

Thomas Vesting
Die Medien des Rechts:
Computernetzwerke

VELBRÜCK
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Medien Rechts Computernetzwerke Thomas Vesting

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Medien Rechts Computernetzwerke Thomas Vesting:

The Normative Order of the Internet Matthias C. Kettemann, 2020 There is order on the internet but how has this order emerged and what challenges will threaten and shape its future This study shows how a legitimate order of norms has emerged online through both national and international legal systems It establishes the emergence of a normative order of the internet an order which explains and justifies processes of online rule and regulation This order integrates norms at three different levels regional national international of two types privately and publicly authored and of different character from ius cogens to technical standards Matthias C Kettemann assesses their internal coherence their consonance with other order norms and their consistency with the order s finality The normative order of the internet is based on and produces a liquefied system characterized by self learning normativity In light of the importance of the socio communicative online space this is a book for anyone interested in understanding the contemporary development of the internet This is an open access title available under the terms of a CC BY NC ND 4.0 International licence It is offered as a free PDF download from OUP and selected open access locations

Sociological Constitutionalism Paul Blokker, Chris Thornhill, 2017-10-12 This landmark book provides the first systematic overview of key research in the sociology of constitutions Authority and the

Globalisation of Inclusion and Exclusion Hans Lindahl, 2018-09-06 Examines the concept of a legal order in the context of globalisation from the perspective of inclusion and exclusion

Metamorphoses of Global Law Ricardo Resende Campos, 2025-10-02 This book takes an interdisciplinary approach to the relationship between law time and new technologies to explain the emergence and transformation of global law with a special focus on platform economy It describes the metamorphoses of global law on the basis of an experimental understanding of legal theory that looks beyond the systematisation of dogmatic categories the reproduction of prefabricated theories It offers a novel and sound theoretical approach to the formation of society within a highly digitalised and platform oriented world conjugating the work of several relevant authors such as Niklas Luhmann Gunther Teubner Carl Schmitt Jürgen Habermas and Lawrence Lessing among others The book answers the myriad questions that the platform economy poses for law shedding light on the possibility of a hybrid regulation i.e. the mixture of political constitutional external regulation and a self regulation by the digital code in an attempt to overcome simplistic notions of platform governance It provides a comprehensive exploratory analysis on the phenomena of digitalisation platformisation big data algorithms and their relevance to law in global society

Navigating Normative Orders Matthias Kettemann, 2020-07-22 Ob bei Kant oder unter Konservativen im Internet in Umweltdiskursen oder in Sansibar Dieses Buch untersucht wie sich Menschen Normen geben diese hinterfragen und legitimieren Die Beitr ge machen deutlich dass Normen nach wie vor in allen Lebensbereichen eine zentrale Rolle einnehmen Zusammen mit Werten und Narrativen bilden sie normative Ordnungen mit denen politische Autorit t und die Verteilung von Rechten und G tern legitimiert wird im Strafrecht bei der Kindererziehung im Territorialstaat in Fortschrittsdiskursen im Anthropoz n

