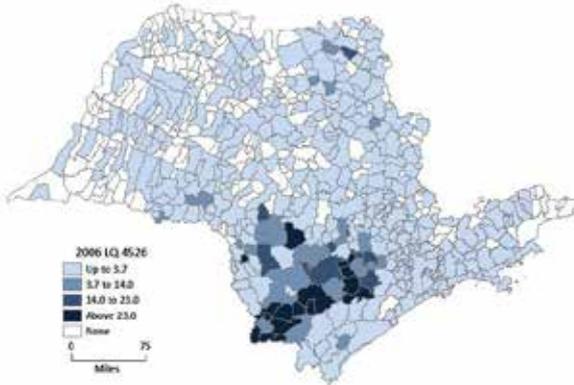
2002 Elections - Location Quotient



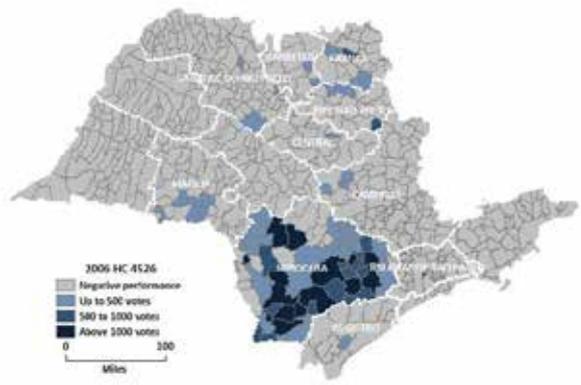
2002 Elections - Horizontal Cluster



2006 Elections - Location Quotient



2006 Elections - Horizontal Cluster



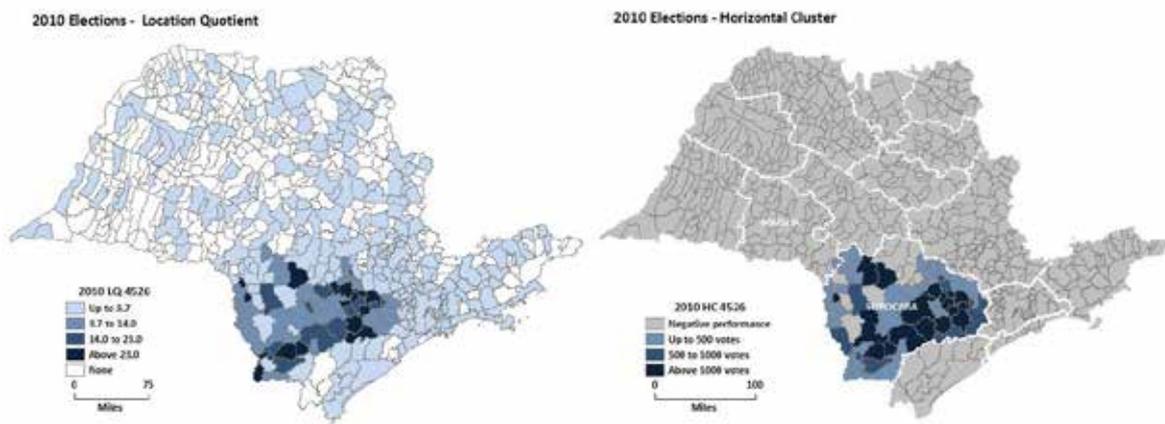


Figure 1. LQs and HCs maps for Antonio Carlos Pannunzio (PSDB)

Source: Own elaboration based on TSE data

This is reflected in the other indicators. In the major town in the region, Sorocaba, with 350,104 voters in 2010, LQ is reduced from 63.5 in 1994 to 19.8 in 2006, with an increase to 28.8 in 2010. This amounts to say that the candidate obtained in 2010 28.8 times the votes he would have received in a homogeneous spatial distribution, given the city's size and the total votes received. The HC index is expressive enough in all elections considered, highlighting the importance of this municipality for the candidate. In terms of interpretation, HC shows that of his total 38,505 votes, 37,170 are above what would be expected under the homogeneous spatial distribution hypothesis. On the other hand, Tatuí presents a large HC only in the 2010 election, with 6,060, a LQ corresponding to 26.3. With a total number of voters of 62,717 in 2010, its importance for Pannunzio increases only in the last election. Votorantim presents the same pattern of LQ observed in Sorocaba: a decrease from 1994 to 2006, with some increase in 2010. In Figure 1, these variations are clearly visible. To the left are the figures representing the LQ values and, to the right, those of HC. We observe the increase of the mass of municipalities with a positive HC, or, alternatively, with the larger LQ, from 1994 to 2006, with some retraction in 2010. In 2006, there are small concentrations in the State's north, but they disappear in 2010.

II. Marcelo Fortes Barbieri

Marcelo Barbieri's votes are situated especially in the Araraquara region, in the State's central region. Along the three elections he disputed, his votes concentrate in this area. Table 2 presents the concentration indices for the 1994 to 2002 elections in which the candidate concurred.

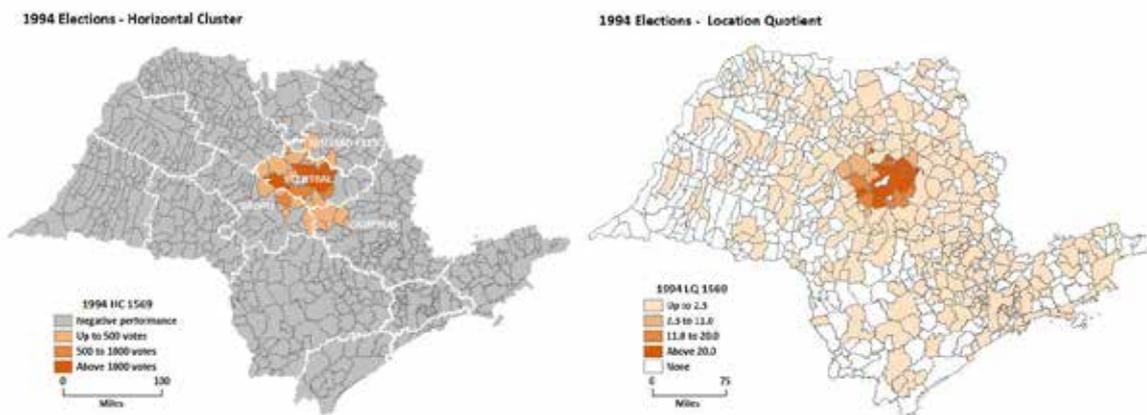
Table 2. Values computed for Marcelo Barbieri’s votes in the cities where he got more votes in 2002

	Municipal G	Araraquara			Matão			Américo Brasiliense		
		Votes	LQ	HC	Votes	LQ	HC	Votes	LQ	HC
1994	0,49	48.327	120,53	47.926	10.135	65,04	9.979	4.831	91,89	4.778
1998	0,34	36.688	103,76	36.334	6.443	46,10	6.303	3.028	59,14	2.977
2002	0,20	28.422	76,71	28.051	8.079	53,59	7.928	2.256	39,76	2.199

Source: Authors elaboration from TSE data

As mentioned in Avelino et al. (2011), the votes are less concentrated across time, what is shown by the values of the municipal Index. This index decreases between elections: in 1994, it is 0.49 and lowers to 0.2 in 2002. In terms of the regional distribution of the votes, as in the previous case, there is a central city, in this case Araraquara, around which the votes are relatively dispersed. There, the LQ values are also reduced across time. In 1994, its value is 120.5, and falls to 76.7 in 2002. A similar profile is that of Américo Brasiliense. The LQ value decreases from 91.9 to 39.8 between 1994 and 2002. On the other hand, in Matão, the LQ falls between 1994 and 1998, but increases again in 2002. This finding allows for the highlighting of the relative importance of the region’s largest city on the concentration indicators, for they vary in the same direction, and at the same time shows that that the values of G and LQ bring about different evaluations. Finally, the values of HC show that Araraquara is decisive for Marcelo Barbieri’s total vote throughout the three elections. The other two cities, even if they present the largest HCs, have a lesser contribution for the spatial vote concentration. That information becomes evident in figure 2.

