Record Nr. UNINA9910829178603321 Autore Kapiszewski Diana Titolo High courts and economic governance in Argentina and Brazil / / Diana Kapiszewski Cambridge,: Cambridge University Press, 2012 Pubbl/distr/stampa 1-139-88828-5 **ISBN** 1-139-56417-X 1-139-55557-X 1-139-55432-8 1-139-01766-7 1-139-54936-7 1-139-55186-8 1-283-63826-6 1-139-55061-6 Edizione [1st ed.] Descrizione fisica 1 online resource (xi, 289 pages) : digital, PDF file(s) POL000000 Classificazione Disciplina 343.8107/0269 Soggetti Courts of last resort - Brazil Courts of last resort - Argentina Political questions and judicial power - Argentina Political questions and judicial power - Brazil **Brazil Economic policy** Argentina Economic policy Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Title from publisher's bibliographic system (viewed on 05 Oct 2015). Note generali Includes bibliographical references and index. Nota di bibliografia Nota di contenuto 1. High court-elected branch institutions in Latin America -- 2. Setting the scene: Latin America's triple transition and the judicialization of economic governance -- 3. Politicization and the political court in Argentina -- 4. Professionalism and the statesman court in Brazil -- 5. The political court and high court submission and inter-branch confrontation in Argentina -- 6. The statesman court and inter-branch accommodation in Brazil -- 7. Conclusions and implications. High Courts and Economic Governance in Argentina and Brazil analyzes Sommario/riassunto how high courts and elected leaders in Latin America interacted over

neoliberal restructuring, one of the most significant socioeconomic transformations in recent decades. Courts face a critical choice when deciding cases concerning national economic policy, weighing rule of law concerns against economic imperatives. Elected leaders confront equally difficult dilemmas when courts issue decisions challenging their actions. Based on extensive fieldwork in Argentina and Brazil, this study identifies striking variation in inter-branch interactions between the two countries. In Argentina, while the high court often defers to politicians in the economic realm, inter-branch relations are punctuated by tense bouts of conflict. The Brazilian high court and elected officials, by contrast, routinely accommodate one another in their decisions about economic policy. Diana Kapiszewski argues that the two high courts' contrasting characters - political in Argentina and statesman-like in Brazil - shape their decisions on controversial cases and condition how elected leaders respond to their rulings, channeling inter-branch interactions into persistent patterns.