Recht

und Literatur im Zwischenraum / Law and Literature In-Between Christian Hiebaum, Susanne Knaller, Doris Pichler, 2015-05-15 Der Beziehung von Recht und Literatur wird seit einigen Jahrzehnten sowohl in der Literatur als auch in der Rechtswissenschaft große Aufmerksamkeit zuteil. Vor dem Hintergrund der theoretischen und praktischen Anforderungen von Inter- und Transdisziplinarität bietet dieser Band einen Überblick über den aktuellen Stand des Forschungsfeldes. Rechts- und Literaturwissenschaftler_innen behandeln brisante Fragen wie die Möglichkeit von Methoden- und Begriffstransfers, mediale Darstellungen von Recht und den Zusammenhang zwischen Rechtsempfinden und den Künsten. *A tarefa da hermenêutica jurídica* Ino Augsberg Kassiber, 2025-05-08 Kassiber de Ino Augsberg explora a hermenêutica jurídica como um processo de contrabando conceitual em que significados transitam entre o jurídico e o não jurídico. Inspirado pelo termo alemão que designa mensagens clandestinas, o autor propõe que o direito, em vez de uma realidade rigidamente separada, marcado por deslocamentos de sentido e interpretações que desafiam seus próprios limites. A linguagem vista como ambígua e aberta, permitindo interpretações que subvertem regras e questionam fronteiras. Com erudição e interdisciplinaridade, Augsberg une direito, filosofia e teoria da linguagem para expor a interpretação jurídica como prática essencialmente transformadora e plural. Referências a autores como Carl Schmitt e Jacob Taubes enriquecem a análise, convidando o leitor a reconsiderar a ideia de fronteiras no direito, propondo uma hermenêutica que privilegia a interconexão e o entrelaçamento de significados. Obra única. Kassiber desafia o jurista a ir além das categorias rígidas, abrindo espaço para uma reflexão mais dinâmica e inovadora sobre os processos interpretativos que moldam o universo jurídico. *Wissen, wie Recht ist* Marcus Twellmann, 2018-02-12 Ein Anthropologe im Conseil d'Etat. So etwas sieht man nicht alle Tage. Dieses Buch nimmt Bruno Latours Ethnographie des französischen Staatsrats genauer unter die Lupe. Kann zu einer Erkenntnis des Rechts gelangen, wer die Arbeit eines Gerichts untersucht? Mehrere Monate lang hat Bruno Latour Feldforschung in den Räumen des französischen Staatsrats betrieben und seine Beobachtungen schließlich in *Die Rechtsfabrik* festgehalten. Dabei richtet der Autor seine Aufmerksamkeit besonders auf die Medienpraktiken bei Gericht, vor allem auf den Umgang mit Akten, Dokumenten und Dossiers. Der Prozess der rechtlichen Entscheidungsfindung wird so von seiner bürokratischen Infrastruktur her betrachtet. Diese einzigartige Herangehensweise gibt Anlass zu einer Auseinandersetzung mit ihren Ergebnissen. Aus soziologischer, juristischer wie sozialanthropologischer Literatur wird Latours Ethnographie der Rechtsarbeit im Zusammenhang seines großen Projekts eines Vergleichs von Existenzweisen in diesem Band kontrovers diskutiert. Was ist von einem entschieden nicht-kritischen Ansatz zu halten, der seinen Gegenstand kontextfrei beschreibt und dabei aus methodischen Gründen an der Oberfläche des Rechts verbleibt? Wie sind Empirie und Philosophie hier miteinander verknüpft? Lässt sich eine Herangehensweise recht fertigen, die den Stand der Rechtswissenschaft ignoriert, über diese Fragen hinaus wird Latours Verfahren eines kontrastiven Vergleichs problematisiert, das auf die Klarstellung von Besonderheiten unterschiedlicher Aussageordnungen und Weisen der Existenz abhebt. Das Buch ist mehr als nur ein Materialienband zur

Studie Latours Es erg nzt die **Neue Theorien des Rechts** Sonja Buckel,Ralph Christensen,Andreas Fischer-Lescano,2020-06-08 Moderne rechtstheoretische Fragestellungen im berblick Das vorliegende Lehrbuch gibt einen berblick ber moderne rechtstheoretische Fragestellungen Diese werden vor dem Hintergrund der aktuellen Herausforderungen f r das Recht vorgestellt Die Autoren behandeln wichtigste Theorien im Kontext benachbarter Grundlagenf cher Die Neuauflage ist um sechs Abschnitte erweitert worden und bezieht nun auch Post Juridische Theorien Neuen Rechtsempirismus sthetische Theorien des Rechts sowie Medientheorien des Rechts mit ein Einzelne Abschnitte wurden g nzlich neu verfasst Gentleman, gestor, homo digitalis: a transformação da subjetividade jurídica na modernidade Thomas Vesting,2022-10-21 A Editora Contracorrente tem a honra de anunciar a publica o do livro Gentleman gestor homo digitalis a transforma o da subjetividade jur dica na modernidade de autoria de um dos maiores te ricos do Direito da atualidade o jurista alem o Thomas Vesting Em uma primorosa tradu o de Ricardo Campos e Gerc lia Mendes a obra trata dos tr s ideais do homem moderno gentleman gestor e homo digitalis no contexto do mundo t cnico e do corpo social O livro de Thomas Vesting demonstra com erudi o e clareza que a ascens o dos tr s ideais do homem se deu a partir de transforma es nas ordens institu das da sociedade moderna Nas palavras do pr prio autor Atrav s do exemplo de tr s ideais de personalidade do homem criativo moderno o gentleman o gestor e o homo digitalis ele pretende mostrar que a evolu o do conhecimento e a din mica econ mica e tecnol gica da Modernidade baseiam se em pr ticas sociais de liberdade Desde o in cio da Era Moderna o sujeito vem dissociando se do reino da realidade para opor a ele um reino de possibilidades in dito Isso vem acompanhado da cria o de uma forma processual de subjetividade jur dica cuja muta o tra ada no presente livro

