

**EDITOR'S NOTE**

**Volume 1, Issue #2, 2014**

*Revista Culturas Jurídicas/Legal Cultures (RCJ)* – scientific law review edited by the Post-Graduate Program in Constitutional Law housed by Universidade Federal Fluminense (PPGDC/UFF) – proudly presents the second issue of its inaugural volume to the academic community. The editorial line is focusing on the *Constitutional Law at present times*.

In this sense, the issue brings forward important participations from both foreign and Brazilian authors, as the publication aims to give its contribution to a contemporary and plural analysis of the Constitution and the legalschools of thought.

The present issue begins with a contribution from French author Michel Miaille, wherein the intersections between Constitutional Law and Marxism are outlined so that one may question which relations might exist between a constitutional system and Marxism as an ideology. For this purpose the author seeks to pinpoint the interference of the said ideology on the construction of that system of rules and also explain how such system relates itself with the ideologies that challenge it.

In the wake of the critical theory of human rights, Eduardo Mendieta disserts on the notion of dignity with the several meanings such concept has been given throughout its history starting point on, coming to the conclusion that there is a kind of an orthopedic legal surgery carried out on the concept of human dignity in order to drag mankind away from degrading conditions.

Still on the subject of human rights is Manuel E. Gándara Carballido's exposition on the need to rethink the very notion of human rights from the standpoint of the struggle for a dignified life while taking into consideration the historicity that is seminal to social processes and the demand for permanent reconfiguration of the theoretical fields.

On his turn Eduardo Devés-Valdés sheds new light on the works of Leopoldo Zea and their importance for the study on how the intellectuality in Latin America and Caribbean has thought beyond the concept of state-nation while aiming the construction of an agenda for the development of regional ways of thinking and philosophy.

Challenging the legitimacy of the policies for the economic crisis in Europe set by the European Central Bank – more specifically on the Spanish context – Jorge

Resina de la Fuente brings the matter of the distortion of the concept of state sovereignty, the existence of a democratic crisis in that region and also the superiority of the economic interests over the social ones.

Luciana Poli and Bruno Hazam scrutinize the Brazilian Labor Union system and identify the need for a new interpretation based on the full enforcement of principles such as labor union freedom and autonomy for labor unions while having as a background the crisis faced by labor unions in the 1990s.

Andresa Semeghini Pereira reflects on the precarization of teaching as a profession and the efficacy of the right to leisure as a component necessary to the maintenance of the Brazilian Economic System.

Allana Ariel Wilmsen Dalla Santa and Clóvis Eduardo Malinverni da Silveira write on the efficacy of civil procedure rules as a way of consolidating the environmental protection with regards to the court rulings that approved genetically modified organisms.

Finally, Igor Mendes Bueno and Maria Beatriz Oliveira da Silva peruse the public movements demanding a Dedicated Constitutional Assembly after the 2013 protests in Brazil.

On the section *Interviews* we may find the transcription of the speech on “Public Transnational Law” given by Professor Anderson Vichinkeski Teixeira (Universidade do Vale do Rio dos Sinos - UNISINOS). The speech was given in August 14, 2014 at the PPGDC-UFF (Post-Graduate Program on Constitutional Law-UFF).

On the section *Digests* we have the participations from undergraduate Law students from UFF. Clara Monteiro Sampaio and Cléo Gomes Gotelipe present their review of the work of Alejandro Rosillo Martinez entitled “*Praxis de Liberación y Derechos Humanos: Unaintroducción al pensamiento de Ignacio Ellacuría*”, while their colleagues Clara da Costa Cândido Rosalla and Vinícius Fonseca de Oliveira review Miguel Abensour’s “*A democracia contra o Estado: Marx e o momento maquiaveliano*”(Democracy against the State: Marx and the machiavelian movement).

On section *Legislative commentary* Carlos Victor Nascimento dos Santos peruse the Presidential Decree nº 8.243/14 which is the regulation for art. 3º, I of Federal Law nº 10.683/03 –effectively creating the national policy for social

participation on the Administration – by his essay “*Vamos flexibilizar a soberania popular?*” (*Shall we make popular sovereignty more flexible?*).

Last but not least, on section *Abstracts* we bring overview of several master’s and doctoral theses: Cecilia Vieira de Melo (“*Decolonial Perspectives and the right of indigenous people to previous consent*”, MSc Thesis, PPGD/UERJ), Gustavo Moreira Capela (“*The right to prostitute oneself: aspects on citizenship*”, MSc thesis, PPGD/UnB), Karina Macedo Fernandes (“*Displaced people and the right to housing on the context of sports mega-events in Brazil: human rights made relative by the coloniality of power*, MSc theses, PPGD/UNISINOS), Mariana Gomes Peixoto Medeiros (“*Sports mega-events and the right to housing: how urban entrepreneurship works on the context of Neodevelopmentalism. The case of the ‘Olympic Park’ in Rio de Janeiro*”, MSc thesis, PPGD/UERJ) and Ricardo Prestes Pazello (“*Insurgent Law and popular demonstrations: the decolonial power turn and the Marxist criticism on Law*”, doctorate thesis, PPGD/UFPR).

We thank all authors who presented their contributions to this second issue and we emphasize that RCJ is open to all who may be interested to publish their articles here.

Niterói, March 13, 2015.

**Prof. Dr. Enzo Bello**

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