

Mobilization of rights in times of crisis: a review of social movements theory

Mobilização de direitos em tempos de crise: uma revisão da teoria dos movimentos sociais

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Abstract

The research on social movements has observed the internal dynamics of movements, the construction of their identities, their forms of performance, as well as their organization and mobilized resources. From the continuous observation of movements in their local and transnational dynamics, the uses of law have been analyzed, on the one hand, as part of the strategies and resources mobilized by the movements and, on the other hand, as part of the institutional structures of opportunity and repression. This article aims to demonstrate the possible paths to be developed for an analysis of the forms of mobilization of rights from the point of view of social movements that also consider the complexity of the legal form. For this, the work is divided into three parts. The first will bring a summary of the different perspectives in the field of social movements. The second will focus on the current debates on social movements, protests and austerity policies. And finally, the third will present the discussion promoted in this special issue of the Law and Praxis Journal aiming at offering new questions for a research agenda on the matter.

Keywords: crisis, social movements, social rights, austerity.

Resumo:

A pesquisa sobre os movimentos sociais observa a sua dinâmica interna, a construção de suas identidades, suas formas de atuação, bem como a organização e recursos mobilizados. A partir da observação contínua dos movimentos em suas dinâmicas locais e transnacionais, os usos do direito foram analisados, por um lado, como parte das estratégias e recursos mobilizados pelos movimentos e, por outro lado, como parte das estruturas institucionais de oportunidade e de repressão. Este artigo tem por objetivo demonstrar os possíveis caminhos a serem desenvolvidos para uma análise das formas de mobilização de direitos do ponto de vista dos movimentos sociais que considerem também a complexidade da forma jurídica. Para isso, o trabalho será dividido em três partes. A primeira trará uma retomada das diferentes perspectivas no campo dos movimentos sociais. O segundo centra-se nos debates atuais sobre os movimentos sociais, os protestos e as políticas de austeridade. E, finalmente, a terceira apresentará a discussão promovida nesta edição especial da Revista Direito e Práxis com o objetivo de oferecer uma novas questões para uma agenda de pesquisa sobre o tema.

Palavras-chaves: crise, movimentos sociais, direitos sociais, austeridade.

Introduction

The field of research on social movements has produced, at least since the 1970s, multiple analytical perspectives. They have focused on the observation of the internal dynamics of movements, the construction of their identities, their forms of performance, as well as their organization and mobilization of resources. The field was initially categorized within the disciplines of sociology; meanwhile, with the transnationalization of networks of movements themselves, the research on social movements also spread to the political science, international relations and, finally, the field of law. One of the central movements in this context was the Global Justice Movement, which brought together activists worldwide organized around social justice struggles and which also criticized the "there is no alternative" motto reporting the problems of economic globalization.

From the continuous observation of movements in their local and transnational dynamics, the uses of law have been analyzed on the one hand as part of the strategies and resources mobilized by the movements and, on the other hand, as part of the institutional structures of opportunity or repression. Increasingly law has become the subject of reflection in the field of social movements theory. Such reflection, however, is often marked by the lack of a more in-depth analysis of the ambivalent role of the legal form in social relations, a debate that has long been held by the materialist theory of law. Considering this diagnosis, this article aims at highlighting possible pathways to be developed for an analysis of the forms of mobilization of rights from the point of view of social movements that also consider the complexity of the legal form. For this purpose, the work is divided in three parts. The first brings a review of the different (theoretical) research phases in the field of social movements. The second focuses on the current debates on social movements, protests and austerity policies. And finally, the third presents a discussion based on the articles in this dossier and propose a research agenda that analyzes the struggles for social rights in times of austerity as a strategy of mobilization for social movements.

1. Social movements research towards a materialistic approach

Many social scientists have already dealt with the question of the relationship between individual agency and the demand for social change.¹ Social movements research as a discipline however established itself in the 1960s. The emergence of the discipline is characterized by its detachment from the Marxist theory and the influence from the mass psychology. According to Chesters and Welsh (2010, p. 3), this was central to the development of two research streams in the Global North: a European one, mostly based on Marxist theory, and a US American one, based on the approach of mass psychology studies. This contrast is reflected in the different views of the phenomenon of protest and the further development of the research field. In the US tradition, collective behavior has been addressed especially with regard to individual human action. The so-called European research focuses more on the causes of protests and the role of collective identity for social change.

During this phase, institutions were rarely included in the analysis of collective mobilization. They were only relevant if they did not function properly – “as a result of an economic or political crisis” – and lead to the dissatisfaction and mobilization of people, thus stimulating the irrational fears and emotions of the masses. The combination of structural functionalism and socio-psychological studies has been defined under the theory of relative deprivation (Kern 2008, 5). This theoretical approach was particularly criticized for the fact that many studies have devoted themselves to the psychological processes and developed a “distanced relation by the researchers to their subject” (Kern 2008, 10).