Figure 2



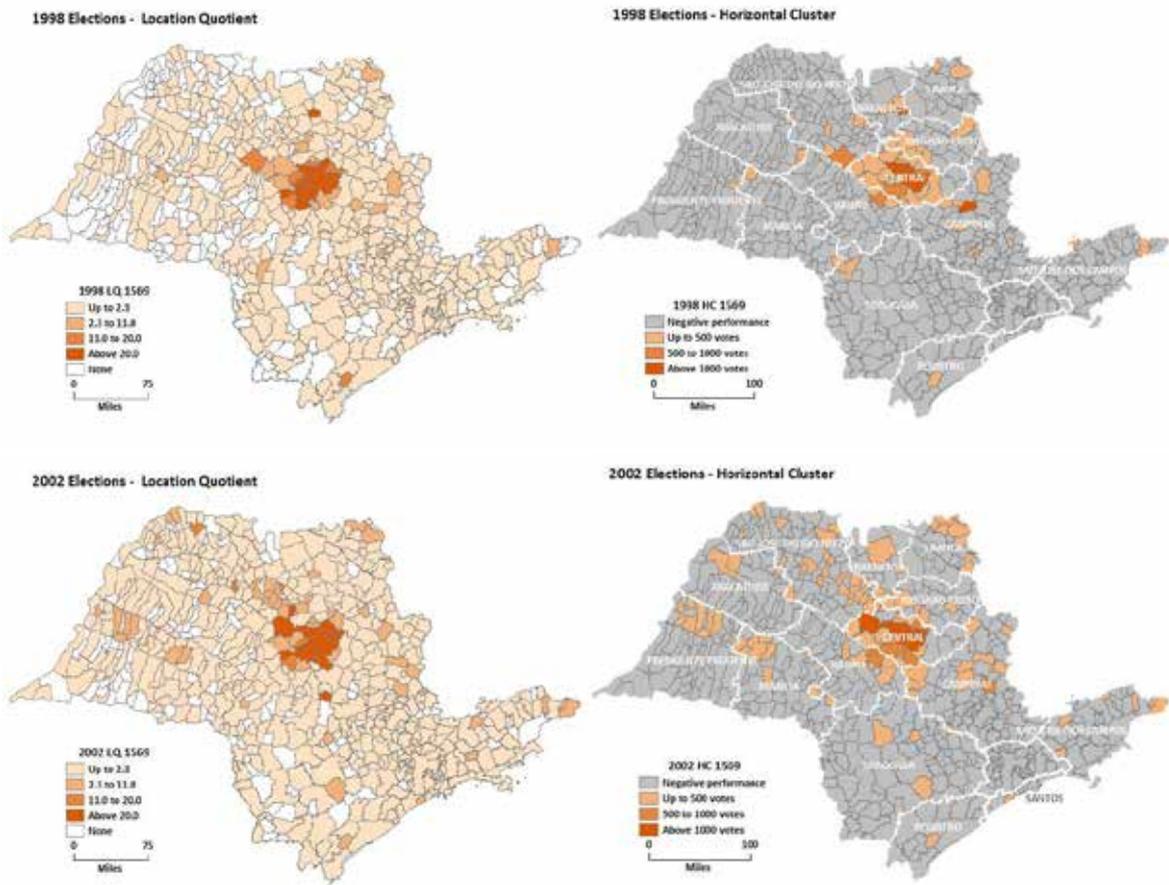


Figure 2. LQs and HCs maps for Marcelo Fortes Barbieri (PMDB)
Source: Own elaboration based on TSE data

In these maps, the decrease in the concentration of the vote between elections is clearly shown. In 1994, the concentration was clearly defined as shown both by LQ and HC, with few municipalities outside and far of the darker areas of the maps. In subsequent elections, the area becomes less compact and cities appear where the indices are as large as those around Araraquara. That decrease in concentration becomes evident throughout the whole state of São Paulo.

III. Francisco Marcelo Ortiz

In another region of the State, Guaratinguetá, in the state's northeast, is pointed to by Avelino et al. (2011) as having a concentrated vote that becomes decentralized. Table 3 presents the concentration indices in the three elections in which he participated, from 2002 to 2010.

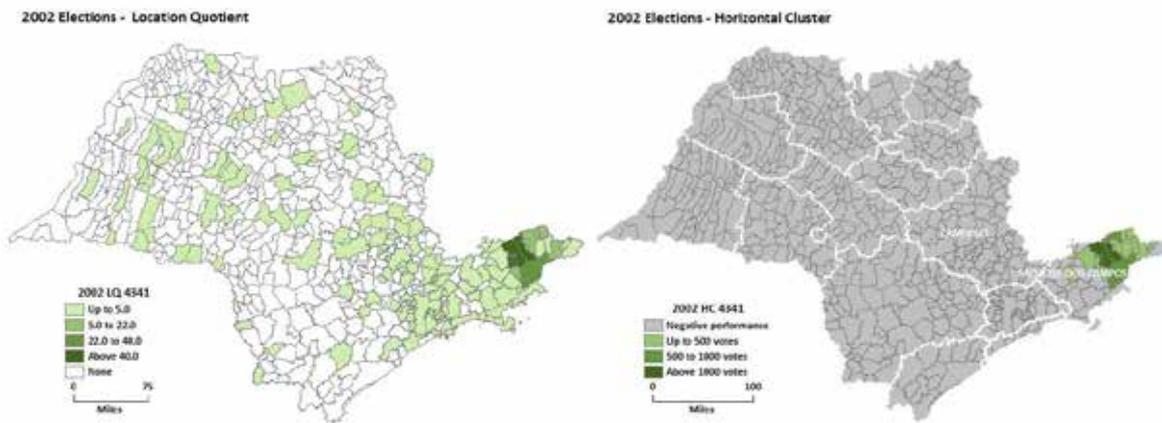
Table 3. Values computed for Marcelo Ortiz’s votes in the cities where he obtained his largest HC in 2010

	Municipal G	Guaratinguetá			Lorena			Aparecida		
		Votes	LQ	HC	Votes	LQ	HC	Votes	LQ	HC
2002	0,50	22.853	212,29	22.745	4.961	64,31	4.884	2.596	80,33	2.564
2006	0,35	24.881	175,88	24.740	5.270	52,92	5.170	3.788	81,48	3.742
2010	0,28	18.383	157,57	18.266	3.649	44,54	3.567	2.862	73,91	2.823

Source: Authors elaboration from TSE data

The G Index presents this decrease in vote concentration, falling from 0.5 in 2002 to 0.28 in 2010. In Guaratinguetá, LQ reaches 212.3 in 2002, falling continuously to still high 157.6 in 2010. In other words, the representative got 157 times the vote he would get under the hypothesis of a homogeneous spatial distribution of the vote. HC also expresses the situation in this municipality, where the total vote was 71,827 in 2010 and Ortiz got 18,266 more than predicted by the homogeneous distribution. Its importance is even more significant when we contrast Guaratinguetá with the other two cities. In Lorena and Aparecida, while LQ is high enough, HC oscillates around 4 and 3 thousand. This information only emphasize the importance of Guaratinguetá for this representative’s total vote.

