

how policy change is achieved, thus requiring a methodological framing of processes and mechanisms and not one of dependent and independent variables.

A few months after Díez finished his work, Colombia joined the short list of countries with marriage equality. The Colombian experience offers an alternative path that complements but also challenges some of Díez's claims. Unlike the cases presented in his book, the Colombian Congress was not the "primary site of struggle," and, as he recognizes briefly in the final passages of the book, the local gay and lesbian movement was not as strong. In the case of my own country, gay and lesbian activists used litigation instead of coalition building in Congress. Facing demands from gay, lesbian, and allied activists, who included some of the most prominent human rights legal advocates, an independent and traditionally progressive Constitutional Court first avoided deciding on the issue, then sent it to Congress for review with a two-year time limit, and finally, when Congress failed to enact legislation, recognized gay marriage as the law of the land.

Díez's book will surely be acknowledged as a major contribution to the study of gay rights in Latin America, setting an agenda for more research that includes the many processes of mobilization taking place currently in the region. But beyond gay marriage, Díez has articulated the study of institutions, party systems, social mobilization, and policy change in the region in a way that has the potential to inform wider debates among students of Latin American politics.

Sebastián E. Bitar
Universidad de los Andes

Julio Ríos-Figueroa, *Constitutional Courts as Mediators: Armed Conflict, Civil-Military Relations, and the Rule of Law in Latin America*. Cambridge: Cambridge University Press, 2016. Illustrations, figures, tables, bibliography, index, 256 pp.; hardcover \$110, paperback \$34.99, ebook \$88.

Civil-military relations are often surrounded by the dilemma of how to build efficacious armed forces that are also bounded by the law and respect for constitutional rights. This dilemma often generates tension between the civilian government and the military, and this tension often ends up creating uncertainty over the legal consequences of their actions, the limits of emergencies permitted by the constitution, and the necessary balance among the clashing constitutional principles. This book presents a stimulating insight into this debate and provides an interesting approach to how constitutional courts can become relevant players in this arena.

Ríos-Figueroa's book concentrates not on whether or not constitutional courts should be responsible for intervening in political cases the military is part of, but on what role the constitutional court should adopt in these cases. The author advances the argument that courts should embrace a mediator role rather than an arbitrator or delegate role for reaching an agreement between the parties involved. In fact, courts can become "commanding mediators" with power, because they use their own resources to influence the parties in the dispute to reach a legal solution to a conflict.

The theory of the book is fully developed in chapter 2 and begins by advocating the importance for courts of endorsing a mediator role rather than an arbitrator one. In general, arbitrators impose a solution to the parties in disputes, whereas mediators “facilitate agreements by helping each party to understand the other party’s view about the nature of the problem and how they think it might best be solved” (21). Constitutional courts as mediators become the ideal type of court for informational conflicts that are based on uncertainty, depending on the constitutional dispute at stake and the impartiality of the court.

Which factors can explain the emergence—or not—of third-party mediator courts? According to Ríos-Figueroa, it is the institutional design of courts that explains this phenomenon. More precisely, mediator courts emerge when there is independence, so as to secure credibility and legitimacy of the judges’ decisions; accessibility, so as to guarantee the court’s capacity to get information; and a strong power of judicial review. The existence of these institutional conditions would encourage judges to produce informative jurisprudence, which is necessary for conflict resolution.

Once the theory is presented, the book moves to the empirical part, a set of country case studies that analyze constitutional jurisprudence on military autonomy in Colombia between 1958 and 2013 (chapter 3), Peru from 1979 to 2013 (chapter 4), and Mexico from 1917 to 2013 (chapter 5). The country-case chapters examine the constitutional jurisprudence over the armed forces on military autonomy based on two types of cases: those that reached the court by challenging a previous decision by a military authority and those that reached the court based on the military jurisdiction. The author presents novel and rich quantitative and qualitative data in all the case study chapters.

Colombia represents a textbook example of the theory of constitutional court as mediator because it shows how an arbitrator court (1958–92) was transformed into a mediator one (1991–2013) due to changes in the institutional features of courts and the political context. The constitutional reform of 1991 produced a more independent court with greater accessibility and stronger capacities of judicial review, leaving behind the pre-1991 arbitrator court. All the institutional changes that took place in the country helped create a mediator court that was a key player in the peace conflict cases and a true negotiator between the preferences of the civil government and the military.

Peru, on the contrary, represents a less successful case study, since the 1993 constitutional reform did not necessarily transform the arbitrator court fully into a mediator one. The author’s quantitative and qualitative analysis reveals that the lack of judicial independence became a key explanatory variable for this halfway transformation of the Peruvian Constitutional Court.

Finally, Mexico represents the failed example, since its court has oscillated between an arbitrator (1917–40 and 1994–2013) and a delegate role (1940–94). The 1994 reform was not enough to transform the Mexican court into a third-party mediator because the institutional changes took place incrementally rather than abruptly (as in the constitutional replacements in Colombia and Peru) and, above all, because the court maintained a low level of accessibility.

After the three country case chapters, the book moves to a comparative analysis. Chapter 6 uses the most-similar cases approach to generate a comparative jurisdiction analysis of judicial regulation of the use of force in an internal security crisis in the three countries. Chapter 7 provides an effort to apply the theory of constitutional court as mediator in other countries outside Latin America (Israel, Turkey, and Pakistan), where the high courts have played an important role in civilian and military conflicts.

Overall, the book offers an interesting theory to contribute to the debates about the role of courts in new or developing democracies. We can infer from the book that third-party mediator is the ideal type of court for solving informational conflicts like military autonomy (but is not necessary when solving distributional conflicts like postelectoral disputes, where arbitrator is the desirable approach). However, as the evidence reveals, whether or not countries can adopt the mediator approach would be determined by their own institutional setting.

We learn from the book that judicial independence, accessibility, and capacity for judicial review are necessary conditions for that transformation to flourish, but none of them is sufficient by itself. Do courts in the desirable institutional setting always adopt a mediator role when facing an informational conflict? Or is it more a matter of choosing among different styles for conflict resolution (e.g., mediator or arbitrator), which would be determined by the particularities of the parties involved in the case? In other words, to what extent do other features, such as the culture of the legal community or the enabling conditions for civil society to organize and mobilize, also explain the emergence of mediator courts in informational conflicts? This book opens the door for future research in this area that would definitely shed light on key debates of the comparative judicial politics literature in Latin America and beyond.

Andrea Castagnola
Universidad Nacional de San Martín

María Soledad Segura and Silvio Waisbord, *Media Movements: Civil Society and Media Policy Reform in Latin America*. London: Zed Books, 2016. Bibliography, index, 224 pp.; hardcover \$95, paperback \$29.95, ebook \$23.96.

Media Movements, by the communication scholars María Soledad Segura and Silvio Waisbord, is an insightful study of the movements that have recently arisen in efforts to reform Latin American media systems and foster greater media pluralism in the region. In introducing the study, the authors note that media discourse in Latin America has been dominated by conservative media companies that have “tightly controlled opportunities for critical and progressive voices, which have been either distorted or simply invisible in mainstream media” (20).

Segura and Waisbord attribute the historic dearth of media pluralism to five factors: the concentration of media ownership and the narrow economic interests of media owners; the unwillingness of political elites to reform media systems out of fear of an adverse response from private media; the pressures and restrictions that