In the 1970s, resource mobilization theory questioned the psychological assumption of a mass driven by irrationality, building a central critique on the perspectives of the former research approaches. On the basis of empirical studies, it was shown that collective actors “use” their means “aiming at certain goals” (Kern 2008, 10). This perspective goes beyond the

¹ Federici (2012) defines the central role of collective actors in the emergence and transformation of capitalist society, namely the organization of forms of resistance and alternative life. According to the Marxist tradition, “social development is preceded by class struggles” [...]. Tensions of society culminate in the course of history “in the emergence of a revolutionary movement, which causes a radical upheaval” (Kern 2008, 9–10).

general reproach, widespread within the Global North, that social movements would adopt a pathological and divergent attitude towards democratic institutions (Chesters and Welsh 2010, 5). The work of McCarthy and Zald (1977) is a central example of this theoretical change. The fact that the expectation, disappointment and discrepancy between claim and reality do not always lead to a protest movement has been since then investigated in details in order to reveal which concrete mechanisms trigger individuals to collective action (Kern 2008, 12). This criticism contributed significantly to a shift of the research focus in the field from the causes to the mechanisms of mobilization (Kern 2008, 12), and therefore, to the forms of organization, which have been developed through empirical studies.

This perspective was synthesized around the “resource mobilization approach”, which has been further constantly reinterpreted (Kern 2008, 12). Between the 1980s and the 2000s social movements research experienced a new boost. Theoretical frameworks such as the “framing approach” (see e.g. (Goffman and Berger 1986; Benford and Snow 2000)) and the “theory of political opportunity structures” (cf. Kitschelt 1999) were developed during this period and are still considered today as the key concepts of social movements research (Della Porta and Diani 2006; Kern 2008, 11).

This change of perspective in the field also applies to the approach “contentious politics” (cf. McAdam, Tarrow, and Tilly 2001; Tilly and Tarrow 2006; Tarrow 2011). From mobilization causes, through mobilization mechanisms, to the analysis of protest waves and their related events, a new focus was created in the social movements research. These current approaches aim at describing, on the one hand, the relationship between mobilizations and institutions; and, on the other hand, the organizational and strategic processes of movements (Della Porta and Diani 2006). Tilly, Tarrow, and other successors of the contentious politics approach are also classified in the field of social theory and represented within this field as they bring the theory of movements in dialogue with the critical societal analysis (Tarrow 2011). However, most of the researches in this field were carried out mainly at the local and micro level. Their results give insights into the detailed characteristics and strategies of the movements, but they often ignore a

relational analysis of the concrete problems and a theoretical embedding (Della Porta 2015a).

Social movements research developed around several axes in the global context. In Europe, as already mentioned, in partial detachment from the Marxist thought, at least until the economic and financial crisis of 2008, the historical division between “old and new social movements” has a special significance. According to Kern (2008, 11), the emergence of the ecology, peace and new women’s movement in the early 1970s dominated the field as the “particularly relevant research topics”. For some scholars, the issues of work, or labor movements, shall be neglected as the theme of an old, already surpassed social phenomenon to which social theory and social movements research should pay little attention (see the criticism of Hetland and Goodwin 2014). Against the class-debate, the post-materialist approaches have acquired a special meaning also in the Global South (cf. Habermas 1990; Habermas 2014; Offe 1985; Laclau and Mouffe 2014). These perspectives focus on the new politicization strategies and antagonisms within different social groups in the context of over-complex societies (Chesters and Welsh 2010, 14).

The conceptual separation of “old and new” social movements has been further adopted in the social sciences without problematization (Rucht 1994; Klein, Legrand, and Leif 1998). Another important cleavage in the movements research is the distinction between right-wing and “left” or “popular” social movements. Particularly in Europe, especially in Germany, a large part of the social movements research is dedicated to the phenomenon of right-wing populism and its forms of organization.² In Latin America, as Camacho (1987) already in the 1980s proposes, this issue is addressed throughout another differentiation. On the one hand, are the “social movements”, which can represent any collective organization, including conservative groups; and, on the other, the “popular movements”, the latter describing groups organized around popular struggles and aiming at social change, as the example of campesinos, landless workers, and others. The central political role of popular social movements in the region as well as an engaged research approach led to a specific development of the field in Latin

² See e.g. the focus of the Institute for Protests and Movement Research (<https://protestinstitut.eu/>).