Figure 3



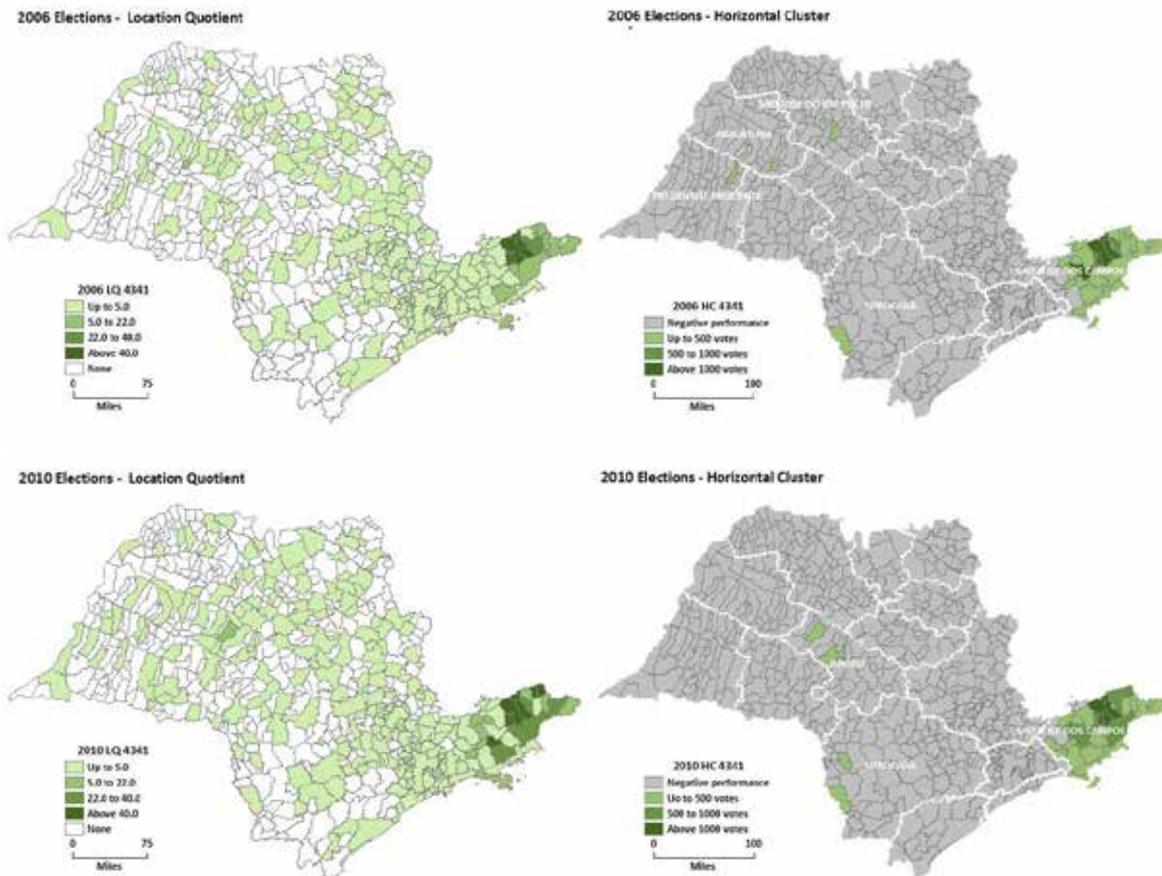


Figure 3. LQs and HCs maps for Francisco Marcelo Ortiz (PV)
Source: Own elaboration based on TSE data

Figure 3 presents the maps for both LQs and HCs for the three elections. As with the previous cases, we observe the same pattern of evolution over time: there is a clearly defined concentration in the first election that loses its defined contour in the subsequent elections. In this case, Ortiz gets his votes in the Vale do Paraíba region in 2002. There is practically no municipality with a positive HC in that election. But in 2006, cities beyond that region present higher values for both LQ and HC and the values for the original concentrated municipalities are generally lower. In 2010, the process becomes stronger, pointing to a higher dispersion of the vote in that area.

IV. Telma de Souza

Finally, Telma de Souza repeats the previous cases relative to concentration, with an exception: her vote is concentrated from the first to the second election and loses concentration from then on. Table 4 presents the information from the indices computed for her vote from 1994 to 2006.

Table 4. Values computed for Telma de Souza's vote in the cities where she got her largest HC in 2006

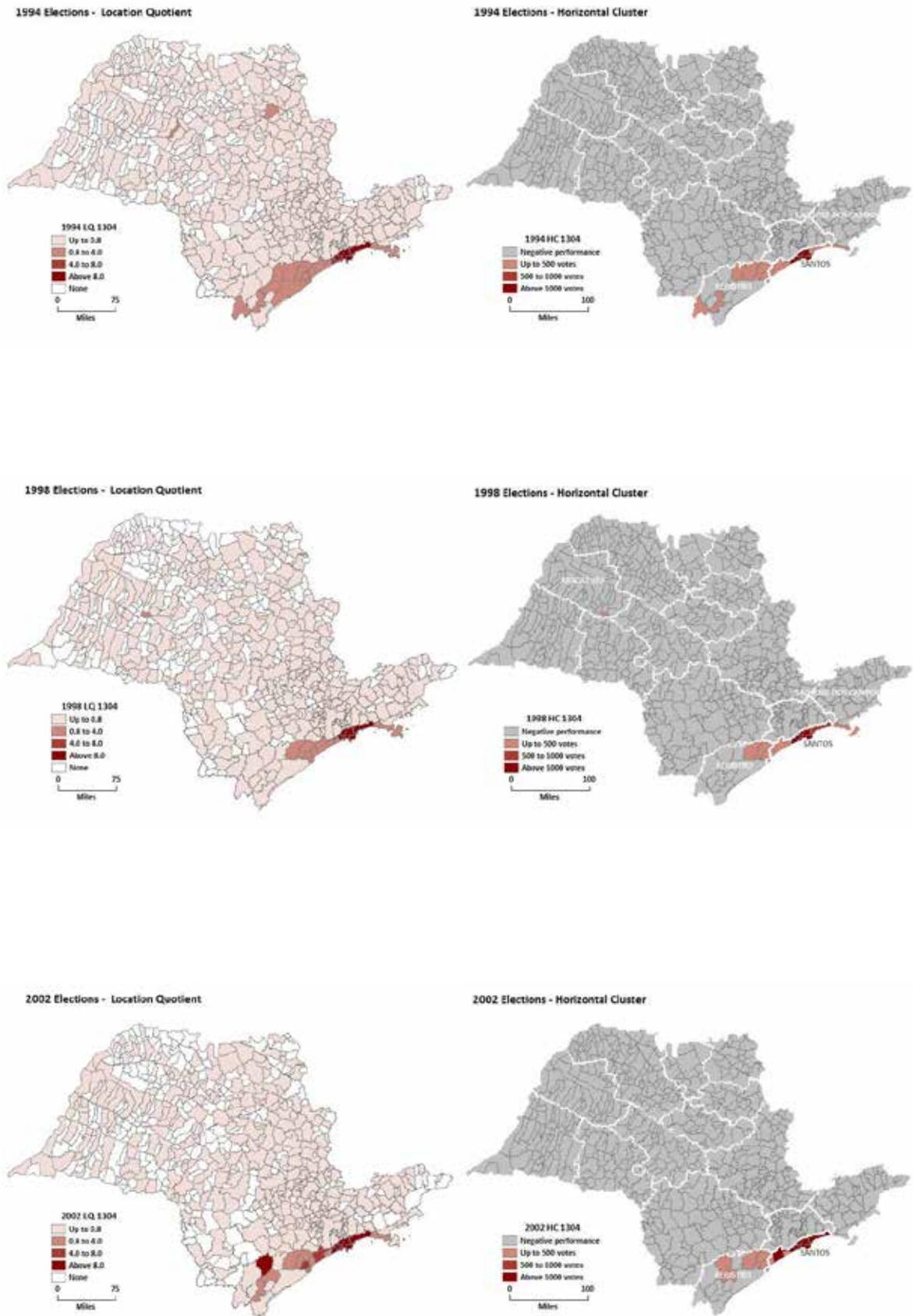
	Municipal G	Santos			São Vicente			Guarujá		
		Votes	LQ	HC	Votes	LQ	HC	Votes	LQ	HC
1994	0,31	71.466	34,14	69.373	15.926	15,05	14.868	8.530	9,36	7.618
1998	0,45	82.590	42,71	80.656	18.698	18,07	17.663	12.965	14,51	12.072
2002	0,36	82.795	38,66	80.653	26.199	20,55	24.924	18.928	16,97	17.812
2006	0,35	45.632	45,16	44.622	10.081	13,67	9.344	9.049	14,23	8.413

Source: Authors elaboration from TSE data

The G Index departs from 0.31, the smallest value in the series, increases in 1998 and declines afterwards down to 0.35 in 2006. As her votes come principally in the Baixada Santista, southern coast of São Paulo, the cities where her votes concentrate are Santos, São Vicente and Guarujá. In the former, LQs vary between 35 and 45, and this was represented by a HC of more than 80 thousand votes in 1998, in other words, around 30% of the total votes in the city and 60% of the vote the candidate obtained in that election. For the other two cities, the values for both LQ and HC are lower, with LQ around 17 in the former and 14 in the later, while HC averages a little below 17 thousand in São Vicente and 11.5 thousand in Guarujá. In the graphic representation in the maps, presented in figure 4, the representative's concentration tendency is very clear.

In 1994, while her main source of votes was located along the coast, there are little spots elsewhere, especially in the Registro area. According to the G Index, this is the year when the phenomenon presents its greater intensity. In 1998, the spots are practically limited to coastal cities, reaching other cities gradually in subsequent elections, including again the Registro area.

