

El derecho como objeto e instrumento de transformación

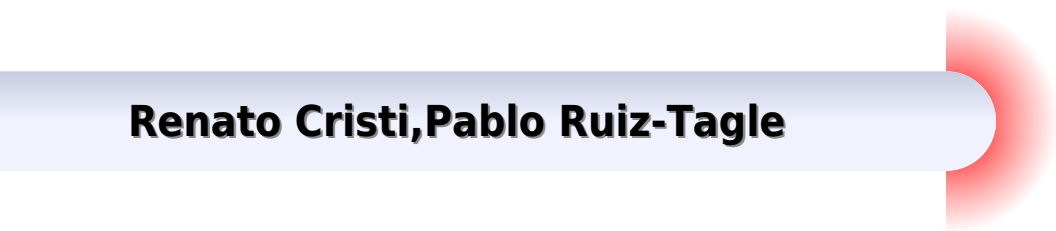
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Law and Society in Latin America Cesar Garavito, 2014-09-04 Over the past two decades legal thought and practice in Latin America have changed dramatically new constitutions or constitutional reforms have consolidated democratic rule fundamental innovations have been introduced in state institutions social movements have turned to law to advance their causes and processes of globalization have had profound effects on legal norms and practices *Law and Society in Latin America A New Map* offers the first systematic assessment by leading Latin American socio legal scholars of the momentous transformations in the region Through an interdisciplinary and comparative lens contributors analyze the central advances and dilemmas of contemporary Latin American law Among them are pioneering jurisprudence and legal mobilization for the fulfillment of socioeconomic rights in a highly unequal region the rise of multicultural constitutionalism and legal struggles around identity politics the globalization of legal education and practice tensions between developmental policies and environmental justice and the emergence of a regional human rights system These and other processes have not only radically altered the institutional landscape of the region but also produced academic and practical innovations that are of global interest and defy conventional accounts of Latin American law inherited from law and development studies *Painting a portrait of the new Latin American legal thought for an international audience* *Law and Society in Latin America A New Map* will be of particular interest to students of comparative law legal mobilization and Latin American politics **Routledge Handbook of Law and Society in Latin America** Rachel Sieder, Karina Ansolabehere, Tatiana Alfonso, 2019-05-20 An understanding of law and its efficacy in Latin America demands concepts distinct from the hegemonic notions of rule of law which have dominated debates on law politics and society and that recognize the diversity of situations and contexts characterizing the region The Routledge Handbook of Law and Society in Latin America presents cutting edge analysis of the central theoretical and applied areas of enquiry in socio legal studies in the region by leading figures in the study of law and society from Latin America North America and Europe Contributors argue that scholarship about Latin America has made vital contributions to longstanding and emerging theoretical and methodological debates on the relationship between law and society Key topics examined include The gap between law on the books and law in action The implications of legal pluralism and legal globalization The legacies of experiences of transitional justice Emerging forms of socio legal and political mobilization Debates concerning the relationship between the legal and the illegal The Routledge Handbook of Law and Society in Latin America sets out new research agendas for cross disciplinary socio legal studies and will be of interest to those studying law sociology of law comparative Latin American politics legal anthropology and development studies

Constituting Equality Susan Hoffman Williams, 2009-07-31 The book takes a design oriented approach to the broad range of issues that arise in constitutional drafting concerning gender equality **Investigación jurídica y sociojurídica en Colombia** Olga Cecilia Restrepo Yepes, 2006 CONTENIDO Las cl nicas jur dicas de inter s p blico en Colombia y Latinoam

rica Control de constitucionalidad Representaciones e imaginarios jur dicos y pol ticos La razonabilidad y conveniencia de la facultad oficiosa del juez en el marco de un estado social de derecho Los derechos del paciente en caso de urgencia manifiesta

