



Funcionalismo y normativismo penal. Una introducción a la obra de Günther Jakobs (Spanish Edition)

Eduardo Montealegre Lynett, Jorge Fernando Perdomo Torres

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Después de la obra de Hans Welzel no se había construido un nuevo sistema de Derecho penal. Esta tarea la inicia el más importante de sus discípulos, Günther Jakobs, quien en el año de 1983, en el prólogo a la primera edición de su Tratado de parte general, señala los lineamientos de una obra que rompe definitivamente con la tradición finalista. Contrario a ella, Jakobs encuentra que la elaboración de las categorías dogmáticas no puede hacerse con base en una fundamentación ontológica del Derecho.

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