

2142 Construction of Citizenship, Citizen Participation and Rights

WG Law and Politics

Title: The ambivalent role of law in mobilisations of social movements in times of austerity

Carolina Alves Vestena*

University of Kassel, Germany

E-mail: carolina.vestena@uni-kassel.de

Abstract:

The worldwide wave of demonstrations that started in 2011 had a specific resonance in Europe. The protests in Ireland, Spain, Portugal, Greece and more recently France, represented a milestone for the debates on the democratic characteristics of the European Union and the role of economic institutions in shaping political decisions. The critique of austerity measures and curtailment of social rights is nowadays at the core of the claims of social movements, this time not only in the Global South, but also in Europe, especially following the impoverishing effects of the “one size fits all” policies proposed by international institutions and the so-called “Troika”. Since then, academic and activist debates are trying to understand the multiple meanings of these struggles and also the strategies of the movements in this context. Significant literature has already been produced on this matter, both in the legal and sociological fields. However, it does not fully explain the role of activists lawyering in their cooperation with social movements in the frame of anti-austerity struggles yet. Considering this context, the presentation will focus in one case of contestation and legal strategies of social actors against austerity which still need attention and more empirical research from the perspective of the social movements studies, namely the legal confrontation during the peak of the Portuguese crisis (2011). Putting the first steps of the analysis of this case conjuncture, the aim of my presentation is to discuss the complex relationships between social movements, lawyers and courts through three central conceptual questions: first, the ambivalent character of the use of law by social movements; second, the need of reshaping time-space scales in the study of social movements; and, finally, the understanding of the idea of success or failure of mobilizations using legal strategies.

* PhD in Law at the State University of Rio de Janeiro (UERJ), Brazil. PhD candidate in Political Science and member of the Graduiertenkolleg „Soziale Menschenrechte“ (Graduate School “Social Human Rights”), Kassel Universität und Hochschule Fulda, Germany. Research project on legal strategies of anti-austerity movements in Portugal. Website (project and publications): <https://www.uni-kassel.de/projekte/kolleg-soziale-menschenrechte/promovierende/carolina-alves-vestena.html>. Co-Editor of the Journal “Law and Praxis” (Revista Direito e Práxis), and member of the Research Institute Law and Social Movements, Brazil.

Introduction:

Since 2007, the political and economic crisis has been analyzed from different perspectives.¹ 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 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”.² Social movements worldwide have protested against such austerity measures. The protests have a transnational character, but are also strongly influenced by local frameworks (cf.: Bringel and Muñoz 2010; 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 (Engelhardt 2017). The protests in France in 2016 are another example: 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 2016b; Brustier 2016; Farbiaz 2016).³ 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).

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

¹ For the “post-democracy” debate, see (Crouch 2008, 2015, Streeck 2012, 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).

² 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. According to Stützle (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.

³ The also extensively debated cases of Spain and Greece can be also mentioned in this context: (Candeias and Vöpel 2013; Oberndorfer and Caceres 2013; Allende 2016, 2017).

Working paper: please do not circulate and quote without permission.

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”. 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 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.

Anti-austerity movements and social movements research

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 as well: resistance movements around the world have been particularly investigated and the power of influence and mobilization of collective actors has been strongly highlighted (Kern 2008, 11; Chesters and Welsh 2010, 19). A new tradition is 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 part of the legal field.⁴ Legal mechanisms, as the strategic litigation in cooperation with international human rights institutions, social movements and committed lawyers have been already described and

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.

Working paper: please do not circulate and quote without permission.

analyzed in the US legal research (Lobel 2004; Cummings 2017), and also in Latin America, where the insurgent practices of lawyers had a central impact in undemocratic periods (Falbo and Ribas 2017).⁵ This kind of practice has been observed from different perspectives and contexts, but still found little theoretical embedding in the social movements field.

