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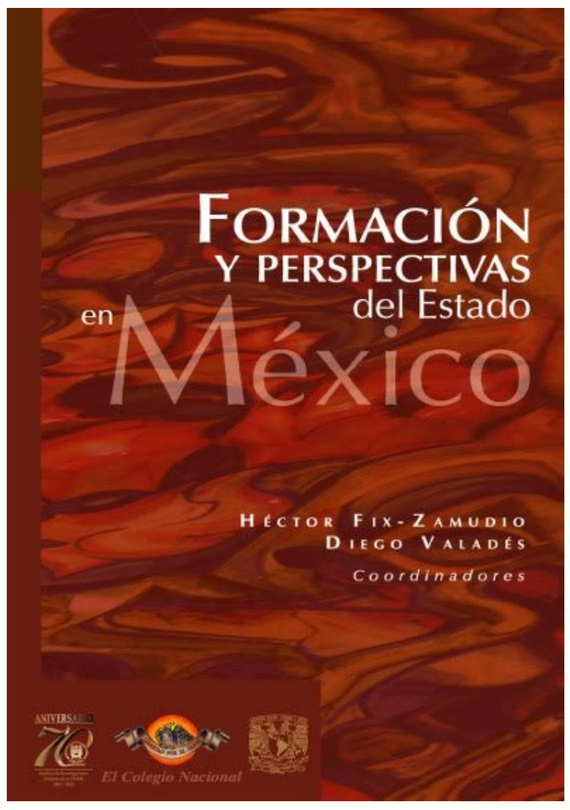
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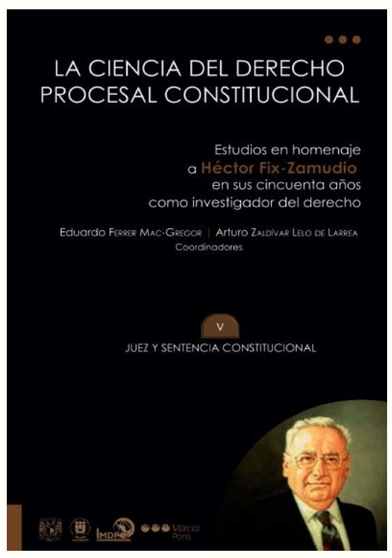
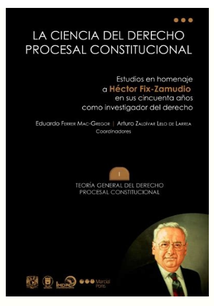

LA CIENCIA DEL DERECHO PROCESAL CONSTITUCIONAL
Estudios en homenaje a Héctor Fix-Zamudio en sus cincuenta años como investigador del derecho
Eduardo Ferrer Mac-Gregor | Arturo Zaldívar Lelo de Larrea
Coordinadores
V
JUEZ Y SENTENCIA CONSTITUCIONAL

INSTITUTO DE INVESTIGACIONES JURÍDICAS
TOMO I
DERECHO PROCESAL
ESTUDIOS EN HOMENAJE AL DOCTOR HÉCTOR FIX-ZAMUDIO
EN SUS TREINTA AÑOS COMO INVESTIGADOR DE LAS CIENCIAS JURÍDICAS
UNIVERSIDAD NACIONAL AUTÓNOMA DE MÉXICO



The deputies of the deputies instituted a commission of jurists to prepare a draft legislation that systematizes the norms of Brazilian constitutional process [1]. The act of creation is justified by the need for consolidation, systematization and harmonization of the norms dealing with the process and judgment of the abstract control of constitutionality control, the claim Constitutional, of the Habeas Date Warrant, of the injunction and the extraordinary appeals, and the jurists who have been participating in this constitutional observance also comply with this commission. , like his illustrious president, teacher and minister of STF Gilmar Ferreira Mendes, in addition to great constitutionalists such as Ingo Sarlet (rapporteur of the commission) and Lenio Streck, as well as colleagues Georges Abboud, Rodrigo Mudrovi Fernandes, the observation, Therefore, it will closely accompany the work of this important commission and, therefore, I intend to leave here some suggestions (I will not be exhaustive), taking into account the limits of this column space. The Brazilian constitutional process is characterized by € ”and thus distinguishes from the models of compared law â €” by the quantity, diversity and originality of constitutional action intended for the guarantee of the rights and protection of the constitutation . With the content of the models verified in other matters, the Brazilian system does not reserve a type of action or to use the protection of fundamental rights. Different constitutional action is focused on this goal, each with its specificity, mainly, the warrant of security â € ”a genuine creation of the Brazilian constitutional system, with inspiration in the Juice of Mexican protection, as I already explained in this same column [2] â € ”Habeas corpus, data, o mandado de injunção, ação civil pública e ação popular. ações constitucionais proróprias do modelo difuso é ainda complemented by uma varietye of instruments voltados ao exercio do controle abstrato de constitucionalidade pelo stf, como ação direta de inconstitucionalidade, ação direta de inconstitucionalidade por omissão, ação declaratória de constitucionalidade i countries that também adotam systems mistos de controle da constitutionalidade, um conjuntospecific (e reduzido) de writs constitucionais e de ações u recursos para o controletrato demonstra ser desnecessária a existência de um instrument em processual diferentes para cada direito que se queira causa garantir, assim como uma prova disso é que, desde a sua initial conformação normativa, sobretudo na decade de 1990 (especially as leis n. 9.868 e 9.882, de 1999), ação direta de inconstitucionalidade (adi) e ação declaratória de constitucionalidade (adc) foram tratadas pela doutrina como tendo um caráter dúplice u ambivalçãosad opmac oN.]7[or so, aµÃ§Ã§Ã a sasse ertne edadeiraidisbus ed o£Ã§Ã§Ã§Ãaler a atsiv me odnet ,)FPDA(latnemadnuf otiecerp ed otnemirpmucsed ed o£Ã§Ã§Ã§Ã¯Ã¯Ã¯Ã¯Ã¯Ã¯,Ã§Ã¯Ã¯Ã¯Ã¯Ã¯Ã¯