

JOURNAL QUAESTIO IURIS

Editorial for vol. 08-3 (2015)

The Journal Quaestio Iuris, journal ranked by MEC / CAPES as Qualis A2, Law, in this volume 08, number 03, the third number of the year 2015, has the great pleasure to inform all readers and friends that, next year 2016, we are becoming quarterly, with numbers in February, May, August and November.

We are proud to present in this edition our second thematic Dossier on the life and work of one of the great theoreticians of contemporary social theory, Ulrich Beck (1944-2015). Sociologist who died on January 1st this year, Ulrich Beck has the concept of "risk society", the brand of your critical debate focused on the contemporary social theory. Defender of risk idea linked to the generalization of the same as well as spatially limited categories, the thought of Ulrich Beck has been in the field of law, incorporated into the interpretation of new social dynamics in subsequent discussions on new forms and institutional designs (whether in constitutional, environmental, economic or political field).

The Dossier Ulrich Beck was organized by invited Professor Ricardo Nery Falbo, Assistant Professor at the Law Faculty of the University of the State of Rio de Janeiro - UERJ, author of numerous legal and sociological articles published in journals. In addition to the presentation of life and the author's work, written by the said dossier organizer, the dossier also includes a series of articles with provocative contributions to the understanding of the work of Ulrich Beck in its various aspects.

This is evident in the articles comprising the dossier as the one by Ruslan Posadas Velázquez, PhD in political and social sciences from the Universidad Nacional Autonoma de Mexico - UNAM and investigator Professor of Political Science Academy and Urban Management at the Universidad Autónoma de la Ciudad de México - UACM that primarily addresses the beckian concept of society of world risk; or the article by Professor Ricardo Nery Falbo and Rene Joseph Keller, who analyzes the advances and limitations of risk theory and the theory of society of risk of Ulrich Beck; or the article by Selene Herculano, Professor at Universidade Federal Fluminense - UFF, which seeks to do justice to Beck, contributing to dissipate this misunderstanding between us on the issue of the said overcoming of classes, attributed to him; or the article by Flavia C. Limmer, a professor at the Pontifical Catholic University of Rio de Janeiro - PUC-Rio, which deals with the assumption that the risk society model is reflected in changes in law and in Brazil's economy, by which the risks have become a constant and require replacement in the forms of social action, what Ulrich Beck calls subpolicy thus focusing especially on social and environmental responsibility of the company in risk society; or also in the article by Peter Curvello Saavedra Avzaradel, Professor at Universidade Federal Fluminense - UFF, which seeks to rethink the concept of organized irresponsibility, arising from Ulrich Beck work from the reality of the mountainous region of the State of

Rio de Janeiro, especially to the city of Teresopolis; or the Article by Clovis Eduardo Malinverni da Silveira, associate professor at the University of Caxias do Sul - UCS, which is concerned with the theory of world risk society as developed by Ulrich Beck, as a tool for understanding the June Conference in Brazil as well as other social protest movements (such as events associated with Occupy and the Indignados); or also in the article by Vladimir Passos de Freitas and Silvana Colombo, from the Pontifical Catholic University of Paraná - PUC-PR, which, from the Beck's theory, analyzes the theory of abstract risk in post-industrial society. They composing together a broad overview of the importance of Ulrich Beck's work for the understanding of social theory and law in contemporary society.

In this volume 08, number 03 we also have the joy of publishing the article Online Hate Crime - Social Norms and the Legal System of Phd. Professors Karl Johan Dahlstrand, of Lund University, Sweden, Anders S. Wigerfelt and Berit Wigerfelt, both from Malmö University, Sweden. The two Professors from Malmö University participate in the research program of Malmö Institute for Studies of Migration, Diversity and Welfare on Hate Crime in Skane (county of Skåne, next to Denmark) - causes, consequences and support Initiatives that in a moment that hate crime and extremism, especially in Scania, as threats to democratic society are growing, aims to raise awareness of the causes and consequences of hatred and extremism crime. It is also objective of the same research program to suggest measures to improve the situation in different aspects for victims and contribute to helping government agencies and organizations that work in different ways with hate crime issues as well as political and religious extremism.

In this article Online Hate Crime - Social Norms and the Legal System, published in this volume 08, number 03 of our journal Quaestio Iuris, the central starting point of this socio legal study on online hate crime refers to the importance of analyzing and understanding social norms with respect to these crimes on the Internet. No less important is the approach to the question of how the law and the legal system can contribute to positive developments and prevent hate crimes. The empirical study is done in Sweden and the paper presents the Swedish legal and social context related to different hate crimes and how these phenomena are perceived among Swedish Internet users.

