

Curso De Derecho Penal Orellana Wiarco Octavio

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ante las diversas teorías doctrinas publicaciones de colegas y estudiosos de este tema las interrogantes que se fueron presentando para iniciar este libro fueron innumerables pues como hablar de prisiones correccionales centros de reinserción

social o de resocialización o readaptación sin olvidar todo lo que se deriva de esta connotación por ello quisimos abordarlo desde las diversas aristas de la ciencia penal o sea desde la teoría punitiva que va desde el delito la pena hasta las tendencias criminológicas del positivismo penal de inicios del siglo xx y su proyección en este despertar de milenio con la llamada cuarta revolución industrial que nos es otra que la era cibernética el presente estudio se basa en la evolución de la teoría de la pena y los efectos sociales que se desarrollan frente a la imposición de una sanción privativa de la libertad aspectos todos ellos que hermanan hipótesis teorías y demás elementos propositivos que asimilan desde el origen del hombre hasta nuestros días aspectos que devienen de un comportamiento para algunos criminal para otros productos del medio donde se desenvuelven o sea crecen y mueren frente a una realidad anómica cuyos efectos desde garofalo han sido producto de la ciencia criminal donde los genes de nuestra historia dan como resultado la teoría de la violencia y de la propia fuerza como ejes motores del origen del estado

includes entries for maps and atlases

el tercer volumen de mi tratado desarrolla un método propio al cual he denominado cálculo legal pues mi particular manera de ver al derecho penal desde sus consecuencias me ha llevado a seguir los siguientes pasos cuando me plantean un asunto primero clasifico el hecho después fundamento la clasificación jurídica enseguida calculo los márgenes de punibilidad así como las consecuencias en abreviado y en ejecución de sanciones en ello consiste brevemente el cálculo legal

si se me pregunta cuál es el método que elegí para conformar mi tratado en tres volúmenes diré que está basado principalmente en un método cronológico y biográfico desde donde se describe año con año la evolución del derecho penal moderno de ahí que en este primer volumen se describen por una parte 200 años del progreso del derecho penal y por otro lado las aportaciones principales de cien penalistas con una especial referencia a la obra de feuerbach binding y claus roxin

la aportación más fina del derecho penal está en su concepto de imputación la imputación obedece a una determinada clasificación jurídica que la ley señale como delito sólo las conductas típicas aquellas que la ley señala como delitos son susceptibles de imputarse los elementos para la clasificación jurídica que la ley señale como delito están debidamente determinados en el código nacional de procedimientos penales en esta obra el autor llevó acabo la clasificación jurídica en 500 casos

contenido primera parte sobre la dogmática penal i función e importancia de la dogmática penal ii breve desarrollo histórico de la dogmática penal en alemania iii

desarrollo de la dogmática penal mexicana iv la influencia del finalismo en la dogmática penal mexicana v la influencia del finalismo en la legislación penal mexicana segunda parte en torno a la política criminal i función e importancia de la política criminal ii evolución de las ideas político criminales en general iii evolución de las ideas político criminales en México iv tendencias de la política criminal y del derecho penal v los actuales debates político criminales en la región latinoamericana tercera parte la vinculación entre dogmática penal y política criminal i por una estrecha relación entre dogmática penal y política criminal ii en torno a las vinculaciones entre dogmática penal y política criminal iii ontologismo o normativismo como base de la dogmática penal y de la política criminal iv ontologismo y normativismo son realmente irreconciliables como bases de la política criminal y la dogmática penal v el ontologismo de Welzel y sus implicaciones en la política criminal y la dogmática penal latinoamericanas

esta obra se propone tres objetivos recuperar sintéticamente el proceso de desarrollo y consolidación de la ciencia criminológica presentar un panorama de las principales tendencias en el análisis del fenómeno criminal con especial énfasis en los aportes latinoamericanos y despertar interés por un tipo de investigación criminológica cuyos resultados contribuyan a la prevención de la criminalidad

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