



Rule of Law in Latin America: The International Promotion of Judicial Reform

edited by
Pilar Domingo
and **Rachel Sieder**

Rule Of Law In Latin America The International Promotion Of Judicial Reform

Eduardo Lora



Rule Of Law In Latin America The International Promotion Of Judicial Reform:

Rule of Law in Latin America Pilar Domingo, Rachel Sieder, 2001 This volume analyzes the judicial reform processes funded by international donor organizations in Latin America As billions of dollars are spent on judicial reform it is pertinent to ask about the fate of these projects The authors examine the way in which international organizations rationalize and prioritize their reform proposals and agenda in Latin America how reform agendas are implemented and followed up or not how international donor organizations relate to national governments and civil society and to each other and what factors account for the successes and failures of their reform initiatives The book also addresses the question of the connection between rule of law reform and broader processes of regime consolidation and state building from both a political and a social perspective

Promoting the Rule of Law Abroad Thomas Carothers, 2010-03-01 Over the past decade Carothers has established himself as the leading U S expert on democracy promotion He is a powerful critic not only of the nuts and bolts of democracy assistance but also of U S grand strategy overall SAIS Review Promoting the rule of law has become a major part of Western efforts to spread democracy and market economics around the world Yet although programs to foster the rule of law abroad have mushroomed well grounded knowledge about what factors ensure success and why remains scarce In Promoting the Rule of Law Abroad leading practitioners and policy oriented scholars draw on years of experience in Russia China Latin America Central and Eastern Europe the Middle East and Africa to critically assess the rationale methods and goals of rule of law policies These incisive accessible essays offer vivid portrayals and penetrating analyses of the challenges that define this vital but surprisingly little understood field Contributors include Rachel Belton Truman National Security Project Lisa Bhansali World Bank Christina Biebesheimer World Bank Thomas Carothers Carnegie Endowment Wade Channell Stephen Golub and David Mednicoff University of Massachusetts Amherst Laure H l ne Piron Overseas Development Institute Matthew Spence Yale Law School Matthew Stephenson Harvard Law School and Frank Upham NYU School of Law

The State of State Reforms in Latin America Eduardo Lora, 2006-10-23 Latin America suffered a profound state crisis in the 1980s which prompted not only the wave of macroeconomic and deregulation reforms known as the Washington Consensus but also a wide variety of institutional or second generation reforms The State of State Reform in Latin America reviews and assesses the outcomes of these less studied institutional reforms This book examines four major areas of institutional reform a political institutions and the state organization b fiscal institutions such as budget tax and decentralization institutions c public institutions in charge of sectoral economic policies financial industrial and infrastructure and d social sector institutions pensions social protection and education In each of these areas the authors summarize the reform objectives describe and measure their scope assess the main outcomes and identify the obstacles for implementation especially those of an institutional nature

Assessing Judicial Reforms in Developing Countries Juan Carlos Oyanedel, 2019-04-23 This book examines how judicial reform can be effectively assessed through a procedural justice

approach It provides a practical framework for assessment of judicial reform examining a successful reform in Chile through large scale surveys and longitudinal research Judicial reform is a key element to democratization and modernization processes in the developing world Practitioners have struggled with ways to analyze the effects of judicial reform and to define success Procedural justice theorists propose that people will obey the law if they consider it fair this affects willingness to collaborate with the police and the courts and the general approach that the public has towards social regulations Judicial reforms such as criminal procedure reforms which explicitly guarantee the development of a fairer judicial process represent a scenario that puts these theoretical assumptions to the test With policy recommendations and applications for international judicial reform this book tests the real conditions of a procedural justice approach with empirical assessment and analysis With implications for Latin America and countries undergoing judicial or political reforms worldwide this book will be an important resource for researchers policy makers and all those interested in the analysis of judicial reforms democratization processes and the psychology of justice

The Unfinished Transition to Democracy in Latin America , Handbook on the Rule of Law Christopher May,Adam Winchester,2018-08-31