Also in relation to previously published figures, in this volume 08, number 03, we published twenty (20) original articles, and 05 articles of foreign teachers: the aforementioned Article Online Hate Crime - Social Norms and the Legal System, by the Phd Professors Karl Johan Dahlstrand, of Lund University, Sweden, Anders S. Wigerfelt and Berit Wigerfelt, both from Malmö University, Sweden; La mujer del discurso jurídico: una aportación desde la teoría crítica del derecho, Juana María Gil Ruiz, university Professor of Philosophy del Derecho at Universidad de Granada, Spain and editor of the prestigious journal Anales de la Cátedra Francisco Suárez. The article is part of a larger investigation into the feminist critique of law, funded by the Ministry of

Economy and Competitiveness of Spain; Observaciones sobre la validez del concepto puro del derecho en Grundlage des Naturrechts (1796/97) de J. G. Fichte, Luciano Corsico, Ph.D. from the Universidad Nacional de Rosario (UNR), Argentina. The aforementioned article is part of a postdoctoral research on the right of coercion within the legal and political thought of Fichte, with funding from CONICET; Las razones del Estado y las razones del mercado, Jose Luis Orozco, professor at the National Autonomous University of Mexico - UNAM; Kazakhstan's challenge: the threat posed by Astana's ethnic Russian minority and what it means for International Law, Professor Davis L. Florick, the Asian World Center of Creighton University, United States of America - USA.

We published in our section Monographs an acute study on access to justice: a reinterpretation of the work of Mauro Capelletti and Bryant Garth from Brazil 40 years later, by Teacher Aluísio Gonçalves de Castro Mendes, from the University of the State of Rio de Janeiro - UERJ and Larissa Pochmann Clare da Silva, from Candido Mendes University - UCAM, Rio de Janeiro. The aforementioned work analyzes the Florence Project, coordinated by Mauro Cappelletti, in collaboration with Bryant Garth and Nicolò Trocker, which was very important for the study of procedural law, depicting from empirical studies in three renewals waves, the obstacles for access to justice. Forty years after the start of dissemination of research, the monograph seeks to check the status of these obstacles today, whether they were resolved or still exist, and to what extent remain.

In our Section Essays we published 08 (eight) essays, which 03 (three) of foreign professors: Escuchar al imputado en el proceso penal, by Investigator Profesor at the Department of Law at the Autonomous University of Aguascalientes, Mexico; El pago de la multa y la ley 1709 2014: analisis de la libertad condicional y los sistemas de vigilância eletrônica antes del transito legislativo, by Norberto Hernandez Jimenez, of the Universidad de los Andes, Colombia, coordinator of the Group Grupo de Prisiones Penal de la Universidad de los Andes y conjuer of the Superior Court of Florencia (Caqueta) - Criminal Chamber; Entre el reconocimiento y la inconsulta: los derechos indígenas en la reforma del Código Civil y Comercial argentino, by Gina Paola Rodríguez Montenegro, researcher professor at the Institute of Studies of Latin America IEALC of the University of Buenos Aires - UBA.

In Section Reviews the reading public can delight in the penetrating review of the book called "Il valore delle cose" (The value of things) authored by Prof. Yan Thomas - historian of Roman law and director of the Ecole des Hautes Etudes en Sciences Sociales in Paris - which has developed in an innovative way his studies, devoting himself to the deepening of topics related to the subject of law, the legal construction of the nature and property. Prematurely dead in 2008, his work has obtained great diffusion in Europe. His studies are based on the premise that the fictio is the modus operandi of the right, which means that the right has the ability to create and transform the natural reality through fiction and legal qualifications.

The publication of the book "The value of things" covers a gap of studies on Roman law, especially as regards to the categories and methods relating to the ownership and legal status of things as legal interests. Such

absence is felt today in European law, in which the themes for the standardization and harmonization occupy the agenda, and few is the research that deals with the contributions the the study of Roman law can offer the contemporary jurist. Published in Italy by Quodlibet in 2015 - and still no translation into Portuguese -, the work provides valuable elements for understanding the theoretical genesis of assigning value to things that satisfy man's needs. The review is written by Patricia Silva Cardoso, Civil Law Professor at the Law Faculty of the Universidade Federal Fluminense - UFF, Volta Redonda campus, and Phd. in law at the State University of Rio de Janeiro - UERJ.

In this edition of the journal we quite expanded our body of our peer reviewers / evaluators, with the inclusion of many teachers from many states of the country as well as many foreign teachers. We also publish for immediate consultation of readers, links to the various national and international databases of magazines and periodicals in which our Journal Quaestio Iuris is indexed. Thanks, as always, to all readers, authors, reviewers and staff for their cooperation and trust and always excellent work. We remember always that the submissions to the Journal Quaestio Iuris are permanent and should be performed by the system directly on the Journal page.

Good reading to all!