Figure 4



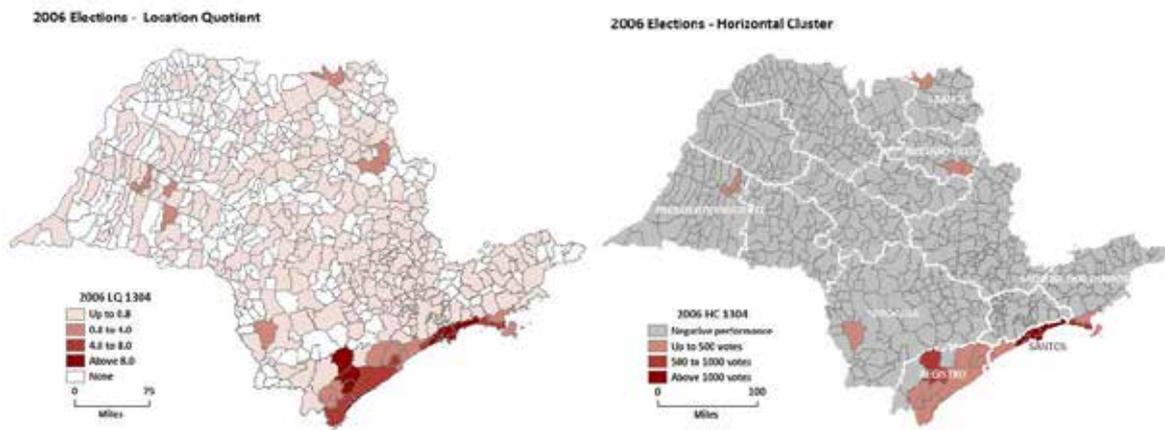


Figure 4. LQs and HCs maps for Telma de Souza (PT)
Source: Own elaboration based on TSE data

Last Remarks

The indicators presented, LQ and HC, are capable of showing the areas of vote concentration, controlling for the size of the population and the representative's total vote. In this sense, they are complementary to the G Index presented by Avelino et al. (2011).

It is worth emphasizing that the variations in all the indices considered, Municipal G, LQ and HC will not always be in the same direction throughout all cities. The joint movement of G and LQ may happen when there is a city relatively larger with regard to the others where the representative has gotten many votes, as happened in the case of Antonio Pannunzio in Sorocaba. On the other hand, the indicators reveal the spatial dynamics across the territory, allowing for analyses to be constructed from these results.

Finally, it must be mentioned that, in spite of the data that point to the areas where representatives get their votes, there is not a necessary association with the construction of electoral dominance areas. In the cases here presented, it is a well known fact that Iara Bernardi gets a concentrated vote in the Sorocaba region, as does Pannunzio; that Angela Guadagnin concentrates her vote in the Vale do Paraíba, as does Marcelo Ortiz; and that Paulo Mansur shares the Baixada Santista with Telma de Souza. These results call for more research to discuss the formation of informal electoral districts.

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Notes

- 1 There is no accurate translation for the word 'reduto'. Ames (1995a: 410) kept the Portuguese use, which would mean, literally, 'electoral fortress'— a misleading translation in the current stage of the debate, though. Therefore, for our purposes, we will keep using the original term, taking its definition as a particular area of the electoral district from where a candidate receives the highest share of his/her votes.
- 2 It is important mentioning that the LQ may be computed for different geographic levels, as electoral section or set of municipalities.

The Welfare State in the Age of Reason

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(KERSTENETZKY, Célia Lessa. *O Estado de Bem-Estar Social na Idade da Razão – a Reinvenção do Estado Social no Mundo Contemporâneo*. Rio de Janeiro: Elsevier, 2012)

The Welfare State in the Age of Reason is not a neutral or modest book. It openly defends a position and suggests specific paths for social policies in Brazil based on successful international experiences that have produced more equality. In its first sentence, the author claims that the book is a defense of the welfare state - in clear opposition to a widespread idea highlighting its crisis - which shows resilience and solid institutionalization. Furthermore, an expansion is observed in emerging countries precisely during these decades of austerity - a period known as the “silver years” of the welfare state. After declaring her position, the arguments in the book are built from the objections and difficulties presented by an imaginary skeptical discussant, but that, in fact, express common arguments, pessimistic or ideological, which ultimately justify the inertia or a negative view concerning the option of a bold and truly transformative solution, on the one hand, or deny the credibility or even the desirability of a more radical redistribution, on the other hand. From these stated assumptions, the author dares to sustain and suggest that these solutions are feasible and presents her arguments in the defense of a universal welfare-redistributive state. This is achieved by mobilizing an extensive and updated bibliography on states or welfare regimes, comparing historical experiences and presenting a set of data and evidence capable of convincing the reader of the viability of her gamble. At a minimum, it raises a promising question for readers who desire more egalitarian outcomes in our “welfare state”: is this indeed a feasible path for Brazil? This is one of the merits of the book: it provides not only information and relevant analysis concerning development and the welfare regimes’ state of affairs, but it also urges us to think about policy alternatives.

The specification of the assumptions from which the author builds her arguments is the point of departure and presented in the first part of the book. These include both defining the welfare state as social welfare - the object of intervention of any welfare state - and its relation with development. Without questioning, the author assumes a broad delimitation of the welfare state – which is not free of controversy – by identifying the minimum requirements of public intervention and categorizing them along a line of maximum and minimum manifestations (different from other schemes, such as the well-known typology of Esping-Andersen). In this sense, it seems that the author does not endorse the classical distinction between states and regimes of welfare, using the terms interchangeably. Instead of attempting to solve these conceptual problems, she adopts a practical solution to the problem of concept definition: what the welfare state actually is in its various empirical manifestations. To develop the concept of welfare, the second “assumption”, the author bases her arguments on classic works such as Titmuss, Marshall and Sen and then builds a normative definition along the lines of the Scandinavian school of social welfare. In this integrating reconstruction format, the reader is presented with the notion that the welfare state should seek the satisfaction of social needs, to offset social costs for economic activities, to guarantee social rights and to promote the expansion of capacities, formalized as real freedom. Still in the first part of the book, a recurring theme in the political agenda is dealt with, namely the notion of a trade-off between development and distribution in which Kerstenetzky presents a quite relevant and innovative contribution. By questioning the assumptions that welfare states presupposes a certain level of economic development or even a trade-off between growth and redistribution, which would involve choosing either one or the other, the author presents arguments and irrefutable evidence which demonstrate a positive relationship between welfare state and development, particularly the contribution of the former to the latter.

An important analytical distinction guides this discussion and places it in a diverse field from social development theory. It refers to the distinction between social policies oriented economically and economic policies socially oriented. Such a distinction goes beyond an analysis of the unintentional social effects of economic policies and vice versa, and considers the degree of autonomy of each policy field. Having as a paradigmatic example the Scandinavian case, Kerstenetzky shows how some elements of social policies were crucial to boost development: universal policies to support families and social services such as education and infant or elderly care services had economic impacts on both the supply (expanding social services, creating jobs and promoting labor market inclusion) and demand in general. Regarding socially-oriented economic policies, the author highlights the reconciliation between economic growth and distributive objectives. The argument stating a positive relationship between the welfare state and development will be the

guiding thread of the book and the backbone that justifies the construction of a model of development rooted in welfare policies; not restricted, therefore, to a strict economic point of view.

The second part of the book recovers the historical, ideational roots, characteristics, distinctions and specificities, and the recent developments of welfare state changes associated with new social risks. This effort covers a comprehensive reconstruction filled with data and information, from its origins in Europe up to the first decade of this century, and includes a description and an analysis of the “belated” welfare states, in this case referring to Latin American countries. Against the argument of a welfare state crisis, dismissed after an analysis of social spending, the book presents a framework for the changes in recent times in the sense of being changes in the architecture of policy programs and adaptations that resulted in the privatization of welfare provision in “traditional areas” – and although not becoming residual, there might be possible impacts on redistributive capacity -, and the expansion of public intervention in the area of services. In the same way different welfare regimes were formed, different responses are given to new external circumstances in the “Silver Age”, which followed the “Golden Age”, and also receives the name the Age of Reason of the welfare state – an expression which, incidentally, gives the book its title. The explanatory key for this diversity is to be found in the different political priorities and specific institutional trajectories in such a way that the political voluntarism is associated with the consequences of previous choices, which includes the legitimacy achieved by states, regimes or models of welfare - as the terms are used in an interchangeable way. However, in terms of the future of the welfare state, the analysis raises many questions which are not given definitive answers because despite being resilient and institutionalized it might also be “changing its soul” to use the expression of the author. Although the author denies these changes, the data suggests less redistributive trends. Could Kerstenetzky’s bets concerning the construction of welfare states that are able to simultaneously produce development and significant redistribution be compromised given the cracks in the mirror?