America. Its contribution offers a systematic analysis focused on the interrelations of the State and social actors that can be also seen as an example for an integrated perspective of human agency, collective organization, and social structure.³

In the 2000s, influenced by the impact of neoliberal policies in Latin America, and since 2008, following the global economic crisis, the research on social movements is experiencing a new momentum: resistance movements around the world have been particularly investigated (Boito Jr., Galvão, and Marcelino 2009; Bringel 2011; Estanque 2014; Lima and Artiles 2014) and the power of influence and mobilization of collective actors has been recognized (Kern 2008, 11; Chesters and Welsh 2010, 19). A new tradition is to be established with the aim of operationalizing the contemporary phenomena of anti-austerity movements and square occupations in their relation to the capitalist dynamics (Tattersal 2010; Cox and Nilsen 2014; Fominaya and Cox 2013).

The current worldwide wave of mobilizations can also be seen as an indication that the critical social actors expand their repertoire of action by resorting to all available means to achieve their claims. Protests and mass demonstrations have been already extensively addressed within the social movements research. In this area, legal mechanisms although have received less attention, with exception of the debate in the legal field, as one can see, for example, in the articles published in this issue of the Law and Práxis Journal.⁴ Legal mechanisms, as the strategic litigation in cooperation with international human rights institutions, social movements and committed lawyers have been already described and analyzed in the US legal research, and also in Latin America. This practice has been observed from different perspectives and contexts,⁵ but still found little emphasis in the debate on social movements. Considering the struggles for social rights, a central issue taking into account the cutbacks in the investments for these rights in times of

³ See, for example: (Linares 2010; Laclau 2013; Bringel and Falero 2014)

⁴ The debate on legal strategies of social movements has an extensive development in Brazil and in all Latin America, centrally addressing the rural and land questions, also the discussions on right to the city and others. See, for example, the issue of the Law and Praxis Journal, v. 7, n. 2, 2016.

⁵ Here a set of studies in the Latin American context can be mentioned (cf. Alfonsín 1986; Luz 2008; Ribas 2009); also (Fechner 2015).

austerity, the systematic research on strategic litigation, in the current context, from the perspective of the movements, can offer a new approach for the analysis of the integration of the legal strategies of social movements and their relation with the State in a capitalist system. This question shall be put in perspective, namely in the current context of crisis though.

2. The political and economic crisis and the protests for social rights and participation

Since 2007, the political and economic crisis has been analyzed from different perspectives by the critical social sciences.⁶ However, some individual aspects concerning the effects of the crisis seem to be consensual. The turmoil of the economy based on the interests of the financial market triggered a new wave of reforms, privatizations and cuts in social rights: the bank deficits and the high debts of individual States had to be compensated not only by increasing public income, but also by the restriction of essential services and rights. This set of cuttings and reforms, which includes the privatization of public services and leads precisely to the precarisation of the everyday life of numerous people, characterizes what the critical political science calls “austerity policy”. According to Stütze (2014, 167), the term *austerity*, established in English, comes from the Latin 'austeritas', which means “abstinence”. The concept has been used in the 1970s and 1980s “to denote the austerity and the austerity policies within the State” and, at that time, had a positive connotation yet. Nowadays it seems no longer to be the same, since the term “austerity” has received an increasingly negative meaning.⁷

Social movements worldwide have protested against such austerity measures. The protests seem to have a transnational character, but are also strongly influenced by local frameworks (cf.: Bringel and Muñoz 2010; Della

⁶ For the “post-democracy” debate, see (Crouch 2008; Crouch 2015; Streeck 2012; Streeck 2015). A critical approach on the crisis under the perspective of the “regulation theory” can be found in Atzmüller et al. (2013), and in relation to the gender issues, see: Sauer (2013). Also on the critical debate, see: (Demirović et al. 2011; Demirović 2013).

⁷ Nowadays the concepts “austerity” and “austerity measure” portray among other elements specific cutbacks and cutting-measures in the area of social rights, as right to education, health, work and housing.

Porta and Tarrow 2005; Della Porta 2015a; Fominaya and Cox 2013; Príncipe and Bhaskar 2016; Della Porta and Mattoni 2015). In Portugal, for example, the set of decisions of the Supreme Court after 2011 can be interpreted as a reaction to the negotiations with the European institutions and to impact they had provoked on the already undermined labor market in the country (Duarte and Baumgarten 2015).⁸ The recent protests in France are another example. In 2016, thousands of people have mobilized against the enactment of a new labor law – the “*Loi El Komri*” – which should lead to more causalisation and flexibilization of labor relations (Syrovatka 2016; Brustier 2016; Farbiaz 2016).⁹ Beyond the European context there were also massive protests during the so-called Arab Spring (in Tunisia, Egypt and Nigeria) and the Occupy movement in the US: the both wave of protests have raised collective demands for social justice. People on the streets and squares also criticized the financial-oriented redistribution of public goods (Candeias and Vöpel 2013; Della Porta 2015a). A similar “contentious moment”, still sharply discussed, is the “June of 2013” in Brazil, characterized by a wave of social protests and mass demonstrations that brought together grievances for social rights and for democratic participation (cf.: NETSAL 2013; Singer 2013b; Bringel and Pleyers 2015; Gonçalves 2015).