Verfasste Freiheit Frank Schorkopf,2023-04-03 Dieser Band enth lt die Referate und Diskussionen der Tagung der Staatsrechtslehrervereinigung in Bremen vom 5 bis 7 Oktober 2022 VERFASSTE FREIHEIT Ino Augsberg Helen Keller Josef Franz Lindner Selbstbestimmung und Fremdbestimmung in der liberalen Demokratie Antje von Ungern Sternberg Andreas Funke Zugeh rigkeit und Partizipation Ulrich Hufeld Peter Bu j ger Individuen und Intermedi re **Pluralismo Jurídico e Direito Democrático** António Manuel Hespanha,2019-08-01 Poder o direito democr tico sobreviver num contexto pluralista ou p s estadualista De que modo que perante um direito que parece manifestar se a muitos n veis que n o o Estado se pode salvar a legitima o democr tica do direito Se o resolvermos esta quest o reconhecendo como normas jur dicas v lidas todas as que vigoram na sociedade torna se imposs vel legitimar o direito como um consenso inclusivo pois muitas escapam ao controlo democr tico Se entregarmos a fixa o do direito a um grupo de especialistas subtra mos a cria o do direito ao poder constituinte do povo Em contrapartida n o reconhecer o pluralismo e recair num modelo de direito apenas legislativo desconhecer complexidade da realidade normativa de hoje Este livro procura encontrar uma resposta te rica e dogm tica adequada realista mas vinculada ao princ pio democr tico **Direito privado e contemporaneidade** João Luis Nogueira Matias,Álisson José Maia Melo,2023-01-13 **Metamorphosen des globalen Rechts** Ricardo Campos,2023-05-03 Globales