Manual de Derecho y sociedad en América Latina Sieder, Rachel, Ansolabehere, Karina, Alfonso, Tatiana, 2024-09-16 Una comprensi n del derecho y su eficacia en Am rica Latina exige conceptos distintos a las nociones hegem nicas de estado de derecho que han dominado los debates sobre el derecho la pol tica y la sociedad y que reconozcan la diversidad de situaciones y contextos que caracterizan a la regi n El Manual de derecho y sociedad en Am rica Latina presenta un an lisis de vanguardia de las reas centrales de investigaci n te ricas y aplicadas en los estudios sociojur dicos en la regi n por figuras destacadas en el estudio del derecho y la sociedad de Am rica Latina Am rica del Norte y Europa Los autores sostienen que los estudios sobre Am rica Latina han hecho contribuciones vitales a debates te ricos y metodol gicos emergentes y de larga data sobre la relaci n entre el derecho y la sociedad Los temas clave examinados incluyen la brecha entre la ley escrita y la ley en acci n las implicaciones del pluralismo jur dico y la globalizaci n jur dica los legados de las experiencias de justicia transicional formas emergentes de movilizaci n sociojur dica y pol tica y debates sobre la relaci n entre lo legal y lo ilegal El Manual de Derecho y Sociedad en Am rica Latina establece nuevas agendas de investigaci n para estudios sociojur dicos interdisciplinarios y ser de inter s para quienes estudian derecho sociolog a del derecho pol tica latinoamericana comparada antropolog a jur dica y estudios de desarrollo

Derecho y pobreza Fernández Blanco, Carolina, Pereira Fredes, Esteban, 2021-10-01 Este libro ofrece una aproximaci n a la cuesti n de la pobreza desde una perspectiva estrictamente jur dica que no describe nicamente las consecuencias de la pr ctica jur dica sobre la pobreza sino que promueve un an lisis m s profundo de sus estrechas interconexiones te ricas y en algunos casos sobre el modo en que la pr ctica permite visibilizar esas vinculaciones Habitualmente el derecho se ha preocupado de manera especial por la desigualdad solo desde hace pocos a os se ha comenzado a explorar la relaci n multifac tica y ubicua que media entre derecho y pobreza Este libro constituye una contribuci n a esos debates que se promueve desde la noci n misma de derecho y de Estado de derecho as como desde diversas reas del fen meno jur dico como el derecho privado el derecho internacional el derecho con perspectiva de g nero el derecho penal y el derecho procesal entre otras aproximaciones Quienes participan en esta obra son investigadoras e investigadores de gran prestigio y trayectoria internacional y demuestran en sus trabajos una rigurosidad te rica conjugada con propuestas innovadoras y perspectivas jur dicamente robustas Esta publicaci n es imprescindible para continuar debatiendo con seriedad las m ltiples vinculaciones entre derecho y pobreza pero su relevancia no es solo te rica muchas ideas y reflexiones contenidas en este libro pueden ser f cilmente acogidas y promovidas por abogados y llevadas a la pr ctica por legisladores jueces y otros operadores jur dicos de tal manera que haga posible que desde el derecho se aborde seriamente la pobreza y contribuya a mejorar las situaciones de pobreza

La República en Chile Renato Cristi, Pablo Ruiz-Tagle, La Rep blica es la gran idea en que se funda la vida pol tica independiente de Chile En

1812 los patriotas utilizan el lenguaje republicano de la libertad la ley y el autogobierno La Constituci n de 1823 le resta valor a la participaci n ciudadana pero en 1828 se logra una s ntesis de elementos participativos y representativos La Constituci n de 1833 significa un grave retroceso y s lo desde 1871 en adelante se evidencia una restauraci n de los principios liberales En 1925 se intenta una profundizaci n o perfeccionamiento de la democracia con un nfasis neopresidencialista La Constituci n de 1980 consagra la extinci n del momento republicano y la influencia neoliberal en Chile Desde 1989 se restaura parcialmente el constitucionalismo republicano A pesar de las reformas que comienzan a regir en el a o 2006 los principios filos ficos neoliberales siguen siendo los determinantes en la Carta Fundamental En este libro se se alan algunas de las condiciones necesarias para que esta nueva y parad jica Rep blica Neoliberal que nace en 1990 recupere lo mejor de la tradici n republicana chilena en el mbito constitucional