Considering the struggles for social rights, a central issue taking into account the cutbacks in the investments for these rights in times of austerity, the systematic research on strategic litigation can offer a new approach for the analysis of the legal strategies of social movements and their relation with the State. On the one hand, legal authorities resorted to legal mechanisms for the implementation of austerity measures and their establishment in the domestic judicial systems. Moreover these measures have been pushed in several cases by the government through exceptional mechanisms, which per se demonstrate the repressive character of the mobilization of the law by actors with decision-making power. On the other hand however, social movements still include a repertoire of struggles for rights in their mobilization, either fighting for additional social rights, or simply for the fundamental right of participation in the democratic political system. These two elements, which are central characteristics of the current mobilizations “around the law” show the ambivalent character of the legal form and open the debate for a more complex understanding of the implications of legal strategies adopted by movements and engaged lawyers against austerity measures. In the next section I present and focus in one case in Europe through which the complex relation between protests and legal mobilization can be highlighted.

The legal confrontation during the Portuguese crisis (2011-2015)

Nowadays Portugal seems to be in a process of “recovering” after a severe period of economic crisis, which last six years, between 2010 and 2015 finishing with the end of the recuperation program lead by international institutions. In reaction to the crisis context, social movements and trade unions criticized and combated these developments by organizing mass demonstrations and strikes in the country, especially in the years 2011 and 2012 (Estanque 2014; Engelhardt 2016). Several grievances were the object of these mobilizations. From discussions on the reform of the pension system, passing through the precarization of labor conditions until the working hours of public employees, these grievances contributed in bringing together a generation without hope of accessing one day to a safe and decent work (Baumgarten 2013).

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

Working paper: please do not circulate and quote without permission.

In this context, the Constitutional Court of Portugal – *Tribunal Constitucional de Portugal* – declared unconstitutional part of the provisions of the rescue program agreed between the government and the European and international institutions. Among these provisions some related to the reduction of the pensions of public workers and of their salaries, specially after the years of 2012 and 2013 (Fasone 2014; Kilpatrick and De Witte 2014; Fabbrini 2014; Canotilho, Violante, and Lanceiro 2015; Coutinho 2017). This led to new negotiations between the Portuguese government and the responsible Institutions in order to achieve the objectives of the Fiscal-Pact, this time taking into consideration the minimum established social rights (Ribeiro and Coutinho 2014).⁶ Since 2011, legal scholars and judges have been developing what they call “crisis jurisprudence”, and have thus discussed the impacts of these set of decisions on the whole judicial system of the country.⁷

A fundamental aspect of the Portuguese Constitution is its comprehensive inclusion of social rights. After the Carnation Revolution in 1974, various social groups in Portugal demanded the establishment of a democratic social State, which was obtained by means of the new Constitution (Ferreira and Marshall 2011). Since the early 2000s, however, new developments have changed the political spectra in the country, especially due its membership in the European Union. According to Varela, there has been an increasing dismantling of the Portuguese welfare system, which has become particularly acute after the global crisis in 2008 (Mendes and Seixas 2005; Varela 2012). The corresponding memoranda of understanding started affecting basic rights which were conquered through social confrontations in the country. The central focus on the public service can be also explained by the specific political economic context of the country and the historical centrality of public employment for the economy, which became then more important after the joining of Portugal in the European Union community of countries.⁸

The resistance against the cutbacks was thus a central mark in the anti-austerity mobilizations (Küveli 2013; Duarte and Baumgarten 2015; Baumgarten 2013; Quaranta 2015; Engelhardt 2016).

In this sense, the set of decisions taken by the Constitutional Court of Portugal since 2010 in response to the so-called “policy of the troika” should not be only interpreted as a legal

⁶ The concrete consequences of this decision are still topic of academic discussion. On the social and economic developments in the country, see: (Streck 2017).

⁷ Some of the rulings are: Acórdão 399/2010, Acórdão 396/2011, Acórdão 353/2012, Acórdão 187/2013, Acórdão 474/2013, Acórdão 862/2013, all available at: <http://www.tribunalconstitucional.pt/tc/home.html> (cf.: von Homeyer and Kommer 2013; Ribeiro and Coutinho 2014; Canotilho, Violante, and Lanceiro 2015; Coutinho 2017)

⁸ More about the political economic context of the country, see for example: (Lühmann 2015; Varela 2012)

Working paper: please do not circulate and quote without permission.

controversy, but rather as a more complex interrelation between the State apparatus and its crisis management strategy, on the one side, and the civil society in the country with its reaction to the authoritative measures, on the other side. Traditional political actors initiated the claims,⁹ but one can assume they reflect a wider social debate, namely the mobilization of social groups with the aim of enforcing their interests and demands against the dismantling of the social democratic State.