The discussion of the norm of the rule of law has broken out of the confines of jurisprudence and is of growing interest to many non legal researchers A range of issues are explored in this volume that will help non specialists with an interest in the rule of law develop a nuanced understanding of its character and political implications It is explicitly aimed at those who know the rule of law is important and while having little legal background would like to know more about the norm *The DNA of Constitutional Justice in Latin America* Daniel M. Brinks,Abby Blass,2018-04-19 In recent times there has been a dramatic change in the nature and scope of constitutional justice systems in the global south New or reformed constitutions have proliferated protecting social economic and political rights While constitutional courts in Latin America have traditionally been used as ways to limit power and preserve the status quo the evidence shows that they are evolving into a functioning part of contemporary politics and a central component of a system of constitutional justice This book lays bare the political roots of this transformation outlining a new way to understand judicial design and the very purpose of constitutional justice Authors Daniel M Brinks and Abby Blass use case studies drawn from nineteen Latin American countries over forty years to reveal the ideas behind the new systems of constitutional justice They show how constitutional designers entrust their hopes and fears to dynamic governance systems in hopes of directing the development of constitutional meaning over time

Routledge Handbook of Law and Society in Latin America Rachel Sieder,Karina Ansolabehere,Tatiana Alfonso,2019-05-20 An understanding of law and its efficacy in Latin America demands concepts distinct from the hegemonic notions of rule of law which have dominated debates on law politics and society and that recognize the diversity of situations and contexts characterizing the region The Routledge Handbook of Law and Society in Latin America presents cutting edge analysis of the central theoretical and applied areas of enquiry in socio legal studies in the region by leading figures in the study of law and

society from Latin America North America and Europe Contributors argue that scholarship about Latin America has made vital contributions to longstanding and emerging theoretical and methodological debates on the relationship between law and society Key topics examined include The gap between law on the books and law in action The implications of legal pluralism and legal globalization The legacies of experiences of transitional justice Emerging forms of socio legal and political mobilization Debates concerning the relationship between the legal and the illegal The Routledge Handbook of Law and Society in Latin America sets out new research agendas for cross disciplinary socio legal studies and will be of interest to those studying law sociology of law comparative Latin American politics legal anthropology and development studies

Racial Subordination in Latin America Tanya Katerí Hernández,2013 1 Racial innocence and the customary law of race regulation 2 Spanish America whitening the race the un written laws of blanqueamiento and mestizaje 3 Brazilian Jim Crow the immigration law whitening project and the customary law of racial segregation a case study 4 The social exclusion of afro descendants in Latin America today 5 Afro descendant social justice movements and the new antidiscrimination laws 6 Brazil at the forefront of Latin American race based affirmative action policies and census racial data collection 7 Conclusion the United States Latin America connections Domesticating Democracy Susan Helen Ellison,2018-04-19 In Domesticating Democracy Susan Helen Ellison examines foreign funded alternate dispute resolution ADR organizations that provide legal aid and conflict resolution to vulnerable citizens in El Alto Bolivia Advocates argue that these programs help residents cope with their interpersonal disputes and economic troubles while avoiding an overburdened legal system and cumbersome state bureaucracies Ellison shows that ADR programs do more than that they aim to change the ways Bolivians interact with the state and with global capitalism making them into self reliant citizens ADR programs frequently encourage Bolivians to renounce confrontational expressions of discontent turning away from courtrooms physical violence and street protest and coming to the negotiation table Nevertheless residents of El Alto find creative ways to take advantage of these micro level resources while still seeking justice and a democratic system capable of redressing the structural violence and vulnerability that ADR fails to treat **The OECD DAC Handbook on Security System Reform Supporting Security and Justice** OECD,2008-02-25 The OECD DAC Handbook on Security System Reform Supporting Security and Justice contains valuable tools to help encourage a dialogue on security and justice issues and to support a security system reform SSR process through the assessment design and implementation phases *Constitutionalism in the Americas* Colin Crawford,Daniel Bonilla Maldonado,2018-02-23 Constitutionalism in the Americas unites the work of leading scholars of constitutional law comparative law and Latin American and U S constitutional law to provide a critical and provocative look at the state of constitutional law across the Americas today The diverse chapters employ a variety of methodologies empirical historical philosophical and textual analysis in the effort to provide a comprehensive look at a generation of constitutional change across two continents **Crafting Courts in New Democracies** Matthew Ingram,2016 This book explores the

importance of local courts in enacting positive social and economic reform in Brazil and Mexico *Una reforma imposible* Luis Pàsara, 2015-12-29 An lisis sobre la posibilidad de reformar la justicia y una explicaci n sobre qu cambios son posibles y qu se requiere para llevarlos a cabo El volumen est organizado en cuatro partes La primera aborda la ineficacia de la ley en la vida social de un pa s y su repercusi n en la administraci n de justicia La segunda propone algunas claves de entendimiento de este problema La tercera est dedicada a los intentos de reformar la justicia que se han desarrollado en las ltimas tres d cadas sus logros y l mites los obst culos encontrados en el camino y la experiencia de la reforma procesal penal La cuarta y ltima pone atenci n a algunos actores relevantes del proceso y discute los mitos as como ciertas propuestas que circulan en torno al tema *The Oxford Handbook of Mexican Politics* Roderic Ai Camp, 2012-02-16 A comprehensive view of the remarkable transformation of Mexico s political system to a democratic model The contributors to this volume assess the most influential institutions actors policies and issues in the country s current evolution toward democratic consolidation

