

acción de los movimientos armados *sin contextualizar esta violencia dentro de una historia política*, creando así una mirada de la sociedad como ‘víctima’ y ‘espectadora’ de un acontecer que parecería ocurrir en otro nivel o fuera de su historia. La cuarta sección (“Usos y resignificaciones del *Nunca Más*”) recorre los diferentes momentos de lectura e interpretaciones desde 1984 hasta el año 2006, cuando se redacta un nuevo prólogo marcado por las políticas establecidas por el presidente Kirchner en el área de la impunidad y los derechos humanos. Esta sección recorre diferentes usos del informe y analiza la recepción que ha tenido en diferentes sectores de la población.

Si bien el énfasis de Crenzel radica en mostrar el modo en que el informe se fue tornando hegemónico como memoria ‘emblemática’ sobre el pasado, se subraya cómo los procesos de re-significación abren también un sitio de re-lectura a través del cual se hacen posibles otros modos de ‘decir’ que discrepan con el texto en tanto verdad oficial. El autor propone el concepto de ‘régimen de memoria’ para abordar el establecimiento de memorias emblemáticas y la manera en que esta evocación pública se convierte en un sitio de constantes re-lecturas, usos y re-significaciones, abriendo una zona de luchas discursivas sobre los modos de encuadrar y evocar el pasado. Además de llevar a cabo el cometido de “comprender los procesos políticos y culturales que hicieron del *Nunca Más* el relato que estructuró, desde el retorno de la democracia, la forma de evocar y pensar las desapariciones y la violencia política en la Argentina” (p. 25), el libro nos plantea un modo de abordar el informe en su constitución siempre fisurada y problemática, lo que explica el punto esencial de este trabajo como análisis de la eterna recurrencia del *Nunca Más* como evento político y discursivo.

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MATTHEW M. TAYLOR: *Judging Policy: Courts and Policy Reform in Democratic Brazil*. Stanford: Stanford University Press, 2008.

Matthew M. Taylor, a North American political scientist who teaches at the University of São Paulo, seeks to explain why it is that particular political actors have used the federal courts to challenge Brazilian presidents and Congress on matters of policy reform. In recent years Brazilian courts have often served as effective weapons for those who want to delay the implementation of policies, whether the privatization of state-owned companies or the reform of pension programs. In some cases, this has created an opportunity for the policies themselves to be changed. Taylor builds his argument in a core chapter on a relatively

small number of case studies from the 1990s, when Fernando Henrique Cardoso was president.

Taylor is writing against his fellow political scientists' assumptions that Latin American courts are not independent institutions. Having experienced two decades of military rule, however, those who crafted the 1988 Constitution were determined to revive and renew compromised institutions and give the judiciary itself more authority and autonomy. The Brazilian judicial system is institutionally strong and, to some degree, getting stronger, not least of all because particular political actors want to make it so. Brazil now has a healthy system of checks and balances (and Taylor himself makes clear that he rejects the notion that this has helped make Brazil ungovernable). Judges are not, of course, truly independent actors, in that they have to be put in play by those who have legal standing to do so. These include the prosecutor-general, leaders in the Senate and the Chamber of Deputies, governors, political parties, the Brazilian Bar Association (OAB), and unions. Unsurprisingly, the degree to which particular policies are contested in the courts is related to the perceived costs and benefits to specific groups. Taylor makes clear that the courts are used most often when the costs of policies are "concentrated" while the benefits are spread out.

Taylor provides helpful information on the structure of the Brazilian judiciary. He also discusses its weaknesses: positions are often not filled, there are too many laws, caseloads are always too heavy, and movement through the courts is highly congested. The legal system is inefficient and unable to protect individuals the way it should. On appeal it can take eight to ten years to reach a final decision, and usually the original decision is upheld. The limited education of the judges may lead them to reach narrowly considered decisions. In any case, any individual judge's decision has relatively less impact than one might imagine, given the volume of cases handled and given the fact that there are few "formally binding or universally applicable" decisions.

Taylor is most insightful when he is discussing why particular groups make use of the judiciary the way they do. He focuses particularly on the Workers Party (PT) and the OAB, which have played particularly important roles in using the courts to try and block implementation of policies they do not approve of. One may admire the PT's attempt to prevent what it considered majoritarian domination, as well as their willingness to challenge what they considered unconstitutional actions. The party's goals during the Cardoso years were to "delay or disable" the implementation of reform, as well as to provide a "voice" for opposition. In theory, at least, in the process of slowing implementation of particular policies, the PT hoped to encourage debate, though it might be argued that, in many cases, there already should have been considerable debate by the elected representatives of the Brazilian population. It is important to remember

that at the time the PT had only twelve percent of the seats in the Chamber of Deputies. (Ironically, Taylor notes, the PT had not engaged in the same practices when the Lula administration had proposed rather similar reforms, while Cardoso's PSDB, now in opposition, generally did not make use of the courts when it was in opposition because it approved of the substance of many of them.)

The OAB has also made "intensive use" of the courts, for obvious and not so obvious reasons. It was an institution that was also strengthened by the 1988 constitution. The OAB has played a significant role over time in opposing military rule and it continues to see itself as the "watchdog of democracy." Yet it has also acted out of narrow professional interests when, for example, it challenged a cap on honoraria paid to lawyers in land-expropriation cases.

In the final chapter Taylor provides a comparative study of Argentine, Brazilian, Uruguayan, and Mexican judiciaries and their response to pension reform. Brazil, as it turns out, was the only one of those four countries whose judiciary played a significant role in shaping the process of reform. This underscores the point made throughout the body of the text regarding its institutional strength. Despite similar authoritarian experiences in other South American countries, their judiciaries did not achieve the same degree of independence as the Brazilian one.

Many Latin Americanists interested in the judiciary will find this book a valuable contribution to the literature. However, the book is repetitious, particularly in the early chapters, and it certainly reads at times as if it had to be stretched to make a book. In a much too short conclusion, Taylor certainly could have reflected more on the relations between the developments he describes and the nature and quality of Brazilian democracy. His tone is balanced, but his arguments could have been more robust. The judiciary and the executive may not always see eye to eye, but which one more accurately reflects popular wishes? Taylor also might have done more to address attempts to broaden the "effective legal franchise," which could make the judiciary an even more effective instrument of Brazilian democracy.

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ANTONIO VIEGO: *Dead Subjects: Toward a Politics of Loss in Latino Studies*. Durham & London: Duke University Press, 2007.

It would be hard to dispute the claim that much of Latino Studies and its antecedent disciplines of Chicano and Puerto Rican Studies have emerged as coordinated responses to the collective trauma resulting from the violence of loss and dispossession. Be it the territorial, material, social, and political dispos-