

Book Reviews

Matthew Amengual, *Politicized Enforcement in Argentina: Labor and Environmental Regulation*. New York: Cambridge University Press, 2016. Figures, tables, appendix, notes, bibliography, index, 286 pp.; hardcover \$99.99, ebook \$80.

The book is motivated by an empirical puzzle: how can states that lack most of the basic features of competent bureaucracies, such as meritocratic recruitment and political insulation, enforce regulations? To answer this question, it studies two policy domains, labor and environmental regulations, and attempts to explain why these regulations are enforced unevenly across different provinces and industries in a country characterized by institutional weakness.

The answer, the book argues, lies in the crucial role played by informal institutions. Specifically, these institutions allow societal organizations that have an interest in enforcement to influence state bureaucrats and deflect other organizations interested in noncompliance—mainly business. Unions and other civil society organizations compensate the shortfalls of weak bureaucracies by providing state officials with the information, material resources, and political support to produce enforcement. Amengual's work constitutes an innovative contribution to the study of enforcement in Latin America, as the book advances new theoretical hypotheses and concepts to understand the determinants of enforcement, backed by an impressive amount of empirical evidence.

Amengual's empirical work is remarkable, both in his research design and in the breadth and depth of his fieldwork. In terms of its research design, the book constitutes an excellent template of how to exploit the empirical advantages of the subnational comparative method. By analyzing two policy areas in four Argentine provinces, it simultaneously explores the impact on enforcement of variations in the capabilities of state bureaucracies, the strength of civil society organizations, and the distinct political dynamics inherent in each policy domain—labor and environmental laws.

In addition, the author conducted an impressive number of interviews with state bureaucrats, labor leaders, and neighborhood activists; engaged in participant observation by accompanying state bureaucrats during inspections; and gained access to internal records of inspections from provincial bureaucracies. This data collection effort not only constitutes the most comprehensive empirical study of labor inspections in Latin America to date, but also provides scholars a glimpse of an important but frequently opaque phenomenon that can hardly be assessed through quantitative data: the politics behind the enforcement of labor and environmental regulations in Latin America.

Moreover, unlike the few important studies that have approached the issue of labor enforcement by analyzing the evolution in the number of inspectors or inspec-

tions, this book takes a more qualitative approach by analyzing differences in types (not numbers) of inspection. This approach does have its own methodological challenges: the book sometimes lacks systematic data to score the values of the different types of inspection across industries or provinces, and therefore the reader is forced to take the author's word for it when he decides to score each case. Nevertheless, this novel empirical approach provides a creative template for future researchers to rethink how to measure policy enforcement beyond aggregate numbers.

The most important contribution of Amengual's work is that it challenges much of the conventional wisdom of the field, especially among scholars who study—and very often tend to idealize—the role of Weberian bureaucracies and civil society organizations in development. Three central ideas typical of studies on the politics of development are challenged—or qualified—by this book. First, this book challenges the idea that autonomous, Weberian state bureaucracies are a necessary condition for the successful implementation of public policies, a crucial argument in the works of Chalmers Johnson or Peter Evans. When states lack Weberian bureaucracies, Amengual argues, strong civil society actors can fill the vacuum by influencing bureaucrats and providing them resources to achieve decent levels of enforcement.

Second, the author provides an alternative definition of state capacity, which, instead of looking at the degree of political insulation of state bureaucracies, focuses on their “administrative resources.” Indeed, while the established approaches focus on traits typical of Weberian bureaucracies—meritocratic recruitment, job security—Amengual argues that in developing countries characterized by institutional weakness, these approaches are too demanding to understand variation in state capacity. Instead, he advances the hypothesis that the amount of bureaucracies' administrative resources, such as the number of inspectors, their level of education, or the availability of computers and means of transportation, instead of their degree of political insulation, can better explain variations in enforcement in the developing world.

This reconceptualization of states' strength has both advantages and drawbacks. On the one hand, by focusing on Weberian ideal types of state bureaucracies, the literature on developmental states had set an extremely high bar for scholars studying developing countries, since Weberian bureaucracies tend to be very rare, found in exceptional countries like South Korea or Taiwan. By lowering the bar of what we should expect functioning states to be like, Amengual's focus on states' administrative resources instead of “autonomy” sheds light on a dimension of the state that can potentially show more empirical variation across the developing world.

On the other hand, by becoming too minimal, this definition of state capacity loses some of the analytical leverage provided by Weberian approaches to understanding bureaucrats' preferences. Specifically, Weberian approaches are based on the idea that state capacity is partly a function of bureaucrats' preferences. Indeed, institutions such as meritocratic recruitment or job security are crucial to the extent that they produce a particular set of incentives for bureaucrats; specifically, they generate an *esprit de corps* that makes bureaucrats identify with the bureaucracy's mission instead of looking for personal gains by offering rents to private actors. By making its definition of state capacity less demanding and focusing only on states'

administrative resources, the book leaves an important set of questions unanswered: why do bureaucrats who count with administrative resources hold preferences in favor of enforcing labor regulation? In the absence of an *esprit do corps*, why don't they just accept the bribes offered by employers for not enforcing the law—especially when, as Amengual shows, in most cases they are underpaid political appointees? Further elaboration of bureaucrats' preferences in cases of institutional weakness will be a welcome addition to the book's theory.