The third part of the book focuses on Brazil and it ranges from the historical reconstruction of the Brazilian welfare State (given the adopted definition, the term is applicable to Brazil) to a prospective analysis about future directions - or the consequences in terms of a future agenda - which, as the argument develops, could benefit from this belated condition and mirror the best known international experiences, in other words, those that have produced more equality. Moving beyond the simple reproduction of well known interpretations, Kerstenetzky brings something new concerning the most recent developments by analyzing closely the first decade of this century in which she identifies as the prelude of an extended universalism that would characterize the third wave of institutional

innovation and the diffusion of social rights in Brazil, preceded by two others: the corporatist and the basic universalism. In this third wave, which reflects the constitutional changes and the variations in political coalitions, a shift is observed in the governmental strategy in the sense that growth becomes “a variable, to a certain extent, endogenous to policies and social spending (...) and to administer the fiscal adjustment in order to gain increasing degrees of freedom for the promotion of growth with redistribution”. In other words, this period would have witnessed the experimentation of economically-oriented social policies and socially-oriented economic policies. The demonstration of this argument is supported by a massive set of primary and secondary data, one of the merits and original contribution of the book.

However, from the normative perspective that guides the book – namely, the need to advance towards the reduction of inequalities by means of public interventions of a certain type and by forging the articulation between economic and social policies – the fundamental aspect is to acknowledge the centrality of the socioeconomic inequalities in the country, although there has been a movement towards extended universalism, it has not been truly redistributive yet. This is a core argument, articulating all others, which defends a new model of development that is redistributive and protect individuals from the new social risks of today. This also means to challenge all skepticism concerning the economic-financial and political sustainability of such a welfare state. It is precisely in the largest welfare states (those characterized by maximum manifestation) where the financial and political conditions for a greater redistribution exist. This may be another one of the book’s major contributions to the debate: the inescapably articulated character of economic and social policies as well as the political legitimacy that support them. In addition to concerns of justice, redistribution is also economically sustainable.

The end result is a mature and audacious book that shows an author engaged in the theme of inequality and development with the aim of producing knowledge that could inform public policy alternatives in Brazil by comparing international experiences. It also reveals the author’s double affiliation as an economist and a political scientist. If a certain economic bias emerges – in a positive way, it is important to add, for a fruitful analysis of social expenditures, their redistributive results and consequences to inequality, for example – given the nature of the data used, the policy analysis is not ignored. It emerges, for example, from the analysis of the political factors that could explain both the emergence and expansion, as well as the format and the degree of sustainability of social interventions, citing, among others, the idea of path dependency to explain the continuity of trends as a function of interests and ideas formed throughout the development of welfare regimes – along the trail of the new historical institutionalism applied to the analysis of public policy decisions. In other words, fine political economy. Part of the book produces a summary

of the most renowned analysis concerning welfare states or regimes, but it also forges a reinterpretation from the main focus - namely, which model of development produces greater distributive justice - and the assumptions and theoretical and conceptual framework which are points of departure. For the novice on the subject, the revision and reconstruction parts offer a broad state of the art picture, especially concerning the debates and controversies in the analysis of the welfare state, including a mix of historical account and theoretical-normative arguments. Alternatively, for the more experienced reader, it provides an innovative analysis based on a quite ample informational material, as well as presenting a set of updated and original information from different sources, which is the result of mapping and matching together diverse findings to support the arguments. More than a reinterpretation, a re-explanation is produced, particularly concerning the recent developments of welfare states or regimes.

Finally, the book has also the merit of merging quality and theoretically informed research with the *advocacy* of a specific model of development. A book certainly bound to stir controversy, but an essential read for those interested in the subject of social policies and development in Brazil.

Translated by Sandra Gomes

Unraveling the Relational Mechanisms of Poverty

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(MARQUES, Eduardo. *Opportunities and Deprivation in the Urban South*.
Burlington: Ashgate Publishing Company, 2012)

The book *Opportunities and Deprivation in the Urban South* by Eduardo Cesar Leão Marques explores and analyzes a dimension which is traditionally considered secondary (and frequently ignored) in poverty studies: the relationship between sociability configurations and the (re)production of diverse conditions of poverty.

Based on a robust and rigorous empirical research with 209 individuals living in poverty situations and 30 middle-class individuals from the Metropolitan Region of São Paulo, the book is organized into seven chapters structured in the following way. The first chapter revisits a generous amount of literature devoted to the topics of poverty, segregation and social networks and seeks to build an analytical perspective that aims to show the central argument of the book in conceptual terms, namely, the importance of sociability relations to explain the (re)production of poverty. The second chapter has a more descriptive character as it presents the urban structure of the Metropolitan Region of São Paulo and the locations and methodological procedures of the research. The third chapter characterizes the networks of poor individuals and their relation with various attributes, revealing their heterogeneity, and an analysis of the existing similarities but especially the differences in comparison to the social networks of middle-class individuals. The fourth chapter furthers the understanding of heterogeneity concerning the sociability of poor individuals by constructing two typologies (one based on network characteristics and the other on individual's sociability patterns). The fifth chapter discusses the role that networks and sociability play on the social situation of individuals, focusing on how networks mediate the access of individuals to various markets (goods, services, labor etc.). The sixth

chapter continues the analysis of the role of networks and sociability, but now focusing on the access to goods and services by non-market means, which operate within the relational webs in which individuals are embedded. The seventh chapter, at last, identifies and analyzes the relational mechanisms that explain the relations observed in previous chapters between the different configurations of individual's social networks (and their changes over time) and poverty conditions marked by significant heterogeneity.

Despite the focus of Eduardo Marques's book being the relationship among poverty, segregation and social networks, the analytical contributions transcend these thematic limits as it is important for the social sciences as a whole. In this sense, what stands out is its theoretical contribution by adopting a relational approach within an academic field where attributes and individual characteristics are still hegemonically understood as central elements (and sometimes the only ones) to construct explanatory models. Without ignoring the importance of such attributes and characteristics, Marques' analysis highlights the importance of the relational position of individuals for the (re)production of situations of poverty from the argument that "individuals' access to the structures of opportunities that lead to social conditions in general, and situations of poverty in particular, are mediated by the relational patterns these individuals have with other individuals and with various kinds of organization" (pp.31).

The analytical treatment of this relational dimension of poverty, however, goes beyond the general statement about the importance of social relations for the definition of individuals' life conditions, which characterizes much of the literature on social capital (especially those adopting a more normative perspective). On the contrary, the author analyzes how different configurations of individuals' networks (in terms of diameter, homophily, localism etc) form quite heterogeneous structures of opportunities, while also highlighting individual agency and the contingencies, or the diverse uses of those opportunities by individuals.

In this sense, the theoretical perspective built by Marques articulates two dimensions which are traditionally dealt separately: the structural conditions established by the relational positions of individuals; individual agency in being able to identify and take advantage of the opportunities structurally available to them and also the responses to various contingencies (migration, change of residence, death of people within the relationship circle, breaking ties etc) which permeate life trajectories. Thus, Marques' analysis allows both to identify and analyze the recurring patterns in network configurations, life situations and trajectories of the respondents, and the particularities that comprise the heterogeneous world of poverty.

A second fundamental contribution of Eduardo Marques' book is within the methodological field. This contribution is particularly relevant to the Brazilian social sciences,

which tend to diminish methodological discussion and accuracy based on a misleading association between discussion and rigor with “positivism”. Countering this trend, Marques clearly demonstrates the importance and fruitfulness of a methodological approach which embodies the precepts established by Tilly (2004, pp.6) in his defense of “formalism” in the study of social processes: “Good formalisms make explicit the analyst’s claims about relations among the elements under observation. They thereby make those claims available to falsification and modification as a result of comparison with the evidence”.

In *Opportunities and Deprivation in the Urban South*, then, we find a careful construction of a research problem and the proposal of a complex methodological design oriented to guide an empirical research capable of supporting (or showing the limits of) the arguments constructed and explained by the author. It is noteworthy, in this sense, the combination of quantitative and qualitative methodological procedures, especially the use of Social Network Analysis (SNA), which has been an innovative aspect that characterizes and distinguishes the work of Marques (2000, 2003, 2010).

Regarding specifically the use of SNA, the analysis reveals the limits of this methodology in its current stage of development to apprehend the dynamics of social networks and, in particular, the continuing processes of building and breaking ties throughout the life trajectories of individuals. The static character as “photographs” of the different configurations of networks from the respondents, which are obviously of great analytical value for a number of the research objectives, limits, on the other hand, the understanding of how these networks are formed and transformed over time and also how they are used by individuals in their everyday interactions. To respond to these limitations, the author uses a very successful methodological articulation in which in-depth interviews with selected individuals provide fundamental information about the dynamics of relationship formation and usage filling, thus, the gap left by SNA. At this juncture, the work of Marques besides demonstrating the fruitfulness of a competent applied methodological diversity, points to a potential field of development for SNA as it incorporates a diachronic dimension to understand and analyze social networks.