Recht ist nicht nur ein Produkt von Abkommen zwischen Nationalstaaten oder internationalen Organisationen. Eine wichtige Triebkraft der Rechtsproduktion und Rechtsveränderung liegt bei ihren technischen und sozialen Voraussetzungen. Ricardo Campos untersucht die Wechselwirkungen zwischen Recht und neuen Technologien. Globales Recht als eine Form der Rechtsbildung über die Grenzen der Nationalstaaten hinweg lebt nicht nur von rechtlichen sondern auch von impliziten sozialen und technologischen Voraussetzungen. Diese Voraussetzungen sind sogar entscheidend für die Ausgestaltung eines transnationalen Rechtssystems. Ricardo Campos befasst sich intensiv mit diesen Wechselwirkungen und damit, wie sich das globale Recht in dem Maße verändert, in dem neue Technologien und neue soziale Praktiken der Gesellschaft zur Verfügung gestellt werden. Besonders bei der aktuellen Entwicklung eines Rechts der Plattformgesellschaft ist diese Tendenz zu sehen. Die Arbeit wurde mit dem Werner Pönder Preis 2021 der Vereinigung von Freunden und Förderern der Goethe Universität Frankfurt am Main ausgezeichnet. Verlag: *Os impactos das novas tecnologias no Direito e na Sociedade* Aline Mapelli, Marina Giongo, Rita Carnevale, 2018-12-17. Capítulos: 1. EXISTE ESPAÇO PARA O DISCURSO DOS DIREITOS FUNDAMENTAIS EM ERAS DE BIG DATA 2. INTELIGÊNCIA ARTIFICIAL NA ECONOMIA CRIATIVA E DIREITOS AUTORAIS 3. ADVOCACIA 4.0 E A REINVENÇÃO DAS ORGANIZAÇÕES JURÍDICAS 4. A EPIDEMIA NA PROPAGANDA DAS FAKE NEWS SOB A PERSPECTIVA DO DIREITO BRASILEIRO 5. CLOUD COMPUTING: UM ESTUDO DA JURISDIÇÃO APLICADA A PARTIR DOS TERMOS DE SERVIÇO DO DROPBOX E DA AMAZON WEB SERVICES AWS 6. SMART CONTRACTS EM BLOCKCHAIN: GARANTIA DE BOA FÉ COMPUTACIONAL 7. A TRIBUTAÇÃO DA RENDA DA PESSOA FÍSICA NO USO DAS CRIPTOMOEDAS O CASO DO BITCOIN 8. BLOCKCHAIN: UM NÚS OU UM BÚS PARA A CAPACIDADE ARRECADATÓRIA DOS ESTADOS 9. HOME SHARING E SUA APLICAÇÃO NO BRASIL: UMA ANÁLISE LEGISLATIVA E FUNDAMENTALISTA DO INSTITUTO NAS RELAÇÕES LOCATÍCIAS 10. PROTEÇÃO DE SOFTWARES NO BRASIL: ASPECTOS PRÁTICOS EM TEMPOS DE CLOUD COMPUTING 11. ALGORITMOS E DEMOCRACIA: REFLEXÕES SOBRE A INFLUÊNCIA DA INTELIGÊNCIA ARTIFICIAL NOS PROCESSOS DEMOCRÁTICOS CONTEMPORÂNEOS 12. FRANK E O ROBÔ: A ROBÓTICA E A HIPERVULNERABILIDADE DO IDOSO 13. INTELIGÊNCIA ARTIFICIAL E DIREITOS DE IMAGEM 14. A AUTOREGULAÇÃO REGULADA COMO MODELO DO DIREITO PROCEDURALIZADO: REGULAÇÃO DE REDES SOCIAIS E PROCEDURALIZAÇÃO. **Metamorfoses do Direito Global: sobre a interação entre Direito, tempo e tecnologia** Ricardo Campos, 2022-11-03. Livro vencedor dos prêmios da European Academy for Legal Theory 2022 e Werner Pönder 2021. A Editora Contracorrente tem a satisfação de anunciar a publicação do livro *Metamorfoses do Direito Global* sobre a interação entre Direito, tempo e tecnologia do ilustre professor Ricardo Campos. Com prefácio de Gunther Teubner e apresentação de Thomas Vesting, dois dos mais importantes nomes do Direito na atualidade, a ambiciosa obra de Ricardo Campos propõe uma determinação adequada das estruturas jurídicas fundamentais na sociedade mundial digitalizada por meio de uma abordagem inovadora consistente e com uma forte orientação interdisciplinar. Assim, em seis densos capítulos e uma espécie de apêndice intitulado *Perspectivas*, o livro de acordo com

Gunther Teubner procura de forma sistemática e histórica reconstruir as relações entre o Direito, o tempo e a tecnologia para extrair diretrizes para o desenvolvimento socialmente adequado do Direito da digitalização a partir de suas transformações testando essa abordagem na prática no exemplo da regulamentação das plataformas digitais. Ao mesmo tempo recorre ao debate geral da transnacionalização para conferir plausibilidade a suas profundas considerações teóricas sobre a relação entre Direito, tempo e tecnologia. Nas palavras de Thomas Vesting, o maior mérito deste trabalho que ele mostra que o conceito de globalização é um dos mais problemáticos já formados. Em qualquer caso não existe a globalização mas na melhor das hipóteses sempre novos impulsos da globalização e processos globais de formação do Direito desde a descoberta do Novo Mundo que Campos estratificam uns dos outros de forma convincente. Estado organiza-se em larga escala redes e plataformas. Esses três passos evolutivos ou metamorfoses no processo de formação do Direito Global como este livro também mostra não podem entretanto por sua vez ser separados do Estado na ou se pensarmos no Vale do Silício, desenvolvimentos regionais e práticas sociais emergentes dos mesmos aos quais o Direito deve se conectar se quiser fazer parte de um modo de vida e não apenas de um projeto político.

Rechtssprachliche Kommunikation Johannes Landbrecht, 2023-04-03 Sprache fungiert als Sonderhorizont der Konversierenden Rechtssprache als Sonderhorizont rechtssprachlich Konversierender. Bei unterschiedlichem Sonderhorizont scheitert Kommunikation. Das Gelingen von Kommunikation ist daher insbesondere im grenzüberschreitenden Kontext sehr schwierig, da die Rechtssprache ausserdem keine herkömmliche Fachsprache ist, derer man sich allenfalls nach Übersetzung weltweit bedienen konnte. Jede Rechtsordnung verwendet vielmehr ihre eigene Rechtssprache als gesonderte Fachsprache, die vom nationalen Rechtskontext geprägt ist. Johannes Landbrecht analysiert wie Kommunikation zum Recht trotzdem gelingen kann.