The context, which enabled a legal decision contradicting the guidelines of the financial institutions, brings a new set of questions. Did the mass demonstrations of social movements and trade unions have an influence on this process? What is the impact of this ruling on the negotiations between political institutions and on the subsequent political developments in the country? How could the demands of the activists be translated within the legal process? There was in this context a specific mobilization of legal groups or attorneys supporting the demands in the street? Despite its peculiarities, the case of Portugal serves as an example to shed light on the multiple dimensions of the struggle for rights, which cannot only be analyzed from a top-down approach, i.e. from the perspective of the State institutions or of the legal system. A bottom-up analysis is also necessary, which implies building an understanding of the strategies of the actors in their organization and construction of a social mobilization in order to enforce their rights.

Questions for the theory of social movements and mobilization of rights

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 achieved extensive progress systematizing the practices and legal mobilization mechanisms of social movements inside and outside the institutions of the State. Thanks to sociological methodologies, a set of empirical researches was also produced in order to demonstrate the potentials 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

⁹ The constitutional claims have been initiated by different actors – centrally the president and the leader of parliament, but also by the ombudsman person – which have legal standing considering the legitimation entitled by the Portuguese Constitution.

Working paper: please do not circulate and quote without permission.

against austerity policies? And in this sense, what is the role of engaged lawyers in this context? In order to continue the reflections of this work around legal actors and social movements I present hereafter four final points of reflection which summarize the central elements of this field and some challenges that have to be faced.

1: One has to understand social movements and their strategies at broader time and space scales. It is fundamental to analyze the context of a legal or social confrontation in a long-term perspective and not only observing its “peak of mobilization” in the time of riots or wide waves of protests. In the case of mobilization of rights this issue is central especially since legal procedures and cases have a much longer length than demonstrations or occupations. By observing the “moments” before, during and after the protests one can identify the broader dynamics which are the trigger of the protests, but also less visible transformations of the State and the development of new legal argumentation forms.

2. Engaged lawyers of legal “collectives” can be interpreted as counter-hegemonic “intellectuals”. Drawing on Gramsci’s development on the concept of intellectual, Buckel (2016) states that engaged lawyers play a central role in the construction of new forms of legal argumentation and possibilities of transformation of the law. In this sense, they have a central contribution by reinforcing what one can understand as a “contentious memory” in the legal field. The victories, but also the pitfalls of other complaints and claims of movements create the bases for new struggles within the legal system, and in the future for the establishment of new memories. This sedimentation can happen through strategic litigation, activist lawyering, and other forms of mobilization of rights. In this sense, the idea of failure or success of social movement strategies can be also questioned: if these practices, in their re-politicization effects can be recognized, one can see a broader and more complex effect of the mobilization and also build on this memory to improve further process of collective organization.

3. Activist lawyering, strategic litigation and mobilization of rights should be seen as a resource for and with social movements. This means that activist lawyers may deal with the dilemma of whether choosing cases with more chances of legal success or offering support to individuals or movements independently of the result of the complaint. Here clearly appears the conflict between the role of the professional, the lawyer, and its political engagement with social movements. It does not mean, however, that movements cannot construct possibilities and gather resources in order to count on permanent assistance of legal advisors, which, for instance could develop to some extent a more “organic” or active

Working paper: please do not circulate and quote without permission.

participation in the movement, practice much more common in the experience of legal mobilizations in Latin America and USA (Falbo and Ribas 2017; Vestena 2017; Lobel 2004; Cummings 2017).