Finally, the third and, in my opinion, the most significant contribution of Eduardo Marques’ book (especially concerning the Brazilian social sciences) is the incorporation of an approach focused on the identification and analysis of the causal mechanisms (particularly relational and environmental mechanisms) that effectively activate the (re)production of poverty situations. Such a choice places Marques’ book in an important field of epistemological, theoretical and methodological discussions regarding the meaning of causality in social processes, which emerged in the 1990s in the international scenario (Hedström and Swedberg, 1998) but, despite the intense academic debate, have been virtually disregarded in Brazil¹.

The emphasis on causal mechanisms as factors that explain poverty situations distinguishes Marques' analysis from both the traditional studies observing correlations between variables and attributes and the search for conditions (necessary and/or sufficient) in the (re)production of poverty. Without ignoring attributes or conditions, Marques' approach apprehends the dynamics, complexity and heterogeneity of the processes that (re)produce poverty situations as they are formed throughout life trajectories that express trends and patterns but are, at the same time, unique.

In this sense, *Opportunities and Deprivation in the Urban South* is aligned with studies from numerous other authors who adopt the causal mechanisms approach: to develop analyses which do not attempt to build a theoretical model of universal application but rather to identify recurrent causal mechanisms in such processes, producing "different aggregate outcomes depending on the initial conditions, combinations, and sequences in which they occur" (McAdam, Tarrow and Tilly, 2001: 37).

Marques' book demonstrates this dynamic empirically as recurrent mechanisms are shown to exist in the relational trajectories of the studied individuals (school sociability; professional socialization; costs and efforts of creating and maintaining relationships; relational access to the labor market; association between trust and homophily; organizational insertion/transits). They do not, however, yield a homogeneous result because they depart from different initial conditions, combine themselves in particular ways and operate at different moments in individual trajectories in addition to being activated differently by individuals depending on their specificities and contingencies. The end result is an analysis which, without compromising the causal explanation which enables us to understand the processes of poverty (re)production in general, also addresses the heterogeneity, or even the singularities, that shapes this process.

A point that can be raised, nevertheless, refers to the way the approach of causal mechanisms is presented in Marques' book, relatively fast and superficially. On the one hand, for readers not familiar with the theme, the explanatory model of Marques may be difficult to understand to the extent that he is challenging the dominant perspectives on causality in the study of social processes. For these readers, there may be lacking a clear understanding of the profound epistemological, theoretical and methodological implications as well as the innovative approach adopted by Marques.

On the other hand, for those familiar with the debate on causal mechanisms in the last decades, I find surprising Marques' lack of positioning in a field which is characterized by profound disagreements. In particular, the absence of a more elaborate discussion explaining and supporting the author's position concerning one of the main points of that debate: the very definition of causal mechanism (Mahoney, 2003).

The adoption of Tilly's definition by Marques – where mechanisms are “a delimited **class of events** that alter relations among specified sets of elements in identical or closely similar ways over a variety of situations” (2005, pp.28 – emphasis added) and can be distinguished among environmental, relational and cognitive mechanisms – is fruitful and followed consistently throughout the analysis. Yet, this definition is not the only one possible and can be contrasted, for example, with the definition provided by Machamer, Darden and Craver to whom “mechanisms are **entities and activities** organized such that they are productive of regular changes from start or set-up to finish or termination conditions” (2000, pp.3 – emphasis added) or Mahoney's definition who conceives mechanisms as “unobserved **relations or processes** that generate outcomes” (2001, pp.576 – emphasis added). These definitions are not necessarily mutually exclusive but they exemplify the diversity of perspectives (to which many others may be added) to the debate on causal mechanisms that are dismissed by the author.

Regardless of this aspect – which would be pointless if the relative lack of awareness of the debate on causal mechanisms did not apply to a significant share of social scientists (particularly in Brazil) -, all the previously mentioned contributions make the book *Opportunities and Deprivation in the Urban South* a reference work not only for what it offers in terms of understanding the mechanisms of poverty (re)production in large metropolises, but also because of the compelling research agenda that it establishes for the future.

Translated by Sandra Gomes

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Notes

- 1 One of the few Brazilian studies on this topic is an article by Ratton Jr. and Morais (2003). The other exception is an article by Marques (2007).

The Unavoidable Instability of Politics

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(SNYDER, Jack. *Power and Progress: International Politics in Transition*.
New York: Routledge, 2012)

Nothing can be taken for granted, says a popular dictum phrased in different languages and manners. Such obvious statement, however, seems to have been forgotten by both professionals and researchers of politics. Whereas professionals have been surprised by social upheavals in societies where recent material progress seemed to have had successfully accommodated contentious political grievances—as in Brazil and Turkey—, researchers are have been caught by a wave that prioritizes hypothesis-testing over concept- and theory-building. Yet if nobody can avoid the political and the inherent conflictive nature of social life, how can any politician or bureaucrat feel safe in the iron-cage of institutions? In such a context, should political and other social scientists not revisit traditional concepts before putting forward large-N observational and experimental research designs?

In *Power and Progress: International Politics in Transition*, Jack Snyder reminds us of those sins as he flags out the very unstable nature of politics in both domestic and international levels. In turn, that nature posits a serious challenge to strictly institutionalist standpoints and approaches in Comparative Politics and International Relations, as well as their methodological correlates. Within 12 chapters—most of them already published as articles in the last two decades and co-authored with names such as Robert Jervis and Edward Mansfield—, Snyder defies in theoretical and empirical terms the validity of a type of research that seek of unfold the “effects of causes” without paying much attention to the “causes of effects”, to use a conceptual distinction recently advanced by two renowned methodologists, Gary Goertz and James Mahoney (2012). Also, Snyder and his co-authors master the difficult yet very much needed task to bridge the gap between the literature in Comparative Politics and International Relations—a crucial step for political scientists

and policy-makers in a more and more interdependent and unstable world that witnesses a power transition from the West to the East, and an expansion of the standards of living in most of the old Third World. The final result consists of a book that is useful for both research and teaching purposes given the clarity of argumentation and the level of conceptual precision. Yet Snyder incurs in a crucial pitfall: the defense—not always explicit—of a normative agenda that may not result in stable world as it is often argued, but certainly meet American and Western interests in general, and in part limits his own conclusions.

As Snyder himself writes in the introduction, “...the logic of power in anarchy and the logic of progress through modernization are deeply intertwined. Together they have shaped the main patterns of international relations from the early modern period to the present day. The chapters selected for this collection address each of these logics and how they interact” (pp. 4). In *Myths of Empire*, published in 1991, he had already discussed that interaction, yet with focus on the domestic and international trajectories of great powers only. Now Snyder expands his theoretical contributions through the analysis of diverse cases in which there were domestic changes that eventually impacted international affairs in various regions of the world and in the international system as a whole. To accomplish such a task, he deploys an arsenal of both quantitative and qualitative tools, combining them without losing the focus. Nonetheless, the author and his colleagues proceed through a manner in which the methods do not become more important than the questions that are asked. Nor concepts are left aside for the sake of attaining the oversold excuse of parsimony. Complex phenomena, such as interactions between domestic and international levels in times of transition, cannot be simplified as there is the risk of resulting in pedestrian analysis, although, as *Power and Progress* shows, it is certainly feasible to clarify them without oversimplification.

The book is organized in three parts, each of them containing four chapters. In the first, “Anarchy and its Effects”, the focus lies on the impacts of international factors on domestic politics. Deserves attention the chapter 2, co-authored with Thomas J. Christensen as an article published at *International Organization* in 1990. Snyder and Christensen combine the structural realist literature with the concept of security dilemma to demonstrate that both World Wars were shaped by states’ misperceptions of their own security within contexts of rising multipolarity. Such mistake resonates as an alert in a time when even close democratic allies, such as the US and the EU, still engage themselves in mutual surveillance through intelligence notwithstanding the high level of political-economic cooperation. Chapter 5 also must be praised, as it employs insights from anthropology to provide a more accurate explanation of the causes of war than models that focuses parsimonious explanations based on either material or cultural considerations.

The second part, “The Challenges of Democratic Transition”, unfolds the dynamics between democratizing processes and the complicated task of state-building. Originally a book chapter co-authored with Mansfield and published in 2007, chapter 6 concludes—based on an insightful combination of statistical and qualitative analysis—that in states without “... institutional infrastructure needed to manage democratization...” (pp. 126) there is the risk that nationalist- and ethnic-based discourses trigger either international or domestic conflict. In chapter 8—the only one written specially for the book—Snyder and Mansfield elaborate more on the argument that social fragmentation tends to result in conflict if a country has yet to consolidate its institutions. Nonetheless, the mechanism they propose for constraining instability in democratizing polities is controversial: the authors argue for the control or even the temporary suspension of certain civil and political rights, such as freedom of speech and open elections, in order to constrain the rise of nationalist-populist groups, which often rely on hate for building-up a common identity, having then the potential to trigger wars.