The Judicialization of Politics in Latin America Rachel Sieder, L. Schjolden, A. Angell, 2016-04-30 During the last two decades the judiciary has come to play an increasingly important political role in Latin America Constitutional courts and supreme courts are more active in counterbalancing executive and legislative power than ever before At the same time the lack of effective citizenship rights has prompted ordinary people to press their claims and secure their rights through the courts This collection of essays analyzes the diverse manifestations of the judicialization of politics in contemporary Latin America assessing their positive and negative consequences for state society relations the rule of law and democratic governance in the region With individual chapters exploring Argentina Brazil Chile Colombia Costa Rica Mexico Peru and Venezuela it advances a comparative framework for thinking about the nature of the judicialization of politics within contemporary Latin American democracies **Divided Sovereignty** Carmen E. Pavel, 2015 An exploration of new institutional solutions to the old question of how to constrain states when they commit severe abuses against their own citizens The book argues that coercive international institutions can stop these abuses and act as an insurance scheme against the possibility of states failing to fulfill their most basic sovereign responsibilities **The Limits of Judicialization** Sandra Botero, Daniel M. Brinks, Ezequiel A. Gonzalez-Ocantos, 2022-08-25 Latin America was one of the earliest and most enthusiastic adopters of what has come to be known as the judicialization of politics the use of law and legal institutions as tools of social contestation to curb the abuse of power in government resolve policy disputes and enforce and expand civil political and socio economic rights Almost forty years into this experiment The Limits of Judicialization brings together a cross disciplinary group of scholars to assess the role that law and courts play in Latin American politics Featuring studies of hot button topics including abortion state violence judicial corruption and corruption prosecutions this volume argues that the institutional and cultural changes that empowered courts what the editors call the judicialization superstructure often fall short of the promise of greater accountability and rights protection Illustrative and expansive this volume offers a truly interdisciplinary analysis of

the limits of judicialized politics **Transitional Justice in Latin America** Elin Skaar, Jemima Garcia-Godos, Cath Collins, 2016-10-27 This book addresses current developments in transitional justice in Latin America effectively the first region to undergo concentrated transitional justice experiences in modern times Using a comparative approach it examines trajectories in truth justice reparations and amnesties in countries emerging from periods of massive violations of human rights and humanitarian law The book examines the cases of Argentina Brazil Chile Colombia Guatemala El Salvador Paraguay Peru and Uruguay developing and applying a common analytical framework to provide a systematic qualitative and comparative analysis of their transitional justice experiences More specifically the book investigates to what extent there has been a shift from impunity towards accountability for past human rights violations in Latin America Using thick but structured narratives which allow patterns to emerge rather than being imposed the book assesses how the quality timing and sequencing of transitional justice mechanisms along with the context in which they appear have mattered for the nature and impact of transitional justice processes in the region Offering a new approach to assessing transitional justice and challenging many assumptions in the established literature this book will be of enormous benefit to scholars and others working in this area Democratization and Competitive Authoritarianism in Africa Matthijs Bogaards, Sebastian Elischer, 2016-02-26 The special issue revisits Levitsky and Way's seminal study on Competitive Authoritarianism 2010 The contributions by North American European and African scholars deepen our understanding of the emergence trajectories and outcomes of hybrid regimes across the African continent

Decoding **Rule Of Law In Latin America The International Promotion Of Judicial Reform**: Revealing the Captivating Potential of Verbal Expression

In a period characterized by interconnectedness and an insatiable thirst for knowledge, the captivating potential of verbal expression has emerged as a formidable force. Its power to evoke sentiments, stimulate introspection, and incite profound transformations is genuinely awe-inspiring. Within the pages of "**Rule Of Law In Latin America The International Promotion Of Judicial Reform**," a mesmerizing literary creation penned with a celebrated wordsmith, readers set about an enlightening odyssey, unraveling the intricate significance of language and its enduring affect our lives. In this appraisal, we shall explore the book is central themes, evaluate its distinctive writing style, and gauge its pervasive influence on the hearts and minds of its readership.

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