

EDITORIAL

VOL. 3, Nº 1 (2017)

The Journal of Institutional Studies has just published its newest number. It is a very special edition to the Editorial Team. After hard work and a major collaboration of scholars, readers to authors and reviewers, our Review received its first certification by *Qualis* Commission for Legal Journals: B1, a high level of qualified journals in the Brazil.

This certification represents an important recognition of the achieved goals and pursued objectives of the Journal in the last years. We feel deep grateful for the reliance deposited in this scientific publication, what stimulates us to increasingly improve the quality of our work.

The current edition offers a dossier focused on the *Administrative State*, coordinated by Maira Almeida. Aware that a large part of the research produced in Brazil in the last decades has analyzed phenomena and aspects founded in judicial activity, we proposed to expand the debate to the relationship of the judicial branch with other identically relevant institutions for the fulfillment of constitutional commitments and protection of individual's basic rights in a complex and uncertain environment.

That is why the article *Rationally Arbitrary Decisions in Administrative Law*, authored by Adrian Vermeule, opens this issue, which we have the inestimable honor to publish in our journal in both Portuguese and English versions.

Among its commentators, the dossier counts with the prestigious participation of specialist professors, invited to nationally expand and guide discussions over the Administrative State: Carlos Ragazzo, Sérgio Guerra, Egon Bockmann Moreira, Eduardo Jordão, and Daniel Mitidieri. We emphatically recommend the reading of this enriching material!

Ten manuscripts composes our scientific articles section, two of them published both in Portuguese and in English in order to proportionate a greater disclosure of the issue. In the first article, Mike Klarman interestingly and objectively discusses the main aspects of the research resulting in his newest book: *The Framer's Coup: the Making of the United States Constitution*. In the second paper, Richard Pildes approaches the American campaign finance system facing a politically fragmented and polarized context, proposing some views less romanticized of democracy as an alternative.

Subsequently, Anderson Vichinkeski Teixeira and João Luiz Rocha do Nascimento debate the limits of constitutional change, a very sensitive subject in our institutional reality, from a hermeneutics-philosophic

framework. Carlos Vitor Nascimento dos Santos addresses several issues related to collegiality in the Courts, inside a research agenda that seems to be greatly promising.

There are two articles specially dedicated to judicial review. Alexandre Walmott Borges *et. al.* compare theoretical models of judicial review and evaluate the expansion of this practice within the tension between formal and material Constitutions. In turn, Orlando Sampaio Silva e Flávia Pessoa criticize under a habermasian perspective the democratic legitimacy of Brazilian judicial review, despite the inputs received from both neo-constitutionalism and post-positivism's discursive and argumentative proposals.

Beside issues related to constitutional history, "law of democracy" and institutional designs founded in Constitutional Courts, some innovative contributions complement the diversity of this edition. Guilherme de Mello Rossini e Rodrigo Luís Kanayama bring an original address to earmarked tax, so neglected in Brazil recently, from a perspective of the public choice theory. João Daniel Daibes Resque and Dorival Fagundes Cotrim Junior extract a critical appraisal from Political Philosophy to the political liberalism's achievements and insufficiency on voting and deliberation grounds. Gustavo Rabay Guerra *et. al.* join an *avant-garde* movement associating Legal Pragmatism with Civil Procedure Law, based on the new Brazilian Civil Procedure Code novelties within its precedents system and *amicus curiae*. Finally, Alice Rocha da Silva and Telma Firme expose the Global Administrative Law, an uncharted field in this country, to demonstrate its relevance to the social responsibility movement which redirected inflows of economic development in a globalized world.

Extremely satisfied with the quality of researches published herein and grateful for the indispensable support of authors and evaluators, the Editorial Team hopes you enjoy the reading.

Editorial Team.