The final section, “Empire and the Promotion of a Liberal Order”, makes explicit the US-based agenda that permeates most of the previous chapters and has the potential to weaken Snyder’s mastery of the craft of researching and theorizing. To be fair, he criticizes the Bush Doctrine foreign policy that prioritizes democracy-promotion at any cost—even at the expense of the strength of the empire. Therefore, Snyder argues, even a superpower faces limits. In fact, the book attempts to provide formulas to build what Snyder calls the right sequence of democratization, and, then, reassure the supremacy of the liberal order put forward by the Anglo-Saxon world. In normative terms, such claim is too pretentious, not to say dangerous. Politics as practice has so many uncertainties—as the plethora of examples offered in the book prove—that generalizable formulas for policymakers may contribute to generate misperceptions as much limitative as the ones Snyder targets in his analysis.

Moreover, Snyder posits but does not address in full the most exciting questions that surround the current state of affairs in the global field of power. In the introduction, he asks how rising powers, mostly notably China, will fit in an international order dominated by liberal democracies, as well as how the latter, led by the US, will react to what appears to be an emerging multipolar order. Furthermore, the author wonders whether the demand for mass political participation in the periphery will actually result in solid political institutions. The response for these puzzles remains incomplete as the authors’ bias in favor of an American-led order eventually prevail over undisputable facts, such as the current lack of a revisionist impetus from the emerging world.

In framing much of what is addressed in the book in terms of the opposition between realists and neoliberals in International Relations, Snyder also misses the chance to make

very explicitly what could help scholars to put forward more complex analysis without sacrificing precision for the illusion of parsimony. In its more accurate versions, constructivism, mainly neglected in the book, provides incipient tools to capture the unavoidable instability of politics. To recast the introductory paragraph, nothing can be taken for granted. Nonetheless, in the task of doing and building science, one certainly has to rely on a minimum set of procedures and concepts to conduct any kind of systematic investigation of observable phenomena. The challenge then consists of being aware that in different cases a given concept may mean different outcomes, as well as that all correlations depend on causal linkages that are potentially *ad-hoc*. That is, one has to investigate, prior to testing effects of causes, which are the most likely causes of effects. In other words, the rationalist quest for *explanation* does not hold without more work than that necessary to reach the constructivist goal of *understanding*. One complements the other as neither rationalism nor constructivism is a substantive theory (Fearon and Wendt 2002).

International and domestic processes show that politics as a practice is indeed unstable. So does politics as a science that, as Snyder's work suggest, might not be anything more than the defense of a normative agenda, which, of course, does not annihilate the strengths of coherent theory and good research as present in most of *Power and Progress*.

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The New Actors of Brazilian Foreign Policy

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(PINHEIRO, Leticia and MILANI, Carlos R. S. (eds.). *Política Externa Brasileira: As Práticas da Política e a Política das Práticas*. Rio de Janeiro: Editora FGV, 2012)

Brazilian foreign policy has reached a very interesting inflection point. The bureaucratic walls of the Itamaraty Palace so stoutly erected by the Baron of Rio Branco in 1902 are cracking. Where foreign policy used to be neatly circumscribed by the world of ‘high politics’ and external interaction by Brazilians limited to a small group of clearly defined actors, the situation today is very different. Itamaraty retains pride of place for the grand geopolitical thinking that often preoccupies the study of foreign policy, but the aspects of international affairs touching the lives of citizens everywhere are increasingly becoming the concern of line ministries, subnational governments, state agencies and private actors.

This is a bold claim with respect to Brazilian foreign policy, but one which accurately reflects the extent to which the technocratic minutia of specialist policy areas have not only internationalized, but increasingly interact with other areas of ‘low’ and ‘high’ politics. The immediate value of the individual chapters in this book is that they highlight the absurdity of any attempt to claim that Brazil’s international affairs should remain the sole preserve of Itamaraty. Each of the five diverse sections of the book – human rights, culture, education, health, and paradiplomacy – immediately suggest that it is unreasonable to expect any relatively small organization, no matter how brilliant its staff, to retain mastery across such a wide range of sometimes highly technical specialties. Indeed, this is the very challenge with which Itamaraty is currently grappling. A more subtle approach is needed, one which involves complex bureaucratic positioning and intra-departmental coordination by Itamaraty to retain influence while also allowing Brazilian interests in these

diverse areas to be advanced by the experts. Each of the chapters in this volume does an excellent job of describing what has happened.

Leticia Pinheiro and Carlos R. S. Milani introduce the book by focusing on the importance of technocratic expertise in many areas of contemporary international affairs. Their question then is whether or not it is reasonable to expect Itamaraty to have mastery over the diverse range of technical issues that are consequently found in foreign affairs, and if not, how are decisions made and policies pursued? In other words, the sharp distinction that Rio Branco drew between foreign and domestic policy is pointed out as being an increasingly artificial and unhelpful line. This in turn creates some issues for how we approach foreign policy analysis today, casting into doubt such accepted tricks as sharp divisions between levels of analysis and a tendency to oversimplify the nature and ambitions of actors.

The first section on human rights immediately takes up the theme of seeking a more complicated picture of how decisions are made and which actors are involved. Milani starts with a chapter looking at actors and agendas in Brazil's human rights foreign policy. He paints a picture of shifting understandings of what Brazil's position should be. While Itamaraty may ultimately remained the external voice expressing the national position, it certainly was not driving internal discussions or limiting how domestic politics drove policy change. The following chapter by Thiago Melamed de Menzes, a career diplomat with human rights experience in the UN system, pairs well with Milani's chapter, setting out how Itamaraty sought to adapt its practices to a contemporary scenario where a more participatory democratic process to issues like human rights policy is the norm. A careful tracing through the subtext paints a picture of bureaucratic attempts to control, direct, and defuse, but all done in a manner within the new bounds of having to allow outsiders into formerly exclusive policy consideration processes.

In section two attention is turned to the role of culture in foreign affairs. Mônica Leita Lessa, Miriam Gomes Saraiva and Dhiego de Moura Mapa begin with a chapter looking at the international cultural policies of the Lula government. Identity becomes an important consideration here with culture being used not only to present a desired and palatable Brazilian identity to the outside world, but also to reinforce a positive self-image to Brazilians and increase their comfort with the country's growing global presence. Itamaraty was intimately involved in this process, but in a sense more as the institution managing the external application of the policy; much of the formulation and pursuit of the underlying programs and policies came from the Ministry of Culture with a strong push from the presidency. The chapter by Minique Badaró on the State of Bahia's international cultural policies examines the extent to which sub-national governmental units are working to advance their specific agenda and interests distinct from the larger program

run by Itamaraty. As Badaró points out, cultural promotion is an excellent method of raising a country's or state's international profile in a positive manner, making it something of a hotspot that can drive a multitude of activities ranging from tourism through foreign investment and trade to inter-departmental cooperation and collaboration.

Leticia Pinheiro and Gregory Beshara start the third section on education with a chapter examining how education policies have been used to help drive regional integration processes. As they point out, cooperation in the field of education plays an important role in efforts to build Mercosul and a wider South American space, which in turn points to the importance of education on identity formation and the solidification of national, let alone regional projects. The line between educational and foreign policy thus blurs, putting further implicit pressure on Itamaraty's attempts to direct Brazilian foreign policy. In some respects this chapter is more interesting for the questions it raises about foreign policy formulation than the role of education in foreign affairs, which neatly presages the compelling conclusion to the book. A more technical approach to education is taken by Alessandro Candeas, who effectively opens up interesting questions of South-South cooperation and the strengthening of educational and national capacity by looking at process of inter-state university cooperation.

André de Mello e Souza opens the fourth section by looking at Brazil's response to the AIDS epidemic. While this story is well known, the author aptly uses it to demonstrate not only how the line between national and international policy has blurred, but also how traditional realist views of international relations focused on the state as actor collapse when faced with pressure from multinational corporations and rising coalitions acting through organizations such as the WTO. Further blurring of policy division lines is introduced by discussion of how Brazil's successful anti-AIDS programming has evolved into something of a foreign policy engagement device across the global South. Paulo Marchiori Buss and José Roberto Ferreira build on this theme in the next chapter, discussing Brazil's experience with South-South cooperation in the health field, pointing out that while it has significantly enhanced Brazil's international engagement, much of the work has been driven from outside Itamaraty and is based in national principles such as a constitutional right to health that stand distinct from the realm of foreign policy.

