



Direito Civil: Sistema dos direitos da personalidade (Portuguese Edition)

André Couto e Gama

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No início deste séc. XXI promulgou-se no Brasil um novo Código Civil. Embora tímido em suas inovações, cede o novo Código a uma antiga pressão social e acadêmica, fazendo constar de seu texto, pela primeira vez, os Direitos da Personalidade. Com a boa nova vieram as polêmicas que, de forma curiosa, mantiveram-se presentes mesmo após doze anos de intensificação de estudos sobre o assunto e da massificação de litígios judiciais instaurados (e solucionados) com base na nova codificação. Este cenário duvidoso fez com que os Direitos da Personalidade fossem tratados nesta obra de forma sistêmica e apresentados segundo uma teoria geral que leva em consideração uma premissa: sua fundamentação em um ideal de liberdade. Assim, deságua-se na análise da faculdade de agir e da pretensão daqueles que se vêm instigados socialmente a fazer uso ou mesmo proteger o próprio nome, a imagem, a vida privada, a liberdade e o corpo segundo um direcionamento ora expansivo, ora restritivo, de acordo com preceitos construídos cientificamente.



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