

El Derecho De La Sociedad Niklas Luhmann

Pilar Giménez Alcover

El derecho en la teoría de la sociedad de Niklas Luhmann Pilar Giménez Alcover,1993

El derecho de la sociedad Niklas Luhmann,2005

La economía de la sociedad Luhmann, Niklas,2017-06-29 Toda acción económica es acción social, por lo cual toda la economía es siempre también realización de la sociedad. Por esto tratamos a la economía como un sistema parcial de la sociedad, y esto es lo que debe anunciar el título La economía de la sociedad. Con este punto de partida se obtiene la ventaja de atender a los más recientes desarrollos en la teoría general de sistemas y poder emplearlos para la exposición de la economía de la sociedad. Tanto la sociedad como también la economía son comprendidas como sistemas sociales, y la relación entre ambos reside en una teoría de la diferenciación sistémica que incluye tanto la diferenciación como la reiteración de la construcción de sistema en sistemas. La economía de la sociedad, esta expresión refleja bien el hecho de que con un análisis de la economía podemos enterarnos de algo acerca de la sociedad, y más aún: que con un análisis de la economía monetaria aprendemos algo de la sociedad moderna. El análisis extrae sus recursos de la teoría general de sistemas, aunque también de la teoría de la comunicación y -en tanto el dinero entra en escena- desde una teoría de los medios simbólicamente generalizados. En este sentido, el presente volumen intenta hacer una contribución a la teoría de la sociedad.

La unidad del sistema jurídico Niklas Luhmann,2018-12-01 Esta compilación presenta cuatro artículos que pueden considerarse preparatorios o complementarios de la principal obra de Niklas Luhmann sobre sociología del derecho, El derecho de la sociedad (Das Recht der Gesellschaft), publicada originalmente en 1993. A su vez, los cuatro ensayos son posteriores al llamado giro autopoiético consumado por Luhmann a partir de 1984 con la publicación de Sistemas sociales (Soziale Systeme). En esta obra, el sociólogo alemán reexpone de manera completa su teoría general de los sistemas sociales autorreferentes con carácter autopoiético. Los artículos que acá se ponen a disposición en español dan cuenta de este desarrollo teórico al tiempo que explican importantes aspectos de la concepción del derecho como subsistema social autorreferente que se constituye por medio de comunicaciones jurídicas y que cumple una función determinada en la sociedad.

Aportaciones de Niklas Luhmann a la comprensión de la sociedad moderna Alberto Martínez Monterrosa ,2014

Como resultado de un seminario llevado a cabo en la Universidad del Norte (Colombia) surge esta publicación que permite un acercamiento a los planteamientos del sociólogo alemán, así como a los elementos fundamentales para el debate en torno a estos, lo que sin duda contribuirá al análisis y al ejercicio de la investigación en Ciencias Sociales en el contexto latinoamericano, particularmente en el campo de la sociología y la comunicación social.

La paradoja de los derechos humanos. Tres escritos sobre política, derecho y derechos humanos Niklas Luhmann, 2014-06-19 El presente libro contiene una selección de tres artículos sobre teoría del derecho, el concepto de Estado, y el concepto de derechos humanos en la obra de uno de los más renombrados sociólogos alemanes del último tiempo: el profesor Niklas Luhmann. Si bien estos temas en principio son tratados desde una perspectiva sociológica, las reflexiones allí contenidas alimentan los más actuales debates en teoría y dogmática jurídica. En concreto, se abordan cuestiones centrales relacionadas con la fundamentación de los derechos humanos, la diferenciación funcional entre el sistema jurídico y el sistema político, y la posible existencia de principios irrenunciables o principios de validez absoluta en la sociedad actual. Con esta selección se pretende ofrecer al lector de lengua castellana una vía de acceso a una de las más actuales teorías sociológicas, que a su vez plantea una interesante reconstrucción de los derechos humanos como producto de la evolución de las estructuras sociales en la sociedad moderna.