The book also challenges the idea that civil society's involvement always has a positive impact on the enforcement of public policies. It provides, instead, a much more nuanced approach. On the one hand, the book argues that the existence of unions or neighborhood groups has a positive effect on enforcement, making weak bureaucracies enforce labor and environmental regulations. On the other hand, it argues that these groups' pressures generate uneven patterns of enforcement when the state is weak. In other words, the corollary of the book's argument is that a strong civil society produces, in contexts of institutional weakness, inequalitarian outcomes, directing states' scarce resources to economic sectors where social actors are already strong—although this seems to be more evident in the case of labor than in environmental regulations.

Even though, curiously, the author does not use the term throughout the book, strong social groups interacting with weak states seem to produce a situation of "capture" that rewards the strong while leaving the unorganized and weak segments of society unprotected. These findings provide new evidence for two well-established bodies of research. They are certainly consistent with the literature on the insiders-outsiders divide, which is skeptical about the influence of union organizations on the well-being of the informal or unorganized working class. However, the book also introduces an important caveat to this finding: when the state's administrative resources are high, strong insiders can actually combine their resources with those of state bureaucrats to provide widespread and strong enforcement among the organized and unorganized alike. This finding is consistent with, and contributes to, the numerous studies on development that have demonstrated how state capacity and equality are closely linked in the developing world.

The book leaves unanswered an important question that could be explored by future studies on the impact of state–civil society ties on public policy outcomes. Amengual grants a key role to these ties, as these informal institutions are a precondition for successful cooperation between state bureaucrats and civil society organizations. However, it is not entirely clear, in the theory or in the empirical evidence, whether these ties are something that preceded state bureaucrats or something that is strategically created by them in order to enforce legislation when the political circumstances force them to act. In the case of labor enforcement, the author seems to embrace the former approach: the book convincingly shows how the Peronist Party's previous links with unions in the Argentine provinces had an important effect on who got appointed to provincial labor ministries or secretariats, and hence, on the enforcement of labor regulations. However, in the case of environmental regulations, the latter approach seems to predominate: the book shows how protests

from neighborhood organizations force reluctant state bureaucrats to establish relations with them and enforce the law.

In sum, the unanswered question is, are preexisting ties a precondition for successful cooperation between state bureaucrats and civil society organizations? Or can strong civil society organizations force reluctant state bureaucrats to establish ties with them? And if both scenarios are possible, do the different origins of ties—organic versus instrumental, long-term versus short-term—have an impact on the likelihood and quality of enforcement? These are the type of important theoretical questions triggered by Amengual's fascinating book.

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Matthew C. Ingram, *Crafting Courts in New Democracies: The Politics of Subnational Judicial Reform in Brazil and Mexico*. Cambridge: Cambridge University Press, 2015. Maps, figures, tables, appendixes, bibliography, index, 392 pp.; hardcover, \$110.

The view that strategic interactions between social and political actors are what explain institutional emergence and transformation has prevailed during the last few decades. The model rests on the premise that actors behave rationally in order to maximize their own preferences and interests, and therefore individual behaviors are driven by cost-benefit calculations. In the case of political actors, it is assumed that their central ambition is to get access to powerful institutional positions and to remain in control of them. Even if it is not explicitly stated, politicians are considered to be essentially pragmatic, since they adopt those courses of action that are better suited to achieving those goals.

Partly as a reaction to these assumptions, a growing number of works have begun lately to “bring ideas back” in the analysis of institutional creation and transformation. Matthew Ingram's book should be considered a remarkable example of this trend. As the author clearly states on the first page, his central concern is to address the questions of how and why particular ideas exert influence on shaping institutions. In his case, the focus is on those institutions on which the judicial branch is organized at the subnational level in Mexico and Brazil. The initial puzzle is the uneven landscape observed in both countries: while in some Mexican and Brazilian states courts are weak and dependent, in others they have gained both autonomy and institutional power as a result of judicial reforms.

One of the book's main contributions is found in this general approach, which gives a central role to ideas; the other in its focus on the subnational level. As we know, the study of subnational politics in Latin America (and the rest of the world) has gained momentum in recent decades, and institutional reforms have begun to be analyzed at that level. As the seminal work by Richard Snyder (2001) points out, “scaling down” to the subnational level has two major advantages: it allows us to observe political phenomena that can be occluded if we look only at national politics, and the number of observations multiplies, which gives us more material for systematic comparisons.