



Responsabilidade Objetiva e Antecipação de Tutela (Portuguese Edition)

Fábio Luiz Gomes

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Neste livro, o autor examina os princípios e fundamentos que deram sustentação à organização social, política e, por conseguinte, também jurídica do Estado moderno. Ao abordar e demonstrar o conjunto de princípios mecanicistas enunciados nos séculos XVII e XVIII, aponta o descompasso entre as nossas macroestruturas (jurídicas, sociais e econômicas) e o conjunto de princípios hoje considerados cientificamente válidos. Após tratar do tema relativo à superação do paradigma da modernidade ? que fez com que o sistema jurídico se assentasse em leis universais e generalizantes, ao mesmo tempo em que reduziu o juiz a um poder nulo e o Judiciário a uma estrutura eminentemente burocrática ?, analisa o instituto da antecipação de tutela e demonstra a inadequação com que a doutrina tradicional enfoca a responsabilidade objetiva daquele que a obtém. Na conclusão, propõe uma visão que conduza a uma ?atribuição de sentido? pelo intérprete das normas, e não o da inviável ?busca? de um sentido que corresponda a uma verdade universal inatingível.

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