Handbuch des Strafrechts Dennis Bock, Tobias Ceffinato, Lutz Eidam, Georg Freund, Bernd Heinrich, Katrin Höffler, Elisa Hoven, Matthias Jahn, Urs Kindhäuser, Hans Kudlich, Jens Puschke, Frank Saliger, Jan C. Schuhr, Kay H. Schumann, Petra Wittig, Christoph Zehetgruber, Frank Zieschang, 2020-10-08. Band 5 Strafrecht Besonderer Teil II nimmt in sechs Abschnitten den Schutz des Vermögens und der sonstigen Vermögensinteressen der Umwelt und den Schutz vor Gemeingefahren sowie die Straftaten im Amt und die Urkunden und die Geld- und Wertzeichenfälschung in den Blick. Ausführlich besprochen werden dabei u.a. Diebstahl, Raub, Erpressung, Betrug, Untreue, Hehlerei, die Sachbeschädigung, Geldwäsche und Insolvenzstraftaten. Der Abschnitt zum Schutz vor Gemeingefahren umfasst die Beiträge Straßverkehrsdelikte, Brandstiftung, Vollrausch und Unterlassene Hilfeleistung, Beiträge zu Amtsstrahlgerebgriff, Bestechung sowie sonstige Amtsdelikte. Bilden den Abschnitt zu den Straftaten im Amt Konzeption. Das auf neun Bänden angelegte Handbuch des Strafrechts ist eine Gesamtdarstellung des deutschen Strafrechts und Strafverfahrensrechts, das nicht bei Kommentierungen einzelner Vorschriften sondern in Form themenspezifischer Abhandlungen erschlossen wird. Es besteht aus drei Sektionen, von denen die erste die Grundlagen sowie den Allgemeinen Teil des Strafrechts behandelt, die zweite den Besonderen Teil mit ausgesuchten Teildisziplinen des Strafrechts und die dritte das Strafverfahrensrecht. Das

Handbuch des Strafrechts stellt dezidiert die Dogmatik in den Mittelpunkt. Es berücksichtigt vor allem die Grundlagen und deren Fortentwicklung. Losgelöst von den Herausforderungen des Augenblicks und des Einzelfalls begleitet es die Entwicklung des deutschen Strafrechts beständig und dauerhaft aus einer kritischen Distanz. Es trägt dazu bei, andere strafrechtswissenschaftliche Untersuchungen auf ein solides Fundament zu stellen. Aufgrund von Interdisziplinarität und Einbeziehung europäischer und internationaler Tendenzen ist das Werk über die nationalen Grenzen hinaus für die gesamte strafrechtliche Forschung und Praxis von Interesse. Netz-Gedächtnis und Recht Anna Schimke, 2025-06-24 **La autoridad y la globalización de la inclusión y la exclusión** Hans Lindahl, 2024-01-23 El ordenamiento jurídico tradicional, así como las teorías del derecho realistas y analíticas, no dan cuenta de lo que de verdad determina la inclusión o la exclusión jurídica de un ciudadano. Tanto los movimientos anti como alterglobalización advierten este fenómeno. Hoy más que nunca los ordenamientos jurídicos transnacionales y globalizadores que no están limitados espacialmente y tienen además la pretensión universalizante de comprender en su jurisdicción a todo ser humano desafían las fronteras de los Estados. Sin embargo, es posible un orden jurídico que pueda incluir a todos sin exclusión alguna. Hans Lindahl lo tiene claro: no es posible incluir sin excluir. Entonces, ¿cómo podemos evitar caer en el relativismo? Es posible una política que no postule un orden jurídico omninclusivo pero que a la vez tampoco acepte resignadamente la parálisis política que se da frente a la marginación generada por los procesos de globalización. A partir de estos interrogantes y desde perspectivas tanto conceptuales como empíricas y normativas del derecho, Lindahl abre un amplio campo de indagación y reflexión tan necesarios en tiempos actuales.

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