As already mentioned, another central element of this wave of protests was the sharp criticism of the undemocratic decision-making model carried out by representative institutions. The involvement of the civil society in fundamental policy-making processes, namely in those which have a direct influence on the daily life of people, is increasingly being pushed back (Fominaya and Cox 2013). In this sense, Della Porta (2015b, 3) argues that the behavior of social movements during the crisis is not only an “illustration of the opposition to austerity measures” but also an illustration of the crisis of political responsibility, or, in other words, of the “worsening of democratic institutions”. Therefore, in her recent work, she aims at developing a theory of social movements that examines the interaction between anti-austerity movements, capitalism, and democracy.

⁸ See also Engelhardt 2017 in this issue of Law and Praxis Journal.

⁹ The also extensively debated cases of Spain and Greece can be also mentioned in this context: (cf.: Candeias and Vöpel 2013; Oberndorfer and Caceres 2013; Allende 2016, 2017).

With similar questions, but from a democracy-theory perspective, the research agenda of Buckel (2017) deals with the dialectics of capitalism and democracy. The author analyzes the current constellation of crisis, especially with regard to its development at the European level. Following a certain perspective within the tradition of the Marxist theory of capitalism and State,¹⁰ she provides a theoretical framework which, among other contributions, takes into account the radical-democratic potential of the critical social movements. This approach also offers a framework to investigate the potentiality of social movements based on empirical research (Buckel 2017, 38). The development of this agenda can contribute to the already developed diagnosis of the crisis of democracy, since social movements are the central actors who articulate the social claims and, at the same time, demand from the democratic institutions that they take their grievances into account.

This diagnosis about the resistance articulations and practices of insurgence of social movements leads to one question: do rights, or social rights have a concrete role in the mobilization dynamics of the movements? How do collective actors formulate their strategies in order to push back the advance of social rights cutbacks? Do they barely adopt “contentious” strategies, as protests or riots, or do they use strategically legal resources through the State apparatuses? These questions are part of a research agenda which aims at bringing together not only a more structural analysis of the social movements in relation to the State and capitalism, but also tries to develop a framing in order to understand how social movements invoke established rights as a concrete resource for their struggles or as a frame for collective mobilization in the context of crisis.

3. The dossier “Mobilization of rights: uses and legal strategies of collective actors and social movements”

The third part of the article aims at describing the works published in this dossier in order to propose the analysis of certain aspects: first, the current

¹⁰ See: Poulantzas (2002); Hirsch (2005); Jessop (2006); Esser (2008).

developments in the field of research on social movements and legal struggles; second, the most common focus of empirical research, and, finally the possible differentiations within the field itself which could offer insights for further discussions and investigations.

The first two articles of the dossier bring cases of mobilization of rights in the context of the Argentinian peasant movement and in the case of the protests against the project of a new airport in Mexico City, México. Sabrina María Villegas Guzmán, in the article “Law as an instrument of struggle and a space of conflict: the experience of the Cordoba’s Peasant Movement (Argentina)”, argues that the contradictory form of the law offers an open gap for a strategic and dissident use of its institutes in order to resist against the *status quo*, what has a special meaning considering the struggles of peasants for their right to land. Also analyzing a concrete case of mobilization of rights, Carlos Ramón Meza Martínez and Jesús Carlos Morales Guzmán, in the article “The protest and the legal mobilization against megaprojects in Mexico: The Popular Front in Defense of the Land (2001-2002)”, investigate how social movements have incorporated legal mobilization as a part of their repertoire of contention in order to reach their objectives in a legal claim. They show as well the limits of this kind of strategy, highlighting the role of mobilization in the concrete case.

In the article “Structures of legal opportunity of the social movements against dams in Pará”, João Elbio de Oliveira Aquino Sequeira works with the concept of the social movements theory “structure of legal opportunity” in order to show how social movements use the possibilities of access to international courts to address questions concerning violations of their rights. He describes cases of construction of hydroelectric power plants in Pará: Tucuruí (1976-1984), Belo Monte (2011-2016) and São Luiz do Tapajós (2016-2020).

The article “Advocacy and emancipatory struggles: what is the politics in advocacy?” written by Ricardo Nery Falbo and Luiz Otávio Ribas opens a second part of the dossier in which the practices of the actors of the judicial systems are analyzed. The authors investigated practices of litigation in two different epochs in Brazil, during the Empire (1822-1889) and during the

Republic. Using the framework of Charles Tilly, and the ideas of collective action and contentious politics, they argue that mobilization of rights means a political use of law targeting social transformation.

