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Autore	Capes, C. Edward
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Autore	Paixao Cristiano
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Formato	Materiale a stampa
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Nota di contenuto	<p>Part 1: Brazil -- Chapter 1 Constitutional History and Transitional Justice in Contemporary Brazil: Towards a Politics of Time; Cristiano Paixão -- Chapter 2 Constitutional Politics during the Brazilian Civil-military Dictatorship and the Transition: the Constitution as a Tool for Political Reform; Leonardo Barbosa -- Chapter 3 Social Conflict and the Brazilian Transacted Transition: the Criminal Case n. 453/8; Maria Pia Guerra -- Chapter 4 Transitional Justice and Violation of the Indian Rights during the Brazilian Dictatorship (1964-1985); Juliana Neuenschwander Magalhães -- Part 2: Comparative Perspectives -- Chapter 5 Claudia Paiva Carvalho -- Chapter 6 Domestic Rule of Law Gaps and the Uses of International Human Rights in Post-Atrocity Prosecutions: Argentina, Brazil, and Chile Transitional Justice Experiences; Marcelo Torelly -- Chapter 7 Accountability for Operation Condor Atrocities: the Enduring Search for Truth and Justice in the Southern Cone and Brazil; Francesca Lessa -- Part 3: Comparative Case Studies -- Chapter 8 Lawyers and Transition in Chile; Cath Collins -- Chapter 9 The Protagonism of Judicial System in the Argentinian Transition; Valeria Barbuto -- Chapter 10 Truth and Justice or Legal Oblivion? Transitional Justice and Remembrance of Francoism in Spain; Alfons Aragoneses -- Chapter 11 The Failed Reconciliation. The "Togliatti Amnesty" and the role of the Judiciary in the Post-fascist Italy; Antonella Meniconi -- Chapter 12 Revolutionary and Democratic Legitimacy during Portugal's Transitional Justice Process; António Costa Pinto, Filipa Raimundo -- Part 4: Transitional Time: Theoretical Approaches -- Chapter 13 A verdade é filha do tempo" and "O costume é como que uma outra natureza". The Creative Nature of the Legal Tradition; Antonio Manuel Hespanha -- Chapter 14 Ascriptive Times in the Legal Experience: Transition, Crisis, Emergenc; Massimo Meccarelli -- Chapter 15 Action Times and Time Actions: Between Justice and History; José Otávio Guimarães.</p>
Sommario/riassunto	<p>This present book examines some of the key features of the interplay between legal history, authoritarian rule and political transitions in Brazil and other countries from the end of 20th Century until today. This book casts light on these aspects of the role of law and legal actors/institutions. In the context of transition from authoritarian rule to democratic state, Brazil has produced a significant literature on the challenges and shortcomings of the transition, but little attention has been given to the role of law and legal actors/institutions. Different approaches focus on the legal mechanisms, discourses and practices used by the military regime and by the players involved in the political transition process in Brazil. A comparative perspective that takes into account different political transitions – and their legal consequences – in Europe and Latin America complements the analysis. Part 1 (4 essays) discusses some of the central issues of political transition and legal history in contemporary Brazil, focusing on the time of the transition (and its effects on transitional justice) with different perspectives, from racial and gender issues to constitutional reform and police repression. Part 2 (3 essays) brings the comparative studies on South American experiences. Part 3 (4 essays) analyses different cases of transition to democracy in Chile, Portugal, Spain and Italy. Part 4 (3 essays) proposes a historiographical and methodological approach,</p>

considering the politics of time involved in the interplay between  
political transitions and legal history.

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