4. Ambivalent character of law: recognizing the complexity between the authoritarian character and the emancipatory potential of the legal form. The legal form is assumed to have a dual character. On the one hand, it contributes to the establishment of austerity, even if legal authorities have to resort to exceptional normativity in order to implement reforms in the domestic legal systems. On the other hand, social movements mobilize their claims using the discourse and the semantic of rights, what empower legal actors to move also themselves within the judicial world in order to address these grievances. This diagnosis shows the ambivalence of the mobilization of rights, but also highlights the complex relations between movements, lawyers and courts. The mobilization of rights can also reinforce a growing juridical paternalism, in which the democratic and political questions are addressed by courts but not by the Parliament, for instance. In addition there is also the question of the efficacy of the law: in some contexts – which is the example of Portugal – the decisions of courts can only guarantee a veto of the result of negotiations, what does not mean that other political actors will not keep the push for reforms and more austerity in the political agenda through other means. In this sense, recognizing the limits of the law and its ambivalent way of functioning in capitalism, one could see that mobilization of rights moves in the interface of these two sides: the search for emancipation and the fight against repression.

Literature:

- 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.
- — —. 2017. ‘Lessons from the PAH in a Volatile Political Context: Social Movements between Restoration and Rupture’. *Revista Direito e Práxis* 8 (1): 711–21.
- Atzmüller, Roland, Joachim Becker, Ulrich Brand, Lukas Oberndorfer, Vanessa Redak, and Thomas Sablowski. 2013. *Fit für die Krise?: Perspektiven der Regulationstheorie*. Münster: Westfälisches Dampfboot.
- Baumgarten, Britta. 2013. ‘Geração à Rasca and beyond: Mobilizations in Portugal after 12 March 2011’. *Current Sociology* 61 (4): 457–73.
- 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.
- Candeias, Mario, and Eva Vöpel. 2013. *Plätze Sichern! ReOrganisierung Der Linken in Der*

Working paper: please do not circulate and quote without permission.

Krise. Zur Lernfähigkeit Des Mosaiks in Den USA, Spanien Und Griechenland. Hamburg: VSA Verlag.

- Canotilho, Mariana, Teresa Violante, and Rui Lameiro. 2015. 'Austerity Measures under Judicial Scrutiny: The Portuguese Constitutional Case-Law: Portuguese Constitutional Court Decision 399/2010 (Surcharge on Personal Income Tax 2010) Decision 396/2011 (State Budget 2011) Decision 353/2012 (State Budget 2012) Decision 187/2013 (State Budget 2013) Decision 474/2013 (Public Workers Requalification) Decision 602/2013 (Labour Code) Decision 794/2013 (40-Hour Work Week) Decision 862/2013 (Pensions Convergence) Decision 413/2014 (State Budget 2014) Decision 572/2014 (Special Solidarity Contribution 2014) Decision 574/2014 (Pay Cuts 2014-2018) Decision 575/2014 (Special Sustainability Contribution)'. *European Constitutional Law Review* 11 (1): 155–83.
- Chesters, Graeme, and Ian Welsh. 2010. *Social Movements: The Key Concepts*. Milton Park, Abingdon, Oxon. ; New York, NY: Routledge.
- Coutinho, Francisco Pereira. 2017. 'Austerity on the Loose in Portugal: European Judicial Restraint in Times of Crisis'. *Perspectives on Federalism* 8 (3): E-105. <https://doi.org/10.1515/pof-2016-0019>.
- 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.
- Cummings, Scott L. 2017. 'The Social Movement Turn in Law'. *Law & Social Inquiry*, n/a-n/a. Available at: <https://doi.org/10.1111/lisi.12308>.
- 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 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. 2016. 'Anti-Austerity Movements and Authoritarian Statism in Portugal. Integrating Social Movement Research into Poulantzas's Theory of the Capitalist State'. Masterarbeit, Kassel: Kassel Universität.
- 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.
- Fabbrini, Federico. 2014. 'The Euro-Crisis and the Courts: Judicial Review and the Political Process in Comparative Perspective'. *Berkeley Journal of International Law* 32 (1): 64–123.

Working paper: please do not circulate and quote without permission.

