

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 jurídicos y políticos 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 comprensión del derecho y su eficacia en América Latina exige conceptos distintos a las nociones hegemónicas de estado de derecho que han dominado los debates sobre el derecho política y la sociedad y que reconozcan la diversidad de situaciones y contextos que caracterizan a la región El Manual de derecho y sociedad en América Latina presenta un análisis de vanguardia de las áreas centrales de investigación teóricas y aplicadas en los estudios sociojurídicos en la región por figuras destacadas en el estudio del derecho y la sociedad de América Latina América del Norte y Europa Los autores sostienen que los estudios sobre América Latina han hecho contribuciones vitales a debates teóricos y metodológicos emergentes y de larga data sobre la relación entre el derecho y la sociedad Los temas clave examinados incluyen la brecha entre la ley escrita y la ley en acción las implicaciones del pluralismo jurídico y la globalización jurídica los legados de las experiencias de justicia transicional formas emergentes de movilización sociojurídica y política y debates sobre la relación entre lo legal y lo ilegal El Manual de Derecho y Sociedad en América Latina establece nuevas agendas de investigación para estudios sociojurídicos interdisciplinarios y ser de interés para quienes estudian derecho sociología del derecho política latinoamericana comparada antropología jurídica y estudios de desarrollo

Manual de derecho y sociedad en América Latina Tatiana Alfonso, Rachel Sieder, Karina Ansolabehere, 2024-01-01 Una comprensión del derecho y su eficiencia en América Latina exige conceptos distintos a las nociones hegemónicas que han dominado los debates sobre la política el derecho y la sociedad y que reconozcan la diversidad de situaciones y contextos que caracterizan a la región El Manual de derecho y sociedad en América Latina presenta un análisis de vanguardia de las áreas centrales de investigación teóricas y aplicadas en los estudios sociojurídicos en la región hecho por figuras destacadas en el estudio del derecho y la sociedad de América Latina Norteamérica y Europa Los autores sostienen que los estudios sobre América Latina han hecho contribuciones vitales a debates teóricos y metodológicos emergentes

Derecho y pobreza Fernández Blanco, Carolina, Pereira Fredes, Esteban, 2021-10-01 Este libro ofrece una aproximación a la cuestión de la pobreza desde una perspectiva estrictamente jurídica que no describe únicamente las consecuencias de la práctica jurídica sobre la pobreza sino que promueve un análisis más profundo de sus estrechas interconexiones teóricas y en algunos casos sobre el modo en que la práctica permite visibilizar esas vinculaciones Habitualmente el derecho se ha preocupado de manera especial por la desigualdad solo desde hace pocos años se ha comenzado a explorar la relación multifacética y ubicua que media entre derecho y pobreza Este libro constituye una contribución a esos debates que se promueve desde la noción misma de derecho y de Estado de derecho así como desde diversas áreas del fenómeno jurídico como el derecho privado el derecho internacional el derecho con perspectiva de género 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 teórica rica conjugada con propuestas innovadoras y perspectivas jurídicamente robustas. Esta publicación es imprescindible para continuar debatiendo con seriedad las múltiples vinculaciones entre derecho y pobreza pero su relevancia no es solo teórica muchas ideas y reflexiones contenidas en este libro pueden ser fácilmente acogidas y promovidas por abogados y llevadas a la práctica por legisladores, jueces y otros operadores jurídicos 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 República es la gran idea en que se funda la vida política independiente de Chile. En 1812 los patriotas utilizan el lenguaje republicano de la libertad, la ley y el autogobierno. La Constitución de 1823 le resta valor a la participación ciudadana pero en 1828 se logra una síntesis de elementos participativos y representativos. La Constitución de 1833 significa un grave retroceso y solo desde 1871 en adelante se evidencia una restauración de los principios liberales. En 1925 se intenta una profundización o perfeccionamiento de la democracia con un énfasis neopresidencialista. La Constitución de 1980 consagra la extinción 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 año 2006 los principios filosóficos neoliberales siguen siendo los determinantes en la Carta Fundamental. En este libro se analizan algunas de las condiciones necesarias para que esta nueva y paradójica República Neoliberal que nace en 1990 recupere lo mejor de la tradición republicana chilena en el ámbito 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 paradójicamente gozaba de legitimidad. El Estado de la justicia social ha nacido cuestionado e impugnado por aquellos sectores del derecho, de la economía y de la política que flamean hipercritamente la bandera del Estado mínimo. Vivimos en un escenario mundial de profundización de un capitalismo salvaje insostenible y suicida y de una imparable deslegitimación de la clase política y de la democracia sumado a altas tasas de corrupción política 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 político de conservadurismo moral, recortes y violaciones de derechos humanos, sociales, económicos y culturales pero también de derechos individuales, civiles y políticos. Nuevos movimientos sociales y políticos, la ciudadana engagement, democracia hambrienta de justicia social, de derechos sociales y también de libertades ciudadanas, deseosos de refundir nuevos modelos democráticos coherentemente democráticos procesal y materialmente igualitarios y libres. En este contexto el objetivo de este libro es pensar en estos procesos sociales políticos, económicos y democráticos 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 Córdoba, Argentina y de la Universidad Carlos III de Madrid pretende posibilitar debates prácticos.

estudios y políticas sobre los derechos sociales desde el convencimiento de que la calidad de vida y el pleno disfrute de los derechos sociales y también de los derechos liberales no tiene por qué ser una utopía. O que quizás sí, pero son estas las utopías que deberían guiar la práctica, 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 películas transformar la realidad en ficción y la ficción en realidad? Es el cine una fuente para aprender derecho y para tener mejores abogados? Las películas pueden educar. El cine entretiene, cuestiona, divierte, pregunta. También puede servir como propaganda política o en general influir en la formación de las ideas, pero además 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 máster 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.

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