Also working with the possibilities and limits of social struggles within the legal system, Fernanda Vieira, Mariana Trotta, Flávia Carlet, in the article “Under the ng’oma noise: the judiciary in dispute by the quilombolas struggles”, analyze a judicial claim conducted through the Brazilian Supreme Court (ADI 3.239) and other judicial local decisions in the States of Rio de Janeiro and Paraná which deal with the right of recognition of “quilombolas” territories. The conclusions of the authors show how the multiple interpretations on the question by the judicial system led finally to the effectiveness of the right of the *quilombola peoples* considering their identity and territorial rights.

Following another perspective of the debate on identities rights, the article of Jane Felipe Beltrão, Camille Gouveia Castelo Branco Barata and Mariah Torres Aleixo, “Corporealities silenced: reflections about the narratives of violated women”, discusses the narratives about the violence faced by indigenous and *marrons* women from an ethnographic perspective. Taking the academic debate on violence, the authors show how an anthropologic approach can activate the agencies of the women since they bring their voices in the central focus of the research.

Tatyane Guimarães Oliveira, in the article “Feminists and the resignification of law: challenges for the approval of the Maria da Penha Law” analyzes the struggles in the legislative process that lead to the enactment of the Maria da Penha Law in Brazil. By doing so, the author highlights the contradictory role played by the judicial power in its negative reaction to feministic perspectives imposed to an “androcentric legal order”.

The first seven articles of this special issue show a comprehensive development of the debate on social movements and legal strategies from the perspective of the institutions, as well as from their actors. The authors bring together approaches from the critical legal theories and, in some cases more prominently, of the social movements theory. As an “intermezzo” this article aims at summarizing the debate on social movements and also the

contribution of this dossier. In this sense, the last two articles deal with the relations of social movements, legal institutions and the context of crisis, both describing developments in the periphery of Europe.

In the article “Judicial Crisis in Portugal: The Constitution in relation to the State, Social and Labor Movements”, Anne Engelhardt analyzes the Portuguese crisis of 2011 and the uprising of social and labor movements. The author also brings together the theory of social movements and the tradition of the materialist theory of the State in order to argue that “the inter-linkage between a serious economic crisis, the attempted solutions, and the rising social movements contesting these events, culminated in a judicial crisis – a point of conjuncture for different antagonistic actors and their (class) interests” what created in the country the conditions of possibility for changes in different directions.

The last article of this dossier, written by Ivan Molina Allende, “Lessons from the PAH in a volatile political context: social movements between restoration and rupture”, describes the articulation of the anti-evictions platform in Spain, one of the central social movements responsible for the social mobilizations which, since the 2010s, have changed the political spectrum in the country. The author shows also how the organization with legal strategies and the consolidation of an anti-austerity discourse within the movement were fundamental for the creation of strategies in order to protect social rights in a context of political instability and dismantling of social guarantees.

As one can see in this issue, the field of research on social movements has multiple and rich lines of development which can be followed according to different objectives and targets. The critical legal research did expressive progress systematizing the practices and legal mobilization of social movements inside and outside the institutions of the State. Thanks to sociological methodologies, a set of empirical researches has been also produced in order to demonstrate the potential or limits of the legal form in the concrete struggles of social groups. However, analyzing deeply the debate on the internal strategies of social movements, one can still see a gap between a more structural approach that combines the mobilization and contentious

dynamics of collective groups and the relation with the transformations of the State and of the legal form itself.

Given the arguments presented above, the central question of a research agenda would be: what is the role of legal strategies for social movements in their struggle against austerity policies? This central question raises others which also contribute to the development of a research agenda: how are social movements organized in different contexts, which are all determined by cutbacks and economic instability? How do they address their grievances collectively? There are so far few researches that systematically examine the strategies of collective actors before courts, except those which analyzed the conduct of procedures against transnational corporations (see: Kaleck and Saage-Maaß 2010; Fischer-Lescano and Möller 2012). Taking this research gap as a starting point, this paper proposes an agenda for the research of legal mobilization by the social movements with which they could pursue their goals using strategic litigation. The aim of these questions is to shed light on the relationship between claims for social human rights as a reaction to the crisis context and legal strategies of social movements. This would then lead to a critical consideration of the emancipatory potential inherent to legal strategies.

References:

Alfonsin, Jacques Távora. 1986. “Invasões” de Áreas Urbanas. Favelas. Alternativas de Soluções Para a Constituinte’. *Revista Do Instituto Dos Advogados Do Rio Grande Do Sul*, 418–29.

Allende, Ivan Molina. 2016. ‘Widerstand Gegen Zwangsräumungen in Spanien: Eine Soziale Bewegung in Zeiten Politischer Unsicherheit’. *Forschungsjournal Soziale Bewegungen* 29 (1): 71–76.

Allende, Ivan Molina. 2017. Lessons from the PAH in a volatile political context: social movements between restoration and rupture. In: *Revista Direito e Práxis*, 8(1): 711-721.