Derechos sociales en tiempos de crisis Álvaro Sánchez Bravo, 2014-10-07 Las cuestiones atinentes a los derechos sociales revisten en la hora presente una importancia capital. En una situación de crisis económica y social como la que nos ha tocado vivir, todas las miradas se vuelven hacia el reconocimiento y efectivación de esos derechos sociales, hoy cuestionados por los ajustes financieros, la oportunidad política o la simple abdicación de la militancia democrática. Más que nunca los derechos sociales deben ser un instrumento de redistribución justo y equitativo de esfuerzos, de solidaridad y de justicia. Y no, como son considerados por algunos, meros apéndices de derechos clásicos, inoperantes ante los embates de los mercados y la política. A más crisis, más derechos, más políticas públicas, más dignidad de los ciudadanos. Todas estas cuestiones son abordadas en esta obra que hemos tenido el honor de coordinar y dirigir, y que recoge la aportación de profesores e investigadores de un lado y otro del Atlántico. Océano que no sólo no nos separa, sino que nos une en una fructífera y afectuosa comunidad de amigos queridos, a los que tanto debemos y de los que tanto hemos aprendido. Especialmente, a nuestros queridos amigos y compañeros de la Universidad de Santa Cruz do Sul (UNISC) por su esfuerzo, compromiso y dedicación para la edición de esta obra, y por su amistad y atenciones en todos estos años de leal, fructífera y provechosa colaboración intelectual y personal. Seguiremos juntos en la senda del compromiso, la dedicación y la defensa de los derechos humanos.

Introduction to the Study of Law Dr. Felipe de Jesús Alvérez Fierro, 2018-04-28 In this important work, Dr. Felipe Fierro offers a comprehensive view on the subject of Introduction to the Study of Law, in which he revives the use of

Gnoseology, Philosophy, History and Logic as Auxiliary Sciences; and exposes how the abandonment of such has contributed to the exponential growth of Skepticism and Relativism, currently prevailing in the legal world. The above, through extensive experience in teaching Law from the Aristotelian-Thomistic platform, based on the elementary assumption that we must first prove the existence of the object of study, and contrast main legal branches in topics such as: what is Law?, why is Science?, what are Law, Justice, Facultative rights and the Common Good?; supported by extensive and select bibliography. In addition, the being, nature, concept, essence and properties of the sources, fundamentals and classification are described. But important elements such as knowledge, order, principles, Jurisprudence, and Natural law, fundamental legal concepts, the legislative process, the Constitution, interpretation and others are not absent. Morality and Legal Law are obligatory markers, which although considered in their own field, are not excluded, but different as to object and method. Predominantly, Justice is exposed as one of the great values of the Law, and main theories in order to offer future lawyers the basis regarding the current Science of Law and its significance.

Poder en el sistema Luhmann, Niklas, 2022-09-09 La teoría clásica considera el poder como un bien apropiable, que uno puede tener como un bien material y, en consecuencia, también perder. La posesión puede, entonces, acumularse y hacerse durar. Sin embargo, este uso metafórico no basta para analizar más profundamente este tema. La tan fácilmente asible categoría de posesión esconde lo que hay que saber justo en el punto donde la pregunta tendría que empezar, pues ¿qué condiciones sistémicas tendrían que cumplirse para que el poder pueda llegar a ser una posesión, para que sea administrado como tal, transferido como una cantidad constante, aumentado y disminuido, y defendido contra peligros específicos? El poder es una manifestación del fenómeno más general de la influencia, es decir, una comunicación que se entiende como selección de las alternativas de A que implica una selección de las alternativas de B. Es una selección selectivamente condicionada. La función del poder puede ser así reescrita como la generalización de la relevancia de rendimientos decisionales individuales. Para esto se requiere reflexividad, un proceso incremental por medio del cual el poder se aplica a sí mismo y crece en el sistema más allá del poder individual de cada uno. Entonces, ya no es poder que unos ganan y otros pierden, sino que es Poder en el sistema.