- Falbo, Ricardo Nery, and Luiz Otávio Ribas. 2017. 'Advocacia e lutas emancipatórias: o que há de político na advocacia?' *Revista Direito e Práxis* 8 (1): 507–55.
- Fasone, Cristina. 2014. 'Constitutional Courts Facing the Euro Crisis. Italy, Portugal and Spain in a Comparative Perspective'. *EUI Working Papers MWP* 25: 1–51.
- Ferreira, Hugo Gil, and Michael W. Marshall. 2011. *Portugal's Revolution: Ten Years On*. Reissue edition. Cambridge: Cambridge University Press.
- Fominaya, Cristina Flesher, and Laurence Cox, eds. 2013. *Understanding European Movements: New Social Movements, Global Justice Struggles, Anti-Austerity Protest*. London: Routledge.
- Homeyer, Oskar von, and Steffen Kommer. 2013. 'Verfassungsgericht Kippt Sparhaushalt. Anmerkung Zum Urteil Des Tribunal Constitucional de Portugal Vom 5. April 2013'. *Kritische Justiz* 46 (3): 325–35.
- Kern, Thomas. 2008. *Soziale Bewegungen*. VS Verlag für Sozialwissenschaften.
- Kilpatrick, Claire, and Bruno De Witte. 2014. 'A Comparative Framing of Fundamental Rights Challenges to Social Crisis Measures in the Eurozone'. *European Policy Analysis - Swedish Institute for European Policy Studies* November (7): 1–12.
- Küperi, Ismail. 2013. *Nelkenrevolution reloaded?: Krise und soziale Kämpfe in Portugal*. 1st ed. Münster: edition assemblage.
- Lobel, Jules. 2004. 'Courts as Forums for Protest'. *Bepress Legal Series*, no. Working Paper 213: 1–121.
- Lüthmann, Malte. 2015. 'Portugal: Auf dem Weg in die Austeritätsgesellschaft?' In *Europäische Welten in der Krise: Arbeitsbeziehungen und Wohlfahrtsstaaten im Vergleich*, edited by Hans-Jürgen Bieling and Daniel Buhr, 1st ed., 191–215. Frankfurt: Campus Verlag.
- Luz, Vladimir de Carvalho. 2008. *Assessoria Jurídica Popular No Brasil: Paradigmas, Formação Histórica e Perspectivas*. Rio de Janeiro: Lumen Juris.
- Mendes, José Manuel, and Ana Maria Seixas. 2005. 'Acção colectiva e protesto em Portugal: Os movimentos sociais ao espelho dos media (1992-2002)'. *Revista Crítica de Ciências Sociais*, no. 72: 99–127.
- 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.
- Príncipe, Catarina, and Sunkar Bhaskar, eds. 2016. *Europe in Revolt*. London: Haymarketbooks.
- Quaranta, Mario. 2015. 'Protesting in "Hard Times": Evidence from a Comparative Analysis of Europe, 2000–2014'. *Current Sociology*, September, 0011392115602937.
- 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.
- Ribeiro, Gonçalo de Almeida, and Luís Pereira Coutinho. 2014. *O Tribunal Constitucional e a Crise - Ensaio Crítico*. Lisboa: Almedina.
- 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.
- Streck, Ralf. 2017. 'Portugals Ausstieg Aus Der Austeritätspolitik'. *Telepolis* (blog). 2 January 2017. Available at: <https://www.heise.de/tp/news/Portugals-Ausstieg-aus-der-Austeritaetspolitik-3583593.html>.

Working paper: please do not circulate and quote without permission.

- 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.
- Stützel, 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*, August 2016. Available at: <http://www.zeitschrift-luxemburg.de/zwischen-utopie-und-widerstand-die-sozialproteste-in-frankreich/>.
- Tattersal, Amanda. 2010. *Power in Coalition. Strategies for Strong Unions and Social Change*. Ithaca: Cornell University Press.
- Varela, Raquel. 2012. *Quem Paga o Estado Social Em Portugal?* Lisboa: Bertrand.
- Vestena, Carolina Alves. 2017. 'Mobilization of Rights in Times of Crisis: A Review of Social Movements Theory'. *Revista Direito e Práxis* 8 (1): 651–69.