Atzmüller, Roland, Joachim Becker, Ulrich Brand, Lukas Oberndorfer, Vanessa Redak, and Thomas Sablowski. 2013. *Fit für die Krise?: Perspektiven der Regulationstheorie*. Münster: Westfälisches Dampfboot.

Benford, Robert D., and David A. Snow. 2000. 'Framing Processes and Social Movements: An Overview and Assessment'. *Annual Review of Sociology* 26: 611–39.

Boito Jr., Armando, Andréia Galvão, and Paula Marcelino. 2009. 'Brasil: O Movimento Sindical E Popular Na Década de 2000'. *Observatório Social Da América Latina* 10 (26): 35–55.

Bringel, Breno. 2011. 'El Estudio de Los Movimientos Sociales En América Latina: Reflexiones Sobre El Debate Postcolonial Y Las Nuevas Geografías Del Activismo Transnacional'. In *Oensamiento Critico Y Sujetos Colectivos in América Latina - Perspectivas Interdisciplinarias*, edited by Yamandú Acosta, Alfredo Falero, Alícia Rodrigues, Isabel Sans, and Gerardo Srachu, 39–60. Montevideo: Uruguay.

Bringel, Breno, and Alfredo Falero. 2014. 'Movimentos Sociais Y Gobiernos En América Latina: Nuevos Escenarios, Tipología de Relaciones Y Forma Estado/Movimento'. *Cadernos de Trabalho NETSAL* 2 (5): 1–23.

Bringel, Breno, and Enara Echart Muñoz. 2010. 'Dez anos de Seattle, o movimento antiglobalização e a ação coletiva transnacional'. *Ciências Sociais Unisinos* 46 (1): 28–36. doi:10.4013/168.

Bringel, Breno, and Geoffrey Pleyers. 2015. 'Junho de 2013... Dois Anos Depois. Polarização, Impactos E Reconfiguração Do Ativismo No Brasil'. *Nueva Sociedad | Democracia Y Política En América Latina (Edição Em Português)*, no. Outubro 2015: 4–17.

Brustier, Gael. 2016. *#NuitDebout – Que Penser?* Paris: Les éditions du CERF.

Buckel, Sonja. 2017. 'Dialektik von Kapitalismus und Demokratie heute'. In *Perspektiven sozialer Demokratie in der Postdemokratie*, edited by Oliver Eberl and David Salomon, 19–41. Springer Fachmedien Wiesbaden.

Camacho, Daniel. 1987. 'Movimentos Sociais: Algumas Discussões Conceituais'. In *Uma Revolução No Cotidiano?*, 214–45. Brasília: Editora Brasiliense.

Candeias, Mario, and Eva Vöpel. 2013. *Plätze Sichern! ReOrganisierung Der Linken in Der Krise. Zur Lernfähigkeit Des Mosaiks in Den USA, Spanien Und Griechenland*. Hamburg: VSA Verlag.

Chesters, Graeme, and Ian Welsh. 2010. *Social Movements: The Key Concepts*. Milton Park, Abingdon, Oxon. ; New York, NY: Routledge.

Cox, Laurence, and Alf Gunvald Nilsen. 2014. *We Make Our Own History: Marxism and Social Movements in the Twilight of Neoliberalism*. London: Pluto Press.

Crouch, Colin. 2008. *Postdemokratie*. Translated by Nikolaus Gramm. Berlin:

Suhrkamp Verlag.

———. 2015. *Die bezifferte Welt: Wie die Logik der Finanzmärkte das Wissen bedroht*. Translated by Frank Jakubzik. Suhrkamp Verlag.

Della Porta, Donatella. 2015a. *Social Movements in Times of Austerity: Bringing Capitalism Back Into Protest Analysis*. Cambridge: Polity Press.

———. 2015b. 'The Re-Emergence of a Class Cleavage? Social Movements in Times of Austerity'. In *Social Movements in Times of Austerity: Bringing Capitalism Back Into Protest Analysis*, 1–25. Cambridge: Polity Press.

Della Porta, Donatella, and Mario Diani. 2006. *Social Movements: An Introduction*. Malden, MA: Wiley-Blackwell.

Della Porta, Donatella, and Alice Mattoni. 2015. *Spreading Protest: Social Movements in Times of Crisis*. 2. Auflage. Ecpr Press.

Della Porta, Donatella, and Sidney G. Tarrow. 2005. *Transnational Protest & Global Activism*. Oxford: Rowman & Littlefield Publishers.

Demirović, Alex. 2013. 'Multiple Krise, Autoritäre Demokratie Und Radikaldemokratische Erneuerung'. *Prokla*, no. 172: 193–215.