The final section on paradiplomacy in some ways delivers the coup de grace to the notion of Itamaraty controlling Brazil's foreign policy. Two chapters, one by Mónica Salomón and the other by Alberto Kleiman, get to a very disturbing question for Itamaraty diehards: technically, only Itamaraty has the constitutional authority to engage in foreign negotiations, but what can be done if other levels of government decide to ignore this 'rule'? As is made clear in the two chapters, Brazil's states and municipalities are increasingly building their own sets of foreign relationships for a variety of reasons, including

seeking development assistance, marketing themselves as a business and tourist destination, and collaborating with other like-minded areas to share policy and program experiences. While these are not questions of 'high' politics, they do fall into the realm of an active foreign affairs agenda.

This returns us to the point at the core of this important book. As Pinheiro and Milani note in their conclusion, the world of foreign affairs has become increasingly complicated, encompassing a far more diverse array of actors and issues than were at play during Rio Branco's time. This means that while Itamaraty is still central to Brazil's foreign policy, it can no longer be an isolated monopolistic voice; it has to actively and frequently engage with many other actors in policy areas that diplomats might formerly have considered irrelevant. As the editors conclude, foreign policy is now a public policy area with real domestic ramifications, not the apolitical sphere of national interest that Rio Branco saw as needing to be held above the daily political fracas. This suggests scholars should rethink some of the founding assumptions underlying their research agendas. This excellent volume provides us with a detailed explanation why and offers series of compelling questions for future research.

Back to Basics

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(FINNEMORE, Martha and GOLDSTEIN, Judith (eds.). *Back to Basics: State Power in a Contemporary World*. Oxford: Oxford University Press, 2013)

The increasing cross-border use of drones, the transnational and elusive phenomenon of cyber espionage and warfare and the ineffectiveness of conventional states' responses to non-traditional security threats such as international terrorism highlight some of the complexities involved in understanding state power in the 21st century. In the straightforward realist narrative, states are the main players in world politics and power is a reflection of states' material capabilities. Military capacity, in particular, is the ultimate source of states' power. Yet, notwithstanding the still solid appeal of the hard power-based realist definition, it does not seem to fit with contemporary international phenomena. The growing number, diversity and relevance of non-state actors, such as international organisations, networked global communities of activists, failed states, multinational corporations and private individuals with a global reach, have fundamentally challenged the state-centric ontology of realism. Likewise, the inability of the United States, still the mightiest state in the world, to translate its economic and military capabilities into desired foreign/defence policy outcomes suggests that conceiving power simply in terms of tangible resources is limiting of a complete understanding of the concept.

Back to Basics evaluates the multiple dimensions of state power in the contemporary world. It pays due homage to Stephen Krasner's groundbreaking and wide-ranging scholarship on the sources and effects of state power in international politics. The volume's editors specifically ask some of the most renowned scholars in the field of International Relations theory "to reflect on the role of state power plays in contemporary politics and how a power politics approach is still relevant to theoretical issues in political science today" (pp. ix). The volume sets out to advance three major areas which underlie Krasner's

work: (i) it engages with the question of what state power actually is and how it impacts on contemporary world politics; (ii) it conceptually broadens the analytical scope of the international (structural) environment wherein state power is applied and creates effects and, finally; (iii) it discusses the contemporary malleability of sovereignty which makes the exercise of state power extremely complex to understand.

Back to Basics is a challenging book to review given that state power in contemporary politics, in itself a complex subject to conceptually grasp, has been approached by the volume's authors from quite different theoretical and empirical angles. The underlying message in all contributions is quite simple though: traditional material-based explanations of power in international relations scholarship are still useful yet largely insufficient. The book is structured in five sections. In the first section, the editors set the stage by laying out the volume's central puzzles and comprehensively discussing the varied conceptualisations of power in the realist literature and beyond. Keohane's essay, provocatively titled 'Stephen Krasner: Subversive Realist', develops an interesting argument about Krasner's profound contribution and self-identification to, yet combative relationship with, the realist tradition in the discipline of International Relations. Drawing on Krasner's and his own previous work, Keohane suggests that the concept of persuasion provides an interesting analytical basis for understanding the operation of non-material sources (institutions, information, ideas and identity) of state power.

The chapters in the second section of the book reflect on sovereignty and power, two central notions in Krasner's work. Like Keohane with 'persuasion', Lake explores 'authority' as an under-theorised concept in IR. Lake emphasises the relevance of authority as a source of non-coercive power. Authority relations, he argues, are dependent upon the collective and socially constructed acceptance by states of the authority of others over different issue-areas. There is a clear connection here between Lake's argument and well-established discussions on legitimacy, recognition and authority. English School authors, particularly Ian Clark, have emphasised similar social dynamics of legitimacy building while constituting and expanding the 'society' of states. Also in the social constructivist camp, Katzenstien's essay points to the pervasive power of civilizational ideas associated with the United States. According to him, the American empire is first and foremost constituted and maintained by firmly entrenched, albeit increasingly disputed, ideas and values that shape international institutions and regulate the behaviour of actors. Risse's chapter picks up from Krasner's famous discussion of sovereignty as organised hypocrisy to suggest that limited statehood does not necessarily lead to inefficient provision of public goods. The author analytically detaches the often-entangled notions of statehood and governance to persuasively claim that 'new modes of governance [involving a combination of state and non-state actors] are often effective even in the absence of consolidated

statehood' (pp.79). The interesting essay by Solingen provides 'three scenes of sovereignty and power' (pp.105). The author also draws from Krasner's idea of contradictory or 'hypocritical' sovereignty to reveal three different situations (the ascent of China, variation within and across regions and the global non-proliferation regime) whereby the full exercise of 'sovereign rule' is consequential to and dependent upon domestic, regional and global political dynamics.

In section three of the book, Cohen, Steinberg and Gourevitch dissect the relationship between state power and global economic forces with excellent pieces on currency politics, international trade laws/regimes and the 2008 global financial crisis, respectively. The fourth section, with chapters by Stein, Gruber and Drezner, is dedicated to the phenomenon of globalization and its alleged 'subversive effects' on the Westphalian (state-centred) global order. Finally, in section five, two chapters by Jervis and Krasner wrap up the collection with reflections on state power in an increasingly complex global system. Jervis discusses power as a type of cause and effect relationship with cuts across all forms of social interactions. His argument is tied with the notion of responsibility understood in terms of how 'acts and actors caused various outcomes' (pp.332). Stephen Krasner's final chapter draws on Barnett's and Duval's (2005) taxonomy of power to organise the book's essays according to four kinds of power: compulsory, institutional, structural and productive.

The book's most glaring omission - albeit unsurprising given its predominantly North-American intellectual orientation - is an alternative conceptual treatment of state power drawing from post-positivist theoretical ideas. For instance, the many adaptations of Foucault's and Gramsci's work to the discipline of International Relations have provided useful insights for a critical understanding of the interconnectedness between knowledge, power and hegemony in contemporary world politics. Sections three and four of the book in particular would be analytically enhanced by a Marxist/Gramscian theory of power focusing on how the structure of the global capitalist system fundamentally determines both the material and non-material power capabilities of states.¹

Furthermore, the volume has only glossed over, or neglected altogether, very important and novel global political/security dynamics with clear implications to the operation of state power in contemporary world politics. The deployment of unmanned drones -almost always used in sharp violation of sovereignty -, the growing challenge posed by cyber warfare/espionage/terrorism and the increasing salience of global networks of political activists are just a few examples of how perilous the geopolitical power of states is in the early 21st century. Notwithstanding the volume's largely conceptual and theoretical focus, it would benefit, and be empirically enriched by an analytical engagement with at least some of these issues. In fact, a more empirically and global security focused application of

Krasner's proposed conceptual framework might be an interesting follow on collection by the editors.

The above criticisms are not to detract at all from what is otherwise a fine contribution. We should definitely welcome a volume that attempts to rigorously bring state power back front and centre in international relations research. The main contribution of the book is to thoroughly demonstrate how insufficient the traditional realist approaches are to apprehend the complex dynamics of contemporary world politics. In light of the arguments presented in *Back to Basics*, it seems quite clear that analyses of state power in the 21st century necessarily need to take seriously non-material sources of power. This collection will be a valuable resource for students of international relations interested in critically rethinking conventional conceptualisations of state power along the lines proposed by the essays in the volume.

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Notes

- 1 See, for example, Saull (2008).

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