

# PANORAMA OF BRAZILIAN LAW

*"A step towards realizing a long standing dream:  
to provide the world a window to Brazilian law"*

## LA PERSONNE MORALE SELON LE DROIT INTERNATIONAL PRIVÉ BRÉSILIEN ACTUEL

Carmen Tiburcio

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## A FINAL FOREWORD

*“‘A Panorama of Brazilian Law’ is a step towards realizing a long standing dream: To provide the world with a window to Brazilian law”.*

These were the concluding words of the Foreword I wrote for the collection of essays on various fields of Brazilian law, as co-editor of the “Panorama of Brazilian Law”, together with Professor Keith S. Rosenn of the University of Miami, which was published in 1992. More than twenty years have passed and now a group of the next generation of Brazilian law scholars has undertaken to resuscitate and keep alive the idea of the Panorama by means of a permanent electronic journal. Professor Carmen Tiburcio, who contributed to the original Panorama and later substituted me as head of the Private International Law Department of the Rio de Janeiro State University, together with Raphael Carvalho de Vasconcelos and Bruno Rodrigues de Almeida, both professors of international law at the UFRRJ are leading this important initiative. Today, much more than two decades ago - Brazil, one of the BRIC countries - has become an important player in the international economy and its legal system an important factor in the proper development of international commercial relations. May this effort prosper for years and generations to come.

*Jacob Dolinger, 2013*



## EDITORIAL NOTE

In 1992, a group of prominent Brazilian scholars led by Professors Jacob Dolinger (Universidade do Estado do Rio de Janeiro) and Keith Rosenn (University of Miami) created the journal *Panorama of Brazilian Law* as an attempt to provide reliable legal information on Brazilian law for non-Portuguese speakers. Originally planned as a yearbook, the ancient PBL presented papers related to several branches of Brazilian law written by respected authors. Due to several reasons, this groundbreaking project did not go ahead at that time and the inaugural issue was the only one released. In order to rescue the goals and ideas of the original project, the first number of the new *Panorama of Brazilian Law* was issued in 2013 covering several brands of Brazilian law. In 2014, the second issue published 18 articles, which proves that this initiative was not only feasible, but strategically necessary. In 2015, on a renewed effort to narrow the gap of academic knowledge between Brazil and other legal systems, together with the annual number in which 17 articles were featured, the ever first legendary 1992 issue of *Panorama of Brazilian Law* became available online. Now, the editors present this fourth issue of *Panorama of Brazilian Law*, composed by 18 articles covering several branches of the Brazilian legal order, available in the electronic magazine format ([www.panoramaofbrazilianlaw.com](http://www.panoramaofbrazilianlaw.com)) which allows a broader perspective for the broadcasting of articles and reaching of a greater number of potential researchers. For this fourth issue, papers written in English, French, Italian and Spanish were submitted. Versions of papers originally released in Portuguese or published in the context of academic conferences were also accepted. The Scientific Council is responsible for the Editorial Line of the magazine, whose goals are to spread information about Brazil's legal order and juridical environment among non-Portuguese speakers. Formal aspects and criteria for publication are found at the [www.panoramaofbrazilianlaw.com](http://www.panoramaofbrazilianlaw.com) website under "about" > "submissions" > "author guidelines". The call for papers for its forthcoming issue is already available. The tolerant and plural perspective of the project, which is opened to all branches of Brazilian law, was determinant for choosing not to establish a hermetic format concerning the logical organization of the articles – neither with respect to its distribution along the yearbook nor in the organization adopted by authors in its papers. The access to the online magazine is completely free of costs or registration. The editors of *Panorama of Brazilian Law* are pleased with the present success and positive repercussions of the project and hope to provide foreign researchers an ultimate way to access Brazilian law.

Finally, we could not fail to mention that this fourth issue comes in a moment of sorrow. In an international perspective, there is the dawn

of irrational and xenophobic movements, which can only lead to the suffering of the most vulnerable. Locally, Universidade do Estado do Rio de Janeiro, *alma mater* of this project, is amid a struggle for its very survival. On top of that, our dear friend and colleague Bruno Almeida has much prematurely left us, what fortifies the sense of urgency that all should have in life. Therefore, this present number of Panorama of Brazilian Law seeks to accomplish many things: To reinforce that knowledge is the key tool to overcome fear, bringing the different peoples together. To prove that some battles are worth fighting and that our beloved Universidade do Estado do Rio de Janeiro, for all that it represents, must not (and surely will not) perish. To overcome the loss of a fondly friend, by carrying on one of its projects.

Brazil, May 2017.

**Raphael Carvalho de Vasconcelos**  
**Alexandre Sales Cabral Arlota**