Demirović, Alex, Julia Dück, Florian Becker, Pauline Bader, and Wissenschaftlicher Beirat von Attac. 2011. *VielfachKrise: Im finanzmarktdominierten Kapitalismus*. Hamburg: VSA.

Duarte, Maria do Carmo, and Britta Baumgarten. 2015. 'Portugal: The Crisis and New Actors against Austerity'. *Green European Journal* 11 (June): 68–73.

Engelhardt, Anne. 2017. Judicial Crisis in Portugal: The Constitution in relation to the State, Social and Labor Movements. In: *Revista Direito e Práxis*, 8(1): 670-710.

Esser, Josef. 2008. 'Reflexionen über ein gestörtes Verhältnis: Materialistische Staatstheorie und deutsche Politikwissenschaft'. In *Der Staat der bürgerlichen Gesellschaft. Zum Staatsverständnis von Karl Marx*, edited by Joachim Hirsch, John Kannankulam, and Jens Wissel, 203–19. Reihe Staatsverständnisse 18. Baden-Baden: Nomos Verlag.

Estanque, Elísio. 2014. 'Rebeliões de Classe Média? Precariedade E Movimentos Sociais Em Portugal E No Brasil (2011-2013)'. *Revista Crítica de Ciências Sociais*, no. 103 (May): 53–80.

Farbiaz, Patrick. 2016. *Nuit Debout – Les Textes*. Paris: Les petits matins.

Fechner, Heiner. 2015. 'Neue Rechtstheorie(n) in Lateinamerika. Vom Alternativen Recht Zum Emanzipatorischen Rechtspluralismus'. *Kritische Justiz* 48 (4): 446–63.

Federici, Silvia. 2012. 'Aufstand Aus Der Küche. Reproduktionsarbeit Im Globalen Kapitalismus Und Die Unvollendete Feministische Revolution'. In *Kitchen Politics. Queerfeministische Interventionen*. Münster: edition assemblage.

Fischer-Lescano, Andreas, and Kolja Möller. 2012. *Der Kampf um globale soziale Rechte: Zart wäre das Größte*. Auflage: 1. Berlin: Verlag Klaus Wagenbach.

Fominaya, Cristina Flesher, and Laurence Cox, eds. 2013. *Understanding European Movements: New Social Movements, Global Justice Struggles, Anti-Austerity Protest*. London: Routledge.

Goffman, Erving, and Bennett Berger. 1986. *Frame Analysis: An Essay on the Organization of Experience*. Boston: Northeastern.

Gonçalves, Guilherme Leite. 2015. 'Convicções Favoráveis versus Aparelhos de Estado: Uma Análise Das Mobilizações Sociais E Sua Criminalização Na História Recente Brasileira'. In *Investigando Convicções Morais: O Que Pensa a População Do Rio de Janeiro Sobre Os Direitos Humanos.*, edited by José Ricardo Cunha, 119–42. Rio de Janeiro: Gramma.

Habermas, Jürgen. 1990. *Strukturwandel der Öffentlichkeit: Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft*. Frankfurt am Main: Suhrkamp Verlag.

———. 2014. *Mudança Estrutural da Esfera Pública*. Edição: 1. São Paulo, SP: UNESP.

Hetland, Gabriel, and Jeff Goodwin. 2014. 'The Strange Disappearance of Capitalism from Social Movement Studies'. In *We Make Our Own History: Marxism and Social Movements in the Twilight of Neoliberalism*, edited by Laurence Cox and Alf Gunvald Nilsen, 83–102. London: Pluto Press.

Hirsch, Joachim. 2005. *Materialistische Staatstheorie. Transformationsprozesse Des Kapitalistischen Staatensystems*. Hamburg: VSA Verlag.

Jessop, Bob. 2006. 'Kapitalistischer Staatstyp Und Autoritärer Etatismus. Poulantzas' Staatstheorie Als Moderner Klassiker'. In *Poulantzas Lesen. Zur Aktualität Marxistischer Staatstheorie*, edited by Lars Bretthauer, Alexander Gallas, John Kannankulam, and Ingo Stützle, 48–64. Hamburg: VSA Verlag.

Kaleck, Wolfgang, and Miriam Saage-Maaß. 2010. 'Kämpfe Um Soziale Rechte: Können Strategische Prozesse Gegen Transnationale Unternehmen Einen Beitrag Leisten?' *Juridikum* 4: 436–48.

Kern, Thomas. 2008. *Soziale Bewegungen*. VS Verlag für Sozialwissenschaften.

Kitschelt, Herbert. 1999. 'Politische Gelegenheitsstrukturen in Theorien

sozialer Bewegungen heute'. In *Neue soziale Bewegungen*, edited by Ansgar Klein, Hans-Josef Legrand, and Thomas Leif, 144–63. VS Verlag für Sozialwissenschaften.