Los derechos sociales y su exigibilidad. Libres de temor y miseria Silvina Ribotta,2015 El Estado Social sigue en crisis Ha empezado a estar en crisis desde quiz el momento mismo en que parad jicamente gozaba de legitimidad El Estado de la justicia social ha nacido cuestionado e impugnado por aquellos sectores del derecho de la econom a y de la pol tica que flamean hip critamente la bandera del Estado m nimo Vivimos en un escenario mundial de profundizaci n de un capitalismo salvaje insostenible y suicida y de una imparable deslegitimaci n de la clase pol tica y de la democracia sumado a altas tasas de corrupci n pol tica y financiera nacional e internacional y enormes dosis de cinismo generalizado desde los grandes organismos financieros internacionales e incluso de algunos que pregonan la supuesta defensa de los derechos humanos A la vez surgen nuevos actores sociales en este teatro social mundial de autoritarismo pol tico de conservadurismo moral recortes y violaciones de derechos humanos sociales econ micos y culturales pero tambi n de derechos individuales civiles y pol ticos Nuevos movimientos sociales y pol ticos la ciudadan a en g nesis democr tica hambrienta de justicia social de derechos sociales y tambi n de libertades ciudadanas deseosos de refundir nuevos modelos democr ticos coherentemente democr ticos procesal y materialmente igualitarios y libres En este contexto el objetivo de este libro es pensar en estos procesos sociales pol ticos econ micos y democr ticos desde el prisma de los derechos sociales Este trabajo conjunto de profesores e investigadores de derechos sociales y de derechos humanos de la Universidad Nacional de C rdoba Argentina y de la Universidad Carlos III de Madrid pretende posibilitar debates pr cticas estudios y pol ticas sobre los derechos sociales desde el convencimiento de que la calidad de vida y el pleno disfrute de los derechos sociales y tambi n de los derechos liberales no tiene por qu ser una utop a O que quiz si ndolo son stas las utop as que deber an guiar la pr ctica el ejercicio y la exigibilidad de los Estados de Derecho modernos Por ciudadanos y ciudadanas del mundo libres de temor y miseria

El derecho va al cine Cecilia O'Neill de la Fuente,2017-08-16 Pueden las pel culas transformar la realidad en ficci n y la ficci n en realidad Es el cine una fuente para aprender derecho y para tener mejores abogados Las pel culas pueden educar El cine entretiene cuestiona divierte pregunta Tambi n puede servir como propaganda pol tica o en general influir en la formaci n de las ideas pero adem s promueve la

reflexión sobre el rol que cumple el derecho en la historia Este libro se refiere a un gran repertorio de películas que demuestran que existe una estrecha relación entre el cine y el derecho Los autores abordan variados temas como el rol de las empresas y el Estado en la creación de políticas públicas el rol de la tecnología y la innovación sobre el bienestar individual y social los derechos de propiedad y de autor la formación de normas sociales el derecho penal la libertad la justicia y el psicoanálisis Cecilia O'Neill Es abogada por la Pontificia Universidad Católica del Perú PUCP y magistrada en Derecho por la University of Pennsylvania Es jefa del Departamento Académico de Derecho y profesora de Derecho Civil de la Universidad del Pacífico También es profesora del curso Cine y Derecho en la PUCP Es árbitro en procesos arbitrales administrados por el Centro de Arbitraje de la Cámara de Comercio de Lima el Centro de Arbitraje de la Cámara de Comercio Americana del Perú y el Centro de Arbitraje de la PUCP

Pobreza, globalización y derecho Gonzalo A. Ramírez Cleves, 2009-10-01 El tema de la pobreza y sus relaciones con el proceso de globalización en curso ha sido trabajado recientemente por algunos autores especialmente filósofos y economistas como Martha Nussbaum Thomas Pogge Amartya Sen y Partha Dasgupta y en el contexto latinoamericano por los filósofos Paulette Dieterlen y Francisco Cortés entre otros Recientemente los estudios de dos economistas Emmanuel Saez y Thomas Piketty han sido utilizados por los asesores económicos de Barack Obama para comprobar que el grado de inequidad en la distribución de los recursos en tiempos de globalización ha venido aumentando en la última década Los estudios comprueban que dicho problema no solo afecta a los países en vías de desarrollo como Colombia sino a grandes economías como la estadounidense en donde se comprueba que excluyendo las ganancias de capital en el período 2001-2006 el 1 por ciento de la población capturó el 75 por ciento del incremento de la renta mientras que en el período Clinton dicha apropiación fue del 46 por ciento Asimismo en los últimos años los organismos de Naciones Unidas como la FAO y el PNUD al igual que la OIT ONG grupos de derechos humanos filósofos economistas sociólogos y politólogos han puesto sobre la mesa la tesis de que la pobreza global se genera por el modelo de globalización económica adoptado que reproduce a su vez otros problemas mundiales como la crisis alimentaria el calentamiento global la crisis de los combustibles así como el problema de la escasez de agua potable el costo de los medicamentos y el aumento de las catástrofes naturales muchas de ellas generadas por el deterioro ambiental que produce el sistema económico mundial

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