Law as a Social System Niklas Luhmann, 2004 However, unlike conventional legal theory, this volume seeks to provide an answer in terms of a general social theory: a methodology that answers this question in a manner applicable not only to law, but also to all the other complex and highly differentiated systems within modern society, such as politics, the economy, religion, the media, and education. This truly sociological approach offers profound insights into the relationships between law and all of these other social systems.

Responsabilidad penal de las personas jurídicas desde la teoría de sistemas Santiago Basabe Serrano, 2003

Modelar para gobernar Pedro Fraile, 2001

Interpretación, integración y razonamiento jurídicos ,1992

Del Primer Al Segundo Niklas Luhmann: Ricardo Arenas Ávila,2020-01-01 La obra de Niklas Luhmann quizá sea una de las más reconocidas en la sociología del siglo XX. Su teoría de sistemas pretende comprender los distintos componentes de la sociedad, como la política, la ciencia, la economía, el Derecho, como sistemas sociales autónomos parte de un sistema general de comunicaciones: Una de las innovaciones de su teoría ha sido la introducción del concepto de autopoiesis para explicar los fenómenos sociales, algo que ha conllevado una verdadera revolución epistemológica. Sin embargo, antes de este giro autopoietico, Luhmann ya había hecho investigaciones en el área de la sociología del Derecho, intentando alejarse de lo que tradicionalmente se venía estudiando, que siempre derivaba en una sociología de las profesiones. El presente trabajo nace de la idea de continuidad y perfeccionamiento en la evolución del pensamiento del autor. En vez de explicar el paso de una etapa a otra como un salto producido por el descubrimiento de conceptos como autopoiesis (como normalmente se ha entendido esta transición), se intenta demostrar que ya el primer Luhmann tiene nociones asimilables a los desarrollos conceptuales que logra el segundo Luhmann, a pesar del cambio radical en su punto de partida.

Entre la ley y el derecho Diego Duquelsky Gómez,2023-12-05 Los años noventa significaron para América Latina el auge del proceso de retracción del Estado que en los países centrales había comenzado diez años antes con las figuras de Reagan y Thatcher. De la mano de la ola neoliberal, se instala en el imaginario jurídico la convicción de la incapacidad de la estructura estadual para regular todas las hipótesis y todas las consecuencias de la manera más exhaustiva posible. Esto conduce al señalamiento de nuevos límites a la actividad normativa, una fuerte tendencia a la desregulación”, un proceso de retracción de derechos económicos sociales y culturales y un aumento de la violencia estatal para la represión de la insatisfacción política. Panorama que en nuestros países parece resurgir desde mediados de la década en curso. Frente a este contexto, el pensamiento jurídico crítico se centró en mostrar como el derecho cumple una función paradójica y que, pese a ser un instrumento de control social y una herramienta indispensable para el desarrollo de las políticas económicas neoliberales, permite también llevar adelante prácticas jurídicas alternativas de nuevos movimientos sociales, servicios legales alternativos o jueces activistas constitutivos de auténticos focos de resistencia jurídica.

Schutzian Research: Volume 6 / 2014 Michael Barber,2014-12-01 Nu s-au introdus date

La investigación académica sobre comunicación en México Raúl Fuentes N.,2003

Jornadas académicas sobre la prisión en Colombia ,2006

La filosofía del derecho de Habermas y Luhmann Juan Antonio García Amado,2006-01-01 Esta obra agrupa dos interesantes textos sobre la filosofía del derecho de Jürgen Habermas, que por su claridad y agudo sentido crítico constituyen una excelente introducción al pensamiento de este notable filósofo del derecho. Igualmente incluye una introducción a la obra de Niklas Luhmann, creador de una de las teorías de sistemas, que pretenden cobijar toda la sociedad y ser aplicables a

la ciencia jurídica.

Law, Reason and Emotion Mortimer Sellers (org.), Catherine Moore (org.), Vitor Medrado (org.), Volume II: Special Workshops Initia Via Editora

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