Klein, Ansgar, Hans-Josef Legrand, and Thomas Leif. 1998. *Neue soziale Bewegungen: Impulse, Bilanzen und Perspektiven*. Opladen: VS Verlag für Sozialwissenschaften.

Laclau, Ernesto. 2013. *A Razão Populista*. Edição: 1. São Vicente: Três Estrelas.

Laclau, Ernesto, and Chantal Mouffe. 2014. *Hegemony And Socialist Strategy: Towards A Radical Democratic Politics*. 2. London ; New York: Verso.

Lima, Maria da Paz Campos, and Antonio Martin Artiles. 2014. 'Descontentamento na Europa em tempos de austeridade: Da ação coletiva à participação individual no protesto social'. *Revista Crítica de Ciências Sociais*, no. 103 (May): 137–72.

Linera, Álvaro García. 2010. *A Potência Plebeia. Ação Coletiva e Identidades Indígenas, Operárias e Populares na Bolívia*. Edição: 1. Boitempo.

Luz, Vladimir de Carvalho. 2008. *Assessoria Jurídica Popular No Brasil: Paradigmas, Formação Histórica E Perspectivas*. Rio de Janeiro: Lumen Juris.

McAdam, Doug, Sidney Tarrow, and Charles Tilly. 2001. *Dynamics of Contention*. Cambridge ; New York: Cambridge University Press.

McCarthy, John D., and Mayer N. Zald. 1977. 'Resource Mobilization and Social Movements: A Partial Theory'. *American Journal of Sociology* 82 (6): 1212–41.

NETSAL. 2013. 'As Jornadas de Junho em Perspectiva Global'. Dossiê Temático 3. Rio de Janeiro: Instituto de Estudos Políticos e Sociais - IESP.

Oberndorfer, Lukas, and Imayna Caceres. 2013. 'Verlangt Das Gesetz Der Bürgerlichen Sicherheit Die Einschränkung Der Politischen Freiheiten? Spanien Und Die Neuzusammensetzung von Zwang Und Konsens Im Autoritären Wettbewerbsetatismus'. *Juridikum* 4: 453–63.

Offe, Claus. 1985. 'New Social Movements: Challenging the Boundaries of Institutional Politics'. *Social Research* 52 (4): 817–68.

Poulantzas, Nicos. 2002. *Staatstheorie: Politischer Überbau, Ideologie, Autoritärer Etatismus*. Hamburg: VSA.

Príncipe, Catarina, and Sunkar Bhaskar, eds. 2016. *Europe in Revolt*. London: Haymarketbooks.

Ribas, Luiz Otávio. 2009. 'Direito Insurgente E Pluralismo Jurídico: Assessoria Jurídica de Movimentos Populares Em Porto Alegre E No Rio de Janeiro (1960-2000)'. Dissertação de Mestrado, Florianópolis: Universidade Federal de Santa

Catarina.

Rucht, Dieter. 1994. *Modernisierung und neue soziale Bewegungen: Deutschland, Frankreich und USA im Vergleich*. Frankfurt ; New York: Campus Verlag.

Sauer, Birgit. 2013. “Putting Patriarchy in Its Place”. Zur Analysekompetenz Der Regulationstheorie Für Geschlechterverhältnisse’. In *Fit Für Die Krise? Perspektiven Der Regulationstheorie*, edited by Roland Atzmüller, Joachim Becker, Ulrich Brand, Lukas Oberndorfer, Vanessa Redak, and Thomas Sablowski, 111–31. Münster: Verlag Westfälisches Dampfboot.

Singer, André. 2013. ‘Brasil, Junho de 2013, Classes e Ideologias Cruzadas’. *Novos Estudos - CEBRAP*, no. 97 (November): 23–40.

Streeck, Wolfgang. 2012. ‘As Crises Do Capitalismo Democrático’. *Novos Estudos - CEBRAP*, no. 92: 35–56.

———. 2015. *Gekaufte Zeit: Die vertagte Krise des demokratischen Kapitalismus*. Berlin: Suhrkamp Verlag.

Stütze, Ingo. 2014. *Austerität als politisches Projekt: Von der monetären Integration Europas zur Eurokrise*. 2nd ed. Münster: Westfälisches Dampfboot.

Syrovatka, Felix. 2016. ‘Zwischen Utopie Und Widerstand – Die Sozialproteste in Frankreich’. *Zeitschrift LuXemburg*.

Tarrow, Sidney G. 2011. *Power in Movement. Social Movements and Contentious Politics*. 3rd ed. New York: Cambridge University Press.

Tattersal, Amanda. 2010. *Power in Coalition. Strategies for Strong Unions and Social Change*. Ithaca: Cornell University Press.

Tilly, Charles, and Sidney Tarrow. 2006. *Contentious Politics*. Oxford; New York; Auckland etc.: Oxford Univ Pr.

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